

**Johnson City Transit
Grantee ID #1123
FFY 2012-14 DBE Goal and Methodology**

Overall Goal

The **Johnson City Transit (JCT) total overall DBE goal for FFY 2012-14 (October 1, 2011, through September 30, 2014), is 4% of Federal financial assistance, in DOT-assisted contracts, exclusive of FTA funds used for the purchase of transit vehicles. JCT's entire 4% goal will be obtained through race-neutral means.**

JCT's overall goal is based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all business ready, willing and able to participate in JCT's DOT-assisted contracts. It reflects the level of DBE participation that JCT would expect absent the effects of discrimination.

Public Participation – Part 26.45(g)(1) and (2)

JCT's 2012-14 DBE proposed goal was published in the *Johnson City Press* (the only local daily newspaper) on June [REDACTED], which allowed a 45-day comment period prior to submission of the annual goal to FTA Office of Civil Rights. To assist Limited English Proficiency individuals, the public notice was published in both English and Spanish.¹ Addresses to which comments could be addressed were provided in the public notice. A copy of the newspaper affidavit of publication is enclosed. (Attachment A) JCT's proposed goal was also made available to the public on the JCT website (Attachment A-1), and was aired on the City of Johnson City public television station. No individual contacted JCT to request additional information or to submit comments regarding JCT's proposed FY 2009 DBE goal.

In addition to the above public outreach regarding JCT's proposed DBE goal, during the development of the proposed DBE goal JCT staff made extensive effort to consult with area officials or organizations which might have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and JCT's efforts to establish a level playing field for the participation of DBEs. This outreach effort included holding a DBE consultation public meeting on May 4, 2011 at the JCT Transit Center, with individuals unable to attend the public meeting invited to submit written comments. The meeting was held during JCT operating hours and in an ADA accessible building, to assist disabled individuals or those needing public transportation to attend the meeting. A notice (in both English

¹ Per the U.S. Census, the Spanish-speaking LEP population group in the Johnson City area, is 3.4% of the overall population. There is no other LEP population group in the Johnson City area above 1% of overall population.

and Spanish) was placed in the *Johnson City Press* on April 4, 2011, to advertise this public meeting (Attachment B), the notice was placed on the Johnson City public television station, and letters were mailed on April 1, 2011, to all area minority and/or women's groups and organizations which could be located, as well as to the area business resource offices/bureaus informing of this public meeting (Attachment B-1). The search to locate all area minority and/or women's groups and organizations included the following:

- Contacting the Johnson City/Washington County Chamber of Commerce, the Johnson City/Washington County Economic Development Council; the East Tennessee State University Bureau of Business and Economic Research; the Johnson City Police Department (Community Policing Unit); Johnson City Department of Community Development; and the Tennessee Department of Employment Security;
- Researching for area groups/organization listings via the Internet, the local phone book, and the Johnson City Public Library (where many area groups/organizations post information about themselves); and
- Consulting with the Johnson City MPO.

The area minority and/or women's groups/organizations which were located, as well as area business resource bureaus/offices, were direct-mailed letters informing them of the DBE consultation public meeting. Letters were mailed to the following:

- Innovation Laboratory (operated by East TN State University);
- Johnson City Business and Professional Women's Club;
- Johnson City Department of Community Development;
- Johnson City-Washington County Economic Development Council;
- Johnson City-Washington County Branch NAACP; and
- Tennessee Small Business Development Center.

_____ attended the public meeting.

JCT held/attended several public meetings during the year, during which information about JCT programs, including the DBE program, was available to anyone attending. Meetings include public participation meetings held jointly with the Johnson City MPO, as JCT adheres to and is included in the Johnson City MPO's Public Participation Plan. A list of these meetings which provides dates/times/locations of the meetings, and documentation, is attached (Attachment C). Also attached is a copy of the JCT DBE brochure which is available in both English and Spanish formats to anyone attending JCT public meetings (Attachment D).

Method (Part 26.45)

JCT obtained County Business Pattern (NAICS) data from the U.S. Census Bureau (2008 data, most current) and obtained certified DBE vendors data from the current TDOT *UCP Certified Disadvantaged Business Enterprise Listing* for Tennessee Region 1, where JCT is located (April 2011, most current), and utilized that data during Step One of its goal calculation, as detailed below in Step One.

- **Step One, Base Figure (Part 26.45(c))**

To determine a base figure for the relative availability of DBEs in the JCT market, JCT is following Part 26.45(c)(1), and relying on the TDOT state-wide UCP DBE Directory (*TDOT Certified Disadvantaged Business Enterprise Listing*), and the U.S. Census Bureau County Business Pattern (CBP) data for the Johnson City MSA, where JCT is located and where a substantial majority of the contractors with which JCT does business are located (Attachments E and F). The total number of certified DBE firms in the TNUCP / TDOT Civil Rights database for TDOT Region 1 of TN (east Tennessee) where JCT is located, was divided by the total number of all firms in Washington County listed in the Census Bureau CBP with NAICS codes of all types of firms providing goods and services utilized by JCT, for transit system needs. This calculation resulted in 66 DBEs (Region 1 TDOT DBE List) divided by 1,794 Washington County businesses = **3.7% base figure**.
- **Step Two, Adjustments to Base Figure (Part 26.45 (d))**

JCT has examined all of the evidence available in JCT's jurisdiction to determine what adjustment, if any, is needed to the base figure in order to arrive at its overall goal. No disparity studies are available for the JCT area, but based on:

 - JCT's knowledge of the area contracting market, and information on fields that affect the opportunities for DBEs to form, grow, and compete in this area (such as self-employment, education, and training) and as available from JCT's Bidder's List; and
 - Current capacity of DBEs to perform work in JCT's DOT-assisted contracting program, based on JCT median past participation of DBEs at 4%;

JCT has determined that the base goal of 3.7% will be **adjusted up to 4%**, for JCT's DBE goal for FY 2012-14. **JCT's total overall DBE goal for FFYs 2012-14 is 4%.**

- **Weighting**

The overall goal is not weighted by contracting categories, as all JCT contracting opportunities with federal funds will be treated equally in efforts for DBE participation. In addition, aside from the completion of JCT's ARRA-funded ITS project, the large majority of JCT contracting will be done in very small contracts below \$10,000 each, which facilitates DBE vendor participation. JCT's schedule of "Approximate Federal Funds Available for Contracting in FFY 2012" is attached, with breakdown by major project category. (Attachment G)

Means Used to Meet JCT Overall DBE Goal (Part 26.51)

JCT's overall FY 201214 DBE goal of 4% will be obtained entirely through race-neutral measures. JCT is a small urban transit system (located in an urbanized area with a population less than 200,000), and very rarely has a large contract with sub-contracting opportunities. No such upcoming contract is anticipated for FY 201214. JCT anticipates meeting its DBE goal entirely through race-neutral measures, which include but are not limited to the following:

- Arranging all possible aspects of solicitations, including delivery schedules, in ways that facilitate DBE participation;
- Unbundling of contracts;
- Reducing bonding requirements when possible;
- Providing guidance on obtaining business assistance in areas such as business management, record keeping, and technical assistance;
- Provision of information to bidders, upon request, in other languages than English;
- Ensuring inclusion of DBEs on JCT's mailing list for bidders;
- Providing guidance on obtaining assistance for start-up businesses; and
- Ensuring the widest possible distribution of JCT's DBE Directory – which is the TDOT state-wide DBE Listing.