



Massachusetts Bay Transportation Authority

Disadvantaged Business Enterprise Program Reporting

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What is the DBE Program?

Description

- Federal program required under 49 CFR Part 26.
- DBEs are businesses owned by socially and economically disadvantaged individuals.
- To be eligible a firm must be a small business with 51% owned and controlled by socially and economically disadvantaged individuals.
- As a recipient of Federal funds, the MBTA must have a program. Not a quota program; goals based on good faith efforts.

Objectives

- Remedy discrimination in contracting.
- Create a level playing field for fair competition.
- Help firms to eventually compete outside program.



United States Congress Authorization of Funding for the DBE Program

Authorization

- In 1983, US Congress enacted the first Disadvantaged Business Enterprises (DBE) program.
- The DBE program was reauthorized by Congress on January 6, 2015, providing Federal funds for “Fixing America’s Surface Transportation” (FAST Act).

Existence of Discrimination

- Congress has found that “discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses in federally assisted surface transportation market across the United States.”
- Congress has ruled that the continuing barriers...merit the continuation of the Disadvantaged Business Enterprise program.



Reporting Areas Covered

MBTA DBE Goal and Attainments for reporting period.

1. Prime and Subprime Awards and Commitments for reporting period.
2. Demographics of DBE awards.
3. Payments made this period.

Throughout the presentation we will be referring to specific sections of the Uniform Report of DBE Awards and Commitments.



MBTA Goals and Status

THE MBTA DBE GOAL FOR THE FEDERAL FY PERIODS OF 2022-2025 IS 20%.

THE MBTA DBE AWARDS ACHIEVEMENT FOR THE 1st REPORTING PERIOD OF FEDERAL FY PERIOD OF 2022 WAS 23.49%.

THE MBTA DBE AWARDS ACHIEVEMENT FOR THE 2nd REPORTING PERIOD OF FEDERAL FY PERIOD OF 2022 IS 17.24%.

THE MBTA DBE AWARDS ACHIEVEMENT FOR THE FEDERAL FY PERIOD OF 2022 IS 20.06%.



Federal FY22 Period 2 MBTA DBE Goal and Attainments



Awards/Commitments Made During this Reporting Period

	Total Dollars	Total Number	Total \$ to DBEs	Total # to DBEs	Total \$ to DBEs/Race Conscious	Total # to DBEs/Race Conscious	Total \$ to DBEs/Race Neutral	Total # to DBEs/Race Neutral	% Total \$ to DBEs
Prime Contracts Awarded	\$255,317,231	184	\$61,851	5	\$0	0	\$59,639	4	0.02%
Subcontracts Awarded/Committed	\$72,706,550	226	\$43,943,719	151	\$41,141,546	138	\$2,802,073	14	60.44%
Total			\$44,005,570	156	\$41,141,646	138	\$2,861,712	18	17.24%



DBE Payment Demographics

	Total \$ to DBE – Women	Total \$ to DBE – Men	Total \$ to DBE	Total # to DBE – Women	Total # to DBE – Men	Total # to DBE
Black American	\$31,390	\$6,037,572	\$6,069,502	1	19	20
Hispanic American	\$791,711	\$5,259,840	\$6,051,551	4	15	19
Native American	\$0	\$0	\$0	0	0	0
Asian-Pacific American	\$13,013,578	\$1,553,643	\$14,567,221	10	22	32
Subcontinent Asian American	\$0	\$3,586,916	\$3,586,916	0	5	5
Non-minority American	\$13,401,173	\$329,207	\$13,730,380	80	1	81
Total	\$27,238,392	\$16,767,178	\$44,005,570	95	62	157



Payments for Ongoing Contracts

	Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE Firms	Total Number of DBE Firms Paid	Percent to DBEs
Prime and subcontracts currently in progress	308	\$219,649,791	148	\$35,653,382	124	16.23%



Actual Payments On Contracts Completed This Reporting Period

	Number of Prime Contracts Completed	Total Dollar Value of Prime Contracts Completed	DBE Participation Needed to Meet Goals (dollars)	Total DBE Participation (dollars)	Percentage of Total DBE Participation
Race Conscious	21	\$79,797,760	\$11,864,713	\$13,480,175	17.00%
Race Neutral	41	\$3,238,435		\$32,378	1.00%
Totals	62	\$83,036,195		\$13,512,553	16.00%



Subsequent Steps After Analysis of Period 2 Report

Analysis completed of Period 2 report findings on 12/28/2022. In the analysis the MBTA outlined its findings and planned subsequent actions to improve the Authority's DBE program with special emphasis on improving DBE Race Neutral participation in MBTA contracting opportunities .



Ongoing Program Improvement Efforts By the MBTA

1. MBTA continues to adjust its DBE award forecasting ability through better internal reporting systems. Central to the reporting system is a monthly meeting ODCR will continue to hold with Capital Programs and Procurement to review awards and spending for the month.
2. The implementation of Supplier Diversity Data Management and Compliance Software.
3. A specific focus on increasing the DBE goals for professional services contracts within the Capital Programs department



Ongoing Program Improvement Efforts By the MBTA

Meeting with the American Council of Engineering Companies of Massachusetts (ACEC/MA) to increase DBE participation in professional services contracts with specifics being:

- Outreach to DBE firms, including partnering with ACEC for “Meet and Greets.”
- Addressing insurance and bonding requirements.
- Providing a current list of DBEs working with the MBTA.
- Optimizing communication/timing with DBE firms during the contracting and post-award processes.

4. Development of specific strategies to increase “race and gender neutral participation of DBE on MBTA contracts and projects.

Development and implementation of these focused correction actions with professional services DBEs/ACEC have begun, with the focus of implementation starting in February 2023.

