



**Massachusetts Bay  
Transportation Authority**

# Disadvantaged Business Enterprises Program

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ODCR

February 8, 2024



# Federal Authorization for DBE Program

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## Authorization

- In 1983, U.S. Congress enacted the first Disadvantaged Business Enterprises (DBE) program.
- On Jan. 6, 2015, the DBE program was reauthorized by Congress, 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 DBE program.



# What is the DBE Program?

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## Description

- Federal program requirements as detailed under 49 CFR Part 26.
- DBEs are businesses owned by socially and economically disadvantaged individuals.
- Eligibility: 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 is authorized to 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.



# Methodology of Goals & Goals Performance

## MBTA thru ODCR with approval and guidance from the FTA formulates DBE goals

- The DBE goals are established for a 3 federal fiscal years period.
- The goals are mandatory for FTA specific funded projects and procurements awards.
- The goals are attained by measuring the prime and sub-prime availability of ready, willing and able DBEs in the region for the specific type of projects and procurements expected by the agency.

## MBTA DBE goals performance

- The MBTA DBE goal for the federal FFYs periods of 2021–2023 is 20%.
- The MBTA DBE achievement for the 2nd reporting period of FFY2023 is 13.69%.
- The achievement for the entire FFY2023 is 18%.



# MBTA Reporting Components

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The MBTA thru ODCR submits semi-annual reports to the FTA with the following components:

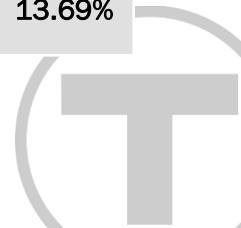
- The FTA requires the submission of a semi-annual report titled “Uniform Report on DBEs Awards & Payments”
- The two annual Federal Fiscal Year (FFY) reporting periods:
  1. from October–March,
  2. from April–September
- Prime and sub-prime awards, commitments and payments made during each reporting period and FFY



# Awards/Commitments Made During Reporting Period

(2<sup>nd</sup> Reporting Period: April 2023 to September 2023)

	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	\$37,958,310	69	\$102,560	4	\$0	0	\$102,560	4	0.27%
Subcontracts Awarded/Committed	\$6,977,091	82	\$5,094,163	56	\$5,094,163	56	\$0	0	73%
<b>Total</b>			<b>\$5,196,723</b>	<b>60</b>	<b>\$5,094,163</b>	<b>56</b>	<b>\$102,560</b>	<b>4</b>	<b>13.69%</b>



# DBE Award Demographics

(2<sup>nd</sup> Reporting Period: April 2023 to September 2023)

	Total \$ to DBE - Women	Total \$ to DBE - Men	Total \$ to DBE	Total # to DBE - Women	Total # to DBE - Men	Total # to DBE
Black American	\$1,080	\$765,327	\$766,407	1	7	8
Hispanic American	\$179,720	\$119,897	\$299,617	2	2	4
Native American	\$0	\$0	\$0	0	0	0
Asian-Pacific American	\$401,889	\$1,395,470	\$1,797,359	1	13	14
Subcontinent Asian American	\$0	\$0	\$0	0	0	0
Non-minority American	\$2,333,340	\$0	\$2,333,340	34	0	34
<b>Total</b>	<b>\$2,916,029</b>	<b>\$2,280,694</b>	<b>\$5,196,723</b>	<b>38</b>	<b>22</b>	<b>60</b>

# Payments Made During Reporting Period

(2<sup>nd</sup> Reporting Period of April 2023 to September 2023)

## Actual Payments for Contracts Open and Not Completed this Reporting Period

	Total Number of Ongoing Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBEs	Total Number of DBE Firms Paid	Percent to DBEs
Totals	182	\$147,036,713	130	\$25,206,464	119	17.14%

## Actual Payments for Contracts Closed & Completed this Reporting Period

	Number of Prime Contracts Completed	Total Dollar Value of Prime Contracts Completed	Needed DBE Participation to Meet Contracts	Total DBE Participation	Percentage of Total DBE Participation
Totals	40	\$191,291,205		\$28,836,208	15.07%



Thank You and Questions

