

PORT OF OAKLAND
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
FEDERAL FISCAL YEAR (FFY) 2012-2015
OVERALL THREE YEAR GOAL AND METHODOLOGY
REPORT TO THE
U. S. DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION

The Port of Oakland has completed its initial review process for its Disadvantaged Business Enterprise (DBE) goal applicable to Federal Fiscal Years (FFY) 2012-2015 contracting opportunities funded in whole or in part by the U.S. Department of Transportation, Maritime Administration (USDOT MARAD). The Port utilizes the DBE goal-setting methodology in compliance with the U.S. Department of Transportation (USDOT) regulations 49 CFR Part 26, issued February 2, 1999, and effective March 4, 1999 (“DBE Regulations”).

The regulations require a two-step process for goal setting. This process intends to provide the maximum flexibility for recipients, while ensuring that goals are based on availability of ready, willing, and able DBEs in each recipient’s relevant market. Absent a history, the second step is not utilized in setting the goal.

The Port of Oakland’s FFY 2012-2015 USDOT funded contracting opportunity in the total amount of \$15,000,000 is described below, pursuant to U.S. Census Bureau’s North American Industry Classification System (NAICS) codes.

PROJECTED PROJECT

Project Name	Total Project Dollars	TIGER Funded Portion
Outer Harbor Intermodal Terminal Support Yard	17,935,912	15,000,000
TOTAL	17,935,912	15,000,000

GOAL METHODOLOGY

Step One: Determining the Base Figure (26.45): DBE Availability

In establishing its base figure for the relative availability of DBEs in the Port's market area of Alameda and Contra Costa counties, the Port of Oakland has used the following data:

1. California Unified Certification Program (CUCP) DBE Database
2. 2010 Census Bureau County Business Patterns

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 238910 (Site Grading) is **154**. Approximately **23** DBE firms are in the CUCP DBE Database, representing **15%** of the **154** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 237310 (Asphalt Paving) is **78**. Approximately **30** DBE firms are in the CUCP DBE Database, representing **38%** of the **78** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 238210 (Electrical/Telecommunication Systems) is **499**. Approximately **25** DBE firms are in the CUCP DBE Database, representing **5%** of the **499** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2010 Census Bureau County Business Patterns for NAICS code 237110 (Water and Sewer) is **57**. Approximately **13** DBE firms are in the CUCP DBE Database, representing **23%** of the **57** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 237310 (Storm Drains) is **78**. Approximately **30** DBE firms are in the CUCP DBE Database representing **38%** of the **78** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 238990 (Fencing) is **163**. Approximately **41** DBE firms are in the CUCP DBE Database, representing **25%** of the **163** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 237990 (Rail Construction) is **27**. Approximately **6** DBE firms are in the CUCP DBE Database, representing **22%** of the **27** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 238110 (Poured Concrete Foundation) is **100**. Approximately **22** DBE firms are in the CUCP DBE Database, representing **22%** of the **100** in the counties.

The total number of design firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 541330 (Design Civil/Rail) is **749**. Approximately **60** DBE firms are in the CUCP DBE Database, representing **8%** of the **749** in the counties.

The total number of surveying firms in the local counties (Alameda and Contra Costa counties) in the 2010 Census Bureau County Business Patterns for NAICS code 541370 (Surveying) is **41**. Approximately **7** DBE firms are in the CUCP DBE Database, representing **17%** of the **41** in the counties.

Table 1: Percentage of projected dollars by NAICS code

NAICS Code	Industry Area	Dollar Totals by NAICS Codes	Total Project	Percentage of Project Dollars
238910	Site Grading	\$847,717	\$17,935,912	4.7264
237310	Asphalt Paving	\$525,550	\$17,935,912	2.9302
238210	Electrical/Telecomm. Systems	\$1,542,150	\$17,935,912	8.5981
237110	Water and Sewer	\$1,546,750	\$17,935,912	8.6238
237310	Storm Drains	\$237,303	\$17,935,912	1.3231
238990	Fencing	\$366,218	\$17,935,912	2.0418
237990	Rail Construction	\$12,306,725	\$17,935,912	68.6150
238110	Poured Concrete Foundation	\$431,250	\$17,935,912	2.4044
541330	Design Civil/Rail	\$17,250	\$17,935,912	0.0962
541370	Surveying	\$115,000	\$17,935,912	0.6412

Table 2: Determining Base Figure

NAICS Code	Industry Area	2010 Census	CUCP	Available CUCP/ Census = Base Figure	% of Project Dollars to be Spent in Each	Weighted %
238910	Site Grading	154	23	0.1494	4.7264	0.7059
237310	Asphalt Paving	78	30	0.3846	2.9302	1.1270
238210	Electrical/ Telecomm. Systems	499	25	0.0501	8.5981	0.4308
237110	Water and Sewer	57	13	0.2281	8.6238	1.9668
237310	Storm Drains	78	30	0.3846	1.3231	0.5089
238990	Fencing	163	41	0.2515	2.0418	0.5136
237990	Rail Construction	27	6	0.2222	68.6150	15.2478
238110	Poured Concrete Foundation	100	22	0.2200	2.4044	0.5290
541330	Design Civil/Rail	749	60	0.0801	0.0962	0.0077
541370	Surveying	41	7	0.1707	0.6412	0.1095
						21.1468

Total Project Dollars: \$17,935,912

Based on the data in Table 1: Determining Base Figure, the Port of Oakland has calculated a **weighted DBE availability of 21.14%** to establish its base figure applicable to contracting opportunities. This 21.14% will also serve as the goal as there is no prior history to proceed to step two.

Step Two: Adjusting the Base Figure

The Port of Oakland will not be adjusting the base figure as this is the first of this project type under this grant.

PUBLIC PARTICIPATION

The Port of Oakland anticipates public notice of its goal through advertisement for a 45-day period, allowing for inspection and comment.

UTILIZATION OF RACE-NEUTRAL AND RACE CONSCIOUS METHODS

Consistent with the Port's policy, as stated in the Program Report, the Port intends to meet DBE participation goals entirely through race-neutral means.

Race-Neutral Methods

The Port will implement a race-neutral program to achieve DBE participation goal. The program consists of:

- a. Structuring contracting activities so as to encourage and facilitate the participation of DBEs when practical;
- b. Ensuring that competitors for this opportunity are informed during pre-solicitation meetings about how the Port's DBE Program is administered;
- c. Assisting in overcoming limitations in bonding and financing through referral to and collaboration with the surety bond and financing programs of various agencies;
- d. Providing technical assistance in orienting small businesses to contracting opportunities through the internet and facilitating introductions to the Port's and other U.S. DOT recipients' contracting activities, through various small business conferences and local chambers and trade associations (i.e., Hispanic Chamber, Black Caucus, Black Board of Trade and Commerce, and Asian Business Chamber), sponsored events and conferences, as well as other outreach activities;
- e. Providing outreach and communications programs on contract procedures and contract opportunities to ensure the inclusion of DBEs;
- f. Ensuring the distribution of the California Unified Certification Program (CUCP) Database to the widest feasible universe of potential contractors by listing the CUCP website location in the RFPs/RFQs; and,
- g. Providing business development assistance through the Port's Owner Controlled Insurance Program and referrals to the East Bay Small Business Development Center and other assistance agencies.

Race Conscious Methods

The Port will not utilize any race conscious means of participation in achieving its goal.

In order to obtain the maximum amount of participation of DBE firms in contracting opportunities, the Port of Oakland's DBE Liaison Officer (Amy Tharpe, Director of Social Responsibility) and/or supporting staff attends, sponsors and coordinates local and regional events for disadvantaged, minority, women, small and local businesses. Amy Tharpe, Director of Social Responsibility, is the Port of Oakland's DBE Liaison Officer.

LIST OF ATTACHMENTS

1. NAICS Listing
2. CUCP DBEs by NAICS Codes
3. County Census Availability by NAICS codes

The list of attachments may be obtained by contacting Lila Zinn, Contract Compliance Supervisor, at (510) 627-1485 or lzinn@portoakland.com.