

**Port of Oakland
Disadvantaged Business Enterprise Triennial Goal
Federal Fiscal Years 2023/2024/2025**

The Port of Oakland’s proposed overall Disadvantaged Business Enterprise (DBE) goal for Federal Fiscal Years (FFY) 2023-2025 is 12.42%.

The Port of Oakland has completed its initial review process for its annual Disadvantaged Business Enterprise (DBE) goals applicable to Federal Fiscal Years (FFY) 2023-2025 contracting opportunities funded in whole or in part by the Federal Aviation Administration (FAA). The Port utilizes the DBE goal-setting methodology in compliance with the U.S. Department of Transportation regulations 49 Part 26, issued February 2, 1999, and effective March 4, 1999 (“DBE Regulations”).

For FFY 2019-2021 DBE participation was **4.89% short** of the race-neutral goal of **8.01%**.

The US DOT regulations require federal aid recipient to calculate DBE goals for a three-year period, 49 CFR Part 26.45. The Port is submitting this triennial goal and methodology report, and if additional grants are received and secured or if federal funding is reduced during the noted FFYs, the Port may opt to update its goal and methodology report accordingly.

The Regulations require a two-step process for goal setting: (1) determine the base figure for the relative availability of DBEs and (2) examine all of the evidence available in the jurisdiction to determine what, if any, adjustment the to base figure is needed. 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.

The Port of Oakland’s projected projects for FFY 2023-2025 FAA funded contracting opportunities are listed in Table 1 below. The expressed in total amount of dollars are described below according to U.S. Census Bureau’s North American Industry Classification System (NAICS) codes. The total estimated amount of federal funding for these projects is \$38,763,999.

Table 1: Projected Projects

Twy Whiskey (bet. Bravo and W5)
Airfield Geometric Improvements
Runway 10R/28L Rehab
Runway 10L/28R Rehab
Airfield Paving Design (Contract One)
Airfield Paving Design (Contract Two)

GOAL METHODOLOGY

Step One: Determining the Base Figure: DBE Availability

Step 1. Actual relative availability of DBEs

To determine the base figure, the Port of Oakland estimated the percentage of projected dollars attributable to each category of work utilizing the North American Industry Classification System (NAICS). The percentage breakdown is outlined in Table 2 below.

Table 2: Percentage of Project Dollars by NAICS code

Civil Engineer	Runway Construction*	Striping*	Surveying/ LiDAR	Asphalt/ Concrete	Underground Electric	Concrete Cutting	Off Haul Trucking
23.60%	19.71%	1.26%	0.52%	23.53%	28.61%	1.90%	0.87%

In establishing its base figure for the relative availability of ready and willing DBEs, the Port is utilizing a market area of Alameda and Contra Costa counties. The Port has used the following data in establishing the base data:

1. California Unified Certification Program (CUCP) DBE Database
2. 2020 Census Bureau County Business Patterns

The number of firms in Port of Oakland’s Market Area (Alameda and Contra Costa counties) in the 2020 Census Bureau County Business Patterns based on the their NAICS code is as follows in Table 3.

Table 3: Business Availability by NAICS in Alameda and Contra Costa Counties

2017 NAICS code	Meaning of NAICS code	Meaning of Employment size of establishments code	Year	Number of establishments
237130	Power and communication line and related structures construction	All establishments	2020	38
237310	Highway, street, and bridge construction	All establishments	2020	63
238910	Site preparation contractors	All establishments	2020	168
484220	Specialized freight (except used goods) trucking, local	All establishments	2020	138
541330	Engineering services	All establishments	2020	871
541370	Surveying and mapping (except geophysical) services	All establishments	2020	31

The number of firms in Port of Oakland’s Market Area (Alameda and Contra Costa counties) in the California Unified Certification Database (<https://californiaucp.dbesystem.com/>) based on the their NAICS code is as follows in Table 4.

Table 4: DBE Availability in the California Unified Certification Database

NAICS	541330	237310	237310	541370	237310	237130	238910	484220
Census Availability #	871	63	63	31	63	38	168	138
DBE Availability #	57	0	3	8	10	9	7	24
DBE Availability %	6.54%	0.00%	4.76%	25.81%	15.87%	23.68%	4.17%	17.39%

Table 5: Determining Base Figure

NAICS for FFY 23/24/25	541330	237310	237310	541370	237310	237130	238910	484220	Goal Total
	\$9,150,000	\$7,640,402	\$489,610	\$199,754	\$9,120,116	\$11,089,592	\$737,555	\$336,970	\$38,763,999
Census Availability #	871	63	63	31	63	38	168	138	
DBE Availability #	57	0	3	8	10	9	7	24	
DBE Availability %	6.54%	0.00%	4.76%	25.81%	15.87%	23.68%	4.17%	17.39%	
DBE \$*	\$598,794.49	\$0.00	\$0.00	\$51,549.42	\$1,447,637.46	\$2,626,482.32	\$30,731.46	\$58,603.48	\$4,813,799
DBE %*	6.54%	0.00%	0.00%	25.81%	15.87%	23.68%	4.17%	17.39%	12.42%

Based on the data in Table 5: Determining Base Figure, the Port of Oakland has calculated a weighted DBE availability of 12.42% to establish its base figure applicable to contracting opportunities.

Step Two: Adjusting the Base Figure

The Port of Oakland is not adjusting the Base Figure because the availability of ready, willing, and able DBEs commiserate with the goal is demonstrated through the DBE utilization of neighboring USDOT recipient Bay Area Rapid Transit that uses firms with the same NAICS.

Disparity Study

The Port of Oakland does not have a finalized disparity study.

UTILIZATION OF RACE-NEUTRAL AND RACE CONSCIOUS METHODS

Consistent with the Port’s policy, as stated in the DBE Program Plan, 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 goals. 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 opportunities 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 at the Airport through the Internet and facilitating introductions to the Port’s and other US DOT recipients’ contracting activities, through various small business conferences and local chambers and trade association (i.e., Hispanic Chamber, Black Caucus, Black Board of Trade 5 and Commerce, and Asian Business Chamber) sponsored events and conferences, as well as monthly breakfasts and 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 potential contractors by listing the CUCP website location in the Bids, 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.

To obtain the maximum amount of participation of DBE firms in contracting opportunities, the Port of Oakland's DBE Liaison Officer and related staff attend, sponsor, and coordinate local and regional events for minority, women, small and local businesses. During FFY 2019 – 2021, the Port of Oakland participated in local, small, and diverse business events sponsored by multiple entities including the Western Regional Minority Supplier Diversity Council, Hispanic Chamber of Commerce, Oakland African American Chamber of Commerce, Bay Area Rapid Transit District, City of Oakland, and the Port of Oakland as well as, other events that foster public contracting participation by small and diverse business owners.

Lists of DBEs on the CUCP website are made available to potential prime contractors on Port of Oakland projects and to Purchasing Department staff for bidding opportunities. The DBE Liaison Officer is available to answer DBE program questions and review federal aid funded proposals requiring DBE compliance.

PUBLIC PARTICIPATION

The Port of Oakland publicly noticed its goal through advertisement for a 30-day period, allowing for inspection and comment.

Consultation

In establishing the overall goal, Port of Oakland provided for consultation and publication. This process included consultation with minority, women's, and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Port of Oakland's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process, and was conducted before the goal methodology was submitted to the operating administration for review. Details of the consultation are as follows.

The consultation engaged in was a virtual meeting that was available via telephone and internet, which was held on September 20, 2022 at 4:00 p.m.

The following comments were received during the course of the consultation: [If no comments were received, so state]

A notice of the proposed goal was published on the Port of Oakland official website before the methodology was submitted to Federal Aviation Administration.

If the proposed goal changes following review by Federal Aviation Administration, the revised goal will be posted on Port of Oakland official website.

Notwithstanding paragraph (f)(4) of §26.45, Port of Oakland proposed goals will not be implemented until this requirement has been met.

Public Notice Language

Greetings,

Please join the Port of Oakland to learn about its Overall DBE Goal for Federal Fiscal Years 23/24/25.

PUBLIC NOTICE

Port of Oakland hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of 12.42% for FAA-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2023 through 2025 (10/1/2022

- 9/30/2025). A virtual meeting will be held on Tuesday, September 20, 2022 at 4:00 p.m. at <https://portoakland.zoom.us/j/96022237323> for the purpose of consulting with stakeholders to obtain information relevant to the goal-setting process.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

Amy Tharpe, DBE Liaison Officer 530 Water Street Oakland, CA 94607 SRDAdmin@PortOakland.com (510) 627-1627	OR Federal Aviation Administration Office of Civil Rights Shaun Bouy DBE Compliance Specialist Shaun.A.Bouy@faa.gov (267) 702-5190
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