



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION 9
Arizona, California,
Hawaii, Nevada, Guam,
American Samoa, and the
Northern Mariana Islands

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September 26, 2019

Mr. Bradley Saran
North County Transit District, Recipient ID: 1690
810 Mission Avenue
Oceanside, CA 92054

Re: 2020-2022 Triennial DBE Goal Submission Concur Letter

Dear Mr. Saran:

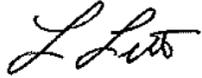
The Federal Transit Administration (FTA) has received and reviewed North County Transit District's Disadvantaged Business Enterprise (DBE) triennial goal setting methodology for Federal Fiscal Years (FFY) 2020-2022. This DBE goal will be effective October 1, 2019 through September 30, 2022. This submission is required by the Department of Transportation DBE regulations found at 49 C.F.R. Part 26. Your proposed overall goal is 4.2%, with a proposed race-conscious/race-neutral split of 0% RC / 4.2% RN.

Our review considered all elements required by the Department of Transportation regulations found at 49 C.F.R. § 26.45, including the descriptions of the evidence and methods used to calculate, adjust and establish the overall goal. The review assessment attached to this letter identifies the specific areas reviewed, any concerns, and relevant reviewer comments. You must address and correct any identified concerns to assure you are implementing the goal in accordance with the regulations. Your goal status is now *Concur*, and your next triennial goal is due to FTA on August 1, 2022. FTA will verify corrections have been made and implemented at the next oversight opportunity.

You are expected to make a good faith effort to meet your goal each year during the three-year period for which it is in effect. You must document your DBE attainment on FTA-funded contracts and purchases by submitting a semi-annual report via TrAMS on June 1 and December 1 of each year. If you fall short of your overall DBE goal in any given year, you must develop a shortfall analysis and corrective action plan following the guidance in 49 C.F.R. § 26.47(c). Transit vehicles must be purchased from a DBE-certified transit vehicle manufacturer (TVM) and reported to FTA within 30 days of purchase. The current list of DBE-certified TVMs and the online reporting tool can be found on the DBE portion of FTA's website at www.transit.dot.gov. Finally, any mid-cycle adjustment to your goal to reflect changed circumstances must be submitted to FTA.

FTA is committed to providing technical assistance to help correct your DBE goal and to implement your program consistent with the regulations and guidance. In order to preserve paper, we are issuing this letter electronically via email and it is attached to your profile in TrAMS. Please do not hesitate to contact me directly at (415) 734-9464 or at lynette.little@dot.gov if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L Little". The signature is written in a cursive style with a large initial "L".

Lynette Little
Civil Rights Officer, Region 9

cc: Ray Tellis, FTA Region 9, Regional Administrator
Monica McCallum, FTA Civil Rights, Director of Regional Operations

DBE Goal Review Assessment:

Items below identified as “YES” are included in the DBE goal, and no changes are needed. Items identified as “NO” were not included or were insufficient and must be corrected. Carefully address all insufficient items, as indicated in this review letter, to ensure you are implementing a goal in accordance with the regulations.

Overall Goal Methodology and Submission

1. Does the overall goal reflect the percentage of DBE participation you expect to have on FTA-funded contracts in the upcoming three years (excludes transit vehicles purchases)?
Yes
2. The overall goal, as stated in the submission is: *4.2%*
3. Is there a description of how much of the goal you anticipate meeting using race/gender conscious (RC) measures (i.e. contract-specific DBE goals), versus race/gender neutral (RN) measures? *N/A - All RN*
4. The RC portion of the goal, as stated in the submission, is: *0%*.
5. The RN portion of the goal, as stated in the submission, is: *4.2%*.
6. Is there a sufficient description of the consultation with minority, women’s and general contractor groups? *No*
7. Does the methodology summarize the comments received during consultation with the public and what changes, if any, were made to the goal as a result? *No*
8. Was the proposed overall goal posted on your official agency website before the August 1st submission date? *No*
9. Does the methodology include your data sources and the assumptions and calculations used to establish the overall goal? *Yes*

Step 1 – Developing the Base Figure

10. Is there a description of the FTA-funded projects or contracts you project for the next three years? *Yes*
11. Are larger projects broken down or described to evaluate possible sub-contracting opportunities? *Yes*
12. If applicable, are all of the prime and sub-contracting opportunities included for sub-recipients? *N/A - grantee does not have sub-recipients*
13. Did you “show your work” when calculating the percentage of DBE availability as compared to all available firms? *Yes*
14. FTA identified that the following strategies were used to narrowly tailor this goal:
The most refined data (such as 6-digit NAICS) is used to focus the goal on firms that are most likely to bid on contracts as either a prime contractor or sub-contractor,

Contracting opportunities are associated with the correct and appropriate NAICS codes,

NAICS codes or projects or contracts are associated with the amount of anticipated FTA funds,

DBE Goal Review Assessment (continued):

The number of ready willing and able DBEs is included for each NAICS code or project or contract,

The number of all firms (DBE and non-DBE) is included for each NAICS code or project or contract,

The data source(s) used to find the number of available DBE and non-DBE firms is relevant and verifiable,

The local market area (the area where a substantial majority of the contractors you do business with are) is described,

The data used to get the number of available DBE firms is comparable to the data used to get the number of all firms. For example - both DBE and non-DBE firms are from a bidder's list.,

Weighting was used to ensure the Step 1 Base Figure is as accurate as possible

15. Does the data, evidence, and methodology presented clearly describe and verify how you arrived at the Step 1 Base Figure? *Yes*

Step 2 – Adjusting the Base Figure

16. Is the Step 1 Base Figure adjusted? *No*
17. Was past participation used to adjust the goal? *No*
18. The following was considered when adjusting the goal with Past participation:
N/A - grantee chose not to use past participation to adjust the goal
19. Does the methodology suggest that all available evidence was considered to determine what, if any, adjustments to the Base Figure were needed? *No*
20. The evidence considered in Step 2 was:
Recent disparity studies conducted in the market area
21. Does the goal appear to be narrowly tailored? *Yes*

Calculating the Race and Gender-Neutral Projection for the Goal, Which Determines the Portion of the Goal that Can Be Achieved Through Race-Neutral Measures (i.e. contracts with no DBE goals.)

22. Did you calculate the portion of the goal you project to meet using only RN means of facilitating DBE participation? *No*
23. FTA verified the following elements were included when projecting the RC and RN participation:
No Race/Gender-Neutral or Race/Gender-Conscious calculation elements were included in the submission
24. Does the evidence presented suggest you can meet the RN portion of your goal without the use of contract specific DBE goals? *Yes*

DBE Goal Review Assessment (continued):

FTA Reviewer Comments:

North County Transit District

-Your description of your public participation is confusing. You state you WILL conduct a meeting then mention a meeting. A meeting summary should be included in your submission to include date and time the meeting was held, who was invited and who attended and what if any comments were made.

-No mention of sub recipients, so it is assumed you do not have subs. Please indicate in your next submission that you do not have subs.

Overall nice submission. Thank you.

Also, please visit the FTA Civil Rights webpage for more information:

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>