

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA)**



**Federal Transit Administration (FTA)
WMATA – 1398
Triennial DBE Goal-Setting Methodology
for
FFY 2023 – FFY 2025
(October 1, 2022 – September 30, 2025)**

*Submitted in accordance with:
Title 49 Code of Federal Regulations Part 26
(49 CFR Part 26)*



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FFY 2023 – FFY 2025**

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I. INTRODUCTION

In accordance with 49 CFR 26.45, the Washington Metropolitan Area Transit Authority (WMATA) sets forth its Triennial Disadvantaged Business Enterprise (DBE) Goal and corresponding goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2023-2025 (October 1, 2022, through September 30, 2025).

The objectives of the DBE goal setting process are to ensure nondiscrimination in the award and administration of FTA-assisted contracts, to create a level playing field on which DBEs can compete fairly for those contracts, and ensure the DBE Program is narrowly tailored in accordance with applicable law.

II. BACKGROUND

WMATA is a recipient of U.S. Federal Transit Administration (FTA) funding threshold of \$250,000. WMATA must comply with the FTA's DBE requirements to receive this financial assistance. Therefore, in accordance with 49 CFR § 26.45, WMATA is required to develop and submit a Triennial Overall DBE goal for its FTA-assisted projects. The overall DBE goal is based upon the availability of **Ready, Willing, and Able (RWA)** DBEs relative to all *RWA* businesses to participate in WMATA's FTA-assisted contracts.

III. FEDERAL TRANSIT ADMINISTRATION (FTA) - ASSISTED CONTRACTING OPPORTUNITIES FOR FFY 2023-2025

Table 1 represents WMATA's FTA-assisted contracting opportunities for FFYs 2023-2025, which consists of projects considered in preparing this goal methodology and the North American Industry Classification System (NAICS) Codes and descriptions associated with the discipline of work for those WMATA contracting opportunities. These projects are anticipated to be awarded during the triennial period.

WMATA received a spreadsheet of Projected Expenditure for FFYs 2023 – 2025 from the Office of Management and Budget Services (OMBS) for all Federal Funded Projects. Then performed a high-level filtering process and selected CIPs, Projects Description, and Projected Expenditures for all 100% Federal Funded Projects.

The resulting filtering process provided 22 CIPs with WMATA's project descriptions for a total estimated cost of **\$1,991,573,621.68** WMATA anticipates spending on Federal Assisted Projects for FFYs 2023 – 2025. WMATA then selected unique NAICS Codes with their descriptions based on WMATA's projects, specific scope of work, and CIPs.

Table 1 (a) below provides the estimated cost of **\$1,991,573,621.68** with selected NAICS Codes and related WMATA Projects.

Table 1 (b) exhibits the same total estimated cost of **\$1,991,573,621.68** after grouping 11 of the 22 NAICS Codes into the same category of numbers.

Table 1(a): Expected FTA – Funded Contract Expenditures for FFYs 2023– 2025¹.

| Number | NAICS Code | WMATA Projects | Amount of FTA Funds on Projects |
|--------|------------|--|---------------------------------|
| 1) | 336390 | Bus Rehabilitation Program | \$ 88,996,488.82 |
| 2) | 237130 | Track Structural Rehabilitation | - |
| 3) | 237130 | Track Rehabilitation | \$ 98,943,224.79 |
| 4) | 237130 | Radio Infrastructure Replacement | \$ 75,932,332.65 |
| 5) | 237130 | Structural Rehabilitation - Package B | \$ 58,487,975.11 |
| 6) | 488210 | Roadway Equipment & Vehicle Replacement | \$ 78,436,361.43 |
| 7) | 488210 | Rail Vehicle Rehabilitation Program | \$ 19,930,875.69 |
| 8) | 238290 | Elevator Rehabilitation Program | \$ 23,969,143.78 |
| 9) | 238290 | Escalator Rehabilitation Program | \$ 49,450,427.18 |
| 10) | 238290 | Escalator Replacement | \$ 84,102,616.22 |
| 11) | 236220 | Station Entrance Canopies | \$ 20,257,212.58 |
| 12) | 236220 | Parking Garage & Surf Lot Rehabilitation | \$ 31,886,998.43 |
| 13) | 236220 | Station Revitalization | \$ 82,713,990.40 |
| 14) | 236220 | Bus Customer Facility Improvement | \$ 30,942,624.34 |
| 13) | 236220 | Bladensburg Bus Garage Rehabilitation | \$ 254,292,330.34 |
| 14) | 236220 | Northern Bus Garage Replacement | \$ 311,354,107.60 |
| 15) | 238160 | Roof Rehabilitation & Replacement | \$ 21,099,374.66 |

¹ Data Source: **Table 1(a)**: “FFY2023-FFY2025 DBE Estimates for Procurement”. WMATA obtained funded contract expenditures for FFYs 2023-2025 figures and information from WMATA’s *Office of Management and Budget Services (OMBS)*. Date obtained 3/4/2022.

| | | | |
|---|--------|---|----------------------------|
| 16) | 238210 | Rail Station Lighting Improvement | \$ 48,551,402.50 |
| 17) | 238210 | Low Voltage Power State of Good Repair (SOGR) | \$ 44,237,095.96 |
| 18) | 238210 | Traction Power State of Good Repair (SOGR) | \$ 128,885,128.01 |
| 19) | 236210 | Heavy Repair & Overhaul Facility | \$ 274,940,299.21 |
| 20) | 811118 | Automatic Train Control State of Good Repair (SOGR) | \$ 137,223,546.07 |
| 21) | 237990 | Station Platform Rehab Phase 3 | - |
| 22) | 237110 | Rail System Drainage Rehabilitation | \$ 26,940,065.91 |
| Total FTA - Assisted Contract Funds: | | | \$ 1,991,573,621.68 |

Table 1(b): Expected FTA – Funded Contract Expenditures for FFYs 2023– 2025².

| Number | NAICS Code | WMATA Projects | FINAL Amount of FTA Funds on Projects |
|-----------|------------|---|---------------------------------------|
| 1) | 336390 | Bus Rehabilitation Program | \$ 88,996,488.82 |
| 2) | 237130 | Track Structural Rehabilitation | \$ 333,363,532.55 |
| | | Track Rehabilitation | |
| | | Radio Infrastructure Replacement | |
| | | Structural Rehabilitation - Package B | |
| 3) | 488210 | Roadway Equipment & Vehicle Replacement | \$ 98,367,237.11 |
| | | Rail Vehicle Rehabilitation Program | |
| 4) | 238290 | Elevator Rehabilitation Program | \$157,522,187.18 |
| | | Escalator Rehabilitation Program | |

² Data Source: **Table 1(b)** was constructed by SBPO based on data provided by WMATA *Office of Management and Budget Services (OMBS)*. Date obtained 3/4/2022.

| | | | |
|---|--------|--|----------------------------|
| | | Escalator Replacement | |
| 5) | 236220 | Station Entrance Canopies | \$ 731,447,263.69 |
| | | Parking Garage & Surf Lot Rehabilitation | |
| | | Station Revitalization | |
| | | Bus Customer Facility Improvement | |
| | | Bladensburg Bus Garage Rehabilitation | |
| | | Northern Bus Garage Replacement | |
| 6) | 238160 | Roof Rehabilitation & Replacement | \$ 21,099,374.66 |
| 7) | 238210 | Rail Station Lighting Improvement | \$ 21,099,374.66 |
| | | Low Voltage Power State of Good Repair (SOG) | |
| | | Traction Power State of Good Repair (SOG) | |
| 8) | 236210 | Heavy Repair & Overhaul Facility | \$ 274,940,299.21 |
| 9) | 811118 | Automatic Train Control State of Good Repair (SOG) | \$ 137,223,546.07 |
| 10) | 237990 | Station Platform Rehab Phase 3 | - |
| 11) | 237110 | Rail System Drainage Rehabilitation | \$ 26,940,065.91 |
| Total FTA - Assisted Contract Funds: | | | \$ 1,991,573,621.68 |

From Table 1 (b), WMATA realized some of the NAIC Codes need to be combined based on the category of NAICS Code numbers and WMATA Projects. The NAICS Code combination eliminates project duplication and double counting of DBE firms that are ready, willing, and able to perform work in each category of selected NAICS Codes in determining the Base Figure in Table 3 of Step 1 below.

IV. DETERMINATION OF LOCAL MARKET AREA

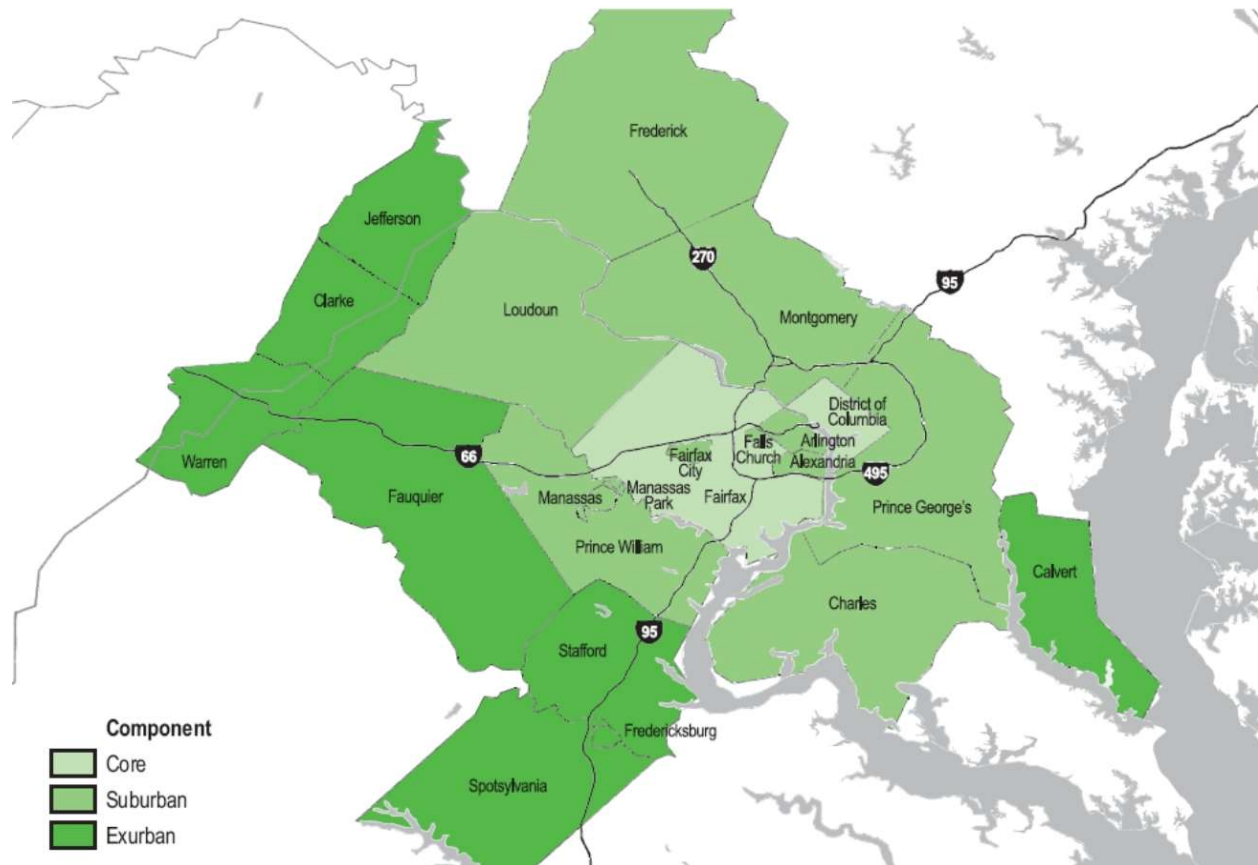
WMATA provides transit services in Washington, D.C., and sections of Maryland and Virginia. These areas include but are not limited to Montgomery and Prince George's counties in Maryland, Alexandria, Arlington, Fairfax, Fairfax City, Falls Church, and Loudon in Virginia. In addition, these are the jurisdictions where WMATA typically finds its contractors and sub-contractors. Thus, WMATA has determined that the Washington DC Metropolitan Statistical Area (WMSA) represents its local market area, and this includes the following counties within Virginia, West Virginia, Maryland, and the District of Columbia, as depicted in Table 2 and Figure 1 for Geographical Area Map of WMSA:

A. **Table 2³:** *Geographical Areas of Washington DC Metropolitan Statistical Area (MSA # 47900).*

| Virginia | West Virginia | Maryland | District of Columbia |
|-----------------------|------------------|------------------------|----------------------|
| Alexandria City | Jefferson County | Calvert County | Washington DC |
| Arlington County | | Charles County | |
| Clarke County | | Frederick County | |
| Culpeper County | | Montgomery County | |
| Fairfax County | | Prince George's County | |
| Fairfax City | | | |
| Falls Church | | | |
| Fauquier County | | | |
| Fredericksburg City | | | |
| Loudoun County | | | |
| Manassas City | | | |
| Manassas Park City | | | |
| Prince William County | | | |
| Rappahannock County | | | |
| Spotsylvania County | | | |
| Stafford County | | | |
| Warren County | | | |

³ Data Source: **Table 2:** SBPO obtained information from: *US Census Bureau (County Business Patterns)*. Retrieved from <https://www.census.gov/data/datasets/2019/econ/cbp/2019-cbp.html> and <https://www.census.gov/programs-surveys/cbp/technical-documentation/reference/metro-area-geography-reference.html>.

B. Figure 1⁴: *Geographical Designations for the 24 Washington Metropolitan Statistical Area Counties.*



⁴ Data Source: *Figure 1*: SBPO obtained map area from: https://familypedia.fandom.com/wiki/Washington_metropolitan_area .

V. GOAL METHODOLOGY

To ensure accuracy in determining the Base Figure, WMATA grouped values with the same category of NAICS Codes and assigned unique NAICS Codes and descriptions per WMATA Project. As a result, the grouping provided 11 unique NAICS Codes with the same total estimated cost of **\$1,991,573,621.68** in Tables 3 and 4, which give a revised table for WMATA's Expected FTA – Funded Contract Expenditures for FFYs 2023 – 2025 involving combined values with unique NAICS Codes with their description.

The following steps describe the goal methodology used to determine this three-year goal:

A. Step 1: Determination of Base Figure (Relative Availability of DBEs) – 49 CFR Section 26.45(c)

WMATA utilized the certified DBEs listed in the District of Columbia Unified Certification Program (DCUCP⁵), a comprehensive database and directory of DBEs that captures information on DBE vendors. This base figure expresses the availability of RWA DBEs as a percentage of all RWA firms.

WMATA used the U.S. Census Bureau's County Business Patterns (CBP) database for the Washington DC MSA⁶ to determine the number of overall firms. To ensure an accurate calculation in the base figure, WMATA used the same NAICS codes used when compiling the number of DBE firms.

One constraint discovered is with the accurate number of DBEs and Non-DBEs/Firms in the market area being limited by the reliance on WMATA's DCUCP and CPB Database, potential certified DBEs may not be captured, may be over or undercounted, or may be duplicated in the directory. Therefore, WMATA used a unique approach in determining and establishing a base figure of the relative availability of DBEs to all comparable firms (DBEs and non-DBEs) available to participate in WMATA's FTA-assisted contracting opportunities in WMATA's market area.

WMATA utilized the following approach in determining the accurate number of DBEs in the Washington, DC Metropolitan Statistical Area (MSA) per WMATA's DCUCP or Vendor Directory (CLM/PeopleSoft):

- Manually captured and compiled all Certified DBEs in WMATA's DCUCP or Vendor directory (CLM) under each selected unique NAICS code in Table 1 (a) or (b).
- WMATA compared data between the DCUCP DBE vendor directory and the U.S. Census Bureau data for the Washington DC Metropolitan Statistical Area (MSA) to ensure apples-to-apples with only certified DBE Firms within the Washington DC Metropolitan Statistical Area (MSA) counties.

⁵ Data Source: SBPO obtained Certified DBEs data information from the *District of Columbia Unified Certification Program (DCUCP) Directory*: Available at <https://www.wmata.com/business/Small-Business-Programs-Office/District-of-Columbia-Unified-Certification-Program-DCUCP-Directory.cfm>

⁶ Data Source: SBPO obtained MSA Data 2019 information from the *US Census Bureau (County Business Patterns)*. Available at <https://www.census.gov/data/datasets/2019/econ/cbp/2019-cbp.html> and <https://www.census.gov/programs-surveys/cbp/technical-documentation/reference/metro-area-geography-reference.html>

- Any Certified DBE Firms with addresses located outside Washington DC Metropolitan Statistical Area (MSA) are not counted as **RWA DBEs** in WMATA's market.

Relative Base Figure = [**RWA DBEs** (data source= WMATA's DCUCP)] ÷ [All **RWA Businesses** (data source = U.S. C.B., which includes DBEs and non-DBEs)]

Thus, **468 DBEs ÷ 2829 All Businesses = 0.16542948, 16.54%.**

Therefore, the *Calculated Relative Base Figure* is **16.54 %**, indicating that there are 16.54 % RWA DBEs in WMATA's market area to perform work in each selected NAICS code in Table 3 below.

Table 3 shows WMATA's Projects and Expected FTA – Funded Contract Expenditures for FFYs 2020 – 2022 with Unique NAICS Code and Descriptions and Determination of the relative availability of DBEs by unique NAICS Codes.

Table 3': WMATA's Projects, Unique NAICS Codes with Descriptions & Relative Availability of DBE

| Number | WMATA Projects | Unique NAICS Code Description | Unique NAIC Codes | (A) | (B) | (C): (A) ÷ (B) |
|--------|---|--|-------------------|----------------------------------|-----------------------------|-----------------------|
| | | | | Number of DBEs available in WMSA | Number of all firms in WMSA | Relative Availability |
| 1) | Bus Rehabilitation Program | Other Motor Vehicle Parts Manufacturing | 336390 | 0 | 0 | 0.00 |
| 2) | Track Structural Rehabilitation | Power and Communication Line and Related Structures Construction | 237130 | 18 | 114 | 0.16 |
| | Track Rehabilitation | | | | | |
| | Radio Infrastructure Replacement | | | | | |
| | Structural Rehabilitation - Package B | | | | | |
| 3) | Roadway Equipment & Vehicle Replacement | Support Activities for Rail Transportation | 488210 | 5 | 4 | 1.25 |
| | Rail Vehicle Rehabilitation Program | | | | | |

⁷ Data Source: **Table 3:** Obtained data information from the WMATA Office of Management and Budget Services (OMBS) FY23-FY25 Proposed Budget Summary by CIP and SBPO constructed Table 1. Date obtained 3/4/2022.

| | | | | | | |
|----|---|---|--------|-----|------|------|
| 4) | Elevator Rehabilitation Program | Other Building Equipment Contractors | 238290 | 26 | 83 | 0.31 |
| | Escalator Rehabilitation Program | | | | | |
| | Escalator Replacement | | | | | |
| 5) | Station Entrance Canopies | Commercial/Industrial and Institutional Building Construction | 236220 | 130 | 970 | 0.13 |
| | Parking Garage & Surf Lot Rehabilitation | | | | | |
| | Station Revitalization | | | | | |
| | Bus Customer Facility Improvement | | | | | |
| | Bladensburg Bus Garage Rehabilitation | | | | | |
| | Northern Bus Garage Replacement | | | | | |
| 6) | Roof Rehabilitation & Replacement | Roofing Contractors | 238160 | 25 | 355 | 0.07 |
| 7) | Rail Station Lighting Improvement | Electrical Contractors and Other Wiring Installation Contractors | 238210 | 92 | 1096 | 0.08 |
| | Low Voltage Power State of Good Repair (SOGR) | | | | | |
| | Traction Power State of Good Repair (SOGR) | | | | | |
| 8) | Heavy Repair & Overhaul Facility | Industrial Building Construction | 236210 | 60 | 26 | 2.31 |
| 9) | Automatic Train Control State of Good Repair (SOGR) | Other Automotive Mechanical and Electrical Repair and Maintenance | 811118 | 0 | 27 | 0.00 |

| | | | | | | |
|----------------------------------|-------------------------------------|--|--------|------------|-------------|-------------------|
| 10) | Station Platform Rehab Phase 3 | Railway Construction /Other Heavy and Civil Engineering Construction | 237990 | 55 | 51 | 1.08 |
| 11) | Rail System Drainage Rehabilitation | Water and Sewer Line and Related Structures Construction | 237110 | 57 | 130 | 0.44 |
| Combined Totals: | | | | 468 | 2829 | 0.16542948 |
| Overall DBE Availability: | | | | | | 16.54% |

Table 4⁸: Weighting Calculations.

| <div> <div>(A): Table 1(b)</div> <div>(B):(A)÷Totals (A)</div> <div>x</div> <div>C: Table 3</div> <div>D = B x C</div> </div> | | | | | | | | |
|---|-------------------|---|--|--------------------------------------|--------|---|-------------------|-------------------|
| No. | Unique NAIC Codes | WMATA Projects | Unique NAICS Code Description | Amount of FTA Funds on Projects (\$) | Weight | x | Relative Availty. | Weighted Availty. |
| 1) | 336390 | Bus Rehabilitation Program | Other Motor Vehicle Parts Manufacturing | \$ 88,996,488.82 | 0.05 | x | 0.00 | 0.00 |
| 2) | 237130 | Track Structural Rehabilitation | Power and Communication Line and Related Structures Construction | \$ 233,363,532.55 | 0.12 | x | 0.16 | 0.02 |
| | | Track Rehabilitation | | | | | | |
| | | Radio Infrastructure Replacement | | | | | | |
| | | Structural Rehabilitation - Package B | | | | | | |
| 3) | 488210 | Roadway Equipment & Vehicle Replacement | Support Activities for Rail Transportation | \$ 98,367,237.11 | 0.05 | x | 1.25 | 0.06 |
| | | Rail Vehicle Rehabilitation Program | | | | | | |

⁸ Data Source: **Table 4**: Obtained data information from the WMATA Office of Management and Budget Services (OMBS) FY23-FY25 Proposed Budget Summary by CIP and SBPO constructed Table 1. Date obtained 3/4/2022.

| | | | | | | | | |
|----|--------|---|--|-------------------|------|---|------|------|
| 4) | 238290 | Elevator Rehabilitation Program | Other Building Equipment Contractors | \$ 157,522,187.18 | 0.08 | x | 0.31 | 0.02 |
| | | Escalator Rehabilitation Program | | | | | | |
| | | Escalator Replacement | | | | | | |
| 5) | 236220 | Station Entrance Canopies | Commercial/Industrial and Institutional Building Construction | \$ 731,447,263.69 | 0.37 | x | 0.13 | 0.05 |
| | | Parking Garage & Surf Lot Rehabilitation | | | | | | |
| | | Station Revitalization | | | | | | |
| | | Bus Customer Facility Improvement | | | | | | |
| | | Bladensburg Bus Garage Rehabilitation | | | | | | |
| | | Northern Bus Garage Replacement | | | | | | |
| 6) | 238160 | Roof Rehabilitation & Replacement | Roofing Contractors | \$ 21,099,374.66 | 0.01 | x | 0.07 | 0.00 |
| 7) | 238210 | Rail Station Lighting Improvement | Electrical Contractors and Other Wiring Installation Contractors | \$ 221,673,626.47 | 0.11 | x | 0.08 | 0.01 |
| | | Low Voltage Power State of Good Repair (SOGR) | | | | | | |
| | | Traction Power State of Good Repair (SOGR) | | | | | | |
| 8) | 236210 | Heavy Repair & Overhaul Facility | Industrial Building Construction | \$ 274,940,299.21 | 0.14 | x | 2.31 | 0.32 |

| | | | | | | | | |
|--|--------|---|--|---------------------------|------------------------------------|---|------|---------------|
| 9) | 811118 | Automatic Train Control State of Good Repair (SOGR) | Other Automotive Mechanical and Electrical Repair and Maintenance | \$ 137,223,546.07 | 0.07 | x | 0.00 | 0.00 |
| 10) | 237990 | Station Platform Rehab Phase 3 | Railway Construction /Other Heavy and Civil Engineering Construction | \$ 0.00 | 0.00 | x | 1.08 | 0.00 |
| 11) | 237110 | Rail System Drainage Rehabilitation | Water and Sewer Line and Related Structures Construction | \$ 26,940,065.91 | 0.01 | x | 0.44 | 0.01 |
| Total of FTA/DOT expected on Project: | | | | \$1,991,573,621.68 | Total Weighted Availability | | | 0.4888 |
| | | | | | Express as a % (*100) | | | 48.88 |
| | | | | | Weighted Base Figure | | | 48.88% |

Note: Availty. is Availability

B. Step 2: Determining if an Adjustment is Needed (Adjusting the Weighted Base Figure) – 49 CFR Section 26.45(d)

Potential step 2 adjustment to WMATA’s overall DBE goal for FTA-funded contracts.

Adjusting the weighted base figure under step 2, WMATA considered the July 2017-June 2020 Dollars of FTA-Funded WMATA contracts by type of work from Keen’s 2022 Disparity Study Summary Report.

Table 5⁹: July 2017-June 2020 Dollars of FTA-Funded WMATA contracts, by type of work compiled from Keen’s 2022 Disparity Study Summary Report.

| NAICS | NAICS description | Type of work | (A) | (B): (A) ÷ Totals of (A) |
|--------|---|--|--------------------|--------------------------|
| | | | FTA-funded | |
| | | | Dollars (\$1,000s) | Percent |
| 236220 | Commercial and institutional building construction | Commercial and institutional building construction | 331,384,000 | 21.88% |
| 541330 | Engineering services | Other engineering | 286,015,000 | 18.88% |
| 237990 | Railway roadbed construction | Railroad and railway roadbed construction | 267,065,000 | 17.63% |
| 238290 | Elevator installation | Escalator and elevator installation and repair | 75,842,000 | 5.01% |
| 238210 | Electrical contractor and other wiring installation contractors | Other electrical work | 64,320,000 | 4.25% |
| 236220 | Commercial and institutional building construction | Construction management | 58,565,000 | 3.87% |
| 541620 | Environmental consulting services | Environmental consulting | 51,735,000 | 3.42% |
| 238210 | Electrical contractor and other wiring installation contractors | Railroad electrical work | 58,318,000 | 3.85% |
| 423610 | Electrical equipment and wiring supplies merchant wholesalers | Electrical equipment and wiring supplies | 37,392,000 | 2.47% |

⁹ Data Source: **Table 5**: Keen Independent Research, LLC 2022 Disparity Study for WMATA. Overall DBE Goal for Future-FTA Funded Contracts. Figure 21: July 2017-June 2020 Dollars of FTA-Funded WMATA contracts, by type of work compiled from Keen’s 2022 Disparity Study Summary Report Page 49 and Appendix M-Page 2.

| | | | | |
|--------|--|---|------------|-------|
| 238220 | Plumbing, heating, and air-conditioning contractors | Plumbing, heating, and air-conditioning work | 45,616,000 | 3.01% |
| 485111 | Commuter transit systems, mixed mode | Contracted bus and van transportation | 35,910,000 | 2.37% |
| 238160 | Roofing contractors | Roofing work | 27,316,000 | 1.80% |
| 518210 | Automated data processing services | IT work | 25,199,000 | 1.66% |
| 541990 | All other professional, scientific, and technical services | Other professional services | 25,133,000 | 1.66% |
| 561720 | Janitorial services | Janitorial services for buildings | 177,000 | 0.01% |
| 541330 | Engineering services | Railroad engineering | 19,004,000 | 1.25% |
| 238990 | All other specialty trade contractors | Other construction | 18,432,000 | 1.22% |
| 423730 | Heating and air-conditioning equipment and supplies merchant | Heating and air-conditioning equipment and supplies | 9,372,000 | 0.62% |
| 453998 | All other miscellaneous store retailers | Other equipment and supplies | 15,531,000 | 1.03% |
| 541810 | Advertising agencies | Advertising and public relations | 13,267,000 | 0.88% |
| 561621 | Security systems services | Security systems services | 9,875,000 | 0.65% |
| 423110 | Automobile and other motor vehicle merchant wholesalers | New cars and trucks | 7,772,000 | 0.51% |
| 212321 | Construction sand and gravel mining | Construction materials and supplies | 7,378,000 | 0.49% |
| 238140 | Masonry contractor | Masonry work | 5,524,000 | 0.36% |
| 238990 | Paving, residential, and commercial driveway and parking lot | Surfacing and paving | 4,973,000 | 0.33% |
| 541370 | Surveying and mapping services (except geophysical) | Surveying and mapping | 3,728,000 | 0.25% |

| | | | | |
|----------------|---|---|-------------------------|----------------|
| 811490 | All other personal goods repair and maintenance | Other services | 3,333,000 | 0.22% |
| 561320 | Temporary help services | Temporary help services | 2,938,000 | 0.19% |
| 532412 | Construction machinery and equipment rental or leasing without operator | Construction equipment rental and leasing | 2,028,000 | 0.13% |
| 334514 | Counting device manufacturing | Fare collection equipment | 759,000 | 0.05% |
| 238340 | Tile and Terrazzo Contractors | Tile and Terrazzo Contractors | 488,000 | 0.03% |
| 238910 | Site preparation contractors | Site Preparation Contractors | 148,000 | 0.01% |
| Totals: | | | \$ 1,514,537,000 | 100.00% |

Table 6¹⁰: July 2017-June 2020 Number of DBEs and Total Businesses in the Availability Analysis, by NAICS Codes compiled from Keen's 2022 Disparity Study Summary Report.

| NAICS | NAICS Description | (A) DBE Firms | (B) Total Firms | (C) = (A) ÷ (B) DBEs as a Share of All Firms |
|--------|---|------------------|--------------------|---|
| 236220 | Commercial and institutional building construction | 33 | 177 | 18.64 % |
| 541330 | Engineering services | 25 | 162 | 15.43% |
| 237990 | Railway roadbed construction | 8 | 29 | 27.59% |
| 238290 | Elevator installation | 6 | 25 | 24.00% |
| 238210 | Electrical contractor and other wiring installation contractors | 19 | 118 | 16.10% |
| 236220 | Commercial and institutional building construction | 18 | 95 | 18.95% |
| 541620 | Environmental consulting services | 14 | 78 | 17.95% |
| 238210 | Electrical contractor and other wiring installation contractors | 5 | 28 | 17.86% |

¹⁰ Data Source: **Table 6:** Keen Independent Research, LLC 2022 Disparity Study for WMATA. Overall DBE Goal for Future-FTA Funded Contracts. Figure 22: July 2017-June 2020 Number of DBEs and Total Businesses in the Availability Analysis, by NAICS Codes compiled from Keen's 2022 Disparity Study Summary Report Page 50 and Appendix M-Page 3.

| | | | | |
|--------|--|----|-----|--------|
| 423610 | Electrical equipment and wiring supplies merchant wholesalers | 5 | 31 | 16.13% |
| 238220 | Plumbing, heating, and air-conditioning contractors | 18 | 138 | 13.04% |
| 485111 | Commuter transit systems, mixed mode | 3 | 17 | 17.65% |
| 238160 | Roofing contractors | 17 | 80 | 21.25% |
| 518210 | Automated data processing services | 20 | 153 | 13.07% |
| 541990 | All other professional, scientific, and technical services | - | 11 | 0.00% |
| 561720 | Janitorial services | 10 | 91 | 10.99% |
| 541330 | Engineering services | 5 | 18 | 27.78% |
| 238990 | All other specialty trade contractors | 5 | 27 | 18.52% |
| 423730 | Heating and air-conditioning equipment and supplies merchant wholesalers | 1 | 20 | 5.00% |
| 453998 | All other miscellaneous store retailers | 2 | 20 | 10.00% |
| 541810 | Advertising agencies | 6 | 72 | 8.33% |
| 561621 | Security systems services | 5 | 39 | 12.82% |
| 423110 | Automobile and other motor vehicle merchant wholesalers | 1 | 14 | 7.14% |
| 212321 | Construction sand and gravel mining | 17 | 99 | 17.17% |
| 238140 | Masonry contractor | 14 | 77 | 18.18% |
| 238990 | Paving, residential, and commercial driveway and parking lot | 18 | 68 | 26.47% |
| 541370 | Surveying and mapping services (except geophysical) | 6 | 49 | 12.24% |
| 811490 | All other personal goods repair and maintenance | 8 | 29 | 27.59% |
| 561320 | Temporary help services | 6 | 29 | 20.69% |
| 532412 | Construction machinery and equipment rental or leasing without operator | 1 | 15 | 6.67% |
| 334514 | Counting device manufacturing | 0 | 3 | 0.00% |

| | | | | |
|----------------|-------------------------------|------------|-------------|---------------|
| 238340 | Tile and Terrazzo Contractors | 15 | 72 | 20.83% |
| 238910 | Site preparation contractors | 19 | 99 | 19.19% |
| Totals: | | 330 | 1983 | 16.64% |

Table 7¹¹: July 2017-June 2020 Dollar-Weighted DBE Availability Estimates for WMATA FTA-Funded Contracts compiled from Keen's 2022 Disparity Study Summary Report.

| NAICS | NAICS Description | (A): From Table 5 | (B): From Table 6 | (C): (A)*(B) |
|--------|--|---------------------------------------|-------------------|------------------------------|
| | | Percent of FTA-Funded Contract Dollar | Total Firms | DBEs As a Share of All Firms |
| 236220 | Commercial and institutional building construction | 21.88% | 18.6% | 4.08% |
| 541330 | Engineering services | 18.88% | 15.4% | 2.91% |
| 237990 | Railway roadbed construction | 17.63% | 27.6% | 4.86 |
| 238290 | Elevator installation | 5.01 | 24.0 | 1.20 |
| 238210 | Electrical contractor and other wiring installation contractors | 4.25 | 16.1 | 0.68 |
| 236220 | Commercial and institutional building construction | 3.87 | 18.9 | 0.73 |
| 541620 | Environmental consulting services | 3.42 | 17.9 | 0.61 |
| 238210 | Electrical contractor and other wiring installation contractors | 3.85 | 17.9 | 0.69 |
| 423610 | Electrical equipment and wiring supplies merchant wholesalers | 2.47 | 16.1 | 0.40 |
| 238220 | Plumbing, heating, and air-conditioning contractors | 3.01 | 13.0 | 0.39 |
| 485111 | Commuter transit systems, mixed mode | 2.37 | 17.6 | 0.42 |
| 238160 | Roofing contractors | 1.80 | 21.3 | 0.38 |
| 518210 | Automated data processing services | 1.66 | 13.1 | 0.22 |
| 541990 | All other professional, scientific, and technical services | 1.66 | - | - |
| 561720 | Janitorial services | 0.01 | 11.0 | 0.00 |
| 541330 | Engineering services | 1.25 | 27.8 | 0.35 |
| 238990 | All other specialty trade contractors | 1.22 | 18.5 | 0.23 |
| 423730 | Heating and air-conditioning equipment and supplies merchant wholesalers | 0.62 | 5.0 | 0.03 |

¹¹ Data Source: **Table 7:** Keen Independent Research, LLC 2022 Disparity Study for WMATA. Overall DBE Goal for Future-FTA Funded Contracts. Figure 23: July 2017-June 2020 Dollar-Weighted DBE Availability Estimates for WMATA FTA-Funded Contracts compiled from Keen's 2022 Disparity Study Summary Report Page 51 and Appendix M-Page 4.

| | | | | |
|---------------|---|-------------|------|---------------|
| 453998 | All other miscellaneous store retailers | 1.03 | 10.0 | 0.10 |
| 541810 | Advertising agencies | 0.88 | 8.3 | 0.07 |
| 561621 | Security systems services | 0.65 | 12.8 | 0.08 |
| 423110 | Automobile and other motor vehicle merchant wholesalers | 0.51 | 7.1 | 0.04 |
| 212321 | Construction sand and gravel mining | 0.49 | 17.2 | 0.08 |
| 238140 | Masonry contractor | 0.36 | 18.2 | 0.07 |
| 238990 | Paving, residential, and commercial driveway and parking lot | 0.33 | 26.5 | 0.09 |
| 541370 | Surveying and mapping services (except geophysical) | 0.25 | 12.2 | 0.03 |
| 811490 | All other personal goods repair and maintenance | 0.22 | 27.6 | 0.06 |
| 561320 | Temporary help services | 0.19 | 20.7 | 0.04 |
| 532412 | Construction machinery and equipment rental or leasing without operator | 0.13 | 6.7 | 0.01 |
| 334514 | Counting device manufacturing | 0.05 | - | - |
| 238340 | Tile and terrazzo Contractors | 0.03 | 20.8 | 0.01 |
| 238910 | Site preparation contractors | 0.01 | 19.2 | 0.00 |
| Total: | | 100% | | 18.87% |

Table 7 represents the Keen Independent Research Disparity Study calculations in 2022, which impacts WMATA DBE availability, resulting in a possible upward adjustment of the weighted base figure to **18.87%**. The Keen Independent Research analysis included the same contracts their study team analyzed to determine the weighted base figure of **18.87%** (i.e., FTA-funded contracts that WMATA awarded from July 2017 through June 30, 2020).

VI. DETERMING FACTORS FOR ADJUSTMENT IN WEIGHTED BASE FIGURE:

Adjustment of the weighted base figure depends on several factors. First, step 2 requires examining relevant and reliable data in the WMATA's market area to determine if an adjustment to the base figure calculated in step 1 is warranted or necessary and, if any, would be required to ensure a narrowly tailored goal. Second, after establishing the weighted base figure of **48.88%** in Table 4 above, WMATA considered information and findings from the newly completed Disparity Study conducted by Keen Independent Research in 2022. As a result, WMATA determined that step 2 adjustment was necessary for the weighted base figure to decide its overall DBE goal.

In summary, the information below obtained from the Disparity Study, shows the factors that WMATA considered in refining its overall DBE goal for FFY 2023-2025 for FTA-federally funded contract opportunities based on the adjustment of its weighted base figure. The considering factors are:

- ***Current capacity of DBE firms to perform work, as measured by the volume of work DBE firms have performed in recent years within the last four years (FFYs 2017 – 2021):*** Due to the increased interest of DBE firms in the Washington Metropolitan Statistical Area (WMSA), an increased number of small businesses which participate in the WMSA, and local disadvantaged business program applying for DBE certification, WMATA has increased the capacity of DBE firms to perform work in FTA-assisted contracting programs and opportunities within the last four years. In addition, the limited range of NAICs Codes found in WMATA’s DCUCP or Vendor directory leaves more room for DBE-Subcontractors for small business federally assisted contract opportunities, resulting in higher DBE or race neutral participation in the future. USDOT’s Tips for DBE Goal Setting” suggests that federal recipients examine data on past DBE participation on their USDOT-funded contracts in recent years (i.e., the percentage of contract dollars going to DBE firms).
- ***Historical data on past participation and DBE goals and attainments in past years (last four years):*** Table 8 presents historical data on WMATA’s past participation and DBE Goals and Attainments/Achievements in the last four years, i.e., FFY 2018 – 2021.

Table 8¹²: DBE Past Participation.

| Year | FFY 2018 | FFY 2019 | FFY 2020 | FFY 2021 |
|------------------------|---------------|---------------|---------------|---------------|
| DBE Goal | 22% | 22% | 25% | 25% |
| DBE Achievement | 21.21% | 25.81% | 20.45% | 25.14% |

- ***Any disparities in the ability of DBE firms to get financing, bonding, and insurance:*** Keen’s Disparity Study Analysis of financing, bonding, and insurance indicates that an upward adjustment is appropriate. However, the impact of these factors on availability could not be quantified.
- ***Other relevant factors:*** Although the impact of many barriers to the success of MBE/WBEs in the Washington DC Statistical Area (MSA) could not be precisely quantified, the evidence supports an upward adjustment.

VII. JUSTIFICATION FOR UPWARD ADJUSTMENT TO WEIGHTED BASE FIGURE:

- ***Past participation*** suggests that WMATA could make a Step 2 upward based on the available data i.e., the volume of work DBEs performed from FFY 2017-2021 revealed that large percentage of DBE firms were awarded contracts.
- Also, per Table 8 above for DBE past participation, ***the median of DBE participation*** for FTA/US-DOT Federally funded contracts for FFY 2018-2021 (for DBE attainments) was **23.18%** [(20.45%, 21.21%, 25.14%, 25.81%) = (21.21% + 25.14%) ÷ 2 = 40.35% ÷ 2 = **23.18%**]. This indicates upward adjustment because this value (i.e., **23.18%**) is

¹² Data Source: **Table 8:** WMATA Semi-Annual Reports & Uniform DBE Reports submitted/obtained from FTA’s TrAM for FFYs 2018-2021

higher than the **18.87%** base figure, hence it suggests a possible upward step 2 adjustment based on this factor.

VIII. APPROACH AND CALCULATION FOR MAKING STEP 2 ADJUSTMENT TO WEIGHTED BASE FIGURE:

Based on DBE participation and WMATA's current capacity of DBEs to perform work as measured by the volume of work DBEs have performed in recent years (2017-2021), the Keen Independent Research Disparity Study suggests a possible upward step 2 adjustment based on this factor.

However, these 2 USDOT “*Tips for Goal-Setting*”¹³ suggest:

- Agencies or federal recipients should examine data on past DBE participation on their USDOT-funded contracts in recent years (i.e., Past Participation-the volume of work DBEs have performed in recent years or other measures that demonstrate current capacity).
- Agencies or federal recipients should take one-half of the difference between the base figure and evidence of current DBE capacity as one approach to calculate the step 2 adjustment for that factor.

WMATA’s Adjustment to Weighed Base Figure & Overall DBE Goal for FFY 2023-2025 Was Calculated as Follows¹⁴:

| | |
|---|---------------|
| Evidence of Current Capacity of Past DBE Participation: | 23.18% |
| Less (Difference): Weighted Base Figure from Keen’s Disparity Study in 2022: | 18.87% |
| | 4.30% |
| Divide (÷) By: | 2 |
| Adjustment: (Half of this difference is an upward adjustment for current capacity): | 2.15% |
| Add Weighted Base Figure from the Disparity Study (Reason: We are adjusting upward): | 18.87% |
| Adjustment for current capacity (Upward step 2 adjustment): | 21.02% |
| Overall DBE Goal: (Upward adjustment of DBE Goal for Current Capacity is, therefore: | 21.02% |

From the above calculation, the overall DBE Goal for FFY 2023 – 2025 is **21.02%**. WMATA disparity study concluded that disparities exist in contracting opportunities for minority and

¹³ Data Source: *U.S. DOT (2014)*; Tips for Goal setting in the Disadvantaged Business Enterprise (DBE) Program. Retrieved. III. Step Two: March 20, 2022 from: <https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/tips-goal-setting-disadvantaged-business-enterprise> or <https://www7.transportation.gov/osdbu/disadvantaged-business-enterprise/final-rule-section-26-45> .

¹⁴ Data Source: *Keen Independent Research, LLC* 2022 Disparity Study for WMATA. Appendix M. Goal Setting-DBE Step 2 Adjustment M-6. Or Potential Step 2 Adjustments to WMATA’s Overall DBE Goal for FTA-Funded Contracts compiled from Keen’s 2022 Disparity Study’s Appendix M-Page 10.

women-owned businesses in WMSA. However, WMATA has determined that it is relevant and appropriate to use its disparity study to adjust its DBE goal percentage to **21.02%**.

IX. RACE/GENDER-NEUTRAL AND RACE/GENDER-CONSCIOUS DIVISION OF GOAL (49 CFR Section 26.45(f)(3))

Steps in Calculating Race-Neutral (R.N.) and Race-Conscious (R.C.) Measures:

Table 9¹⁵: *DBE Goal, Overall DBE Achievement, and Race-Conscious/Race-Neutral Attainment Breakdown.*

| Year | FFY 2018 | FFY 2019 | FFY 2020 | FFY 2021 |
|--|---------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| DBE Goal | 22% | 22% | 25% | 25% |
| Achievement (R.C./R.N.) | 21.21% (10.07/11.14) | 25.81% (18.92/6.89) | 20.45% (20.05/0.41) | 25.14% (22.18/2.96) |
| Race Conscious Component (R.C.) | 10.07% | 18.92% | 20.05% | 22.18% |
| Race Neutral Component (R.N.) | 11.14% | 6.89% | 0.41% | 2.96% |

Step 1: Determine the Relative Race Neutral Attainment for each year: Determination of Median.

Relative Race Neutral Attainment is determined first by arranging from the lowest to highest the Race Neutral of all the four years per Table 10 below:

Table 10¹⁶: *Determination of Median Relative Race Neutral Attainment.*

| R.N. Achievement | FFY 2020 | FFY 2021 | FFY 2019 | 2018 |
|---|--------------|--------------|--------------|---------------|
| Race Neutral Component (Achievement) | 0.41% | 2.96% | 6.89% | 11.14% |

From Tables 9 and 10, WMATA's Uniform Reports of DBE Awards/Commitments and Payments submitted to FTA for the most recent federal fiscal years (FFYs 2018-2021) indicate a

¹⁵ Data Source: WMATA *Semi-Annual Reports & Uniform DBE Reports* submitted to/obtained from FTA's TrAM for FFYs 2018-2021

¹⁶ Data Source: WMATA *Semi-Annual Reports & Uniform DBE Reports* submitted to/obtained from FTA's TrAM for FFYs 2018-2021

median race-neutral participation of **4.93%**. This is calculated as: $2.96\% + 6.89\% = 9.85\% \div 2 = 4.93\%$ (4.925%).

Relative RN Attainment = RN Attainment \div Overall DBE Achievement

Relative RN Attainment = $4.93\% \div 21.02\% = 0.2345 = 23.45\%$

Step 2: Calculate Absolute RN Attainment:

Absolute RN Attainment = Relative RN Attainment (i.e., in Step 1) X Proposed DBE Goal

Absolute RN Attainment = $23.45\% * 21.02\% = 4.93\%$. Race Neutral is: **4.93%**.

Step 3: Calculate RC Split:

RC Split = Proposed DBE Goal – Absolute RN Attainment.

RC Split = **21.02%** (*Proposed DBE Goal*) – **4.93%** (*Absolute RN Attainment*) = **16.09%**.

That is, $21.02\% - 4.93\% = 16.09\%$. Race Conscious = **16.09%**

Therefore, WMATA's proposed Overall Goal for FFY 2023 – 2025 is **21%**, with **5%** Race Neutral and **16%** Race-Conscious.

X. RACE/GENDER-NEUTRAL METHODS (49 CFR Section 26.51(b))

WMATA believes that it can achieve the **5%** race-neutral goal by continuing to expand its outreach efforts to identify, certify and assist DBE firms and other Small Businesses and encourage them to participate more fully in WMATA procurement processes.

The following are the continuing efforts WMATA plans to establish to ensure and foster DBE and small business participation. WMATA will:

- Ensure request for procurement proposals (RFPs) or bids
- are attractive to DBEs and make DBEs aware of federally funded and assisted contracting programs and opportunities.
- Arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses.
- Provide assistance in overcoming limitations, such as, the inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs and other small businesses obtain bonding and financing).
- Provide technical assistance and other services, as warranted.
- Deliver information via outreach programs to business community on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs and other small businesses on recipient mailing lists for offerors/bidders; ensuring the dissemination to offerors/bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate).
- Ensure distribution of the DBE Directory, through print and electronic means, to a vast population of potential prime contractors.

- Perform outreach to non-certified DBEs which will include activities related to increasing the population of available DBEs to perform work on federally funded contracts.
- Assist DBEs and other small businesses to develop their capability to utilize emerging technology enabling them to conduct business through electronic media; and
- Conduct a disparity study during the upcoming triennial period. This will be a new one since the last one ended in 2/2022. The disparity study will include analyses of DBE availability and utilization on federally funded and assisted contracts across all procurement types as well as identify any evidence of discriminatory behavior in the market area.

XI. WMATA's Best Practice Strategies

Over the years and currently, WMATA's DBE Program's primary focus centers on competition within FTA-assisted projects that include small business concerns and certified DBE firms. The following plan and best practice strategies highlight the actions and activities that WMATA uses to target small businesses, including certified DBE firms. These narrowly tailored strategies focus on proactively reaching out to the small business community and DBEs through WMATA's DBE Program to increase the number of these firms available to compete and perform on federally funded contracts.

- WMATA's Small Business Program Office (SBPO) provides networking opportunities and technical assistance at pre-bid and pre-proposal meetings, and Procurement Review Committee (PRC) meetings.
- WMATA works internally to ensure that small businesses and DBEs are well represented in FTA-assisted contracts and subcontracts by proactively encouraging unbundling where feasible and other acquisition techniques.
- Through the Disadvantaged Business Enterprise (DBE) program, it is WMATA's policy that DBEs have an equal opportunity to receive and participate in federally assisted contracts.
- Continue to ensure that contractors and subcontractors are not discriminated against based on race, color, national origin, sex or any other unlawful basis in the award and performance of contracts and subcontracts.
- WMATA continues to implement a supportive services and programs such as financing and bonding training, business development programs, outreach, and other trainings for DBEs and SBEs.
- Another best practice incorporated in WMATA's procurement process involves procurements ~~are~~ designed to remove artificial barriers to participation on federally assisted contracts and a level playing field on which DBEs can compete fairly.

XII. GOAL ADVERTISEMENT AND PUBLIC PARTICIPATION PROCESS **(49 CFR Section 26.45(g)(1)(2))**

Pursuant to Public Participation Regulatory Requirements cited in Title 49 CFR Part 26.45(g)(1)(i)(ii), WMATA, as a recipient of U.S. FTA assistance is required to submit its established triennial goal setting methodology to advocacy groups for comment. These groups include minority, women, and general contractors, local business associations, and community organizations within the market area it serves. These efforts are undertaken to ensure they have information concerning the availability of DBEs and provide them with an opportunity to review the triennial goal-setting methodology and provide their input.

A. Public Participation Schedule

- July 14, 2022: Public Notice, publishing WMATA's Proposed Overall Goal for the FFYs 2023-2025. The Notice informed the public that the proposed goal and rationale were available for inspection at WMATA's website for 30 days following the date of the Public Notice and that WMATA will accept comments on the goal analysis for 30 days from the date of the Public Notice.
- July 14, 2022: Draft of Overall DBE Goal Setting Methodology posted on WMATA's Website.
- July 22, 2022: Conduct Public Participation via consultation, telecommunication, and forum with stakeholders (Virtual).
- July 30, 2022: Final date for receipt of any comments received will be summarized in Table 11 under response).
- August 1, 2022: Deadline for document submittal to the FTA.

B. Public Consultation and Forums

The regulations require that Grantees provide consultation and public participation when establishing their overall goals. WMATA scheduled industry forums on July 22, 2022 to gather information for its 2023–2025 DBE triennial goal methodology submission. Members from the public have been invited to attend the forum and provide an opportunity to review WMATA's goal analysis and provide input. Members from the public include but not limited to women and minority-owned business owners and representatives from the following organizations:

- Capital Region Minority Supplier Development Council;
- Maryland Minority Contractors Associates;
- National Association of Minority Contractors;
- National Association of Minority Consulting Engineers;
- National Association of Black Engineers;
- US Black Chamber of Commerce;
- National Black Chamber of Commerce;
- Women Business Enterprise National Council;
- Maryland Hispanic Chamber of Commerce;

- DC Chamber of Commerce;
- United States Pan Asian American Chamber of Commerce;
- Northern Virginia Hispanic Chamber of Commerce;
- DC Department of Small and Local Business Development;
- Prince George’s County Supplier Development and Diversity;
- Montgomery County Office of Procurement and Small Businesses;
- Minority Business Development Agency (Wash DC Business Ctr.);
- All Prime and DBE contracting firms in WMATA Supply Portal and DCUCUP.

WMATA invited 25 Minority Organizations and over 1000 WMATA’s Prime and Sub-Contractors with flyers and access to copies of the Goal Setting Methodology on its website to attend the public forum. The forum will provide the opportunity to present a brief overview of the DBE program that led to discussions concerning evidence regarding the lingering effects of past

discrimination, WMATA’s efforts led to establish a level playing field for DBEs, the availability of disadvantaged and non-disadvantaged businesses to work on federally funded contracts, and the FFY 2023-2025 triennial goal methodology as well as other key topics discussed and outlined in Tables 11 and 12 below.

Table 11: *Public Consultation and Forums Schedule.*

| Schedule Date | Forum Description | Location |
|---------------|-------------------|--|
| July 22, 2022 | Public Forum | WMATA (Virtual Conference/Meeting via Microsoft Teams) |

Some of the critical topics that were discussed included the following in Table 12 below:

Table 12¹⁷: *Results of the Public Consultation and Forums.*

| Topic Discussed | Response |
|-----------------|----------|
| TBD | TBD |
| “ | “ |
| “ | “ |
| “ | “ |
| TDB | TBD |

WMATA has effectively engaged in public outreach and has provided an opportunity for business owners, industry associations, and community groups to participate in discussions

¹⁷ **Table 12** will be updated for all comments received after the Public Consultation.

relevant to the goal-setting process. WMATA has considered the comments and questions received participants from the public forum and believes that the proposed triennial overall DBE goal for **FFY 2023 –2025** of **21%** accurately reflects the ready, willing, and able DBE firms available for participation on federally funded contracts.

C. Public Notice

Public Notice on WMATA’s website for the published Draft of the Proposed FTA Overall DBE Goal-Setting Methodology for FFY 2023-2025

As required by the U.S. Department of Transportation’s regulations, contained under 49 CFR Part 26, WMATA is required to publish a notice of the proposed Disadvantaged Business Enterprise triennial goal. The DBE Triennial Overall Goal is **21%** of WMATA’s FTA-assisted contracting opportunities effective from October 1, 2022, to September 30, 2025. In addition, the race/gender-conscious portion of the goal is **16%**, and the race/gender-neutral portion of the goal is **5%**. The DBE overall goal is based upon verifiable evidence of the availability of RWA DBEs relative to all businesses ready, willing, and able to participate in FTA-assisted contracts and the 2022 Keen Independent Research, LLC.’s Disparity Study.

WMATA issued a Public Notice on its website publishing the Draft Proposed FTA Overall DBE Goal-Setting Methodology for FFYs 2023-2025 (See **Exhibit 1**). The notice informed the public that the proposed goal and rationale will be available for review and inspection on WMATA’s website for 30 days following the date of the Public Notice and that WMATA would accept comments on the proposed goal for 15 days from the date of the Public Notice. The review, inspection, and comments are available until **July 30, 2022**, at:

Washington Metropolitan Area
Transit Authority (WMATA)
IBOP/SBPO, 300 7th Street SW
Washington, DC 20024

All written comments and any questions should be sent to **Joseph Badu**, Small Business Program Office by email at SBPOhotline@wmata.com

XIII. Events, Outreaches and Networking Activities

In accordance with the goal-setting and public participation regulatory requirements, WMATA's DBE and Small Business Office (SBPO) participated as hosts, exhibitors, and trainees in the following 2020 - 2022 public outreach, events, and training organized by institutions in Washington, D.C., Maryland, and Virginia jurisdictions.

Table 13 lists events for outreach and networking activities for minority and women-owned businesses and certified DBEs within Washington, D.C. Metropolitan Statistical Area (WMSA) hosted and sponsored by WMATA.

Table 13: *Outreach/Networking Activities Hosted by WMATA/Small Business Program Office (SBPO) Between 2019 – 2022.*

| Date of Event | Type & Location of Event | WMATA Attendees | Description of Event |
|---------------|-----------------------------------|---|---|
| 6/28/2022 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | WMATAs Meet the Primes (<i>HNTB, RK&K, AECOM, and Jacobs Engineering Group</i>) |
| 6/23/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | Pathway to Doing Business with Metro (<i>DSLBD Presentation with WMATA</i>) |
| 6/6/2022 | In-Person | SBPO Staff and WMATA Procurement Senior Management | MWMCA Business Showcase Expo (<i>MWMCA Presentation with WMATA</i>) |
| 6/3/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | The CEO Roundtable – Presentation on SBPO Socioeconomic Programs) (<i>CRMSDC Presentation with WMATA</i>) |
| 5/9/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | COTR Training Overview of programs and contract compliance |

| | | | |
|------------|-----------------------------------|---|---|
| 5/2/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | COTR Training - Overview of programs and contract compliance |
| 4/29/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | WMATA Facilities Management Group |
| 4/25/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | COTR Training - Overview of programs and contract compliance |
| 4/21/2022 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | Doing Business with WMATA (New Socioeconomics Programs Presentation) |
| 4/18/2022 | Virtual (Through Microsoft Teams) | SBPO Staff and WMATA Procurement Senior Management | COTR Training- Overview of programs and contract compliance |
| 4/7/2022 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | Meet the Primes: Metro wants to do Business with your business (<i>Clark Construction Group, Hensel Phelps, Kiewit, WSP Global</i>) |
| 2/24/2022 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | WMATA New Socioeconomic Programs and Bonding Presentation: SBPO Town Hall Meeting |
| 11/15/2021 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | WMATA New Socioeconomic Programs and Bonding Presentation (<i>Repeated Event</i>) |
| 10/19/21 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | Making Equity a Business Partnership |
| 9/13/2021 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | WMATA New Socioeconomic Programs and Bonding Presentation (<i>First Event</i>) |

| | | | |
|-----------|-----------------------------------|---|---|
| 6/2/2021 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Senior Management | Meet the Prime: Metro wants to do Business with your business (<i>Hitachi Rail 8000 Series Ray Car</i>) |
| 3/11/2021 | Virtual (Through Microsoft Teams) | Entire SBPO Staff and WMATA Procurement Managers | Metro wants to do Business with your business: Moving Business to the Future |

**Note: Because of the COVID19 Pandemic, limited or no events and outreaches were attended in late 2019 and 2020.*

Tables 14-16 list virtual events for outreach and networking and training activities attended by WMATA SBPO between 2020 and 2022.

Table 14: Outreach/Networking Activities Attended by WMATA Small Business Program Office (SBPO) Between 2020 – 2022.

| Date of Event* | Type of Event | WMATA Attendees | Description/Location of Event |
|----------------|-----------------------------------|-----------------|---|
| 6/30/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Business Expo Hosted by Clark Construction (<i>Clark Construction</i>) |
| 6/23/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Department of Small & Local Business Development (<i>DSLBD</i>) Presents Pathway to Do Business with Metro |
| 6/16/2022 | In-Person | SBPO Staff | 31st Annual Government Procurement Conference (GPC). (<i>Walter E. Washington Convention Center, 801 Mount Vernon Place NW Washington, DC 20001</i>) |
| 6/3/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Minority Business CEO Roundtable (<i>Minority Business RoundTable-MBRT</i>) |
| 5/18/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | DDOT Virtual Networking Event (<i>DDOT</i>) |
| 5/6/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Maryland Washington Minority Companies Association (<i>MWMCA</i>) - 19th Annual 2022 Spring Breakfast Meeting/Business Showcase Expo (<i>MWMCA</i>) |
| 4/21/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Capital Region Minority Supplier Development Council |

| | | | |
|------------|-----------------------------------|------------------------------|---|
| | | | (CRSMDC)/Minority Business Development Agency (MBDA) Webinar (CRMSDC Outreach) |
| 4/19/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Overview of programs and contract compliance (HNTB) |
| 3/7/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Tommy Marks with Capital Region Minority Supplier Development Council (CRMSDC) |
| 3/2/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Karin Hung with US Pan Asian American Chamber of Commerce (USPAAACC) |
| 3/1/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Sheila Dixon with Maryland Minority Contractors Association, Inc., (MMCA) |
| 2/25/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Quintina Brown with DC Department of Small and Local Business (DSLBD) |
| 2/24/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Daniella Djigan & Mr. Neupane with Washington DC Economic Partnership (WDCEP) |
| 2/23/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Meeting with Wayne Frazier of Maryland Washington Minority Contractor Association (MWMCA) to discuss all the programs and his marketing assistance |
| 2/1/2022 | Virtual (Through Microsoft Teams) | SBPO Staff | Sharon Pinder Group Introductions to Capital Region Minority Supplier Development Council (CRMSDC) and Small Business Program Office (SBPO) introductions of new programs (CRMSDC) |
| 12/10/2021 | In-Person | Rashida Reid | Maryland Washington Minority Contractor Association (MWMCA) Minority Outreach Fair. Live Casino (Hotel at Arundel Mills, Maryland) |
| 11/7/2019 | In-Person | Thomas Turner Cletis Cave | US Department, OSDBU Outreach and Matchmaking Event (1200 New Jersey Avenue, SE, Washington, DC 20001) |
| 11/4/2019 | In-Person | Carl Farmer Rashida Reed | Maryland Department of Transportation (MDOT), General Services and University System of Maryland, 5th Annual Business Opportunities and Entrepreneurial Training Summit (Turf Valley Conference |

| | | | |
|------------|-----------|------------------------------|---|
| | | | Center, 2700 Turf Valley Road, Ellicott City, MD 21042) |
| 10/29/2019 | In-Person | Thomas Turner Cletis Cave | Washington Metropolitan Council of Governments (COG) "Second Annual Sustainable Purchasing Forum and Expo 2019" (Hyatt Regency Dulles, 2300 Dulles Corner Blvd., Herndon, VA 20171) |
| 10/23/2019 | In-Person | Thomas Turner | Trade Partners Outreach and Networking Session (Hensel Phelps and Kiewit) (Courtyard Alexandria, 4641 Kenmore Avenue, Alex., VA 22304) |
| 10/3/2019 | In-Person | SBPO Staff | CRMSDC "Annual Leaders and Legends Awards Conference featuring Top 100 MBEs (MGM National Harbor) |

** Note: Because of the COVID19 Pandemic, limited events and outreaches were attended in late 2019 and 2020.*

Table 15: FTA/U.S. DOT DBE Training Activities Attended by WMATA Small Business Program Office (SBPO) Between 2020 – 2022.

| Description | NTI Disadvantaged Business Enterprise Training (Virtual/Zoom) | USDOT DBE Contract Goal Setting Training (Virtual/Zoom) | FTA Region 3 F.Y. 2022 Triennial Review/State Management Review (Virtual Training Workshop) |
|-----------------|---|--|---|
| Attendance Date | 2/14/2022 – 2/18/2022 | 3/2/2022 | 2/7/2022 – 2/11/2022 |
| WMATA Attendees | Meshelle Howard, Michael Bing | Meshelle Howard, Marlo, Lilliette Rivera, Johnson, Joseph Badu | Meshelle Howard, Marlo Johnson, Lilliette Rivera, Joseph Badu |

** Note: Because of the COVID19 Pandemic, limited events and outreaches were attended in late 2019 and 2020.*

Table 16: WMATA Required Safety (RWP) Training Attended by WMATA Small Business Program Office (SBPO) Between 2020 – 2022.

| Road Worker Protection (RPW) Safety Training (In-Person Training held at the MSF Building, Landover, MD) | |
|---|--|
| Attendance Date | WMATA/SBPO Attendees |
| 6/15/2022 | Wenona Mewborn |
| 3/24/2022 | Meshelle Howard |
| 2/16/2022 | Mohammed H. Abiola |
| 12/27/2021 | Rashida Reed |
| 11/30/2021 | Carl Farmer |
| 7/13/2021 | Marlo Johnson, Michael Bing, Lilliette Rivera, Anthony Spain, Joseph Badu, |

** Note: Because of the COVID19 Pandemic, limited events and outreaches were attended.*

XIV. EXHIBIT FOR PUBLIC NOTICE AND PUBLIC FORUM

Exhibit 1: Public Notice (Flyer) Posted on WMATA's Website



The Washington Metropolitan Area Transit Authority (Metro) is seeking public comments on its Triennial Disadvantage Business Enterprise (DBE) Goal Setting Methodology for fiscal years, 2023, 2024, and 2025. In accordance with U.S. Department of Transportation regulations under 49 C.F.R. Part 26, Metro has established the following Triennial DBE Participation Goals:

- Metro's Proposed DBE participation for Federal Fiscal Years 2023, 2024, and 2025
- 16% of funds attained through race-conscious methods
- 5% of funds attained through race-neutral methods

A virtual public forum will be held using Microsoft Teams on Friday, July 22, 2022, from 1 p.m. to 4 p.m. EST.

For the best experience, please download and install the Microsoft Teams application.

To register for the forum or submit comments, [click here](#).

Comments will be accepted until July 30, 2022 at 4 p.m. EST.

If you have questions, email Joseph Badu at SBPOHotline@wmata.com and use the subject line: Triennial DBE Goal Setting Methodology

Metro's Proposed DBE Program Plan is available for inspection at:

<https://www.wmata.com/business/Small-Business-Programs-Office/resources.cfm>



**XV. EXHIBITS FOR WMATA PUBLIC PARTICIPATION IN DBE
OUTREACH/NETWORKING EVENTS IN 2020, 2021 & 2022**

Exhibits 2-12 are virtual events for outreach and networking activities for minority and women-owned businesses and certified DBEs within Washington, D.C. Metropolitan Statistical Area (WMSA) hosted and sponsored by WMATA SBPO and attended by minority organizations.

Events for 2022

Exhibit 2



Metro's Small Business Program's Office Presents

MEET THE PRIMES

Connecting Small Businesses to Opportunities.

Plan to attend this Meet the Primes event and learn about contracting opportunities with the primes:

- HNTB
- RK&K
- AECOM
- Jacobs Engineering Group Inc.

Tuesday, June 28, 2022 | 9:00AM - 12:00PM

Attend through Microsoft Teams | [Click HERE to Register](#)



Exhibit 3



D S L B D P R E S E N T S

PATHWAY TO DOING BUSINESS WITH METRO

Learn how to do business with
Metro's Small Business Program's Office.

Thursday June 23, 2022

10 a.m. – Noon

Hosted on Microsoft Teams



Exhibit 4



Mark Your Calendar and Join Metro at the MWMCA Business Showcase Expo.

Metro's Small Business Programs Office will be among 80 prime and government entities showcasing their business opportunities and sharing information regarding programs designed to help Small, Minority and Women-Owned businesses. This in-person event is happening in Martin's West in Baltimore, MD on Friday, May 6 from 7:30 a.m. until 12:30 p.m.

To register for this free expo, [click here.](#)



SMALL BUSINESS PROGRAMS OFFICE

**Metro wants
to do business
with small
businesses.**



CRMSDC MBEIC presents

The CEO Roundtable

Featuring Metro's
Small Business Program's Office

Join us for a presentation on
our Socioeconomic Programs!

**Friday, June 3, 2022
8 – 9 a.m.**

TO JOIN THIS EVENT, CLICK HERE.



Exhibit 6

SMALL BUSINESS PROGRAMS OFFICE



The Washington Metropolitan Area Transit Authority's Small Business Programs Office (SBPO) introduces its new Socioeconomic Programs Training.

During this training, we will provide:

- an overview of the current and new socioeconomic programs
- a high-level overview of the certification processes
- the purpose of contract compliance
- legal requirements and/or guidance of contract compliance
- prompt payment requirements
- information about pre- and post-award procurement cycles

We hope you find this training informative and helpful. And we look forward to seeing you at one of the trainings.

To register, click on one of these dates:

[Monday, April 11, 2022](#)

[Monday, April 18, 2022](#)

[Monday, April 25, 2022](#)

[Monday, May 2, 2022](#)

There will be two training sessions on these days for you to choose from — the first at 10:00 a.m. and the second at 1:00 p.m.

If you have any questions or need assistance, contact us at SBPOHotline@wmata.com.






Exhibit 7



METRO'S SMALL BUSINESS PROGRAMS OFFICE PRESENTS

MEET THE PRIMES

Metro wants to do business with your business.
Plan to attend this Meet the Primes event and learn about contracting opportunities with the primes:

- Clark Construction Group
- Hensel Phelps
- Kiewit
- WSP Global

Thursday, April 7, 2022 | 9:00 am - 12:30 pm
Attend through Microsoft Teams | [CLICK HERE TO REGISTER](#)



Exhibit 8



SMALL BUSINESS PROGRAMS OFFICE'S TOWN HALL

Join us to hear about Metro's New Socioeconomic Programs

Thursday, February 24, 2022 First Session: 9:00 a.m to 10:10 a.m. Second Session: 1:00 p.m. to 2:10 p.m.

Join us to learn about Metro's New Programs: Minority Business Enterprise (MBE), Small Business Program (SBP) and Micro Business Program (MBP).

[Click here to join via MS Teams for either the first or second session.](#)

For questions please contact
SBPOHOTLINE@WMATA.COM



Events for 2021

Exhibit 9



New Socioeconomic Programs

Register to hear about New Socioeconomic Programs and Bonding presentation

Monday, November 15, 2021 — 9:00 a.m. to 12:00 p.m.

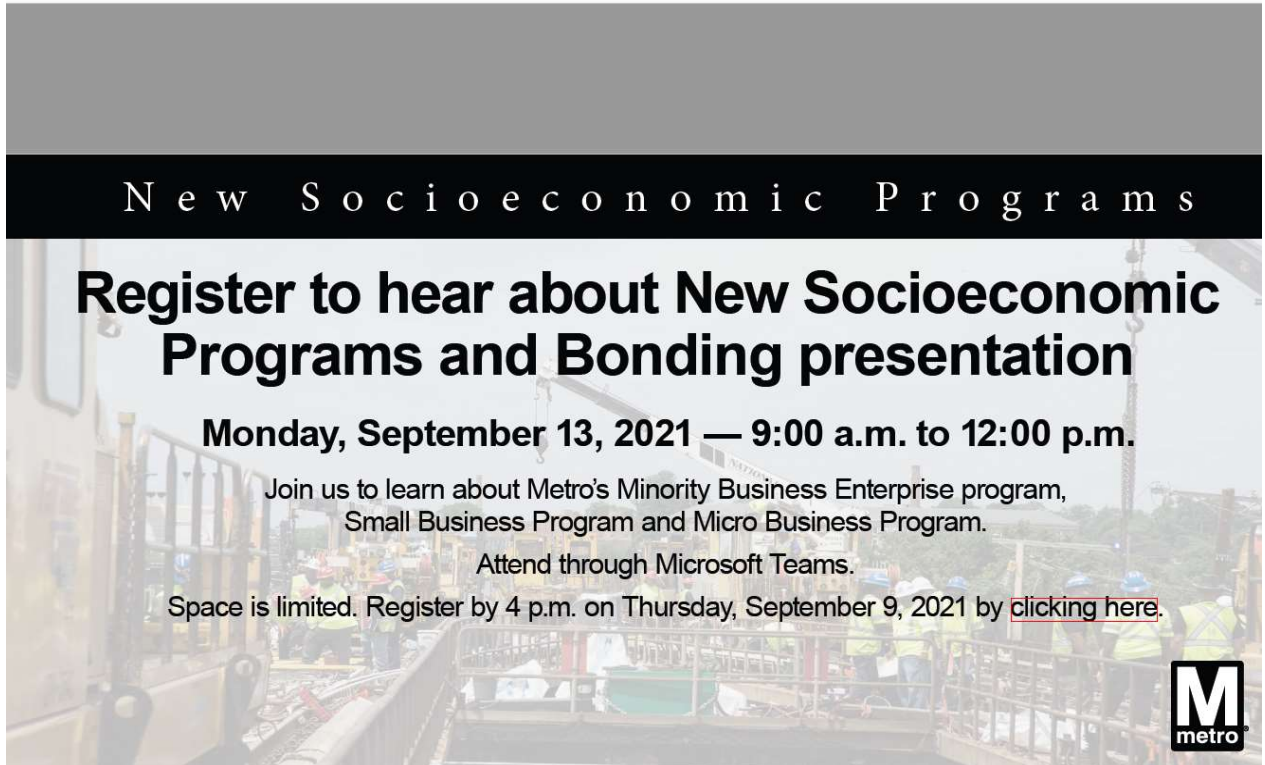
Join us to learn about Metro's Minority Business Enterprise program, Small Business Program and Micro Business Program.

Attend through Microsoft Teams.

Space is limited. Register by 4 p.m. on Thursday, November 11, 2021 by [clicking here](#)



Exhibit 10



New Socioeconomic Programs

Register to hear about New Socioeconomic Programs and Bonding presentation

Monday, September 13, 2021 — 9:00 a.m. to 12:00 p.m.

Join us to learn about Metro's Minority Business Enterprise program, Small Business Program and Micro Business Program.

Attend through Microsoft Teams.

Space is limited. Register by 4 p.m. on Thursday, September 9, 2021 by [clicking here](#).




Exhibit 11

A large, modern silver and grey train car with a 'Green' sign on the front and a 'metro' logo. The background is a light blue sky.

HITACHI RAIL 8000 SERIES RAIL CAR

Plan to Attend the Meet the Prime Series

Meet representatives from Hitachi Rail. Get vendor registration information and hear about the vital role that DBEs will play in the assembly of rail cars and construction of the facility.

Wednesday June 2, 2021 9 a.m. - 1 p.m.

Attend through Microsoft teams.
Space is limited register by 4 p.m. on Monday, May 31, 2021, by [clicking here](#).



Exhibit 12



Metro wants to do business with your business.

Plan to attend **Moving Business To The Future: Metro's Virtual Conference.**

- Meet Prime Contractors.
- Hear about the vital role DBEs play in making Metro move.
- Get vendor registration assistance.
- Meet with Metro's Procurement Managers.

Thursday, March 11, 2021 | 9 am - 1 pm

Attend through Microsoft Teams

Space is limited. Register by 5 p.m. on Thursday, March 4 by [clicking here](#).



Exhibit 13-14 are in-person events, outreaches, and networking activities for minority and women-owned businesses and certified DBEs within Washington, D.C. Metropolitan Statistical Area (WMSA) hosted and sponsored by other minority organizations and attended by WMATA SBPO in 2022 & 2021.

Exhibit 13



31st Annual
Government Procurement Conference

Thursday, June 16, 2022
Walter E. Washington Convention Center, Washington, DC
9 AM - 4 PM

Health & Safety Guidelines for the Convention Center

Welcome

Welcome to the 31st Annual Government Procurement Conference (GPC) website.

The Government Procurement Conference is a national conference fostering business partnerships between the Federal Government, its prime contractors, and small, minority, service-disabled veteran-owned, veteran-owned, HUBZone, and women-owned businesses. Now in its 31st year, the Government Procurement Conference has become the premier event for small businesses throughout the United States.

Participating firms will have the benefit of marketing their products/services to procurement representatives and small business specialists from government agencies.

The conference also includes educational conference sessions, procurement matchmaking and a dynamic Government and Prime Contractor exhibitor showcase.

[REGISTER NOW](#)

**MEET TOP COMPANIES INTERESTED
IN DOING BUSINESS WITH YOU!**

**MINORITY OUTREACH FAIR
FRIDAY, DECEMBER 10, 2021**

8:00AM – NOON | LIVE! CASINO & HOTEL • EVENT CENTER

Small, Minority & Women Owned Firms:

- Construction
- Suppliers
- Construction Services
- Professional Services

OVER 80 EXHIBITORS TO MEET & GREET



There is no cost to attend or participate in this event.
FREE parking is available

Select Here to Register or Contact MWMCA AT
EVENTS@MWMCA.ORG

Live! CASINO • HOTEL[®]
MARYLAND

At Arundel Mills. Must be 21. Please play responsibly, for help visit mdgamblinghelp.org or call 1-800-GAMBLER. ©2021

XVI. CONCLUSION

In conclusion, WMATA will continue to analyze the DBE awards and commitments reported to the FTA on a semi-annual basis. If the DBE awards/commitments are less than the overall DBE goal, WMATA will develop and submit a written analysis of the shortfall, as well as the corrective actions which will be implemented to remedy the shortfall. Also, if any significant changes are made to WMATA's FTA-assisted contracting program, WMATA will re-calculate the overall DBE goal and, if warranted, submit an adjusted overall DBE goal for FTA approval.

XVII. TABLE OF ACRONYMS

| Acronym | Term |
|----------------|---|
| CBP | County Business Patterns (Census Bureau) |
| CFR | Code of Federal Regulations |
| CLM | Contract Lifecycle Management |
| CIP | Capital Improvement Projects |
| CRMSD | Capital Region Minority Supplier Development Council |
| DBE | Disadvantaged Business Enterprise |
| DOT | Department of Transportation |
| FFY | Federal Fiscal Year |
| FTA | Federal Transportation Administration |
| IBOP | Internal Business Operations |
| MDOT | Maryland Department of Transportation |
| MPP | Median Past Participation |
| MPR | Multi-Processor Rail |
| MSA | Metropolitan Statistical Area |
| MWUCP | Metropolitan Washington Unified Certification Program |
| NAICS | North America Industry Classification System |
| NTI | National Transportation Institute |
| PRC | Procurement Review Committee |
| RC | Race-Conscious |
| RN | Race-Neutral |
| RWA | Ready, Willing, and Able |
| RWP | Roadway Worker Protection |
| SBE | Small Business Enterprise |
| WMATA | Washington Metro Area Transit Authority |
| WMSA | Washington Metropolitan Statistical Area |