



**ALASKA DEPARTMENT OF  
TRANSPORTATION & PUBLIC FACILITIES  
FFY 2021-2023 FHWA Disadvantaged Business Enterprise  
(DBE) Goal Public Comment Meeting**

Civil Rights Office



# Today's Discussion

1. Determining the Overall DBE Goal
2. Race-Conscious and Race-Neutral Projections
3. Public Comment/Questions



## Determining the Overall DBE Goal

The overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on FHWA-assisted contracts.

The overall goal must reflect the level of DBE participation that would be expected absent the effects of discrimination.

### The Goal-Setting Process

- **Step One:** Determine a base figure for the availability of DBEs relative to all businesses.
- **Step Two:** Examine all available evidence to determine what adjustments, if any, are needed to the base figure to arrive at the overall goal.



**Step One Base Figure:** The base figure was derived using data from the 2020 Alaska DOT&PF Disparity Study's Availability Analysis and Alaska DOT&PF Bidders Registration List data. This was found to be the most appropriate method for several reasons:

- Federal regulations allow for using data from a disparity study to calculate a base figure for the overall availability of DBEs.
- The availability analysis from the 2020 Alaska DOT&PF Disparity Study accounts for both certified DBEs, and firms that could potentially become certified DBEs.
- The 2020 Alaska DOT&PF Disparity Study availability analysis yields the most accurate data available as it incorporates data from multiple sources to provide a consolidated picture of current market conditions within the State of Alaska.

**This process yielded a Step One Base Figure of 13.86%**



**Step Two Overall Goal:** The Department analyzed available evidence to determine what adjustments, if any, were needed to the base figure to arrive at the overall goal.

Evidence reviewed included:

- Current Capacity of DBEs.
- Evidence from the 2020 Alaska DOT&PF Disparity Study
  - Self-Employment Analysis
  - Anecdotal Analysis
    - Evidence of barriers to doing business.
    - Barriers to access to capital.
- Geographic Barriers
- Types of Contracts Expected in 2021-2023

In determining the overall goal, an adjustment to the base figure was made to account for the current capacity of DBEs to perform work. This yielded an overall DBE goal of **9.97%**.



**Race-Conscious/Race-Neutral Split:** DOT&PF reviewed available evidence in order to determine the appropriate race-conscious/race-neutral split for the overall DBE goal. The evidence considered included:

- 2020 Alaska DOT&PF Disparity Study
  - Disparity Analysis
  - Non-Goal Analysis
  - Anecdotal Evidence of Discrimination
  - Relevant Case Law
- Past Race-Neutral Participation

After reviewing available evidence, DOT&PF proposes a race-neutral/race-conscious split of **9.97% race-neutral, 0.00% race-conscious.**



# QUESTIONS?

To see the proposed goal methodology, please visit:

[www.dotcivilrights.alaska.gov](http://www.dotcivilrights.alaska.gov)

## Public Comments:

The public commentary period ends on 01/15/2021

You may submit your comments via email, fax, or mail:

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