

**PORT OF OAKLAND
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
FFY 2009-2010 OVERALL ANNUAL GOAL REPORT TO THE
FEDERAL AVIATION ADMINISTRATION**

The Port of Oakland has completed its initial review process for its annual Disadvantaged Business Enterprise (DBE) goals applicable to Federal Fiscal Year (FFY) 2009-2010 contracting opportunities funded in whole or in part by the Federal Aviation Administration (FAA). The Port has revised the DBE goal-setting methodology in compliance with the U.S. Department of Transportation regulations 49 CFR Part 26, issued February 2, 1999, and effective March 4, 1999 (“DBE Regulations”).

For FFYs 04/05 and 05/06, the Port of Oakland exceeded its overall DBE goal. Therefore, the Port did not establish a goal for FFY 06/07 for construction and consulting opportunities on projects assisted by FAA. For FFY 07-08 no federally funded projects were procured. For FFY 08-09, DBE participation was 15.9% slightly under the race neutral goal of 18.6%.

The Regulations require a two-step process for goal setting. This process intends to provide the maximum flexibility for recipients while ensuring that goals are based on availability of ready, willing, and able DBEs in each recipient’s relevant market.

The Port of Oakland’s FFY 2009-2010 FAA funded contracting opportunities in the total amount of \$34,464,178 are described herein, pursuant to U.S. Census Bureau’s North American Industry Classification System (NAICS) codes. The total estimated amount of federal funding for these projects is \$30,551,343.

PROJECTED PROJECTS

Project Name	AIP #	Total Project Dollars	Federally Funded Portion
Upgrade Aircraft Noise and Operations Monitoring (ANOMS)	43	1,250,000	1,000,000
Midfield Aircraft RON Parking Apron	42	1,250,000	1,000,000
	44	6,625,000	5,300,000

East Apron Phase 3	40	1,875,000	1,500,000
	47	2,304,401	1,843,521
	*48	9,700,000	9,700,000
	49	6,259,777	5,007,822
	*51	5,200,000	5,200,000
TOTAL		34,464,178	30,551,343

* Grants 48 and 51 are funded entirely through the American Recovery and Reinvestment Act (ARRA)

GOAL METHODOLOGY

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

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

1. California Unified Certification Program (CUCP) DBE Database
2. 2007 Census Bureau County Business Patterns

The Port does not have a relevant bidders list for construction or consultant projects at the present time. The Port will be developing a process to collect bidders' information in the future. For the purposes of this goal setting methodology, the Port will use the Census Bureau County Business Patterns to determine DBE availability.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 237110 (Water and Sewer Construction) is 59. Approximately 39 DBE firms are in the CUCP DBE Database representing 66% of the 59 in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 237120 (Oil and Gas Pipe Construction) are 6. Approximately 7 DBE firms are in the CUCP DBE Database representing 1.2% of the 6 in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 237130 (Power/Communication Line Construction) are 31. Approximately 23 DBE firms are in the CUCP DBE Database representing 74.0% of the 31 in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 237990 (Heavy Civil Engineering Construction) are 34. Approximately 71 DBE firms are in the CUCP DBE Database representing 2.1% of the 34 in the counties.

The total number of electrical firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 238210 (Electrical Contractors) is **568**. Approximately **104** DBE firms are in the CUCP DBE Database representing **18.3%** of the **568** in the counties.

The total number of construction firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 238910 (Site Preparation Contractors) are **171**. Approximately **103** DBE firms are in the CUCP DBE Database representing **60.0%** of the **171** in the counties.

The total number of aeronautical manufacturing firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 334511 (Navigational Aeronautical Instruments) are **2**. Approximately **2** DBE firms are in the CUCP DBE Database representing **100%** of the **2** in the counties.

The total number of engineering firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 541330 (Engineering Services) are **751**. Approximately **296** DBE firms are in the CUCP DBE Database representing **39.4%** of the **751** in the counties.

The total number of testing firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 541380 (Testing/Laboratory) are **84**. Approximately **43** DBE firms are in the CUCP DBE Database representing **51.0%** of the **84** in the counties.

The total number of trucking firms in the local counties (Alameda and Contra Costa County) in the 2007 Census Bureau County Business Patterns for NAICS code 484110 (Local Trucking) are **198**. Approximately **129** DBE firms are in the CUCP DBE Database representing **65.0%** of the **198** in the counties.

Table 1: Determining Base Figure

NAICS CODE	INDUSTRY AREA	Census	CUCP	Available UCP/Census=Base Figure	% of Project Dollars to be Spent in Each	WEIGHTED %
237110	Water/Sewer Construction	59	39	0.661	0.030	1.98
237120	Oil/Gaspipe Construction	6	7	1.167	0.035	4.08
237130	Power/Communication Line Construction	31	23	0.741	0.047	3.48
237990	Heavy/CE Construction	34	71	2.088	0.670	1.40
238210	Electrical Contractors	568	104	0.183	0.057	1.04
238910	Site Preparation Contractors	171	103	0.602	0.060	3.61
334511	Navigational Aeronautical Instruments	2	2	1.000	0.027	2.70
541330	Engineering Services	751	296	0.394	0.627	2.47
541380	Testing Laboratories	84	43	0.511	0.008	0.41
484110	Trucking*	198	129	0.651	0.010	0.01
Total						21.18

Total Project Dollars \$34,464,178

- 1% is a general estimation of trucking services expected for construction projects. This figure is an estimate provided by the Port of Oakland Engineering Department.

Based on the data in Table 1: Determining Base Figure, the Port of Oakland has calculated a **weighted DBE availability of 21.18%** to establish its base figure applicable to contracting opportunities.

Step Two: Adjusting the Base Figure

Disparity Study

The Port of Oakland has not conducted a recent disparity study.

Past DBE Attainment

The Port has awarded similar aviation projects over the past three years. The annual DBE attainment is listed in the following chart:

Federal Fiscal Year	Total Project Dollars	Total DBE Dollars	Percentage of DBE Participation
06/07	5,775,215	155,000	2.7%
07/08	N/A	N/A	N/A
08/09	6,850,439	1,093,422	15.9%

The average DBE participation on Port projects for related aviation projects is 9.3% ($15.9\% + 2.7\%/2=9.3\%$). Taking the step one calculation of 21.18% and considering the average DBE participation of 9.3%, the Port is proposing an adjustment to the base figure ($21.18\% + 9.3\%/2 = 15.24\%$). **Therefore, the Port is proposing a 15.24% aspirational goal for FFY 09-10.**

PUBLIC PARTICIPATION

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

UTILIZATION OF RACE-NEUTRAL AND RACE CONSCIOUS METHODS

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

Race-Neutral Methods

The Port will implement a race-neutral program to achieve DBE participation 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 concession 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 the Surety Bond and Financing/Loan Guarantee 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 U.S. 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 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 the widest feasible universe of potential contractors by listing the CUCP website location in the RFPs/RFQs; and,
- g. Providing business development assistance through the Port's Owner Controlled Insurance Program and referrals to the Surety Bond and Financing/Loan Guarantee Program, East Bay Small Business Development Center and other assistance agencies.

Race Conscious Methods

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

In order to obtain the maximum amount of participation of DBE firms in contracting opportunities, the Port of Oakland's DBE Liaison Officer attends, sponsors and coordinates local and regional events for minority, women, small and local businesses. During FFY 2009-10, the Port of Oakland participated in local small business conferences sponsored by the Hispanic Chamber of Commerce, Oakland African American Chamber, the Bay Area Rapid Transit District, City of Oakland and the Port of Oakland. Also, events for minority and women-owned businesses in which the DBE Representative participated included the East Bay Inter-Agency Alliance monthly meetings, the African American Business Summit and the annual Airport Minority Advisory Council.

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

LIST OF ATTACHMENTS

1. NAICS Listing
2. Accomplishment Reports for FFYs 06/07, 07/08 and 08/09.
3. CUCP DBEs by NAICS Codes
4. County Census Availability by NAICS codes