**AUTONOMOUS MUICIPALITY OF CABO ROJO (MACR)**

**Section 26.45: Overall Goal Calculation 2024/2027**

**Amount of Goal**

1. The Municipality of Cabo Rojo’s overall goal for FY 2024-2027 (Oct. 1, 2024 - Sep. 30, 2027) will be: **5%** of the Federal Financial assistance we will spend on DOT-assisted contracts exclusive of FTA funds.

**Methodology that will be used to Calculate Overall Goal**

The following projects are contracting opportunities resulting from FTA assistance that are applicable towards the DBE Goal.

|  |  |
| --- | --- |
| **Municipality of Cabo Rojo Projects with FTA Assistance** | |
| PR-2023-021 | * Acquisition and Installation of Prefabricated Bus Shelters ($343,950) |
| PR-2024-002 | * Operational Assistance – Purchased Transportation ($2,150,000) * Preventive Maintenance and Minor Repairs ($228,351) |
| PR-2024-001 | * Operational Assistance – Vehicle Rental Fixed Route ($619,080) |
| STIP - 2023-2026 Amendment # 2 | * Operational Assistance – Purchased Transportation ($1,148,000) * Preventive Maintenance and Minor Repairs ($40,000) * Acquisition of Automatic Passenger Counters ($67,190) * Acquisition and Development of Software for Fixed Route Data ($20,000) * A & E for Publico Terminal Rehabilitation ($52,019) |

Following are all the types of contracting opportunities those projects can generate:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **NAICS Code** | **Project** | **Amount of DOT funds on project:** | **% of total DOT funds (weight)** |
| **1)** | 811111,  811118,  811192 | General automotive repair, Other Automotive Mechanical and Electrical Repair and Maintenance, [Car Washes](https://www.naics.com/naics-code-description/?code=811192&v=2022) | $268,351 | 0.06 |
| **2)** | 443142  423710,  541513,  423430 | Electronic stores, Hardware merchant wholesalers, Computer Facilities Management Services, [Computer and Computer Peripheral Equipment and Software Merchant Wholesalers](https://www.naics.com/naics-code-description/?code=423430&v=2022) | $87,190 | 0.02 |
| **3)** | 541310  541330  541620 | Architectural services, Environmental consulting services, Engineering services | $52,019 | 0.01 |
| **4)** | 332311,  238120, | [Prefabricated Metal Building and Component Manufacturing](https://www.naics.com/naics-code-description/?code=332311), Structural Steel and Precast Concrete Contractors | $343,950 | 0.07 |
| **5)** | 485113, 485119, 485210, 485999 | Bus and other motor vehicle transit system, Other Urban Transit Systems, Interurban and Rural Bus Transportation, All Other Transit and Ground Passenger Transportation | $3,917,300 | .84 |
|  | **Total FTA-Assisted Contract Funds** | | **$4,668,810** | **1** |

Following are all the amount of DBE and non-DBE firms available for those projects:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **NAICS Code** | **Project** | **Number of DBEs available to perform this work** | **Number of all firms available (including DBEs)** | **Relative Availability** |
| **1)** | 811111,  811118,  811192 | General automotive repair, Other Automotive Mechanical and Electrical Repair and Maintenance, [Car Washes](https://www.naics.com/naics-code-description/?code=811192&v=2022) | 2 | 458 | .4% |
| **2)** | 443142  423710,  541513,  423430 | Electronic stores, Hardware merchant wholesalers, Computer Facilities Management Services, [Computer and Computer Peripheral Equipment and Software Merchant Wholesalers](https://www.naics.com/naics-code-description/?code=423430&v=2022) | 2 | 267 | .7% |
| **3)** | 541310  541330  541620 | Architectural services, Environmental consulting services, Engineering services | 64 | 618 | 10% |
| **4)** | 332311,  238120, | [Prefabricated Metal Building and Component Manufacturing](https://www.naics.com/naics-code-description/?code=332311), Structural Steel and Precast Concrete Contractors | 2 | 27 | 7% |
| **5)** | 485113, 485119, 485210, 485999 | Bus and other motor vehicle transit system, Other Urban Transit Systems, Interurban and Rural Bus Transportation, All Other Transit and Ground Passenger Transportation | 0 | 13 | 0% |
|  | **Combined Totals** | | **70** | **1383** | **5%** | **Overall Availability**  **of DBEs** |

DBE Overall goal process:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **NAICS Code** | **Project** | **Weight** | **x** | **Availability (In PR but not necessarily on Municipal Bidders list or provide services to municipality)** | **Weighted Base Figure** |
| **1)** | 811111,  811118,  811192 | General automotive repair, Other Automotive Mechanical and Electrical Repair and Maintenance, [Car Washes](https://www.naics.com/naics-code-description/?code=811192&v=2022) | 0.06 | x | 2 | 0.12 |
| **2)** | 443142  423710,  541513,  423430 | Electronic stores, Hardware merchant wholesalers, Computer Facilities Management Services, [Computer and Computer Peripheral Equipment and Software Merchant Wholesalers](https://www.naics.com/naics-code-description/?code=423430&v=2022) | 0.02 | x | 2 | 0.04 |
| **3)** | 541310  541330  541620 | Architectural services, Environmental consulting services, Engineering services | 0.01 | x | 64 | 0.64 |
| **4)** | 332311,  238120, | [Prefabricated Metal Building and Component Manufacturing](https://www.naics.com/naics-code-description/?code=332311), Structural Steel and Precast Concrete Contractors | 0.07 | x | 2 | 0.14 |
| **5)** | 485113, 485119, 485210, 485999 | Bus and other motor vehicle transit system, Other Urban Transit Systems, Interurban and Rural Bus Transportation, All Other Transit and Ground Passenger Transportation | .84 | x | 0 | 0 |
| **Total** | **0.94** |
| Expressed as a % (\*100) | 94% |
| **Rounded, Weighted Base Figure** | **94%** |

**Geographic Preference**

Pursuant to 49 CFR 26.45, the Municipality of Cabo Rojo will develop a base figure to express the availability of DBEs as a percentage of all contractors, subcontractors, and suppliers in the relevant contracting markets. The Municipality of Cabo Rojo will utilize the State Disadvantage Business Directory (created and updated by the PRHTA) and the U.S Census 2022: County Business Patterns by Industry, published on June 27, 2024, to determine the number of ready, willing, and available businesses in the contracting markets in which the City solicits participation from contractors and suppliers for the fiscal year. This determination will include description of the geographic boundaries of the solicitations and the relevant North American Industry Classification System (NAICS) codes for the type of work to be contracted. Business must have its principal office located within the geographic boundaries of Puerto Rico. The same method will be used to determine the number of DBEs that are ready, willing, and available to participate as contractors or suppliers for the fiscal year.

**Step 1**: **26.45(c)**

This agency will put forth all good faith efforts to increase DBE participation in FTA assisted contract through outreach efforts. We have divided the number of DBE bidders (ready, willing, and able) by the number of all business relative to our overall bid tabulation to derived base figure for the overall annual DBE Goal participation.

Ready, willing, and able DBE’s

Base figure = (Numerator)

All firms ready, willing, and able

(Denominator)

The information for DBE firm participation in the numerator came from DBE Directory of certified firms by PRDOT. The data source or demonstrable evidence used to derive the denominator was: The data source or demonstrable evidence used to derive the numerator was: the U.S Census 2022 County Business Patterns by Industry, published on June 27, 2024.

70 (Ready, willing, and able DBE’s) = **5% Overall Goal**

1,383 (All firms ready, willing, and able)

When we divided the numerator by the denominator (as shown above) the base figure for our overall goal was **5 percent**.

**Weighting**

The Municipality of Cabo Rojo will use the “weighting” method for accuracy on our DBE Goal setting process.

**Step 2**: **26.45(d)**

Once you have calculated a base figure, you must examine all the evidence available in your jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at your overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

(1) There are many types of evidence that must be considered when adjusting the base figure. These include:

(i) The current capacity of DBEs to perform work in your DOT-assisted contracting program, as measured by the volume of work DBEs have performed in recent years.

(ii) Evidence from disparity studies conducted anywhere within your jurisdiction, to the extent it is not already accounted for in your base figure; and

(iii) If your base figure is the goal of another recipient, you must adjust it for differences in your local market and your contracting program.

The data used to determine if an adjustment to the base figure was necessary was provided by: The information for DBE firm participation in the numerator came from DBE Directory of certified firms by PRDOT. The data source or demonstrable evidence used to derive the numerator was: the U.S Census 2022: County Business Patterns by Industry, published on June 27, 2024.

##### **Public Participation**

We will publish the established goal on our Municipal Web Page.

**Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious Participation**

According to the 2020 Census, **98.7% of the population in Puerto Rico is Hispanic. The term** Hispanic is defined by regulation 49 CFR 26.5 as a “s*ocially and economically disadvantaged individual*”*.* **This means that** almost all bidders and participants bidding in the Municipality of Cabo Rojo can qualify as DBE certified. **Therefore, the Municipality will use 100% race neutral means to achieve the overall goal of 5%.**

The Municipality of Cabo Rojo will use the following race-neutral means to increase DBE participation:

1. Notice to Certified DBEs of Pending Projects 49 CFR 26.51 (b) (4). This notice shall be limited to those entities that are listed as having the expertise and capabilities to perform the type of work involved in the contract project.
2. Refer DBEs to other resources for assistance when appropriate.

However, if, after implementing race/gender-neutral means, the Municipality of Cabo Rojo determines that DBE utilization will fall substantially below the overall goal, then the Municipality of Cabo Rojo shall implement race gender-conscious measures to meet the overall goal. In order to ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals, we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following:

* DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures.
* DBE participation through a subcontract on a prime contract that does not carry DBE goal.
* DBE participation on a prime contract exceeding a contract goal.
* DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

**Disparity Studies**

Disparity studies showing the existence of past discrimination were not found.