DBE Availability Analysis Frequently Asked Questions

Why did the IBR Program complete a DBE Availability Analysis?

The U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) advised the Interstate Bridge Replacement (IBR) Program to hire a consultant to conduct an Availability Analysis prior to setting Disadvantaged Business Enterprise (DBE) contract goals under 49 C.F.R. Part 26. The Analysis was conducted to determine the relative availability of DBEs that perform the relevant work types in the Program's identified market area as compared to all firms. Under. 49 C.F.R. § 26.45(e)(3), Federal aid recipients are permitted to set specific project goals for a multi-year program such as the IBR Program, separately and in addition to a recipient's triennial overall DBE goal that is submitted to the Federal Highway Administration.

The IBR Program is a bi-state mega-project to replace the aging Interstate 5 (I-5) bridge across the Columbia River. The Program is overseen by the direct funding recipients Washington State Department of Transportation (WSDOT) and the Oregon Department of Transportation (ODOT), as well as sub-recipients Tri-County Metropolitan Transportation District of Oregon (TriMet) and Clark County Public Transit Benefit Area Authority (C-Tran). The project focuses on a 5-mile corridor that includes bridges, transit, active transportation, and highway improvements to address safety and mobility in the I-5 corridor between Portland, Oregon, and Vancouver, Washington. The IBR Program anticipates packaging over 28 contracts of various sizes, types, duration, sequences, and contracting agency.

Colette Holt & Associates (CHA) developed the availability analysis to set DBE contract goals for the federal aid portion of the IBR Program.

How does a DBE Availability Analysis differ from a Disparity Study?

A DBE availability analysis is different from a typical DBE disparity study conducted for an Agency. The Availability Analysis provides detailed quantitative estimates of the availability of DBE, as a percentage of all firms, to work on the contracts and associated subcontracts expected to be part of the IBR Program. A Disparity Study should include an availability analysis, as well as other elements designed to address whether DBEs have full and fair opportunities to compete for an agency's contracts overall, such as qualitative information about discriminatory barriers and practices, a DBE program review and recommendations. While both an Availability Analysis and a Disparity Study are used to determine the participation goals for disadvantaged businesses, the former is project-specific and focused on setting goals for projects like the I-5 bridge replacement, while the latter is a comprehensive, agency-wide assessment that supports broader policy decisions about DBE inclusion across all agency projects.

What are the IBR Program's next steps?

The IBR Program will use the Availability Analysis data to set narrowly tailored and legally defensible DBE contract goals. The unweighted availability percentages by North American Industry Classification System (NAICS) codes determined by the Analysis will be the starting point. The IBR Program will then apply the availability percentage for each NAICS code identified in the engineering estimate to the specific scope of work by NAICS code and weight that code by the estimated dollar amount. This will yield a DBE goal for each contract. This methodology will be used to calculate a design and/or construction DBE goal, as appropriate, for each IBR contract that receives federal financial assistance. The IBR Program will work directly with the DBE Program Manager of the contracting agency (WSDOT, ODOT, TriMet, or C-Tran) to develop the contract goal to be included in the solicitation.

Who should I contact with questions?

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