

# 2024 - 2026 EPA DBE Triennial Goal FAQs

### Q: Did Metropolitan Council create the methodology?

**A:** No, the methodology of the FTA Triennial goal setting found in CFR 49 Part 26.45 and that of Dr. Myers and the U of M was used to establish the EPA DBE triennial goal for consistency. EPA does not require goal setting

#### Q: What was the last Triennial goal?

A: The 2021 – 2023 goal was 11%

#### Q: What was the achievement?

**A:** 2019 – 10.60% 2020 – 29.28% 2021 – 10.58% 2022 –16.70% 2023 – TBD

#### Q: How is this triennial goal different than the last?

A: The 2021 – 2023 triennial goal is consistent with FTA goal setting methodology in using DBE directory and Census Bureau data along with 3-year project forecast. This method best reflects the anticipated DBE utilization. For the current Triennial, OEEO worked with Dr. Myers and the U of M to establish the triennial goal. They utilize a combination of several methodologies to produce the goal.

#### Q: How does this goal compare to MnDOT & MAC?

A: MnDOT FHWA	2022 - 2024 goal is 12.60%	Achievement in 2022 = 11.9%
MnDOT FTA	2022 - 2024 goal is 6.80%	Achievement in 2022 = 0%
Metropolitan Airport Commission	2019 - 2012 goal is 12.0%	Achievement in 2022 = 16.8%

#### Q: How did the Council determine our Market Area?

**A:** Local market area is the area in which the substantial majority of the contractors and subcontractors with which the Council does business are located and the area in which the Council spends the substantial majority of our contracting dollars

# Q: What monitoring mechanisms do you have in place to ensure you are on track to meet or exceed the goal?

**A:** The Council submits annual achievement reports to EPA that includes an analysis if the Council is under or over the 3-year goal. Furthermore, in setting contract specific goals the triennial goal is always used as an adjustment tool to achieve the Triennial goal of 11%

#### Q: What if you do not meet the 11.9% program goal at the end of the triennial?

**A:** Metropolitan Council will continue to analyze data and work to remedy reasons for utilization shortfall

#### Q: Can you be penalized if you do not meet the goal?

**A:** No, recipients cannot be penalized for not meeting their goal if they administer their DBE program in good faith.

#### Q: Will you increase the goal for the next triennial if you exceed the 11.9% program goal?

**A:** Possibly. Triennial goals are calculated using the relative availability of DBE firms in the marketplace and the forecasted makeup of capital projects, both of which vary from year to year.

#### Q: Are any efforts being taken to increase the DBE pool?

**A:** Yes, Metropolitan Council Office of Equity and Equal Opportunity is taking steps to identify industry gaps for which there are limited firms to perform the work and utilizing industry resources to proactively seek firms that may fill this need.

#### Q: Why is the Metropolitan Council taking this approach?

**A:** Historically EPA recipients have been required to establish and administer a DBE program and create a DBE triennial goal. Though the EPA suspended the requirement in 2019, The Metropolitan Council is in the process of updating our internal policy that will allow the Council to adopt FTA DBE program requirements into our EPA program processes and procedures. It is important to the Council to maintain this practice, as these goals establish a standard of expectation that is critical in the support of certified small businesses.

#### Q: To what activities does this goal apply?

**A:** All construction, design, professional services, and goods contracts that anticipate using EPA dollars within the next three years.

## Q: What is the DBE program? / What is the purpose of the DBE program?

**A:** The EPA DBE program is a subcontracting program that exists to mitigate the effects of past discrimination, provide access and is designed to level the playing field for businesses owned by women, people of color and indigenous persons (DBEs)

#### Q: Where can I go to learn more about the DBE program generally?

**A**: <a href="https://metrocouncil.org/About-Us/Organization/Office-of-Equal-Opportunity/Small-Business-Programs/Disadvantaged-Business-Program.aspx">https://metrocouncil.org/About-Us/Organization/Office-of-Equal-Opportunity/Small-Business-Programs/Disadvantaged-Business-Program.aspx</a>, or email <a href="mailto:dbe@metc.state.mn.us">dbe@metc.state.mn.us</a>

#### Q: How can I get more involved with the DBE program at the Met Council?

A: email dbe@metc.state.mn.us