

## **PUBLIC NOTICE**

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#### **Uptown Houston**

#### **Disadvantage Business Enterprise (DBE) Goals**

#### **Fiscal Years 2025 - 2027**

Harris County Improvement District #1 (Uptown Houston) has set its Disadvantage Business Enterprise (DBE) goal for federally funded contracts for fiscal years 2025 - 2027.

A copy of the goal calculation is available to view on the Uptown Houston website at <https://uptown-houston.com/about/governance/#policies> and at the offices of Uptown Houston during normal business hours.

Uptown Houston will accept comments on its overall annual DBE goal. Uptown Houston estimates that, in meeting its overall goal of 9.52%, Uptown Houston will obtain 1.05% from race-neutral participation and 8.47% from race-conscious participation.

Uptown Houston  
DBE Liaison Officer  
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### **AVISO PÚBLICO**

#### **Uptown Houston**

#### **Meta del Programa de Empresas Comerciales en Desventaja (DBE)**

#### **Años Fiscales 2025 - 2027**

Harris County Improvement District #1 (Uptown Houston) ha fijado su meta referente al programa de Empresas Comerciales en Desventaja (DBE, por sus siglas en inglés) para contratos financiados por el gobierno para los años fiscales 2025-2027.

Para leer los cálculos referentes a la meta fijada, visite la página web de Uptown Houston, <https://uptown-houston.com/about/governance/#policies> o visite la oficina de Uptown durante horas de oficina.

Uptown Houston aceptará comentarios sobre la meta anual DBE. Uptown Houston estima que, en el cumplimiento de su meta general del 8.52%, Uptown Houston obtendrá 1.05% de la participación racialmente neutral y 8.47% de la participación consciente de la raza.

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# UPTOWN

HOUSTON

## DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OVERALL GOAL CALCULATION

The Harris County Improvement District #1 (Uptown Houston) follows the FTA Region VI two-step process to calculate its Disadvantaged Business Enterprise (DBE) goal for fiscal year (FY) 2025 through 2027. The goal calculation is based on documented evidence of the availability of ready, willing and able DBEs relative to all ready, willing and able businesses for FTA-assisted contracts within the next three fiscal years.

### **Step 1 – Establish Base Goal**

Uptown Houston considered all possible FTA-assisted contracting opportunities for award in FY 2025 through FY 2027 and assigned the North American Industry Classification System (NAICS) codes for the contracting opportunities. Uptown Houston identified the Texas Department of Transportation (TxDOT) Houston Work District as its market area, which includes Brazoria, Fort Bend, Galveston, Harris, Montgomery, and Waller Counties. In the Texas Unified Certification Program (TUCP), Uptown Houston searched the DBE Directories by NAICS codes by availability in the location of the businesses for the six counties in the TxDOT Houston Work District. Uptown Houston used the 2021 US Census County Business Patterns database to determine the total number of ready, willing and able firms within the TxDOT Houston Work District.

Uptown Houston does not provide transit operations but does receive federal funding through grants for pedestrian improvements to support access to transit. Uptown Houston has one federally funded construction manager at-risk project with engineering and design subconsultant work associated expected within the next three years.

Uptown Houston will have a construction manager at-risk contract that will have multiple subcontracts for the design and construction in the next three years of the West Loop Shared Use Path and Bayou Bridge. Uptown Houston searched on the below NAICS codes that correspond with the upcoming procurements.

<b>NAICS Code</b>	<b>Definition</b>	<b>Sample Activities</b>
<b>221310</b>	Water Supply and Irrigation Systems	Irrigation systems
<b>237310</b>	Highway, Street, and Bridge Construction	Sidewalk, public, curbs and street gutters, highway, road and street construction; Concrete paving
<b>237990</b>	Other Heavy and Civil Engineering Construction	Trail construction
<b>238210</b>	Electrical Contractors and Other Wiring Installation Contractors	Highway, street and bridge lighting and electrical signal installation, Lighting system installation
<b>238910</b>	Site Preparation Contractors	Grading construction sites, Dirt moving for construction, Concrete breaking and cutting for demolition, Culvert or bridge removal
<b>238990</b>	All Other Specialty Trade Contractors	Concrete paving, residential and commercial driveway and parking area, Culvert, concrete, Sidewalk construction, residential and commercial
<b>561730</b>	Landscaping Services	Landscape installation services
<b>541330</b>	Engineering Services	Civil Engineering

Uptown Houston used the suggested calculation tables to determine the weighted base goal.

	<b>NAICS Code</b>	<b>Project</b>	<b>Amount of DOT funds on project:</b>	<b>% of total DOT funds (weight)</b>
<b>1)</b>	221310	West Loop Shared Use Path and Bayou Bridge	\$184,560.60	0.0100
<b>2)</b>	237310	West Loop Shared Use Path and Bayou Bridge	\$8,120,666.40	0.4400
<b>3)</b>	237990	West Loop Shared Use Path and Bayou Bridge	\$2,768,409.00	0.1500
<b>4)</b>	238210	West Loop Shared Use Path and Bayou Bridge	\$922,803.00	0.0500
<b>5)</b>	238910	West Loop Shared Use Path and Bayou Bridge	\$922,803.00	0.0500
<b>6)</b>	238990	West Loop Shared Use Path and Bayou Bridge	\$2,768,409.00	0.1500
<b>7)</b>	561730	West Loop Shared Use Path and Bayou Bridge	\$738,242.40	0.0400
<b>8)</b>	541330	West Loop Shared Use Path and Bayou Bridge	\$2,030,166.60	0.1100
	<b>Total FTA-Assisted Contract Funds</b>		<b>\$18,456,060.00</b>	<b>1.0000</b>

	<b>NAICS Code</b>	<b>Project</b>	<b>Number of DBEs available to perform this work</b>	<b>Number of all firms available (including DBEs)</b>	<b>Relative Availability</b>
1)	221310	West Loop Shared Use Path and Bayou Bridge	3	85	0.0353
2)	237310	West Loop Shared Use Path and Bayou Bridge	24	158	0.1519
3)	237990	West Loop Shared Use Path and Bayou Bridge	8	91	0.0879
4)	238210	West Loop Shared Use Path and Bayou Bridge	9	1170	0.0077
5)	238910	West Loop Shared Use Path and Bayou Bridge	20	390	0.0513
6)	238990	West Loop Shared Use Path and Bayou Bridge	25	583	0.0429
7)	561730	West Loop Shared Use Path and Bayou Bridge	8	1052	0.0076
8)	541330	West Loop Shared Use Path and Bayou Bridge	91	1959	0.0465
<b>Combined Totals</b>			<b>188</b>	<b>5488</b>	<b>0.0343</b>

	<b>NAICS Code</b>	<b>Project</b>	<b>Weight</b>	<b>x</b>	<b>Availability</b>	<b>Weighted Base Figure</b>
1)	221310	West Loop Shared Use Path and Bayou Bridge	0.0100	x	0.0353	0.0004
2)	237310	West Loop Shared Use Path and Bayou Bridge	0.4400	x	0.1519	0.0668
3)	237990	West Loop Shared Use Path and Bayou Bridge	0.1500	x	0.0879	0.0132
4)	238210	West Loop Shared Use Path and Bayou Bridge	0.0500	x	0.0077	0.0004
5)	238910	West Loop Shared Use Path and Bayou Bridge	0.0500	x	0.0513	0.0026
6)	238990	West Loop Shared Use Path and Bayou Bridge	0.1500	x	0.0429	0.0064
7)	561730	West Loop Shared Use Path and Bayou Bridge	0.0400	x	0.0076	0.0003
8)	541330	West Loop Shared Use Path and Bayou Bridge	0.1100	x	0.0465	0.0051
<b>Total</b>						0.0952
Expressed as a % (*100)						9.52%
<b>Rounded, Weighted Base Figure:</b>						<b>10%</b>

## Step 2 – Base Goal Adjustment

### *Past Participation*

Previously, Uptown Houston had an FTA-approved, race-neutral DBE Program Goal of 12.91%. On all previous procurements, Uptown Houston encouraged all respondents to meet the DBE Goal, but procurements did not have specific contract goals. The Uptown Transit Center was the project associated with the previous DBE Goal Setting. Uptown Houston did not have any DBE participation on that contract. Uptown Houston does not receive federal funding through formula funding and does not have federally funded projects on a regular basis. Uptown Houston will adopt race conscious measures to address the previous lack of participation on the previous contract.

### *Market Studies*

In researching disparity analysis within the Houston metropolitan area, there are several disparity studies located within the service area.

<b>City of Houston</b>	The City of Houston has released an RFP in 2022 for a new review of its minority and women business enterprise program at least every five years as required by Chapter 15 of the City Code of Ordinances.
<b>Metropolitan Transit Authority of Harris County (METRO)</b>	METRO’s study examined prime contract awards in construction, professional services, and goods and services from October 1, 2013, to September 30, 2018. The Study found that there were disparities in different contract types in both the prime contracts and subcontracts METRO awarded during the study period. For Construction Prime Contracts, the Study stated that there were disparities found for most DBE categories. No disparities were found for Subcontinent Asian Americans and Hispanic Americans for construction contracts larger than \$15,000. For subcontracts, the Study found disparities for African Americans and Caucasian Females were underutilized in Construction contacts.
<b>Harris County</b>	The Harris County Disparity Study (2020) compared county contracts awarded to minority- and women-owned businesses to the number of such businesses that were available. While white male-owned businesses made up 72.0% of the marketplace, those businesses received 90.9% of the third-party contracts; black-owned businesses made up 8.4% of the marketplace yet received 0.5% of third-party contracts. While the gap for Black-owned businesses was proportionately largest, all minorities and women were underrepresented in third-party contracts. Asian-owned businesses accounted for 3.0% of the marketplace but only 0.6% of third-party contracts; Native American-owned businesses made up 0.4% of the marketplace but only 0.1% of third-party contracts; Hispanic-owned businesses made up 11.0% of the marketplace but only 4.6% of third-party contracts; and businesses owned by white women made up 6.0% of the marketplace but only 3.2% of third-party contracts. As a whole, minority DBE firms made up 28.4% of the marketplace, but only received 9.1% of the third-party contracts.
<b>Port of Houston</b>	The Port of Houston Authority 2020 Disparity Study reviewed FY2015-2019 contracting for the industry categories of Construction, Architectural & Engineering, Professional Service, Other Services, and Goods. The study set their market area as Harris, Montgomery, and Fort Bend Counties. The study found statistically significant underutilization of minority and woman owned

	firms in all five (5) industry categories except Asian American and Hispanic American owned firms as prime contractors in Professional Services.
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The disparity studies provided both race-neutral and race-conscious recommendations. For race-neutral recommendations, the studies promote increased vendor communication, revising bonding and insurance requirements, providing adequate lead time, expanding marketing, and unbundling large procurements into smaller contracts. For race-conscious recommendations, the Study recommends requiring goal attainment at the bid opening, expanding marketing, requiring certification and verification of Minority/Women Business Enterprises (M/WBEs), developing quarterly participation report, assessing penalties to nonattainment, and providing more training to staff.

*Adjustment*

The current weighted base goal setting is lower than the previous DBE goal setting. The weighted base goal of 9.52% is a reasonable goal setting for the area and for the construction project available. However, Uptown Houston will adopt a high race conscious goal to ensure DBE participation or good faith efforts to achieve the DBE participation on the one project.

Based on the weighting of the NAICS codes for construction and design, the West Loop Shared Use Path and Bayou Bridge project has 89% of the costs associated with construction portion and 11% of the costs associated with the design of the project. For this DBE goal setting, Uptown Houston will use a 9.52% DBE Goal Setting, with a race conscious goal of 8.47% and a race neutral goal of 1.05%.

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

Uptown Houston will meet the maximum feasible portion of its overall goal by using both race-neutral and race-conscious means of facilitating DBE participation. Uptown Houston uses race-neutral means, including but not limited to providing DBE and SBE Directories, creating bidders lists, proactive outreach events with DBE firms in the area, and advertising prime contracts to DBEs, to increase DBE participation.

*Uptown Houston estimates that, in meeting its overall goal of 9.52%, Uptown Houston will obtain 1.05% from race-neutral participation and 8.47% from race-conscious participation.*

The following is a summary of the estimated breakout of race-neutral and race-conscious DBE participation:

*In order to ensure that Uptown Houston's DBE Goal will be narrowly tailored to overcome the effects of discrimination, Uptown Houston will use contract goals on some contracts to obtain DBE participation and 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 that a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.*