

# Current Practices to Set and Monitor DBE Goals on Design Build Projects and Other Alternative Project Delivery Methods Preliminary Results of NCHRP Synthesis Study HR 20-05(45-03)

## 2014 National AASHTO Civil Rights Subcommittee Training Symposium

Phoenix, Arizona  
April 29, 2014

**David Keen**  
**Principal**  
**Keen Independent Research LLC**

100 Fillmore St., 5<sup>th</sup> Floor  
Denver CO 80206  
303-385-8515

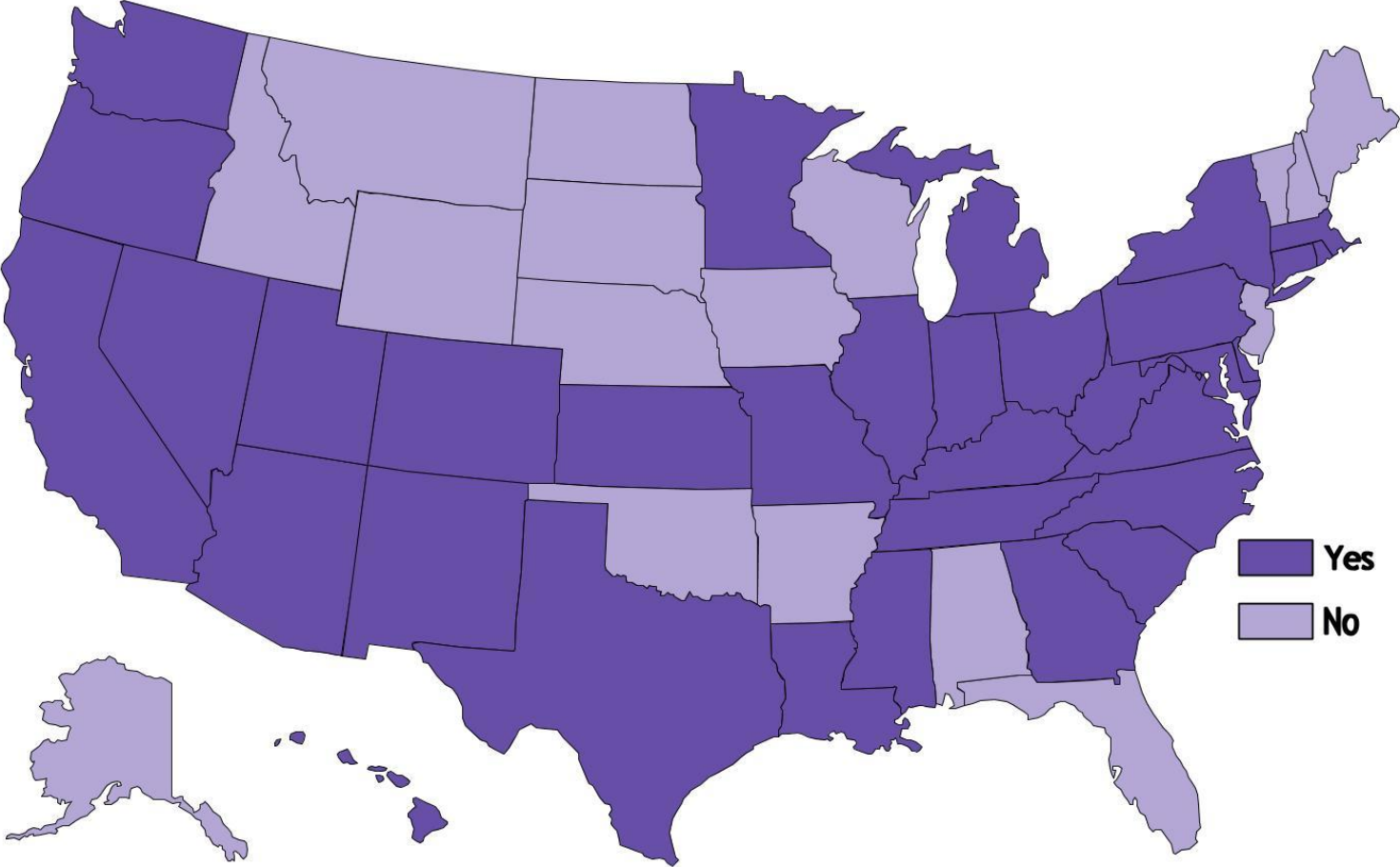
[dkeen@keenindependent.com](mailto:dkeen@keenindependent.com)  
[www.keenindependent.com](http://www.keenindependent.com)



# Study topics

- State DOT use of DBE contract goals on alternative delivery method projects
  - Design build
  - CMAR/CMGC
  - P3
- Different approaches among state DOTs
- Final report prepared by September 29, 2014
- Report will include RFQ/RFP language and other documentation

# State DOTs currently using DBE goals for alternative delivery method projects



# Challenges when applying DBE contract goals program to alternative delivery method projects

- Setting contract goal with limited information
- Any new process can create confusion among proposers and potential subs
- Engineering-related DBEs say they are left out
- Can be long lead time between proposal date and when subs actually used in construction phase
- With other complexities of a design-build project, DBE Program compliance can be low priority for prime and project manager
- Often mega-projects, with resulting challenges
- Local agency projects

# Range of state DOT application of DBE contract goals to design build contracts

Component	Like design-bid-build	Unlike design-bid-build	
		Approach	State DOT examples
How goals are set	Evaluate prelim costs, similar projects	No additional approaches identified	
Number of goals	1	2 (separate design phase and construction phase)	DelDOT (bridge) MnDOT, RIDOT
When submission is required	RFP	RFQ	NCDOT
Requirements at time of submission	Meet goals or show GFE Then identify DBEs and \$	Plan for meeting DBE goal  Commitment that will meet goal (no plan req.)	Caltrans, Nevada DOT, MoDOT, Ohio DOT  VDOT
Evaluation at time of submission	Pass/Fail	Points	FDOT (in DBE Program Plan) KYTC (Ohio River Bridges) Ohio DOT
Extra points for exceeding goal	No	Yes	FDOT (in DBE Program Plan)

# Advantages of approaches depend on project size/length

		<i>Project length</i>	
		Short	Long
<i>Project size</i>	Mega		<b>Best opportunity for innovative approaches</b>
	Small-Moderate	<b>Best opportunity to use traditional D-B-B approaches</b>	