

# Punta Gorda Airport



Draft DBE Program

FAA FY 2015-2017

October 1, 2014 - September 30, 2017

Charlotte County Airport Authority

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**AECOM**

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CONSULTING GROUP**

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## Table of Contents

Section I: Objectives / Policy Statement .....	3
Section II: Definition of Terms (49 CFR Part 26.5).....	4
Section III: Nondiscrimination (49 CFR Part 26.7) .....	8
Section IV: DBE Program Updates (49 CFR Part 26.21) .....	8
Section V: Quotas/Set Asides (49 CFR Part 26.43).....	8
Section VI: DBE Liaison Officer (DBELO) (49 CFR Part 26.25).....	9
Section VII: Federal Financial Assistance Agreement Assurance (49 CFR Part 26.13).....	10
Section VIII: DBE Financial Institutions.....	10
Section IX: DBE Directory (49 CFR Part 26.31,26.33).....	11
Section X: Required Contract Clauses .....	11
Section XI: Monitoring and Enforcement Mechanisms.....	12
Section XII: Overall Goals (49 CFR Part 26.37) .....	13
Section XIII: Accountability (49 CFR Part 26.47) .....	24
Section XIV: Race-Neutral and Race-Conscious Participation (49 CFR Part 26.51) .....	24
Section XV: Good Faith Efforts (49 CFR Part 26.53) .....	26
Section XVI: Counting DBE Participation (49 CFR Part 26.55).....	27
Section XVII: Certification (49 CFR Part 26.61,26.91).....	27
Section XVIII: Information Collection and Reporting (49 CFR Part 26.11,26.37).....	27
Section XIX: Small Business Participation (49 CFR Part 26.39) .....	28

## Appendices

APPENDIX 1 .....	31
APPENDIX 2 .....	34
APPENDIX 3 .....	35
APPENDIX 4 .....	36
APPENDIX 5 .....	37
APPENDIX 6 .....	38
APPENDIX 7 .....	40

**Section I: Objectives / Policy Statement**

The Charlotte County Airport Authority has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26 for Punta Gorda Airport. The Charlotte County Airport Authority has received Federal financial assistance, in an amount in excess of \$250,000 from the Federal Aviation Administration (FAA), and as a condition of receiving this assistance, the Charlotte County Airport Authority has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Charlotte County Airport Authority to ensure that DBEs, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in FAA-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of FAA-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for FAA-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in FAA-assisted contracts; and
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Charlotte County Airport Authority's Director of Finance has been designated as the DBE Liaison Officer (DBELO). In that capacity, he/she is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Charlotte County Airport Authority in its financial assistance agreements with the FAA.

The Charlotte County Airport Authority has disseminated this policy statement to all the components of our organization. We have also distributed this statement to the DBE and non-DBE business communities that perform work on FAA-assisted contracts by placing this notice in the contract documents for federal projects and in regional media publications.

Executed: \_\_\_\_\_  
**Sandy Cauley, DBELO**  
Designee for Charlotte County Airport

Date: \_\_\_\_\_

## **Section II: Definition of Terms (49 CFR Part 26.5)**

The section below duplicates 49 CFR Part 26.5 and has the same meanings defined in Part 26.5. In the event of a conflict between the plan and regulation, 49 CFR Part 26 will control.

**Affiliation** has the same meaning the term has in the Small Business Administration (SBA) regulations, 13 CFR Part 121. Except as otherwise provided in 13 CFR Part 121, concerns are affiliates of each other when, either directly or indirectly:

- a) One concern controls or has the power to control the other; or
- b) A third party or parties controls or has the power to control both; or
- c) An identity of interest between or among parties exists such that affiliation may be found.

In determining whether affiliation exists, it is necessary to consider all appropriate factors, including common ownership, common management, and contractual relationships. Affiliates must be considered together in determining whether a concern meets the small business size criteria and the statutory cap on the participation of firms in the DBE program.

**Alaska Native** means a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian (including Tsimshian Indians not enrolled in the Metlaktla Indian Community), Eskimo, or Aleut blood, or a combination of those bloodlines. The term includes, in the absence of proof of a minimum blood quantum, any citizen whom a Native village or Native group regards as an Alaska Native if their father or mother is regarded as an Alaska Native.

**Alaska Native Corporation (ANC)** means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601, et seq.).

**Compliance** means that a recipient has correctly implemented the requirements of this part.

**Contract** means a legally binding relationship obligating a seller to furnish supplies or services (including, but not limited to, construction and professional services) and the buyer to pay for them.

**Contractor** means one who participates, through a contract or subcontract (at any tier), in a USDOT-assisted highway, transit, or airport program.

**Department or USDOT** means the U.S. Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).

**Disadvantaged Business Enterprise or DBE** means a for-profit small business (as defined by the Small Business Administration):

- a) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals;
- b) Whose socially and economically disadvantaged owners do not exceed the personal net worth (PNW) cap described in 49 CFR Part 26. The current PNW cap is \$1.32 million;
- c) Whose average annual gross receipts, as defined by SBA regulations over the firm's previous three fiscal years is less than \$21.71 million;
- d) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it; and
- e) Has been certified as a DBE by a certifying member of the Florida Unified Certification Program (UCP) in accordance with 49 CFR 26.

**FAA-assisted contract** means any contract between a recipient and a contractor (at any tier) funded in whole or in part with USDOT and/or FAA financial assistance, including letters of credit or loan guarantees, except a contract solely for the purchase of land.

**Good faith efforts** means efforts to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

**Immediate family member** means father, mother, husband, wife, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, mother-in-law, or father-in-law.

**Indian tribe** means any Indian tribe, band, nation, or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of “tribally-owned concern” in this section.

**Joint venture** means an association of a DBE firm and one or more other firms to carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital

contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

**Native Hawaiian** means any individual whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

**Native Hawaiian Organization** means any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii, is controlled by Native Hawaiians, and whose business activities will principally benefit such Native Hawaiians.

**Noncompliance** means that a recipient has not correctly implemented the requirements of this part.

**Operating Administration** means any of the following parts of USDOT: the Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The "Administrator" of an operating administration includes his or her designees.

**Personal net worth** means the net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include: The individual's ownership interest in an applicant or participating DBE firm or the individual's equity in his or her primary place of residence. An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

**Primary industry classification** means the North American Industrial Classification System (NAICS) manual and applicable codes, which replaced the Standard Industrial Classification (SIC) code designation. The NAICS Manual is available through the National Technical Information Service (NTIS) of the U. S. Department of Commerce (Alexandria, VA 22312). NTIS also makes materials available through its web site ([www.ntis.gov/naics](http://www.ntis.gov/naics)).

**Primary recipient** means a recipient which FAA-financial assistance and passes some or all of it on to another recipient.

**Principal place of business** means the business location where the individuals who manage the firm's day-to-day operations spend most working hours and where top management's business records are kept. If the offices from which management is directed and where business records are kept are in different locations, the recipient will determine the principal place of business for DBE program purposes.

**Program** means any undertaking on a recipient's part to use FAA-financial assistance, authorized by the laws to which this part applies.

**Race-conscious measure or program** is one that is focused specifically on assisting only certified disadvantaged enterprises.

**Race-neutral measure or program** is one that is, or can be, used to assist all small businesses. For the purposes of this part, race-neutral includes gender-neutrality.

**Recipient** is any entity, public or private, to which USDOT financial assistance is extended, whether directly or through another recipient, through the programs of the FAA, FHWA, or FTA, or who has applied for such assistance.

**Secretary** means the Secretary of Transportation or his/her designee.

**Set-aside** means a contracting practice restricting eligibility for the competitive award of a contract solely to DBE firms.

**Small Businesses** must meet the definitions specified in Section 3 of the Small Business Act and the Small Business Administration regulations implementing it (13 CFR Part 121). A small business is a business that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period.

**Small Business Administration or SBA** means the United States Small Business Administration.

**Socially and economically disadvantaged individual** means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is:

- a) Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.
- b) Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
  - i. Black Americans, which includes persons having origins in any of the Black racial groups of Africa;
  - ii. Hispanic Americans, which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
  - iii. Native Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;

- iv. Asian-Pacific Americans, which includes persons whose origins are from: Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia, (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong;
- v. Subcontinent Asian Americans, which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;
- vi. Women; and
- vii. Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

**Tribally-owned concern** means any concern at least 51 percent owned by an Indian tribe as defined in this section.

### **Section III: Nondiscrimination (49 CFR Part 26.7)**

The Charlotte County Airport Authority will not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the Charlotte County Airport Authority will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

### **Section IV: DBE Program Updates (49 CFR Part 26.21)**

The Charlotte County Airport Authority will continue to carry out this program until all funds from FAA financial assistance have been expended. Updates will be provided to FAA if there are significant changes in the program.

### **Section V: Quotas/Set Asides (49 CFR Part 26.43)**

The Charlotte County Airport Authority does not use set-aside contracts for DBEs on FAA-assisted contracts, except that, in limited and extreme circumstances, set-asides may be used when no other method could be reasonably expected to redress egregious instances of discrimination.



**Section VI: DBE Liaison Officer (DBELO) (49 CFR Part 26.25)**

The Charlotte County Airport Authority has designated the following person as DBE Liaison Officer (DBELO):

Mrs. Sandy Cauley  
Charlotte County Airport Authority  
28000 Airport Road  
Punta Gorda, FL 33982  
Phone: (941) 639-1101  
Fax: (941) 639-4792  
Email: scauley@flypgd.com

In this capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Charlotte County Airport Authority complies with the provisions of 49 CFR Part 26. The DBELO has direct, independent access to the Charlotte County Airport Authority concerning DBE program matters. Resources available to the DBELO which are adequate to support this program include Charlotte County Airport Authority administration and such other Airport resources as may be deemed appropriate for the implementation of this Program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. Duties and responsibilities include, but may not be limited to the following:

- a) Gathers and reports statistical data, compliance information and other information as required by the FAA;
- b) Reviews third party contracts and purchase requisitions for compliance with this program;
- c) Works with Charlotte County Airport Authority to set overall annual goals;
- d) Ensures that bid notices and requests for proposals are available to DBEs in a timely manner;
- e) Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and race-conscious contract specific goals) and monitors results;
- f) Analyzes the Charlotte County Airport Authority's progress toward goal attainment and identifies ways to improve progress;
- g) Participates in pre-bid meetings;
- h) Advises on DBE matters and achievement;
- i) Participates with the legal counsel and others to determine contractor compliance with good faith efforts; and
- j) Acts as liaison to the State of Florida Uniform Certification Program (UCP) as a non-certifying member.

### **Section VII: Federal Financial Assistance Agreement Assurance (49 CFR Part 26.13)**

The Charlotte County Airport Authority has signed the following assurance, applicable to all FAA-assisted contracts and their administration. This language will appear in financial assistance agreements with sub-recipients:

*“The Charlotte County Airport Authority shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any FAA-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The Charlotte County Airport Authority shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of FAA-assisted contracts. The Charlotte County Airport Authority's DBE Program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Charlotte County Airport Authority of its failure to carry out its approved program, the FAA may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).”*

### **Section VIII: DBE Financial Institutions**

It is the policy of the Charlotte County Airport Authority to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on FAA-assisted contracts to make use of these institutions.

As part of this DBE Goal Methodology Report, Charlotte County Airport Authority's DBE Consultant has investigated services offered by banks owned and controlled by socially and economically disadvantaged individuals in the local area by contacting the U.S. Treasury Department and reviewing its April 27, 2015 listing of Minority Bank Deposit Program in Florida. Based on this search, there is no known local minority owned banks.

Future DBE Program updates will conduct research to determine if any new banks established in the area that may be owned by socially and economically disadvantaged individuals.

### **Section IX: DBE Directory (49 CFR Part 26.31,26.33)**

The Charlotte County Airport Authority uses as its DBE directory the publically-available Florida Unified Certification Program (UCP) Disadvantaged Business Enterprise (DBE) Directory, maintained by the Florida Department of Transportation, available on-line at:

<http://www3b.dot.state.fl.us/EqualOpportunityOfficeBusinessDirectory>

This DBE Directory identifies firms eligible to participate as DBEs, which have been certified by UCP members in the State of Florida. The database lists the firm name, contact information, and Certified NAICS codes.

There have been no identified areas of overconcentration in the Charlotte County Airport Authority area and the Charlotte County Airport Authority DBE Program does not include a business development/mentor-protégé program.

### **Section X: Required Contract Clauses**

**Contract Assurances** - The Charlotte County Airport Authority will ensure that the following verbatim clause is placed in every FAA-assisted contract and subcontract:

*“Nondiscrimination - The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of FAA assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.”*

The following clauses will be included in all FAA-assisted contracts (but not in leases) between the sponsor and any contractor:

*“Equal Opportunity - DBE Obligation - The recipient or its contractors agrees to ensure that disadvantaged business enterprises as defined in 49 CFR Part 26 have equal opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that disadvantaged business enterprises have an equal opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of FAA-assisted contracts.”*

The Charlotte County Airport Authority will advise each contractor and subcontractor who performs on an FAA-assisted project that failure to carry out the above requirements shall constitute a breach of contract. The following clause may be used for this purpose:

*“Failure to Carry Out DBE Obligations - All bidders, potential contractors, or subcontractors for this FAA-assisted contract are hereby notified that failure to carry out the FAA policy and the DBE obligation, as set forth above, shall constitute a breach of contract which may result in termination of the contract or such other remedy as deemed appropriate by the recipient and the FAA.”*

**Prompt Payment** - The Charlotte County Airport Authority will include the following clause in each FAA-assisted prime contract:

*“Prompt Payment - The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 15 working days from the receipt of each payment the prime contractor receives from the Charlotte County Airport Authority. The prime contractor agrees further to return retainage payments to each subcontractor within 15 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Charlotte County Airport Authority. This clause applies to both DBE and non-DBE subcontractors”.*

Failure to comply with the prompt payment provision of the contract may result in sanctions under the contract, as listed below:

- a) Refusal to issue additional work;
- b) Damages;
- c) Suspension of work on the project;
- d) No additional progressive payments may be processed; and/or
- e) Suspension of prequalification.

### **Section XI: Monitoring and Enforcement Mechanisms**

The Charlotte County Airport Authority, will bring to the attention of the FAA any false, fraudulent, or dishonest conduct in connection with the program, so that the FAA can take appropriate steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the FAA Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in paragraph 49 CFR Part 26.107.

The Charlotte County Airport Authority will require contractors to submit information certifying work performed by, and payment made to DBE subcontractors on each contract. The Charlotte County Airport Authority retains the right to audit a contractor's books and records to determine the accuracy of the information reported. In the event the Authority determines a contractor has failed to comply with the DBE participation submitted by contractor and accepted by the Charlotte County Airport Authority, Authority may require contractor to

comply, default contractor pursuant to the Authority's contract provisions, and/or disqualify contractor from consideration for award of future Charlotte County Airport Authority contracts.

The Charlotte County Airport Authority will also implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by DBEs. This mechanism will provide for a written reporting of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments and to indicate the contracts and work sites are monitored. The Charlotte County Airport Authority will provide reports of DBE participation to FAA, to demonstrate commitments and attainments, as required by FAA reporting forms provided in 49 CFR Part 26.37 (b).

### **Section XII: Overall Goals (49 CFR Part 26.37)**

**Amount of Goal** - The Charlotte County Airport Authority's Average 3-Year DBE Goal for Punta Gorda Airport for FAA FY 2015 - 2017 is as follows:

**11.5%** of the federal financial assistance that the Charlotte County Airport Authority will expend in FAA-assisted contracts. Given that the amount of FAA-assisted contracts the Punta Gorda Airport expects to contract during FAA FY 2015 - 2017 is **\$16,330,598** the Charlotte County Airport Authority has set a goal of expending **\$1,874,357** with DBEs during the FAA FY 2015 - 2017 timeframe. The Charlotte County Airport Authority estimates that, in meeting its overall goal of **11.5%** it will obtain **9.8%** from race-neutral means and **1.7%** through race-conscious (contract goal) means.

**Update of County Goals - DBE Goal Process** - FAA now requests airport sponsors establish a multi-year DBE goal for the up-coming three (3) years rather than having annual DBE goals each year. To establish the multi-year DBE goal, minority and small business organizations and trade groups were consulted to solicit information and input concerning the following:

- The availability of disadvantaged and non-disadvantaged businesses;
- The effects of discrimination on opportunities for DBEs; and
- The Charlotte County Airport Authority's efforts to establish a level playing field for the participation of DBEs.

The overall goal period for the Charlotte County Airport Authority's DBE Program at the Punta Gorda Airport is established on a three-year basis coinciding with FAA's fiscal year (FY), beginning on October 1, 2014 and ending on September 30, 2017 covering FAA FY 2015, 2016, and 2017.

**Goal Setting Methodology** - The Charlotte County Airport Authority's overall goal for Punta Gorda Airport for FAA Fiscal Years 2015 - 2017 has been set using the methodologies described in 49 CFR Part 26, and described as follows:

The goal setting methodology described in 49 CFR 26.45(c) (1) was used to determine the base figure for the relative availability of DBEs. FAA advisory document entitled “Required DBE Goal Elements for Update” was also used to document the goal methodology. A determination of the FAA FY 2015 - 2017 goal setting process includes identifying a base figure for the relative availability of DBEs based on demonstrable evidence of the availability of ready, willing and able DBEs as compared to the availability of all businesses participating on FAA-assisted contracts.

The first step includes creating a base figure for the relative availability of ready, willing and able DBEs in the Punta Gorda Airport’s normal market area. Specifically, the market area is based on where the substantial majority of bidders, both successful and unsuccessful bidders, are located for the anticipated types of work that are to be performed in the coming three-year timeframe, and where the Charlotte County Airport Authority has previously spent the substantial majority of funding for similar projects.

A bidders’ list was compiled from projects located at the Punta Gorda Airport from the period 2011 - 2015, which is the latest data available for analysis. **Appendix 1** identifies the Punta Gorda Airport’s normal market area and provides a breakdown of the number of bidders per geographical location, and the location of contracts awarded by the Charlotte County Airport Authority.

Reviewing the anticipated federally funded projects and types of work anticipated in the Punta Gorda Airport’s capital improvement program depicted in the airport’s Capital Improvement Program for the three years (FAA FY 2015 - 2017), the location of previous bidders on similar-type projects, the normal market area for the Punta Gorda Airport was determined. Based on the market area analysis, the normal market area represents 100% of the counties where previous airport expenditures were made, and 76% of the counties where all bidders and interested consultants/contractors were located for projects at the Punta Gorda Airport within the 2011 - 2015 timeframe.

The normal market area did not include locations from prior bidders in Brevard County, FL; Broward County, FL; Orange County, FL; Seminole County, FL; Benton County, OR; Carbon County, PA; Los Angeles County, CA; Minnehaha County, SD; and Winnebago County, WI. These areas are outliers to the current normal market area due to the distance to/from the Airport, limited bidders from the identified area, and/or the type of work anticipated in the FAA FY 2015 - 2017 timeframe. The outliers were eliminated from consideration within the normal market area.

The normal market area for the Punta Gorda Airport is determined to include the following Florida counties:

- Charlotte
- Collier
- Hillsborough
- Lee
- Marion
- Sarasota

The second step in the goal setting methodology is to make adjustments to the base figure, relying on an examination of additional evidence including historical DBE participation, experience, local expertise, the consultation process, and anticipated changes in FAA-assisted contracting over the upcoming years. The following sections detail **Step 1** and **Step 2** in the DBE goal setting process.

**FAA FY 2015 - 2017 Projects** - Based on the airport's Capital Improvement Project summary, the Charlotte County Airport Authority intends to request funding from FAA and/or FDOT<sup>1</sup> for nineteen (19) projects anticipated during FAA FY 2015 - 2017 at the Punta Gorda Airport, these are shown in the following table.

The percentage value for each type of NACIS code description was estimated based on the project types. The most refined data available within the 2013 North American Industry Classification System (NAICS) codes was used to identify the various components for the upcoming projects. Then, the number of available DBE firms and the number of all firms in the Airport's market area was determined for each respective NAICS code. To ensure the calculations were relevant, only firms that are likely to do business at the Airport in the upcoming years were included.

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<sup>1</sup>The Charlotte County Airport Authority anticipates requesting specific project funding from FAA and FDOT for these projects; however, at this time, these are only estimations of projects that could be funded using federal funding. Specific grant applications will be made to the FAA and FDOT by the Charlotte County Airport Authority for each project.

**Anticipated Grant-Funded Projects  
Punta Gorda Airport  
FAA FY 2015 - 2017**

<b>Project Name</b>	<b>Total Project Funding</b>	<b>Total % Grant Funding</b>	<b>Total Grant Funding</b>
A. Terminal Improvement	\$8,259,386	84.6%	\$6,990,353
B. ILS Facilities*	\$850,728	80.0%	\$680,583
C. Security Phase I*	\$155,909	80.0%	\$124,727
D. Security Phase II*	\$134,904	100.0%	\$134,904
E. Baggage System*	\$700,000	7.1%	\$50,000
F. DBE Plan Update	\$15,000	95.0%	\$14,250
G. Wildlife Management Plan	\$19,753	95.0%	\$18,765
H. ARFF Truck	\$527,476	90.0%	\$474,728
I. VOR SCREEN Design*	\$26,831	80.0%	\$21,465
J. VOR SCREEN Hanging*	\$32,697	80.0%	\$26,158
K. Taxiway A CATX	\$24,088	90.0%	\$21,679
L. Taxiway A Design	\$223,326	95.0%	\$212,160
M. Taxiway A Construction	\$2,234,027	95.0%	\$2,122,326
N. FBO Design*	\$250,000	50.0%	\$125,000
O. Master Plan	\$1,100,000	95.0%	\$1,045,000
P. GA Apron	\$1,600,000	95.0%	\$1,520,000
Q. Terminal/Apron Design	\$300,000	95.0%	\$285,000
R. Terminal Apron Construction	\$1,330,000	95.0%	\$1,263,500
S. FBO Construction*	\$2,400,000	50.0%	\$1,200,000
<b>Total Grant Funding (FY 2015-2017):</b>	<b>\$20,184,125</b>		<b>\$16,330,597</b>

\* No FAA funding for these projects is anticipated; only FDOT funding anticipated. FDOT funds require DBE goals as part of the Joint Participation Agreement with the Authority, so these projects are included in the goal setting methodology.

**Step 1 – Determining a Base Figure Representing DBE Relative Availability**

The 2013 Census Bureau's County Business Patterns data was used to estimate the total number of companies per NAICS code within the market area. The Florida Unified Certification Program (UCP) DBE Directory was used to estimate the number of ready, willing and able DBE companies per NAICS code within the market area.

The base figure for each anticipated project was calculated by counting the DBEs available in each respective NAICS code (numerator) divided by the census bureau establishments for all firms (denominator) for the same NAICS codes within the Airport's normal market area. These



percentages were then measured against the estimated percentage value of each NAICS code to determine the expected DBE percent participation per NAICS Code. The resulting expected DBE participations for each NAICS code was then summarized to provide a single base goal. **Appendix 2** reflects the DBE firms operating in the market area. **Appendix 3** reflects the DBE and non-DBE businesses operating in the same market area. A **Step 1** Base Figure for each of the federal projects that is anticipated to be contracted during the 3-year timeframe is detailed as follows:

**Step 1 – Individual Base Figure Development  
Punta Gorda Airport  
FAA FY 2015 – 2017**

NAICS	Type of Work	Total DBE	Total All Firms	% Value	Expected DBE Participation
<b>A. Terminal Improvement</b>					
236220	Commercial & Institutional Building Construction	21	421	75.0%	3.7%
541330	Engineering Services	45	733	25.0%	1.5%
					<b>5.2%</b>
<b>B. ILS Facilities</b>					
237310	Highway, Street and Bridge Construction	12	83	35.0%	5.1%
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	40.0%	0.6%
541330	Engineering Services	45	733	25.0%	1.5%
					<b>7.2%</b>
<b>C. Security Phase I</b>					
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	75.0%	1.2%
541330	Engineering Services	45	733	25.0%	1.5%
					<b>2.7%</b>
<b>D. Security Phase II</b>					
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	75.0%	1.2%
541330	Engineering Services	45	733	25.0%	1.5%
					<b>2.7%</b>

**Draft DBE Program – Punta Gorda Airport,  
Charlotte County Airport Authority, Florida  
DBE Goal and Methodology Update: FAA FY 2015 - 2017**

NAICS	Type of Work	Total DBE	Total All Firms	% Value	Expected DBE Participation
<b>E. Baggage Systems</b>					
236220	Commercial & Institutional Building Construction	21	421	25.0%	1.2%
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	50.0%	0.8%
541310	Architectural Services	7	261	25.0%	0.7%
					<b>2.7%</b>
<b>F. DBE Plan Update</b>					
541330	Engineering Services	45	733	100.0%	6.1%
					<b>6.1%</b>
<b>G. Wildlife Management Plan</b>					
541620	Environmental Consulting Services	27	135	100.0%	20.0%
					<b>20.0%</b>
<b>H. ARFF Truck</b>					
336211	Motor Vehicle Body Manufacturing	0	80	100.0%	0.0%
					<b>0.0%</b>
<b>I. VOR SCREEN Design</b>					
541330	Engineering Services	45	733	100.0%	6.1%
					<b>6.1%</b>
<b>J. VOR SCREEN Hanging</b>					
236220	Commercial & Institutional Building Construction	21	421	100.0%	5.0%
					<b>5.0%</b>
<b>K. Taxiway A CATX</b>					
541620	Environmental Consulting Services	27	135	100.0%	20.0%
					<b>20.0%</b>
<b>L. Taxiway A Design</b>					
541330	Engineering Services	45	733	100.0%	6.1%
					<b>6.1%</b>
<b>M. Taxiway A Construction</b>					
237310	Highway, Street and Bridge Construction	12	83	80.0%	11.6%
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	20.0%	0.3%
					<b>11.9%</b>
<b>N. FBO Design</b>					
541310	Architectural Services	7	261	100.0%	2.7%
					<b>2.7%</b>

**Draft DBE Program – Punta Gorda Airport,  
Charlotte County Airport Authority, Florida  
DBE Goal and Methodology Update: FAA FY 2015 - 2017**

NAICS	Type of Work	Total DBE	Total All Firms	% Value	Expected DBE Participation
<b>O. Master Plan</b>					
541330	Engineering Services	45	733	100.0%	6.1%
					<b>6.1%</b>
<b>P. GA Apron</b>					
237310	Highway, Street and Bridge Construction	12	83	65.0%	9.4%
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	10.0%	0.2%
541330	Engineering Services	45	733	25.0%	1.5%
					<b>11.1%</b>
<b>Q. Terminal/Apron Design</b>					
541330	Engineering Services	45	733	100.0%	6.1%
					<b>6.1%</b>
<b>R. Terminal Apron Construction</b>					
237310	Highway, Street and Bridge Construction	12	83	85.0%	12.3%
238210	Electrical Contractors & Other Wiring Installation Contractors	13	819	15.0%	0.2%
					<b>12.5%</b>
<b>S. FBO Construction</b>					
236220	Commercial & Institutional Building Construction	21	421	100.0%	5.0%
					<b>5.0%</b>

**Step 1 - 3-Year Average DBE Goal  
Punta Gorda Airport  
FAA FY 2015 – 2017**

<b>Project Name</b>	<b>Proposed Grant Funding (\$)</b>	<b>Adjusted Base Figure</b>	<b>Proposed DBE Goal (\$)</b>
A. Terminal Improvement	\$6,990,353	5.2%	\$363,498
B. ILS Facilities	\$680,583	7.2%	\$49,002
C. Security Phase I	\$124,727	2.7%	\$3,368
D. Security Phase II	\$134,904	2.7%	\$3,642
E. Baggage System	\$50,000	2.7%	\$1,350
F. DBE Plan Update	\$14,250	6.1%	\$869
G. Wildlife Management Plan	\$18,765	20.0%	\$3,753
H. ARFF Truck	\$474,728	0.0%	\$0
I. VOR SCREEN Design	\$21,465	6.1%	\$1,309
J. VOR SCREEN Hanging	\$26,158	5.0%	\$1,308
K. Taxiway A CATX	\$21,679	20.0%	\$4,336
L. Taxiway A Design	\$212,160	6.1%	\$12,942
M. Taxiway A Construction	\$2,122,326	11.9%	\$252,557
N. FBO Design	\$125,000	2.7%	\$3,375
O. Master Plan	\$1,045,000	6.1%	\$63,745
P. GA Apron	\$1,520,000	11.1%	\$168,720
Q. Terminal/Apron Design	\$285,000	6.1%	\$17,385
R. Terminal/Apron Construction	\$1,263,500	12.5%	\$157,938
S. FBO Construction	\$1,200,000	5.0%	\$60,000
<b>Total:</b>	<b>\$16,330,598</b>		<b>\$1,169,097</b>

**Step 1 - 3-Year Average DBE Goal = 7.2%**

**Step 2 – Examination of Available Evidence to Determine What Adjustment, If Any, is Needed to the Base Figures**

49 CFR Part 26.45(d) and the goal methodology guidelines contained on the Office of Small and Disadvantaged Business Utilization’s (OSDBU) website identify numerous examples of the various types of data to examine in order to adjust the **Step 1** Base Figure to narrowly tailor the goals to the precise local market. **Step 2** is intended to adjust the “base figure” percentage from **Step 1** to reflect, as accurately as possible, the DBE participation the Punta Gorda Airport would expect in the absence of discrimination.

The factors listed as follows are considered in order to determine whether an adjustment to the **Step 1** Base Figure is appropriate for the FAA FY 2015 - 2017 goals. These guidelines include:

- **Disparity Study** – The Charlotte County Airport Authority has not completed a disparity study. No known disparity study has been conducted in Charlotte County that would impact this methodology process.
- **Historical DBE Participation** - Past DBE participation is based on the analysis of grants similar to anticipated FAA FY 2015 - 2017 projects at Punta Gorda Airport. The base figure may be adjusted, if appropriate, to account for the historical median of past DBE participation at the Punta Gorda Airport.
- **Other Factors** – The base figure may be adjusted, if appropriate, to account for information provided in the consultation process.

**Historical DBE Participation** - Compliance documentation and record-keeping of actual DBE participation on past airport projects with DBE goals has been provided by the Authority. **Appendix 4** reflects an achieved DBE participation median of 15.8%, with a DBE goal of 6.0% for the past three years of airport projects. An actual DBE participation of 15.8% will be used to make **Step 2** adjustments.

**Step 2 – Base Figure Adjustment  
Punta Gorda Airport  
FAA FY 2015 - 2017**

<b>Step-2 Methodology</b>	<b>A. Terminal Improvement</b>	<b>B. ILS Facilities</b>	<b>C. Security Phase I</b>	<b>D. Security Phase II</b>	<b>E. Baggage System</b>	<b>F. DBE Plan Update</b>	<b>G. Wildlife Management Plan</b>
Step-1 Base Figure	5.2%	7.2%	2.7%	2.7%	2.7%	6.1%	20.0%
Historical DBE Participation	15.8%	15.8%	15.8%	15.8%	15.8%	15.8%	15.8%
<b>Average Project Goal</b>	<b>10.5%</b>	<b>11.5%</b>	<b>9.3%</b>	<b>9.3%</b>	<b>9.3%</b>	<b>11.0%</b>	<b>17.9%</b>
<b>Step-2 Methodology</b>	<b>H. ARFF Truck</b>	<b>I. VOR SCREEN Design</b>	<b>J. VOR SCREEN Hanging</b>	<b>K. Taxiway A CATX</b>	<b>L. Taxiway A Design</b>	<b>M. Taxiway A Construction</b>	<b>N. FBO Design</b>
Step-1 Base Figure	0.0%	6.1%	5.0%	20.0%	6.1%	11.9%	2.7%
Historical DBE Participation	15.8%	15.8%	15.8%	15.8%	15.8%	15.8%	15.8%
<b>Average Project Goal</b>	<b>7.9%</b>	<b>11.0%</b>	<b>10.4%</b>	<b>17.9%</b>	<b>11.0%</b>	<b>13.8%</b>	<b>9.2%</b>
<b>Step-2 Methodology</b>	<b>O. Master Plan</b>	<b>P. GA Apron</b>	<b>Q. Terminal/Apron Design</b>	<b>R. Terminal Apron Construction</b>	<b>S. FBO Construction</b>		
Step-1 Base Figure	6.1%	11.1%	6.1%	12.5%	5.0%		
Historical DBE Participation	15.8%	15.8%	15.8%	15.8%	15.8%		
<b>Average Project Goal</b>	<b>11.0%</b>	<b>13.4%</b>	<b>11.0%</b>	<b>14.2%</b>	<b>10.4%</b>		

Based on these nineteen (19) projects, a 3-year average DBE Goal is established as indicated below. The Charlotte County Airport Authority will establish the individual goals per project to narrowly tailor the DBE goals for each project.

**Step 2 - 3-Year Average DBE Goal  
Punta Gorda Airport  
FAA FY 2015 - 2017**

<b>Project Name</b>	<b>Proposed Grant Funding (\$)</b>	<b>Step 2 - Adjusted Base Figure</b>	<b>Proposed DBE Goal (\$)</b>
A. Terminal Improvement	\$6,990,353	10.5%	\$733,987
B. ILS Facilities	\$680,583	11.5%	\$78,267
C. Security Phase I	\$124,727	9.3%	\$11,600
D. Security Phase II	\$134,904	9.3%	\$12,546
E. Baggage System	\$50,000	9.3%	\$4,650
F. DBE Plan Update	\$14,250	11.0%	\$1,568
G. Wildlife Management Plan	\$18,765	17.9%	\$3,359
H. ARFF Truck	\$474,728	7.9%	\$37,504
I. VOR SCREEN Design	\$21,465	11.0%	\$2,361
J. VOR SCREEN Hanging	\$26,158	10.4%	\$2,720
K. Taxiway A CATX	\$21,679	17.9%	\$3,881
L. Taxiway A Design	\$212,160	11.0%	\$23,338
M. Taxiway A Construction	\$2,122,326	13.8%	\$292,881
N. FBO Design	\$125,000	9.2%	\$11,500
O. Master Plan	\$1,045,000	11.0%	\$114,950
P. GA Apron	\$1,520,000	13.4%	\$203,680
Q. Terminal/Apron Design	\$285,000	11.0%	\$31,350
R. Terminal/Apron Construction	\$1,263,500	14.2%	\$179,417
S. FBO Construction	\$1,200,000	10.4%	\$124,800
<b>Total:</b>	<b>\$16,330,598</b>		<b>\$1,874,357</b>

**Step 2 - 3-Year Average DBE Goal = 11.5%**

**Other Factors** - Other additional sources of information considered in adjusting the Step 1 Base Figure include the consultation process with the following organizations (see **Appendix 6** for details of coordination):

- Florida Airport Council (FAC) (lisa@floridaairports.org);
- Florida Hispanic Construction Association (FHCA) (info@flhca.org);
- National Association of Minority Contractors (NAMC) (bbutler@jcbcon.net); and
- National Association of Women in Construction (NAWIC) (nawicferrer@gmail.com)

**Goal Summary** - Based on review of the factors described above, a Step 2 adjustment was made to the Step 1 base figure for all nineteen (19) projects.

The Charlotte County Airport Authority has established the FAA FY 2015 - 2017 DBE Goal for Punta Gorda Airport **11.5%** for the **\$16,330,598** of federal monies anticipated to be contracted in the three-year timeframe. The Charlotte County Airport Authority anticipates expending **\$1,874,357** with DBEs during the FAA FY 2015 - 2017 timeframe. The Charlotte County Airport Authority will evaluate the actual DBE participation on these upcoming federal projects in order to establish future DBE goals.

**Public Participation** – Per 49 CFR Part 26.45(g)(1)(ii), the Airport will post a notice announcing the proposed overall DBE goal on the Airport’s official internet website. The notice will inform the public of the proposed average three year DBE goal and the methodology for DBE goal development is available for inspection during normal business hours at the Airport’s DBELO Office for 30 days following the date of the notice, and the Airport will accept comments on the goals for 45 days from the date of the notice. The notice will include the address where comments should be sent and the address where the document can be reviewed. **Appendix 7** provides a copy of the notice.

### **Section XIII: Accountability (49 CFR Part 26.47)**

The Charlotte County Airport Authority has established an accountability process to be in Good Faith with program intent should the DBE goals for the awards and commitments fall short of the DBE Program’s overall goals. These steps include:

1. Analyze in detail the reasons for the difference between the DBE Program’s overall goal and the Charlotte County Airport Authority’s awards and commitments, in the fiscal year that falls short of the goals.
2. Establish specific steps and milestones to correct the problems the Charlotte County Airport Authority has identified in the analysis that will enable the new fiscal year to fully meet the goals.
3. The Charlotte County Airport Authority may consider the following corrective actions that include, but are not necessarily limited to:
  - Modifications to the overall DBE goal methodology;
  - Changes in the race-conscious/race-neutral split; or
  - The introduction of additional race-conscious/race-neutral measures.

### **Section XIV: Race-Neutral and Race-Conscious Participation (49 CFR Part 26.51)**

The Charlotte County Airport Authority will encourage the use of race-neutral means of facilitating DBE participation. It is the goal of the Charlotte County Airport Authority to meet the maximum feasible portion of its DBE goals by using race-neutral means of facilitating DBE participation. The Charlotte County Airport Authority will adjust the estimated breakout of



race-neutral and race-conscious participation as needed to reflect actual 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:

1. DBE participation through a prime contract;
2. DBEs obtained through customary competitive procurement procedures;
3. DBE participation through a subcontract on a prime contract that does not carry a DBE goal;
4. DBE participation on a prime contract exceeding a contract goal; and/or
5. DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

The historical results of DBE participation were reviewed to determine the potential need for race-conscious goal setting. Based on the historical experience at Punta Gorda Airport, DBE participation has met and far exceeded prior advertised contract (race-conscious) DBE goals over the recent years (see **Appendix 5** for details). The median of the goal variance between the estimated and achieved DBE goal over the last three years exceeds the Step-2 – 3-year average DBE goal. The 3-year average DBE goal for FAA FY 2015 – 2017 will be a race-neutral DBE goal program. Race-conscious participation (i.e., contract goals) will not be generally used to facilitate DBE participation on proposed projects.

The Charlotte County Airport Authority estimates that, in meeting its overall goal of **11.5%**, it will obtain **9.8%** from race-neutral means and **1.7%** through race-conscious (contract goal) means.

The Charlotte County Airport Authority will implement the following race-neutral measures to increase DBE participation in anticipated projects:

- a) Encourage prime contractors to subcontract portions of work they might otherwise perform with their own forces;
- b) Reference the Florida UCP DBE directory to prospective contractors desiring DBE contact information;
- c) Encourage DBE attendance at pre-bid/pre-proposal meetings; and  
Provide assistance to DBEs during the solicitation or bid period for any project, and assist with any explanation of documents, including language barriers, that may exist.

The Charlotte County Airport Authority will establish contract goals to meet any portion of the overall goal when the Charlotte County Airport Authority does not project being able to meet its goal using race-neutral means. The Disadvantaged Business Enterprise Liaison Officer (DBELO) will carefully monitor the award and actual DBE participation and adjust future DBE goals to consider race-neutral and race-conscious participation accordingly.

**Section XV: Good Faith Efforts (49 CFR Part 26.53)**

**Information to Be Submitted** - The Charlotte County Airport Authority treats bidder/offeror's compliance with good faith efforts requirements as a matter of responsiveness. Each solicitation for which a contract goal has been established will require the bidder/offeror to submit the following information at the time of the bid:

- a) The names and addresses of DBE firms that will participate in the contract;
- b) A description of the work that each DBE will perform;
- c) The dollar amount of the participation of each DBE firm's participation;
- d) Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
- e) Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and
- f) If the contract goal is not met, evidence of good faith efforts.

**Demonstration of Good Faith Efforts** - The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are contained in Appendix A to 49 CFR Part 26 (available on-line at: <http://www.ecfr.gov>).

The DBELO is responsible for determining whether a bidder/offeror that has not met the contract goal, and has documented sufficient good faith efforts, is to be regarded as responsive. The Charlotte County Airport Authority will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before the Charlotte County Airport Authority commits to the performance of the contract by the bidder/offeror.

**Administration Reconsideration** - Within 10 days of being informed by the Charlotte County Airport Authority, that a Bidder/Proposer is not deemed responsive because it has not documented sufficient good faith efforts, the bidder/offeror may request administrative reconsideration. Bidder/Offerors should make the request for administration reconsideration in writing to the reconsideration official. The following is the Charlotte County Airport Authority's reconsideration official:

Mr. Gary Quill  
Charlotte County Airport Authority  
28000 Airport Road  
Punta Gorda, FL 33982  
Phone: (941) 639-1101  
Fax: (941) 639-4792  
Email: [gquill@flypgd.com](mailto:gquill@flypgd.com)

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not make and document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with the Charlotte County Airport Authority's Reconsideration Official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. The Charlotte County Airport Authority will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation – Federal Aviation Administration (FAA).

**Good Faith Efforts when a DBE is Replaced on a Contract** - The Charlotte County Airport Authority will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. The Charlotte County Airport Authority will require the prime contractor to notify the DBE in writing, with a copy to the Authority's DBELO of the DBE's inability or unwillingness to perform and provide reasonable documentation. The prime contractor must give the DBE five (5) days to respond to the notice of termination prior to termination. In this situation, The Charlotte County Airport Authority will require the prime contractor to obtain prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the contractor fails or refuses to comply in the time specified, the Charlotte County Airport Authority will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the Charlotte County Airport Authority may issue a termination for default proceeding.

#### **Section XVI: Counting DBE Participation (49 CFR Part 26.55)**

The Charlotte County Airport Authority will count DBE participation toward the overall and contract goals in accordance with 49 CFR Part 26.55.

#### **Section XVII: Certification (49 CFR Part 26.61,26.91)**

The Charlotte County Airport Authority is not a certifying member of the Florida Unified Certification Program (UCP). Firms interested in becoming certified as a DBE or renewing certification as a DBE will be directed to apply with a certifying agency of the Florida UCP.

#### **Section XVIII: Information Collection and Reporting (49 CFR Part 26.11,26.37)**

**Bidders List** - The Charlotte County Airport Authority will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on FAA-assisted contracts. The purpose of the requirement is to allow use of the bidder's list approach in calculating overall

goals. The bidders list will include the following information: firm name, business address, DBE/non-DBE status, and type of business. The Charlotte County Airport Authority will collect this information as an attachment to the bid documents. All bidders will provide the above information pertaining to themselves and any subcontractor which they intend to employ.

**Monitoring Payments to DBEs** - The Charlotte County Airport Authority will require prime contractors to maintain records and documents of payments to DBEs for three (3) years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the Charlotte County Airport Authority or USDOT. This reporting requirement also extends to any certified DBE subcontractor.

The Charlotte County Airport Authority will also implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by DBEs. This mechanism will provide for a reporting of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments.

**Reporting to FAA** - The Charlotte County Airport Authority will provide reports of DBE participation to the FAA to demonstrate commitments and attainments, as required by FAA reporting forms, including the “Uniform Report of DBE Awards or Commitments and Payments”.

**Confidentiality** - The Charlotte County Airport Authority will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

#### **Section XIX: Small Business Participation (49 CFR Part 26.39)**

Recognizing that the DBE Program goals should be met through a mixture of race conscious and race neutral methods and, that by definition, DBE firms are small businesses; the Charlotte County Airport Authority seeks to implement a small business element into its current DBE policy in accordance with applicable law. The Charlotte County Airport Authority is including this element to facilitate competition by and expand opportunities for small businesses. The Charlotte County Airport Authority is committed to taking all reasonable steps to eliminate obstacles to small businesses that may preclude their participation in procurements as prime contractors or subcontractors. The Charlotte County Airport Authority will meet its objectives using a combination of the following methods and strategies:

- a) **Unbundling:** The Charlotte County Airport Authority, where feasible may “unbundle” projects or separate large contracts into smaller contracts, which may be more suitable for small business participation. The Charlotte County Airport Authority will determine the feasibility of unbundling by reviewing the grant application for the federal project, and determining the work elements that are likely to be grouped for construction

and/or purchase. The Charlotte County Airport Authority will consider the economic feasibility, constructability, and schedule impacts in addition to providing greater opportunities for small business participation in the assessment of unbundling the projects. Similarly, the Charlotte County Airport Authority will encourage its prime contractors and prime consultants to unbundle contracts to facilitate participation by small businesses.

- b) **Outreach and Technical Assistance:** The Charlotte County Airport Authority advertises contracting opportunities through various outlets, including local newspapers. In addition, the Charlotte County Airport Authority will address the small business enterprise (SBE) element and SBE opportunities pre-proposal or pre-bid meetings encouraging participation of SBE firms on Charlotte County Airport Authority projects in addition to DBE firms.

As described above, the Charlotte County Airport Authority will use a variety of methods to facilitate small business participation. In each FAA-assisted contract, the DBELO will document the method in which the small business element will be implemented (i.e. unbundling and/or outreach).

**Certification and Verification Procedures** – The size standards accepted by the Charlotte County Airport Authority for use in the SBE element of the DBE Plan shall be those established by the U.S. Small Business Administration per respective NAICS code. The Charlotte County Airport Authority will accept the following certifications for participation in the small business element of the Charlotte County Airport Authority’s DBE Program with applicable stipulations:

1. Florida Unified Certification Program (UCP) Certification – Currently valid DBE certification by a certifying UCP member which stipulates that a firm has been determined to meet all the requirements in accordance with 49 CFR Part 26. All certification determinations are evidenced by a letter of DBE certification issued by a UCP certifying agency. Applicant shall submit a copy of the certification letter and verification of status on the current Florida UCP database.
2. State of Florida Department of Management Services Certification – Currently valid certification by State of Florida Department of Management Services. Applicant shall submit a copy of certification letter/certificate and two years of business tax returns or a copy of the business’ current balance sheet, if the business has been established less than twelve months, in order to demonstrate ability to meet size standards.
3. City / County / Authority Certification - Currently valid city, county and/or authority government certification indicating eligibility to participate in women, minority and/or veteran’s procurements. Applicants will submit a copy of the certification letter/certification and two years of business tax returns or a copy of the business’ current balance sheet, if the business has been established less than twelve months, in order to demonstrate ability to meet size standards.

4. SBA 8(a) Business Development Certification – Federal 8(a) certification as described in 13 CFR Parts 121 and 124. Applicants will submit a copy of the certification letter/certification and two years of business tax returns or a copy of the business' current balance sheet, if the business has been established less than twelve months, in order to demonstrate ability to meet size standards.

**Assurances** - The Charlotte County Airport Authority makes the following assurances regarding the small business element of the Charlotte County Airport Authority's DBE Program:

- a) The DBE Program, including its small business element is not prohibited by state law;
- b) Certified DBEs that meet the size criteria established under the DBE Program are presumptively eligible to participate in the small business element of the DBE Program;
- c) There are no geographic or local preferences or limitations imposed on FAA-assisted contracts and the DBE Program is open to small businesses regardless of their location;
- d) There are no limits on the number of contracts awarded to firms participating in the DBE Program;
- e) Reasonable effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
- f) Steps will be taken to encourage minority-owned and women-owned firms participating in the small business element of the DBE Program that are eligible for DBE certification to become certified.

**Reporting of Small Business Participation** – DBE participation occurring as a result of the small business program element will be reported to the FAA as race-neutral DBE participation.

## APPENDIX 1

### Punta Gorda Airport Bidder's List (2011 - 2015)

<b>Company</b>	<b>City</b>	<b>State</b>	<b>County</b>
AIM Engineering and Surveying, Inc.	Punta Gorda	FL	Charlotte
Ajax Paving	Nokomis	FL	Sarasota
Artype	Ft. Myers	FL	Lee
Asphalt Developers/Sunland Paving	Port Charlotte	FL	Charlotte
AVCON	Naples	FL	Collier
Berlin Sign Company	Venice	FL	Sarasota
Chris-Tel Construction	Ft. Myers	FL	Lee
Cooner and Associates	Ft. Myers	FL	Lee
DeANGELIS Diamond Construction	Naples	FL	Collier
D.L. Porter Constructors, Inc.	Sarasota	FL	Sarasota
D.R. Swanson Company	Port Charlotte	FL	Charlotte
E-One	Ocala	FL	Marion
GFA International	Ft. Myers	FL	Lee
Green Construction Technologies	Wilton Manors	FL	Broward
Halfacre Construction Company	Sarasota	FL	Sarasota
Hanson Professional Services	Sarasota	FL	Sarasota
H.L. Pruitt Corp.	Winter Springs	FL	Seminole
Hypower, Inc.	Orlando	FL	Orange
JE Charlotte Construction Corp.	Venice	FL	Sarasota
Johnson Engineering	Port Charlotte	FL	Charlotte
Jones-Morgan, LLC	Ft. Lauderdale	FL	Broward
Kovatch Mobile Equipment Corp.	Nesquehoning	PA	Carbon
Manhattan Construction, Inc.	Ft. Myers	FL	Lee
Matern Professional Engineering, Inc.	Ft. Myers	FL	Lee
McCann and Baird Flooring Services, Inc.	Apollo Beach	FL	Hillsborough
O-A-K Florida, Inc.	Ft. Myers	FL	Lee
Oshkosh	Oshkosh	WI	Winnebago
Precision Approach Engineering	Corvallis	OR	Benton
Quality Enterprise USA, Inc.	Naples	FL	Collier
Reliant Constructors, Inc.	Indialantic	FL	Brevard
Rosenbauer Group	Lyons	SD	Minnehaha
RW Armstrong & Associates (Engineer)	Tampa	FL	Hillsborough
Selbert Perkins Design	Rey	CA	Los Angeles
Sign-A-Rama	Ft. Myers	FL	Lee
Spectra Contract Flooring	Sarasota	FL	Sarasota
The LPA Group, Inc.	Tampa	FL	Hillsborough

**Draft DBE Program – Punta Gorda Airport,  
Charlotte County Airport Authority, Florida  
DBE Goal and Methodology Update: FAA FY 2015 - 2017**

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<b>Company</b>	<b>City</b>	<b>State</b>	<b>County</b>
URS Corporation	Tampa	FL	Hillsborough
Walbridge	Orlando	FL	Orange
Wayne Wiles Floorcoverings, Inc.	Punta Gorda	FL	Charlotte
Wright Construction Corp.	Ft. Myers	FL	Lee

Awarded contract



## APPENDIX 1

### Punta Gorda Airport FAA FY 2015 - 2017 Methodology Historical Market Area Detail (2011 - 2015)

County	Awarded Contracts	%	Number of Bidder's	%
Benton County, OR	No	0%	1	2%
Brevard County, FL	No	0%	1	2%
Broward County, FL	No	0%	2	4%
Carbon County, PA	No	0%	1	2%
Charlotte County, FL	Yes	17%	5	11%
Collier County, FL	Yes	17%	3	7%
Hillsborough County, FL	Yes	17%	5	11%
Lee County, FL	Yes	17%	12	26%
Los Angeles County, CA	No	0%	1	2%
Marion County, FL	Yes	17%	1	2%
Minnehaha County, SD	No	0%	1	2%
Orange County, FL	No	0%	2	4%
Sarasota County, FL	Yes	17%	9	20%
Seminole County, FL	No	0%	1	2%
Winnebago County, WI	No	0%	1	2%
<b>Totals</b>	<b>6</b>	<b>100%</b>	<b>46</b>	<b>100%</b>
Market Area Totals	6	100%	35	76%

Identified as Normal Market Area for FAA FY 2015 - 2017

Sources:

- Bid tabulations for Punta Gorda Airport, including:
  - General Aviation/Engineer Services (2011)
  - Asphalt Repair RFP (11/18/2014)
  - Viking Ave. Entrance Sign Landscaping RFP (11/18/2014)
  - RPF Carpeting FBO (2013)
  - ILS Facilities for R/W 4 Approach (2/17/2015)
  - Terminal Expansion (7/28/2014)
  - Terminal Phase II – Site Improvement (2012)
  - RFP Wayfinding/Signage (2/1/2013)
  - Index B ARFF (12/1/2013)
  - Design/Build Construction Projects (7/29/2014)

**APPENDIX 2**

**Punta Gorda Airport  
FAA FY 2015 - 2017 Methodology  
Estimate of Total DBE Firms  
Operating in Market Area (Numerator)**

NAICS Codes	Description	Charlotte County	Collier County	Hillsborough County	Lee County	Marion County	Sarasota County	Total
236220	Commercial & Institutional Building Construction	1	1	12	7	0	0	21
237310	Highway, Street & Bridge Construction	0	1	8	2	1	0	12
238210	Electrical Contractors & Other Wiring Installation Contractors	0	0	8	4	1	0	13
336211	Motor Vehicle Body Manufacturing	0	0	0	0	0	0	0
541310	Architectural Services	0	1	5	1	0	0	7
541330	Engineering Services	1	0	40	4	0	0	45
541620	Environmental Consulting Services	0	1	22	2	0	2	27
	<b>Total</b>							<b>125</b>

Source: State of Florida UCP DBE Directory via FDOT Searchable Database

### APPENDIX 3

**Punta Gorda Airport  
FAA FY 2015 - 2017 Methodology  
Estimate of Total Firms (DBE and Non-DBE)  
Operating in Market Area (Denominator)**

NAICS Codes	Description	Charlotte County	Collier County	Hillsborough County	Lee County	Marion County	Sarasota County	Total
236220	Commercial & Institutional Building Construction	12	44	175	97	26	67	421
237310	Highway, Street & Bridge Construction	4	9	30	19	8	13	83
238210	Electrical Contractors & Other Wiring Installation Contractors	48	122	274	177	72	126	819
336211	Motor Vehicle Body Manufacturing	4	7	28	17	18	6	80
541310	Architectural Services	5	44	105	39	15	53	261
541330	Engineering Services	23	57	394	122	36	101	733
541620	Environmental Consulting Services	7	12	72	23	2	19	135
	<b>Total</b>							<b>2532</b>

Source: U.S. Census Bureau 2013 County Business Patterns

**APPENDIX 4**  
**Punta Gorda Airport**  
**FAA FY 2015 - 2017 Methodology**  
**Historical DBE Participation**

<b>Fiscal Year</b>	<b>Total Project Funding</b>	<b>DBE Goal</b>	<b>Achieved DBE Participation</b>	<b>Variance Contract &amp; Achieved Goal</b>
2012	\$117,492	6.0%	\$31,566 26.9%	+ \$24,516 + 20.9%
2013	\$448,328	6.0%	\$70,877 15.8%	+ \$43,977 + 9.8%
2014	\$443,971	6.0%	\$0 0.0%	- \$26,638 - 6.0%
<b>3-YR Total:</b>	<b>\$1,009,791</b>		<b>\$102,443</b>	<b>\$41,856</b>
<b>3-YR Median:</b>		<b>6.0%</b>	<b>15.8%</b>	<b>9.8%</b>

Source: FAA DOORS Reporting (2012 & 2013)  
FAA DBE Connect Reporting (2014)

**APPENDIX 5**

**Punta Gorda Airport**  
**FAA FY 2015 - 2017 Methodology**  
Race Conscious / Race Neutral Historical Participation

<b>Fiscal Year</b>	<b>DBE Goal</b>	<b>Achieved DBE Participation</b>	<b>Achieved Race-Conscious Participation</b>	<b>Achieved Race-Neutral Participation</b>	<b>Variance Contract &amp; Achieved Goals</b>
2012	6.0%	26.9%	6.0%	20.9%	+ 20.9%
2013	6.0%	15.8%	6.0%	9.8%	+ 9.8%
2014	6.0%	0.0%	0.0%	0.0%	- 6.0%
<b>3-YR Median:</b>	<b>6.0%</b>	<b>15.8%</b>	<b>6.0%</b>	<b>9.8%</b>	<b>9.8%</b>

Source: FAA DOORS Reporting (2012 & 2013)  
FAA DBE Connect Reporting (2014)

## APPENDIX 6

### Punta Gorda Airport FAA FY 2015 - 2017 Methodology Documentation of Consultation Efforts

In an effort to solicit input in establishing DBE goals, the following email was sent to the:

- Florida Airport Council (FAC) (lisa@floridaairports.org);
- Florida Hispanic Construction Association (FHCA) (info@flhca.org);
- National Association of Minority Contractors (NAMC) (bbutler@jcbcon.net); and
- National Association of Women in Construction (NAWIC) (nawicferrer@gmail.com)

There have been no responses.

#### Email Sent for Consultation

*Dear Sir/Madam:*

*Our firm, Montgomery Consulting Group, is assisting the Charlotte County Airport Authority in consulting with industry groups, community organizations, and minority and women's groups to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, and the effects of discrimination in an effort to establish a level playing field for the participation of Disadvantage Business Enterprises (DBEs) and the development of a DBE goal for up-coming federally-funded projects at the Punta Gorda Airport.*

*We ask for your organization's input. Please respond to the following questions:*

- 1. What is the estimated total membership and/or local chapter membership of your organization?*
- 2. Does your organization represent minority and/or women businesses in the construction or consulting industry?*
- 3. If so, approximately how many members of the total are minority and/or women businesses?*
- 4. Does your organization identify if members are minority and/or women businesses, and/or certified DBEs in your organization's directory?*
- 5. Please share any awareness of the effects of discrimination on business opportunities for DBEs (feel free to add comments):*
  - a. To your knowledge are DBEs treated equal to non-DBEs in bidding/proposal opportunities?*
  - b. To your knowledge are DBEs treated equal to non-DBEs in ability to get and maintain insurances and bonding required for projects?*

- c. To your knowledge are DBEs treated equal to non-DBEs in ability to secure banking lines or credit for business operation?*
- d. To your knowledge is there a stigma associated with being a DBE as to the expected quality of work?*
- 6. Do you think there is a “level playing field” between DBEs and non-DBEs in the construction and engineering consulting industry?*

*Thank you for your time. Your input is valued and appreciated.*

Sincerely,

Sara E. Sullivan  
Project Engineer  
**Montgomery Consulting Group, Inc.**  
501 S. New York Avenue, Suite 210  
Winter Park, FL 32789  
Tel: 407-539-7030 Ext 22  
Fax: 407-539-7035  
Email: [sara.sullivan@mcgi-us.com](mailto:sara.sullivan@mcgi-us.com)

## APPENDIX 7

**Punta Gorda Airport  
FAA FY 2015 - 2017 Methodology  
Draft Public Notice of DBE Goals**

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PLAN & GOALS PUBLIC NOTICE** - The Charlotte County Airport Authority has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation 49 CFR Part 26 for Punta Gorda Airport. A DBE goal of 11.5% is proposed for federally funded Airport Improvement Projects awarded at Punta Gorda Airport during FAA Fiscal Years (FY) 2015 - 2017. The proposed DBE Plan and DBE goal methodology is available for public inspection at the Director of Finance's office at the Punta Gorda Airport during normal business hours for a period of thirty (30) days beginning July 10, 2015. Written comments will be accepted for a period of forty-five (45) days beginning July 10, 2015. Written comments should be sent to Sandy Cauley, Director of Finance, Charlotte County Airport Authority, 28000 Airport Road, Punta Gorda, Florida 33982, Email: scauley@flypgd.com.