

Boise Airport

DBE Goal and Methodology

FFY 2021 - 2023



DOT DBE Program Basics

- The DOT DBE Program is a federal program applicable to projects that are funded with federal funds received through grants from the FAA, FHWA or FTA.
- The intent of the Program is to eliminate barriers to participation in contracting for Disadvantaged Business Enterprises.
- The basic underlying idea is that participation by these businesses in contracts funded with federal dollars should approximate what that participation would have been in the absence of discrimination.
- The program is not a quota or set-aside program. The program is goal-based, requiring good faith efforts to meet goals.
- Overall goals are set that are in place for a three-year period (2021-2023).
- Contract goals may be set at varying levels depending upon the nature of the contract, subcontracting opportunities and the availability of DBEs to perform the specific type of work.

DOT DBE Program Objectives

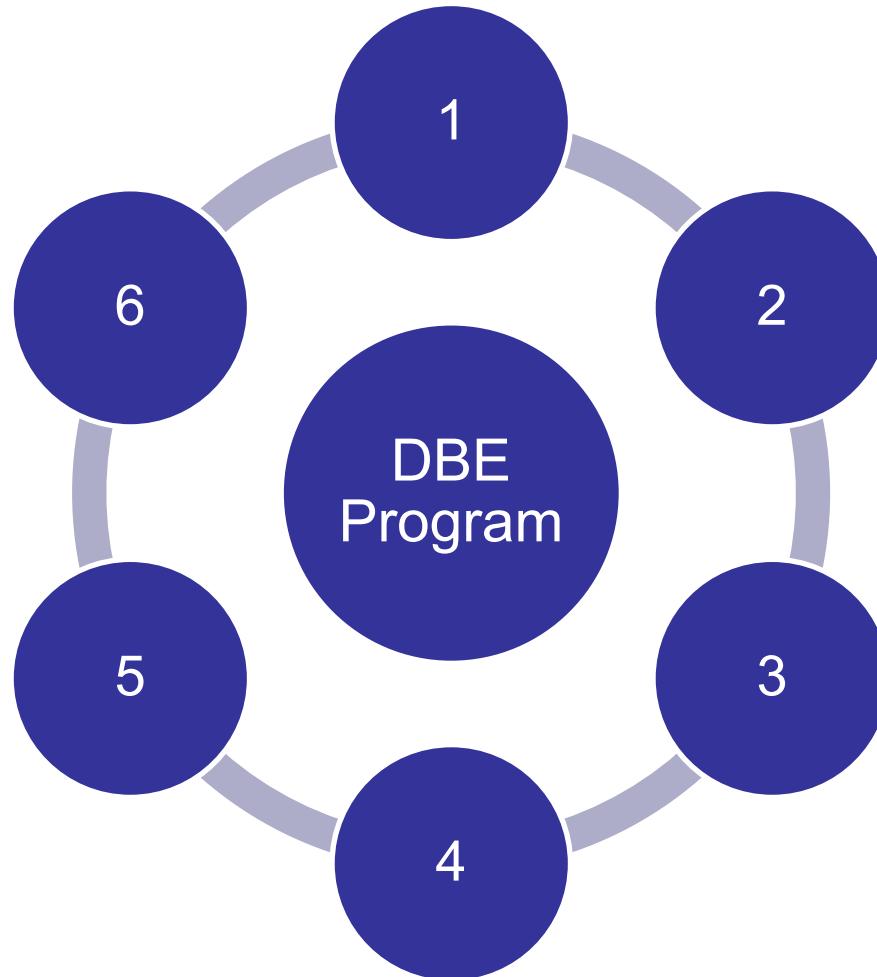
The program is designed to accomplish the following objectives:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the Department's DBE program is tailored in accordance with applicable law;
- To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts;
- Work with Idaho Transportation Department (“ITD”) for the development of firms that can compete successfully in the marketplace outside the DBE program; and
- To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

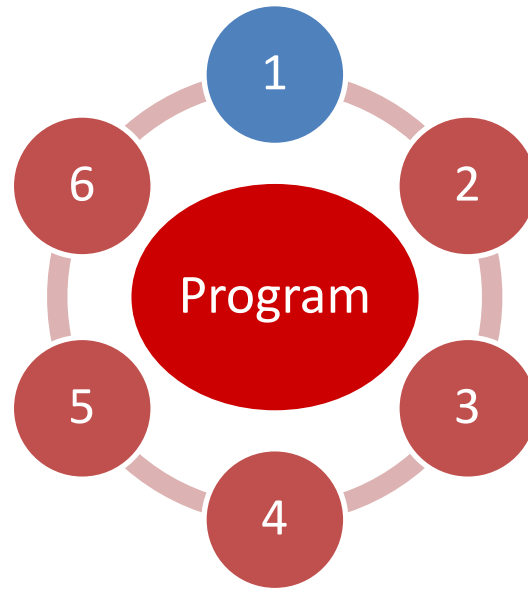
DBE Program Basic Elements

- Establishment of DBE Program
- DBE Goals – overall goals established every three years, contract goals established as contracts are solicited
- Reporting of Accomplishments – annually for airports
- Certification of participating firms (performed by ITD) – ongoing
- Compliance, Monitoring and Enforcement - ongoing

DBE Program – How it Works

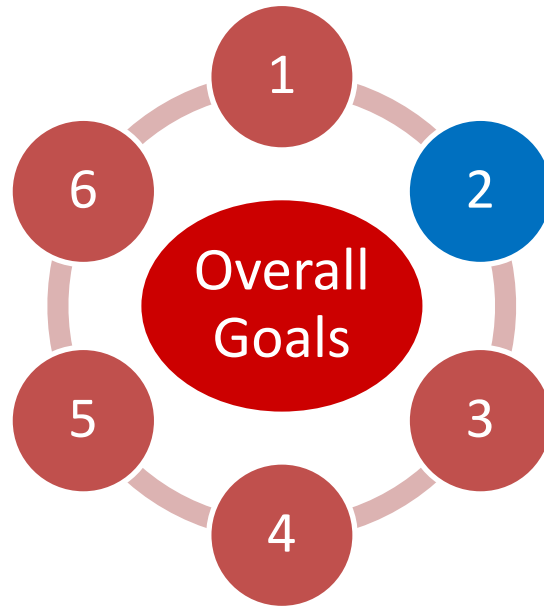


Recipient develops **DBE Program** document



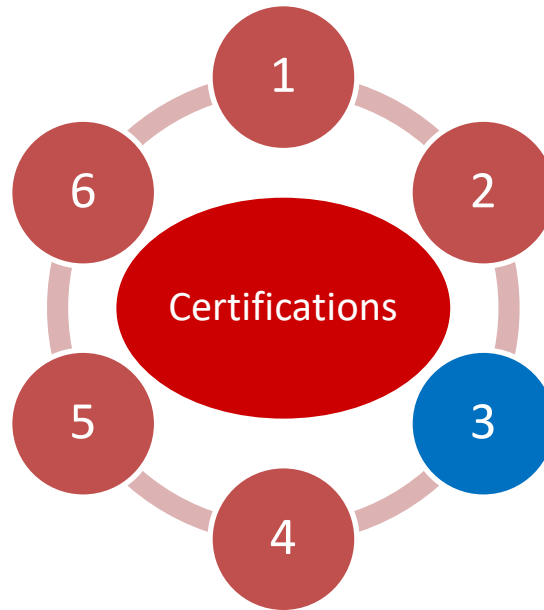
- The program must contain content as required by the regulation (49 CFR Part 26).
- The Program is reviewed and approved by the appropriate DOT modal agency (FAA, FHWA or FTA).
- The Program must be updated and resubmitted to reflect significant changes.

Recipient develops **goals** for federally funded projects



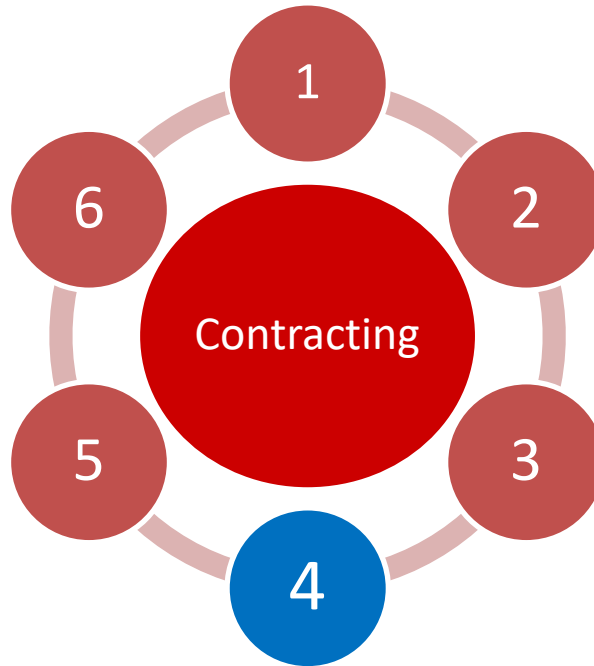
- FAA recipients awarding over \$250,000 in FAA funds in prime contracts in a federal fiscal year must set overall goals for DBE participation.
- Overall annual goals are set every three years and are in place for a three-year period. Overall goals must be based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses ready, willing and able to participate on the anticipated DOT-assisted contracts, also referred to as the “relative availability of DBEs.” The goal must reflect the determination of what DBE participation would be expected absent the effects of discrimination.

Certification of DBE/ACDBE firms



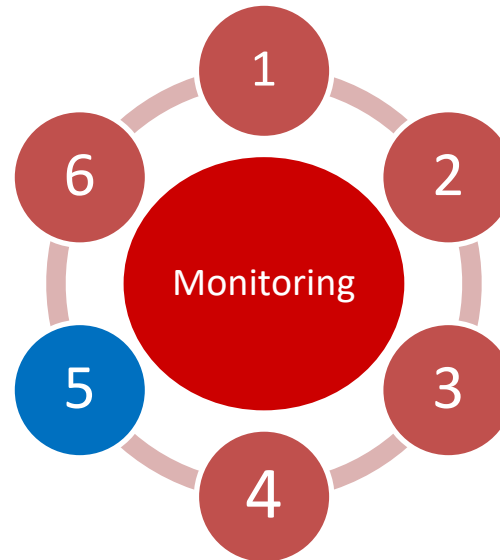
- The Unified Certification Program (“UCP”), managed by ITD, is responsible for making all certification decisions on behalf of all DOT recipients in its state.
- The UCP is required to maintain a DBE/ACDBE directory containing the names and other information for all DBEs/ACDBEs certified in the state. The directory must be made available electronically, on the Internet and in print.

Contracting Activities



- The DOT DBE Program applies only to contracts funded with federal funds.
- All DOT federally-assisted contracts, whether or not the contract has a DBE goal, must include the required assurance found in 49 CFR Part 26, section 26.13.
- If a federally-assisted contract contains a DBE goal, the contract may only be awarded to a bidder/offeror who makes good faith efforts to meet the goal. Appendix A to Part 26 contains guidance concerning good faith efforts.

Monitoring / Enforcement



- Recipients must monitor the Program to ensure compliance by prime contractors, subcontractors, suppliers, vendors, etc.
- Recipients must implement mechanisms to ensure compliance with the regulations.
- Recipient's must monitor to ensure that work committed to DBEs is actually performed by the DBEs to which the work was committed.
- Recipients must maintain a running tally of actual DBE attainments, and must compare the attainments to commitments.

Reporting



- Recipients are required to report DBE commitments and attainments.
- If the awards and commitments shown on the Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, a recipient must analyze in detail the reasons for the difference and establish steps and milestones to correct the problems identified.

What is a DBE?

Disadvantaged business enterprise or *DBE* means a for-profit small business concern—

(1) 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; and

(2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

In order to count as a DBE, firms must be certified by ITD.

Governing Regulation

49 CFR part 26

Your overall goal must be based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses ready, willing and able to participate on your DOT-assisted contracts (hereafter, the “relative availability of DBEs”). The goal must reflect your determination of the level of DBE participation you would expect absent the effects of discrimination. You cannot simply rely on either the 10 percent national goal, your previous overall goal or past DBE participation rates in your program without reference to the relative availability of DBEs in your market.

Methodology

- *Step 1.* You must begin your goal setting process by determining a base figure for the relative availability of DBEs.
- *Step 2.* Once you have calculated a base figure, you must examine all of the evidence available in your jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at your overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

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FFY 2021-2023 DBE Goal

Goal Period: ***From:*** October 1, 2020
 Thru: September 30, 2023

Overall DBE Goal for FAA-Assisted Projects:
6.45%

FFY 2021 – 2023 Anticipated Projects

- **FFY 2021**
- Taxiway G Relocation and Taxiway A Rehabilitation
- VALE, Electric Ground Support Equipment Projects
- **FFY 2022**
- Taxiway S Improvements to TDG-5
- Taxi-Lane N
- Vale, Electric Ground Support Equipment Projects
- **FFY 2023**
- Runway Incursion Mitigation Improvements
- Taxiway D Relocation
- Vale, Electric Ground Support Equipment Projects

FFY 2021 – 2023 Anticipated Trades

- Airport Runway Construction, General Contractor (237310)
- Electrical Construction (238210)
- Site Preparation Construction (238910)
- Storm Water Piping Construction (237110)
- *Lighting Equipment Manufacturing (335121)
- Survey (541370)
- Testing Laboratory (541380)
- Environmental Consulting Services (541620)
- Engineering Services (541330)
- *Lighting/HVAC Equipment Manufacturing (33341/33531)

*No firms in the relevant geographic region – national region used

Question and Comment Period