

CEDAR RAPIDS AIRPORT COMMISSION DBE PROGRAM

Objectives/Policy Statement

The Cedar Rapids Airport Commission (Commission) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Commission has received Federal financial assistance from the Federal Aviation Administration (FAA), and as a condition of receiving this assistance, the Commission has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Commission to ensure that DBE's, as defined in Part 26, have an equal opportunity to receive and participate in FAA-assisted contracts. It is also our policy to:

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

Mr. Donald D. Swanson, Director of Finance & Administration, has been delegated as the DBE Liaison Officer (DBELO). In that capacity, the DBELO 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 Commission in its financial assistance agreements with the DOT.

The Commission has disseminated this policy statement to all the components of our organization. We have distributed this statement to DBE and non-DBE business entities that perform work for us on FAA-assisted contracts. The statement is also to be published in the Cedar Rapids Gazette.



Tim Bradshaw, A.A.E., Airport Director

July 23, 2014

Date

Objectives (§26.1)

The objectives are found in the policy statement on the first page of this program.

Applicability (§26.3)

The Commission is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

Definitions (§26.5)

The Commission will use terms in this program that have the meaning defined in Section 26.5.

Nondiscrimination (§26.7)

The Commission will never 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 Commission 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.

Record Keeping Requirements (§26.11)

The Commission will transmit to FAA annually on December 1, the “Uniform Report of DBE Awards or Commitments and Payments” form, found in Appendix B to this part. We will also report the DBE Contractor firms information either on the FAA DBE Contractor’s Form or other similar format.

The Commission will use the Iowa Department of Transportation (IDOT) bidders list. The purpose of the list is to provide as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on our DOT-assisted contracts for use in helping to set our overall goals. The bidders list will include the name, address, DBE and non-DBE status, age of firm, and annual gross receipts of firms.

Federal Financial Assistance Agreement Assurance (§26.13)

Contract Assurance (§26.13a)

The Commission has assigned the following assurance, applicable to all DOT-assisted contracts and their administration. This following language will appear in financial assistance agreements with sub-recipients.

The Cedar Rapids Airport Commission shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in

the administration of its DBE Program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient's DBE Program, as required by 49 CFR Part 26 and as approved by the DOT, 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 Cedar Rapids Airport Commission of its failure to carry out its approved program, the Department may impose sanctions as provided for under 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.).

Contract Assurance (§26.13b)

The Commission will ensure that the following clause is placed in every FAA-assisted contract and subcontract:

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.

DBE Program Updates (§26.21)

The Commission will receive grant(s) for airport planning or development totaling \$250,000 in a Federal fiscal year. We will continue to carry out this DBE Program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program for approval.

The Commission is not eligible to receive DOT financial assistance unless DOT has approved our DBE Program and we are in compliance with it and this part. We will continue to carry out our program until all funds from DOT financial assistance have been expended.

DBE Liaison Officer (DBELO) (§26.25)

We have designated the following individual as our DBE Liaison Officer:

Donald D. Swanson, Director of Finance & Administration
The Eastern Iowa Airport
2515 Arthur Collins Parkway SW
Cedar Rapids, Iowa 52404-8952
Phone: (319) 362-3131 Fax: (319) 362-1670
E-mail: DBELO@crairport.org

In that capacity, DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Commission complies with all provisions of 49 CFR Part 26. DBELO has direct, independent access to the Airport Director concerning DBE program matters. DBELO has a staff of two professional administration employees on a full-time basis that will devote a portion of their time to the program. DBELO will confer with the Commission's consulting engineer from time to time to administer the DBE program. An organization chart displaying the DBELO position in the organization is found in Attachment A to this program.

The DBELO is responsible for developing, implementing, and monitoring the DBE program. Duties and responsibilities include the following:

1. Gather and report statistical data and other information as required by FAA.
2. Review third-party contracts and purchase requisitions for compliance with this program.
3. Set overall three-year goals.
4. Ensure that bid notices and requests for proposals are available to DBE's in a timely manner.
5. Identify contracts and procurements so that DBE goals are included in solicitations (both race neutral methods and contract specific goals) and monitor results.
6. Analyze Commission's progress toward goal attainment and identify ways to improve progress.
7. Participate in pre-bid meetings.
8. Advise the Airport Director and Commission on DBE matters and achievement.
9. Participates with legal counsel and project engineer to determine contractor compliance with good faith efforts.
10. Provide DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Provide DBE's with information and assistance in preparing bids, obtaining bonds, and insurance.
12. Provide outreach to DBE's and community organizations to advise them of opportunities.

DBE Financial Institutions (§26.27)

It is the policy of the Commission 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. We have found no such institutions, but will make efforts to identify institutions that will work with the DBE community. Information on the availability of such institutions can be obtained from the DBE Liaison Officer.

Prompt Payment (§26.29)

The Commission has established, as part of its DBE Program, a contract clause to require prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from receipt of each payment you make to the prime contractor.

We will ensure prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. We will use one of the following methods to comply with this requirement:

Hold retainage from prime contractors and provide for prompt and regular incremental acceptances of portions of the prime contract, pay retainage to prime contractors based on these acceptances, and require a contract clause obligating the prime contractor to pay all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after your payment to the prime contractor.

Commission will consider a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the Commission. When Commission has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

The Commission will include the following clauses in each DOT-assisted prime contract:

The Cedar Rapids Airport Commission requires all prime contractors to pay all subcontractors for satisfactory performance of their contracts no later than 7 days from the date the prime contractor received payment or should have received payment when the reason for non-payment is not subcontractor's fault.

The Cedar Rapids Airport Commission also requires the prompt return of all retainage held on all bonded subcontractors within 30 days after the subcontractor's work is satisfactorily completed. Non-bonded subcontractors may be required to submit proof of payment for all material bills and wages to the prime contractor before the prime contractor is required to pay the retainage. Prime contractors found to be in noncompliance with the prompt payment clause will be subject to sanctions enforced by the Commission. The sanctions include issuing two-party checks for the payment of the Prime Contractor's Application for Payment. The two-party check will be made payable to the prime contractor and its subcontractor. The Commission may notify and request corrective action from the prime contractor's surety company, issuer of the prime contractor's payment bond. Also, the Commission may withhold funds due the contractor pursuant to provisions of Chapter 573, Code of Iowa.

Directory (§26.31)

The Commission will use the Iowa DOT Directory as its primary Directory. An updated copy of the Directory will be located in the office of the Airport Director at The Eastern Iowa Airport Administration Building, 2515 Arthur Collins Parkway SW, Cedar Rapids, Iowa 52404-8952. The Iowa DOT maintains a directory identifying all firms eligible to participate as DBE's. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. In addition, the directory lists each type of work for which a firm is eligible to be certified by using the most specific NAICS code available to describe each type of work. The Iowa DOT revises the Directory prior to advertising for a letting, approximately 10 times per year. Copies are available in Iowa DOT headquarters at the Office of Contracts 800 Lincoln Way, Ames, IA and on the Internet through Bid Express and at: www.iowadot.gov.

Over Concentration (§26.33)

The Commission has not identified any over concentration. If the Commission determines that DBE firms are so "over concentrated" in a particular type of work as to "unduly" burden the opportunity of non-DBE firms who participate in this type of work, the Commission will devise appropriate measures to address the over concentration. The measures may include not counting contract goals for a particular DBE or DBE firms in general. It may also include the use of incentives, technical assistance, and other appropriate measures designed to assist DBE's in performing work outside of the specific field. The Commission will obtain the approval of the FAA for its determination of over concentration and the measures it intends to devise to address it.

Business Development Programs (§26.35)

Commission has not established a business development program.

Monitoring and Enforcement Mechanisms (§26.37)

We will bring to the attention of the DOT any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in §26.109. We also will consider similar action under our own legal authorities. Such action may include, but not be limited to, the following: (a) Responsibility determinations in future contracts; (b) Breach of contract action, pursuant to the terms of the contract; and (c) Action authorized under Chapter 73A, Code of Iowa.

We will implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award or subsequently (i.e., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed. We will implement a monitoring and enforcement mechanism that will include written certification that we have reviewed contracting records and monitored work sites for this purpose. This will be accomplished through contractual obligations with the Commission's consulting engineer on each project. We will implement a mechanism that will provide for a running tally of actual DBE attainments (e.g., payment actually made to DBE firms), including a means of comparing these attainments to commitments. In our reports of DBE participation to DOT, we will show both commitments and attainments, as required by the DOT uniform reporting form.

Fostering small business participation. (§26.39)

The Commission has created a Small Business element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

The Commission's small business program element is incorporated as Attachment J to this DBE Program. We will actively implement the program elements to foster small business participation doing so is a requirement of good faith implementation of our DBE program.

Overall Goals (§26.45)

The Commission will establish an overall DBE goal covering a three-year federal fiscal year period if we anticipate awarding FAA funded prime contracts exceeding \$250,000 during any one or more of the reporting fiscal years within the three-year goal period. In accordance with Section 26.45(f) the Commission will submit its Overall Three-year DBE Goal to FAA by August 1st as required by the schedule established by the FAA.

DBE goals will be established for those fiscal years the Commission anticipates awarding DOT-assisted prime contracts exceeding \$250,000 during the three-year period. The DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45. If the Commission does not anticipate awarding more than \$250,000 in DOT-assisted prime contracts during any of the years within the three-year reporting period, we will not develop an overall goal; however this DBE Program will remain in effect and the Commission will seek to fulfill the objectives outlined in 49 CFR Part 26.1.

Amount of Goal

The Commission's **overall goal for FFY2015 – FFY2017** is the following: 0.39% of the Federal financial assistance we will expend in FAA-assisted contracts.

Methodology

To comply with 49 CFR Part 26.45, the Commission establishes its DBE goal based on evidence of availability of ready, willing, and able DBE's relative to all business ready, willing, and able to participate in the Commission's FAA-assisted contracts. The first step to begin the goal-setting process is determining a base figure for the relative availability of DBE's. The second step is to examine the evidence available locally to determine what adjustment, if any, is necessary to the base figure to arrive at an overall goal.

Step 1 (Ready, Willing, and Able to Work Step)

The Commission will use an Alternative Methods approach to determine a base figure for the overall goal. The methodology used is based on demonstrable evidence of local market conditions and is designed to ultimately attain a goal that is rationally related to the relative availability of DBEs in the Commission's market, which is the State of Iowa. In previous goal setting the Commission utilized the IDOT DBE goal for Step 1. The Commission reviewed the IDOT FFY 2015 – FFY 2017 goal of 5.75%. However, it was determined that the IDOT goal was based on data primarily for highway and bridge construction. Since Commission projects during the goal period to be funded with Federal financial assistance will be terminal building improvements unrelated to work associated with highway or bridge construction, it was determined that utilization of the IDOT goal was not rationally related to the relative availability

of DBEs in the Commission's market that could work on building construction and renovation projects. The Commission reviewed other options for Step 1 and found that no DBE firms listed in the IDOT DBE Directory were capable of building construction and renovation work or related mechanical work. Consequently, the Commission gave consideration to estimating DBE firms' participation on architectural/engineering (A/E) work related to terminal building renovation projects anticipated to be constructed during the goal period. The Commission anticipates \$28,437,000 in terminal building construction and renovations during the goal period. Based upon past experience, A/E costs are estimated to be 10% of the total projects or \$2,843,700. Actual DBE participation on engineering contracts funded with Federal financial assistance during the past five years totaled 3.9%. Applying the 3.9% to the A/E estimated costs of \$2,843,700 resulted in \$112,042 in potential DBE participation, which is 0.39% of the anticipated terminal building renovation costs of \$28,437,000. Past DBE participation on engineering contracts for airfield pavement work may or may not be a good indication of future DBE participation on A/E contracts related to terminal building renovations. However, the Commission believes this methodology provides the most accurate reflection of the relative availability of DBEs in its identified market area. Consequently, Step 1 base goal of 0.39% is established. Adjustments may be made under Step 2 to ensure that the final goal is narrowly tailored to the Commission's market and contracting program.

Step 2 (Adjustment Step Based on Evidence Available)

The second step is to examine the evidence available from Commission records to determine if any adjustment is needed. Two factors were examined to determine the capacity of the existing DBE firms working for the Commission:

1. The percentage of contracts that DBE firms were able to receive race neutral (e.g. low bid or used as subcontractors on projects without DBE goals) was reviewed.
 - ◆ The percentage of prime contracts awarded to DBE's represents their ability to compete and obtain prime contracts in a race neutral market.
 - ◆ During the past 5 years, DBE firms obtained 3.4% of all prime contracts through the low-bid process, which represents 0.3% of the total contract dollars.

$$\frac{2 \text{ DBE prime contract awards}}{58 \text{ all prime contract awards}} = 3.4\%$$

$$\frac{\$168,058 \text{ of DBE prime contract awards}}{\$61,826,176 \text{ of all prime contract awards}} = 0.3\%$$

- ◆ The percentage of subcontracts awarded to DBE's on projects without DBE goals represents their ability to compete and obtain subcontracts in a race neutral market.
- ◆ During the past 5 years, DBE firms obtained 4.2% of subcontracts without DBE goals, which represents 2.0% of the total subcontract dollars.

$$\frac{6 \text{ DBE subcontracts without DBE goals}}{143 \text{ all subcontracts without DBE goals}} = 4.2\%$$

<u>\$356,738 of DBE subcontracts without DBE goals</u>	=	2.0%
\$17,451,695 of all subcontracts without DBE goals		

2. The percentage of contracts that DBE firms were able to receive race conscious (e.g. low bid or used as subcontractors on Federal-assisted projects with DBE goals) was reviewed.

- ◆ During the past 5 years, DBE firms obtained 0.0% of Federal-assisted prime contracts.

<u>0 DBE Prime Contracts on Federal-assisted contracts</u>	=	0.0%
14 Prime Contracts on Federal-assisted contracts		

- ◆ During the past 5 years, DBE firms received 29.6% of Federal-assisted subcontracts with DBE goals, which represents 9.0% of the total contract dollars.

<u>16 DBE Subcontracts on Federal-assisted contracts</u>	=	29.6%
54 Subcontracts on Federal-assisted contracts		

<u>\$3,375,724 DBE Subcontracts on Federal-assisted contracts</u>	=	9.0%
\$37,394,072 of Federal-assisted contracts		

- ◆ During the past five (5) years, DBE firms have received 9.0% of the entire Federal-assisted contract dollars.

Summary

These factors indicate that DBE firms have not been able to obtain prime contracts through race-neutral methods. With the current DBE goals set on Federal assisted airfield pavement renovation projects, DBE firms have been able to obtain 9.0% of our total Federal assisted contract dollars. The DBE goals for this period averaged 4.6%. These factors indicate that DBE firms have been able to obtain 4.4% of subcontracts through race-neutral methods. The Commission has compared the DBE percentages under Step 1 of 0.39% (Commission Alternative Methods) and under Step 2 of 9.0% (actual participation), averaging Step 1 and Step 2 percentages would result in a goal of 4.7%. However, using this methodology the Commission would fail to acknowledge that no DBE firms are available to accomplish the terminal building construction and renovation work to be funded with Federal assistance during the goal period. In addition, the 9.0% actual participation during the past five years was attained largely by the use of one DBE firm that performed excavation work on airfield pavement renovation projects. This DBE firm's participation on Federal assisted contracts would not carry forward to the goal period, and the Commission's criteria for setting project goals is to assure at least 3 DBE contractors are ready, willing, and able to quote on available subcontract work. Consequently, the Commission's overall goal for FFY2015 – FFY2017 is 0.39% of the Federal financial assistance that will be expended on FAA-assisted contracts let through the Commission. (DBE availability and usage methodology and results are shown in Attachment C.)

However, the Commission will monitor and administer existing FAA-assisted contracts under the current DBE Program. We will implement the use of the new DBE Program and goals beginning with the first FAA-assisted contract of Federal FFY2015 – FFY2017.

Process

The Commission's overall three-year DBE goal was first submitted to the FAA on August 1, 2011, and a new DBE overall goal will be submitted every three years thereafter. Before establishing the overall DBE goal, the Commission will conduct a consultation meeting with DBE firms who have participated on past Federal-assisted contracts to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBE's, and the Commission's efforts to establish a level playing field for the participation of DBE's.

Each year the overall goal is submitted to the FAA, the Commission will publish a notice in the Cedar Rapids Gazette. The publication will notify the public that the proposed overall goal and its rationale are available for inspection during normal business hours at the Office of the Airport Director for 30 days following the date of the notice. The public will be informed that the Commission and FAA will accept comments on the goals for 45 days from the date of the notice. Normally, we will issue this notice by July 31st of each year. The notice will include addresses to which comments may be sent and addresses where the proposal may be reviewed.

The Commission's address for viewing and comments is:

Office of the Airport Director
The Eastern Iowa Airport
2515 Arthur Collins Parkway SW
Cedar Rapids, IA 52404-8952
Website: www.crairport.org

The FAA's address for comments:

Federal Aviation Administration
Office of Civil Rights
Western-Pacific Regional Office, AWP-9
P.O. Box 92007
Los Angeles, CA 90009-2007

Our overall goal submission including supplemental information to the FAA will include a summary of information and comments received during this public participation process and our responses. We will normally begin using our overall goal on October 1st of each year, unless we have received other instructions from FAA.

Breakout of Race-neutral and Race-conscious Participation

The Commission will use race-neutral measures to meet the maximum feasible portion of the overall goal. Race-neutral measures will include outreach and technical assistance for DBE contractors. The outreach and technical assistance support will include technical assistance and training in areas such as preparing and using a business plan, bonding, working with the Commission, and contract administration.

The Commission established during its “FFY2012 – FFY2014 DBE Goal Analysis” that 4.4% of the DBE participation on Federal assisted projects was obtained through race neutral measures. Since race neutral measures secured a minimum amount of DBE participation, we project that the FFY2015 – FFY2017 goal of 0.39% will be achieved through race-neutral measures. We anticipate that none of the 0.39% goal will be achieved through race-conscious measures. (DBE goals set on contracts.)

The Commission will adjust the estimated breakout of race-neutral and race-conscious participation if needed to reflect actual DBE participation and 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 prime contracts, DBE subcontracts on a prime contract that does not carry a DBE goal, DBE subcontracting exceeding a contract goal, and DBE subcontracting where the prime contractor did not consider a firm's DBE status in making the award.

The Commission will use race-neutral measures to meet the entire overall goal. The Commission does not project using race-conscious means to meet the goal. Contract goals if used, will be established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means. The Commission will establish contract goals only on those FAA assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstance of each such contract. (e.g., type and location of work, availability of DBE's to perform the particular type of work).

The Commission will express its contract goals as a percentage of the total amount of FAA assisted contracts.

Quotas (§26.43)

The Commission does not use quotas in any way in the administration of this DBE program.

Contract Goals (26.51)

The Commission will not use contract goals to meet the overall goal, and anticipates meeting the overall goal using race-neutral means. Contract goals if used are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

If contract goals are ultimately used, the Commission will establish contract goals only on those FAA-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstance (e.g., type and location of work, availability of DBE's to perform the particular type of work).

The Commission will express our contract goals as a percentage of the Federal share amount of a FAA-assisted contract.

Good Faith Efforts (26.53)

Information to be Submitted

The Commission treats bidders' compliance with good faith effort requirements as a matter of responsiveness. Each proposal for which a contract goal has been established will require all bidders to submit the following information with their bid on the Iowa DOT Disadvantaged Business Enterprise Information Statement of DBE Commitment Form (102115 form) and/or FAA Disadvantage Business Enterprises "Utilization Statement" and "Letter of Intent" forms, provided and approved by the Commission.

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

Demonstration of Good Faith Efforts

The successful bidder shall be selected on the basis of having submitted the lowest responsive bid. The obligation of the bidder is to make good faith effort. The bidder can demonstrate that it has done so by the following:

- ◆ Meeting the contract goal;
- ◆ Meeting the calculated percentage for good faith effort based on bidder commitments received for the proposal (Attachment D); or
- ◆ Documenting good faith efforts for administrative reconsideration.

The following personnel are responsible for determining whether a contractor who has not met the contract goal meets the calculated percentage for good faith effort: DBE Liaison Officer.

We will ensure that all information is complete and accurate and adequately documents the bidder good faith efforts before we commit to the performance of the contract by the bidder.

Administrative Reconsideration

Within 5 business days of being informed by the Commission that it is not responsive because it has not documented sufficient good faith efforts, a bidder may request administrative reconsideration. The bidder should make this request in writing to the following reconsideration team:

- ◆ Tim Bradshaw, A.A.E., Airport Director, E-mail: t.bradshaw@crairport.org
- ◆ Gene Cossey, A.A.E., Director of Operations, E-mail: g.cossey@crairport.org
Office of the Airport Director
The Eastern Iowa Airport
2515 Arthur Collins Parkway SW
Cedar Rapids, IA 52404-8952
Project Engineer

Since the first determination of good faith effort is a comparison of the bidder's DBE commitment to the established goal and second determination for good faith effort is a calculated value, the reconsideration officials play no role in the original determinations.

A bidder will **NOT** be allowed to adjust the amount of their commitment after final time specified in the advertisement for receiving bids.

As part of this reconsideration, the bidder will have the opportunity to provide written documentation or arguments concerning the issue of whether they made adequate good faith efforts to meet the goal. The bidder will have the opportunity to meet in person with our reconsideration officials to discuss the issue of whether they made adequate good faith efforts to do so. We will send the bidder 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.

Documentation required will include the following:

- ◆ Offering assistance in areas of interpreting plans and preparing proposals;
- ◆ Response to requests from any small businesses submitting quotes, concerning quantities, overtime, project scheduling, etc.;
- ◆ The bidder's past good faith efforts on other projects bid with the Commission;
- ◆ Making portions of the work available for DBE subcontracting;
- ◆ Evidence of negotiations with DBE firms;
- ◆ DBE quotes obtained and non-DBE quotes used;
- ◆ Reason agreements were not reached;
- ◆ Follow-up after initial solicitations;
- ◆ Efforts to assist in obtaining bonding, lines of credit, or insurance; and
- ◆ Efforts to assist in obtaining equipment, supplies, and materials.

The result of the reconsideration process is not administratively appealable to the FAA.

Good Faith Efforts When a DBE is Replaced on a Contract

The Commission 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. We will require the prime contractor to notify the Project Engineer immediately of the DBE's inability or unwillingness to perform and to provide reasonable documentation. The Project Engineer will then notify the DBE Liaison Officer for approval of any substitution.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

We will provide such written consent only if we agree, for reasons stated in our concurrence document, that the prime contractor has good cause to terminate the DBE firm. For purposes of this paragraph, good cause includes the following circumstances:

- (1) The listed DBE subcontractor fails or refuses to execute a written contract;
- (2) The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
- (3) The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, non-discriminatory bond requirements.
- (4) The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
- (5) The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR Parts 180, 215 and 1,200 or applicable state law;
- (6) We have determined that the listed DBE subcontractor is not a responsible contractor;
- (7) The listed DBE subcontractor voluntarily withdraws from the project and provides to us written notice of its withdrawal;
- (8) The listed DBE is ineligible to receive DBE credit for the type of work required;
- (9) A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract;
- (10) Other documented good cause that we have determined compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

Before transmitting to the Commission its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to us, of its intent to request to terminate and/or substitute, and the reason for the request.

The prime contractor must give the DBE five days to respond to the prime contractor's notice and advise us and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why we should not approve the prime contractor's action. If required in a particular case as a matter of public necessity (*e.g.*, safety), we may provide a response period shorter than five days.

In addition to post-award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms put forward by offerors in negotiated procurements.

If the contractor fails or refuses to comply in the time specified, our contracting office 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 contracting officer may issue a termination for default proceeding.

Counting DBE Participation (§26.55)

DBE credit will be counted only for work performed by the DBE firm.

DBE Manufacturer

Count 100% of the value paid for materials furnished which become permanent parts of the project. A manufacturer is a firm that owns and operates the facilities to produce a product required by the contract and purchased by the contractor.

DBE Supplier

Count 60% of the value paid for materials furnished which become permanent parts of the project. A supplier sells goods to the general public and maintains an inventory at an owned or leased warehouse or store. A DBE supplier must earn 20% of its annual gross from non-DBE goal sales to demonstrate it sells goods to the general public.

DBE Broker

Count 100% of the fee or commission received by the DBE for the materials purchased and resold to the contractor which becomes a permanent part of the project. A broker does not manufacture or supply on a regular basis.

DBE Trucker

To count 100% of the amount paid to the DBE trucker they must have at least one fully licensed, insured, and operational truck used on the contract. Trucking must be performed by the DBE, with employees of the DBE, using equipment owned or long-term leased by the DBE. The DBE may also lease trucks from another DBE firm, including an owner operator who is a certified DBE.

The DBE may also lease trucks from a non-DBE firm, including an owner operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease agreement. The DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by a DBE.

The DBE must be responsible for management and supervision of the entire trucking operation. The subcontract must not be a contrived arrangement to meet the DBE goal. The DBE will be considered a broker, and only commissions received will count toward the goal, if the DBE is not in full control or does not have any DBE employees or trucks on the job.

In order for a DBE trucker to be credited with the delivered price of materials/supplies, the DBE trucker must also be certified as a supplier or manufacturer of the material, be responsible for the quality standards of the material, and negotiate the material price and select the source.

DBE Contractor

Count 100% of the amount paid to a DBE contractor for labor and materials provided to perform a defined and clearly measurable portion of the contract. The work must be performed by the DBE's own employees and the DBE must order and pay for all supplies and materials.

Construction Monitoring

The Commission will monitor and document activities and work done by DBE's on all projects to ensure they perform all work as contracted at the time of award. Information documented on Iowa DOT Forms 102115 "Disadvantaged Business Enterprise Information Statement of DBE Commitments" and 102117 "Disadvantaged Business Enterprise Information DBE Project Statement" and/or FAA Disadvantaged Business Enterprises "Utilization Statement" and "Letter of Intent" forms, provided and approved by the Commission, shall apply. Any concerns will be reported to the Project Engineer and prime contractor immediately.

The Project Engineer will be responsible for comparing dollar amounts actually paid to DBE subcontractors at the successful completion of their work and the amount committed at time of award. Discrepancies under that amount will require justification by the Project Engineer (item under runs, item deletions, etc.). Otherwise prime contractors can be penalized dollar for dollar the difference. Repeated violations can result in suspension of their bidding privileges.

Request to Subcontract

Subcontract Request Forms for all subcontractors will be submitted to the Commission, Office of the Airport Director along with the signed contract. A contractor may request up to a 30 day extension. If unforeseen field conditions require additional or a termination of subcontractors an amended or new Subcontract Request Form will be required.

If a DBE subcontractor is terminated for reasons due to an inability or unwillingness to perform, the prime contractor must replace that subcontractor with another DBE or show sufficient documentation of good faith efforts to do so. On contracts with contract goals, the contractor

must obtain permission from the Commission prior to substitution of any DBE designated on the DBE Commitment Form.

Usage of DBE contractors on all Commission projects is encouraged. Prime contractors subletting work to DBE's on projects with no goal or subletting work that goes above and beyond the established goal can only be viewed as a step in the right direction and toward the possible reduction or elimination of goals in the future.

Prime Contractor Assisting DBE Firms

Construction assistance by prime contractors to a DBE subcontractor can be allowed if the situation is the result of an unforeseen emergency or natural disaster. The assistance would have to be short term (1 day or less) and only involve equipment, not workers, and only with the notification of the Project Engineer and the approval of the Commission.

Other forms of assistance, such as technical advice and occasional guidance, are encouraged with the notification of the Project Engineer and the approval of the Commission.

Final DBE Documentation

Upon completion of the project, the prime contractor shall obtain a certification from each utilized DBE contractor attesting to their actual involvement. The final DBE participation shall be summarized on Iowa DOT Form 102116, "Certification of DBE Accomplishment", or on a similar form provided and approved by the Commission.

Certification (§26.61 - §26.91)

The Commission will utilize the Iowa DOT DBE Program to certify DBE firms. The Iowa DOT program states it will use the certification standards of Subpart D of Part 26 and the certification procedures of Subpart E of Part 26 to determine the eligibility of firms to participate as DBE's in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. The Iowa DOT will make certification decisions based on the facts as a whole.

Process

The DBE Certification Standards are found in Attachment F to this program. For information about the certification process or to apply for certification, firms should contact:

Civil Rights Administrator
Iowa DOT
Office of Contracts
800 Lincoln Way
Ames, Iowa 50010
Phone Number: (515) 239-1414
Fax Number: (515) 239-1325

In the event the Iowa DOT proposes to remove a DBE's certification, they will follow procedures consistent with §26.87. Attachment F to this program sets forth these procedures in detail. To ensure separation of functions in a removal of certification, the Iowa DOT has determined that DBE Appeal Committee will serve as the decision-maker in de-certification proceedings. The Iowa DOT has established an administrative "firewall" to ensure that the DBE Appeal Committee will not have participated in any way in the de-certification proceeding against the firm (including in the decision to initiate such a proceeding).

If the Iowa DOT deny a firm's application or decertify it, they may not reapply until 12 months have passed from the action.

Unified Certification Program (§26.8D)

The Commission participated with the Iowa DOT and other agencies within the State in developing a Unified Certification Program. The Commission has executed the recipient signature page of the Iowa DOT UCP written plan. A copy of the Iowa DOT UCP Agreement is on file at the Office of the Airport Director and listed as Attachment J.

Certification Appeals (§26.15)

The Commission will utilize the Iowa DOT DBE Program concerning certification appeals. The Iowa DOT states it will continue to offer DBE Applicants who have been denied certification the opportunity to meet with the Iowa DOT DBE Appeal Committee. This committee is composed of 5 DOT employees from outside the Office of Contracts who understand the certification requirements and review the evidence provided to the Affirmative Action Officer, who made the initial determination. The Applicant is offered the opportunity to have a face-to-face meeting with the committee to present their side of the findings. No new evidence is reviewed in the appeal meeting. The proceedings are informal and the decision rendered can be appealed to the DOT.

Such appeals may be sent to:

Department of Transportation
Office of Civil Rights Certification Appeals
Branch 400 7th St., SW, Room 2104
Washington, DC 20590

The Iowa DOT will promptly implement any DOT certification appeal decisions affecting the eligibility of DBE's for our DOT-assisted contracting (e.g., certify a firm if DOT has determined that our denial of its application was erroneous).

Recertifications

The Commission will utilize the Iowa DOT DBE Program concerning recertifications of DBE's.

For firms that have certified or reviewed and found eligible under Part 26, they will again review their eligibility every 3 years. These reviews will include the component of filling out a new application conducting an on-site review.

"No Change" Affidavits and Notices of Change

The Commission will utilize the Iowa DOT DBE Program concerning Notices of Change. The Iowa DOT will require all DBE's to inform them, in a written affidavit, of any change of circumstances that affects its ability to meet the size, disadvantaged status, ownership, or control criteria of 49 CFR Part 26.

The Iowa DOT will also require all owners of all DBE firms they have certified to submit on the anniversary date of their certification a "no change" affidavit meeting the requirements of §26.830(j). The text of this affidavit is the following:

I swear (or affirm) that there have been no changes in the circumstances of [name of DBE firm] affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR Part 26. There have been no material changes in the information provided with [name of DBE]'s application for certification, except for any changes about which you have provided written notice to the Iowa DOT under §26.83(i). [Name of firm] meets Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts (as defined by SBA rules) over the firm's previous 3 fiscal years do not exceed \$16.6 million.

The Iowa DOT requires DBE's to submit with the affidavit, documentation of the firm's size and gross receipts. They have notified all currently certified DBE firms of these obligations by mail. This notification informed DBE's that to submit the "no change" affidavit, their owners must swear or affirm that they meet all regulatory requirements of Part 26, including personal net worth. Likewise, if a firm's owner knows or should know that he, she, or the firm fails to meet a Part 26 eligibility requirement (e.g., personal net worth); they are obligated to submit a notice of change.

Personal Net Worth (PNW)

The Commission will utilize the Iowa DOT DBE Program concerning the DBE's Personal Net Worth (PNW). The Iowa DOT will require all disadvantaged owners of applicant firms and have already required currently certified DBE's to submit a statement of PNW.

Attachment G sets forth the Iowa DOT Personal Net Worth Form 650193.

Bidders List

The Commission will create a bidders list consisting of information about all DBE and non-DBE firms that bid FAA-assisted contracts. The purpose of this requirement is to allow the use of the bidder's list approach to calculating overall goals. The information on the bidder's list will include the name, address, DBE/non-DBE status, age, and annual gross receipts of firms.

The Commission will record with assistance from the project-engineering firm in all requests for plans, proposals, and bidding documents for each project, which is being bid. Any contractor who submits a quote or a bid on a project will need these documents to prepare a quote or bid on the project. The Plan holders File allows us to produce a list of any contractor who received the information needed to quote a project.

Monitoring Payments to DBE's

The Commission will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award. We will require prime contractors to maintain records and documents of payments to DBE's for 3 years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the Commission or FAA. This reporting requirement also extends to any certified DBE subcontractor.

The Commission will perform interim audits of contract payments to DBE's. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

Reporting to FAA

The Commission will report DBE participation to FAA on an annual basis, using DOT Form 4630.

Confidentiality

The Commission will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law. Notwithstanding any contrary provisions of state or local law, we will not release personal financial information submitted by a DBE applicant to a third party (other than FAA) without the written consent of the submitter.

ATTACHMENTS

- Attachment A Regulations: 49 CFR Part 26 website link
- Attachment B Organizational Chart
- Attachment C DBE Availability and Usage
- Attachment D Setting Contract Goals
- Attachment E Good Faith Effort Determination
- Attachment F Iowa DOT Certification Standards
- Attachment G DBE Certification Application Form
- Attachment H DBE Certification Procedures
- Attachment I State's DBE Directory website link
- Attachment J State's UCP Agreement
- Attachment K Small Business Element Program

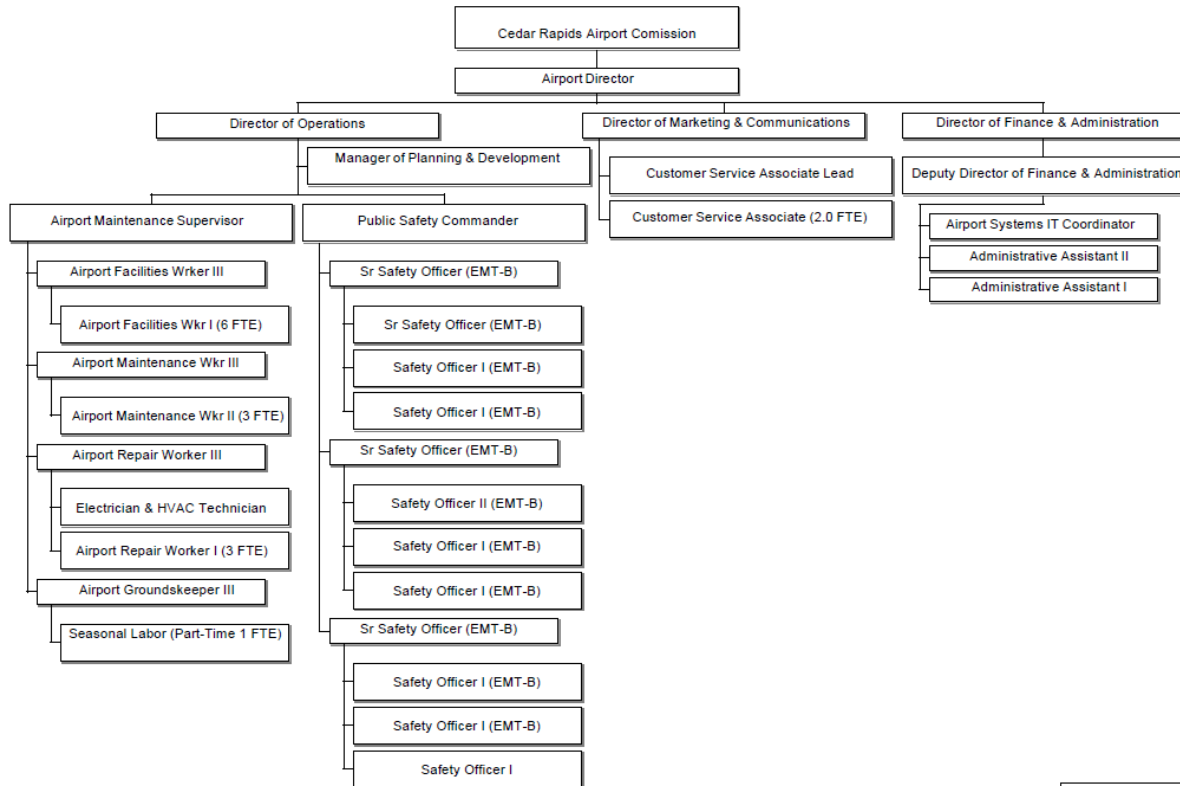
ATTACHMENT A

Regulations 49 CFR Part 26, can be found at:

<http://www.ecfr.gov>

ATTACHMENT B

The Eastern Iowa Airport Organization Chart Res. 37-06-14



Title Revisions
Salary Plan and/or Grade Revisions
FTE: 44

Title revisions and salary plan/pay grade designations to be determined by the Cedar Rapids Airport Commission Labor and Personnel Committee.

ATTACHMENT C

DBE Availability and Usage Based on Computation of Existing Data (2009-2013)

Data Used:

- ◆ 2009, 2010, 2011, 2012, 2013 Fiscal year data based on data of contract letting
- ◆ Include subcontracts in date of letting, not award date of subcontract

Measurement	2009	2010	2011	2012	2013	2009-2013
STEP 1 – Alternative Methods DBE Participation-Engineering Federal –assisted Dollars	0.0%	3.9%	7.7%	1.6%	1.2%	3.9%
STEP 2						
Prime Contracts Non-Federal Contracts	4.5%	6.3%	0.0%	0.0%	0.0%	3.4%
Prime Contracts Dollars Non-Federal Contracts	0.6%	0.4%	0.0%	0.0%	0.0%	0.3%
Subcontracts Non-Federal Contracts	6.1%	2.8%	2.5%	4.5%	8.3%	4.2%
Subcontracts Non-Federal Dollars	0.6%	0.1%	0.3%	5.3%	1.1%	2.0%
DBE Prime Federal-assisted Contracts	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
DBE Prime Federal-assisted Dollars	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Subcontracts Federal-assisted Contract	100%	34.6%	100%	16.7%	15.4%	29.6%
Subcontracts Federal-assisted Dollars	4.8%	4.8%	7.7%	18.7%	15.0%	9.0%

Prime Contracts Non-Federal = (# DBE prime contracts) / (# prime contracts awarded)

- ◆ [e.g. Percentage of contracts that DBE firms were able to receive race neutral, (e.g. low bid)]
- ◆ During the past 5 years, DBE firms obtained 3.4% of the prime contracts through the low-bid process, which resulted in 0.3% of the total contract dollars.

Subcontracts Non-Federal = (# DBE subcontracts without DBE goals) / (# All subcontracts without DBE goals)

- ◆ [e.g. Percentage of subcontracts that DBE firms were historically able to obtain]
- ◆ During the past 5 years, DBE firms have received 4.2% of all subcontracts (non-Federal-assisted without DBE goals), which resulted in 2.0% of the total subcontract dollars.
- ◆ This does not include suppliers and manufacturers

Prime Federal-assisted = (DBE prime Federal-assisted contracts) / (prime Federal-assisted contracts awarded)

- ◆ *[This is the percentage of the dollars that DBEs have of all the work we let on Federal-assisted contracts]*
- ◆ During the past 5 years, DBE firms have received 0.0 % of the Federal-assisted prime contracts (by dollar volume).

Subcontract Federal-assisted = (DBE Subcontracts Federal-assisted contracts) / (Subcontracts Federal-assisted contracts awarded)

- ◆ During the past 5 years, DBE firms have subcontracted 29.6% of the entire Federal-assisted contracts, which resulted in 9.0% of the entire Federal-assisted contract dollars.

ATTACHMENT D

Setting Contract Goals

DBE Goal Setting

Several weeks prior to a bid letting a goal setting meeting may be held. Those persons attending the goal setting may include the DBE Liaison Officer, the Project Engineers, DBE contractors and Prime contractors. Representatives from FAA and Materials Suppliers may also attend. This is an open meeting and anyone with an interest in the process or in a specific project is welcome to attend.

Criteria for Setting Project Goals

The following criteria are used as a guide in setting DBE goals:

Set DBE goals for individual projects from 0.00% to 15.00%, in .01% increments

- ◆ Set only on FAA assisted projects.
- ◆ Try to attain the dollar amount of DBE usage represented by the overall goal on all contracts let by the Commission. The percentage of DBE accomplishments, tracked year-to-date from prime contracts awarded to DBE contractors and subcontract request forms will be used to adjust the total amount of DBE goal set per letting. Contract goals will be set to make up the difference in the amount of DBE usage that can be obtained through race neutral means and the overall goal.
- ◆ Set the total dollar amount of the DBE goal on an individual project greater than \$70,000.
- ◆ Balance DBE goals work between industries such as structures, paving, asphalt, and grading.
- ◆ Identify individual items that are normally subcontracted. Commission, Staff, or Project Engineer will share the approximate percentage of the overall contract estimate for review.
- ◆ Consider availability of DBE contractors who are ready, willing, and able to quote the work available to subcontract.
- ◆ Assure at least 3 ways to make a DBE goal. This may be 3 or more items that can be subcontracted to DBE contractors to meet the goal or 3 or more DBE contractors ready, willing, and able to quote on the available subcontract work. Every attempt will be made not to set a DBE goal on a proposal so that there is only 1 way available for bidders to meet that goal.

ATTACHMENT E

Good Faith Effort Determination Based on Calculated Percentage of Bidder Commitments

Commission has established the following objective measurement of Good Faith Effort (GFE). This will be applied to apparent low bids received on proposals with a contract goal where the DBE Commitment is less than the contract goal.

The Calculated GFE shall be determined by taking 80% of the average of DBE commitments submitted by each bidder. The contract goal percentage will be included in the calculation as if it is an additional bidder. Only that amount of a bidder's DBE goal attainment that does not exceed the established goal shall be used in the calculation. Responsiveness of the low apparent bidder will be determined by comparing the percent of DBE commitment of each bidder to the 80% of the average value. If the bidder's commitment is less than the 80% of the average value, they are non-responsive. If the bidder's commitment is greater than or equal to the 80% of the average value, they are responsive for DBE commitment.

The Calculated GFE shall be determined by the following formula:

G = Calculated GFE based on the percentage of bidder commitments to the nearest tenth of a percent.

C = DBE Commitment of each bidder expressed as a percentage of their Bid Total, to the nearest tenth of a percent. The contract goal percentage will be used if the bidder's commitment is greater than the contract goal.

D = DBE Contract Goal

N = Number of bidders (not currently in the Annual GFE program)

$$G = \frac{0.80 \left(\frac{\sum C}{N} + D \right)}{n+1}$$

If $C < G$, the bid is considered non-responsive due to the DBE commitment.

ATTACHMENT F

Iowa DOT Certification Standards

Burden of Proof

Each applicant firm has the burden of demonstrating to the Iowa DOT by the preponderance of evidence that the firm is eligible for certification. Preponderance of evidence means the greater weight in the areas of group membership, ownership, control, social, and economic disadvantage.

Applicants who are members of a presumed group do not have to prove social disadvantage but must explain how they have been socially disadvantaged and sign a sworn affidavit attesting to this. The disadvantage must pertain to education, employment, business or access to capital or credit, based on race, sex, color or national origin. Applicants who are not members of a presumed group have the burden of proving to the Iowa DOT by a preponderance of evidence that they are socially and economically disadvantaged.

Eligibility Standards

Group Membership (§26.63): Each applicant who is not readily identifiable as a group member must demonstrate by a preponderance of the evidence that he or she is a member of a presumed group. The applicant must be regarded as a group member by both group members and the general community. The group membership and recognition must be of long standing and not just for a short time before the application.

Business Size (§26.65): An applicant firm including all affiliates must meet SBA standards of 13 CFR Part 121 appropriate to the type of work the firm seeks to perform. In any Federal fiscal year, if the firm and all affiliates have gross receipts over the firm's previous 3 fiscal years, in excess of \$16.6 million, the firm is not eligible to be a DBE. A congratulatory letter of completion will be sent to the firm.

Social Disadvantage (§26.67): Every applicant, who is readily identifiable, as a protected group member must submit a signed, notarized affidavit. The affidavit should describe how the person has been disadvantaged or discriminated against due to their race, sex, color, or national origin. The disadvantage should pertain to access to education, capital, employment, or business opportunities. Applicants who are not protected group members must provide proof of disadvantage.

Economic Disadvantage (§26.67): Each qualifying applicant must have PNW of less than \$1,320,000, excluding the value of the primary residence and the value of their ownership in the applicant company. The PNW statement must have a signed, notarized affidavit swearing to the truth of the figures submitted. If the qualifying applicant's PNW exceeds \$1,320,000, the owner is no longer disadvantaged and the firm is not eligible to be a DBE. A congratulatory letter of completion will be sent to the firm.

Ownership (§26.69): To be an eligible DBE, a firm must be at least 51% owned by socially and economically disadvantaged individuals. The ownership must be real, substantial, and continuing. The contributions of capital or expertise to acquire ownership must be real and substantial.

Examples of unqualified contributions are:

1. A promise to contribute or an unsecured note.
2. A gift.
3. Un-renounced joint assets.
4. Transfers from non-disadvantaged individuals.

Examples of qualified contributions are:

1. A legal settlement, with court documents.
2. Inheritance after a death.
3. Legally transferred assets from a spouse, with court documents.
4. Personally held assets.

Control (§26.71): The socially and economically disadvantaged owners must possess the power to control daily operations and long-term destiny. The owner must hold the highest office, must control the board of directors or be the controlling partner. The disadvantaged owner must have technical competence and experience in the field of operations as well as managerial expertise. Office management, bookkeeping, or clerical expertise is not sufficient to demonstrate control. The owner cannot have other employment or businesses that conflict or require attention during normal business hours. For businesses where other family members are owners or employees, the disadvantaged owner must demonstrate clear control. A franchise is eligible so long as there is no affiliation, restrictions, or common management.

Independence (§26.71): An independent business does not rely on another firm for personnel, facilities, equipment, capital, or other resources. The firm cannot be dependent on a former non-disadvantaged owner. The firm cannot have exclusive or primary dealings with another firm or dealings outside normal industry practice.

Cooperation (§26.73): Every applicant and certified DBE firm shall cooperate fully with all Iowa DOT requests for information. Failure to do so in a timely manner is ground for denial or removal of eligibility.

ATTACHMENT G

See Attached DBE Program Uniform Certification Application



**Disadvantaged Business Enterprise (DBE) Program
49 C.F.R. § 26**

Uniform Certification Application

Please return this entire document, when completed, to:

Civil Rights Team
Office of Employee Services
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010



UNIFORM CERTIFICATION APPLICATION
DISADVANTAGED BUSINESS ENTERPRISE (DBE) /
AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE)
49 C.F.R. Parts 23 and 26

Roadmap for Applicants

1. Should I apply?

You may be eligible to participate in the DBE/ACDBE program if:

- The firm is a for-profit business that performs or seeks to perform transportation related work (or a concession activity) for a recipient of Federal Transit Administration, Federal Highway Administration, or Federal Aviation Administration funds.
- The firm is at least 51% owned by a socially and economically disadvantaged individual(s) who also controls it.
- The firm's disadvantaged owners are U.S. citizens or lawfully admitted permanent residents of the U.S.
- The firm meets the Small Business Administration's size standard and does not exceed \$23.98 million in gross annual receipts for DBE (\$52.47 million for ACDBEs). (Other size standards apply for ACDBE that are banks/financial institutions, car rental companies, pay telephone firms, and automobile dealers.)

2. How do I apply?

First time applicants for DBE certification must complete and submit this certification application and related material to the certifying agency in your home state and participate in an on-site interview conducted by that agency. The attached document checklist can help you locate the items you need to submit to the agency with your completed application. If you fail to submit the required documents, your application may be delayed and/or denied. Firms already certified as a DBE do not have to complete this form, but may be asked by certifying agencies outside of your home state to provide a copy of your initial application form, supporting documents, and any other information you submitted to your home state to obtain certification or to any other state related to your certification.

3. Where can I send my application? Iowa DOT, Civil Rights Office, 800 Lincoln Way, Ames, IA 50010

4. Who will contact me about my application and what are the eligibility standards?

The DBE and ACDBE Programs require that all U.S. Department of Transportation (DOT) recipients of federal assistance participate in a statewide Unified Certification Program (UCP). The UCP is a one-stop certification program that eliminates the need for your firm to obtain certification from multiple certifying agencies within your state. The UCP is responsible for certifying firms and maintaining a database of certified DBEs and ACDBEs for DOT grantees, pursuant to the eligibility standards found in 49 C.F.R. Parts 23 and 26.

5. Where can I find more information?

U.S. DOT—<https://www.civilrights.dot.gov/> (This site provides useful links to the rules and regulations governing the DBE/ACDBE program, questions and answers, and other pertinent information)

SBA—Small Business Size Standards matched to the North American Industry Classification System (NAICS): <http://www.census.gov/eos/www/naics/> and <http://www.sba.gov/content/table-small-business-size-standards>.

In collecting the information requested by this form, the Department of Transportation (Department) complies with the provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). The Privacy Act provides comprehensive protections for your personal information. This includes how information is collected, used, disclosed, stored, and discarded. Your information will not be disclosed to third parties without your consent. The information collected will be used solely to determine your firm's eligibility to participate in the Department's Disadvantaged Business Enterprise Program as defined in 49 CFR §26.5 and the Airport Concession Disadvantaged Business Enterprise Program as defined in 49 CFR §23.3. You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477).

Under 49 C.F.R. §26.107, dated February 2, 1999 and January 28, 2011, if at any time, the Department or a recipient has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, the Department may initiate suspension or debarment proceedings against the person or firm under 2 CFR Parts 180 and 1200, Nonprocurement Suspension and Debarment, take enforcement action under 49 C.F.R. Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice for criminal prosecution under 18 U.S.C. 1001, which prohibits false statements in Federal programs.



**INSTRUCTIONS FOR COMPLETING THE
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE)
UNIFORM CERTIFICATION APPLICATION**

NOTE: All participating firms must be for-profit enterprises. If your firm is not for profit, then you do NOT qualify for the DBE/ACDBE program and should not complete this application. If you require additional space for any question in this application, please attach additional sheets or copies as needed, taking care to indicate on each attached sheet/copy the section and number of this application to which it refers.

Section 1: CERTIFICATION INFORMATION

A. Basic Contact Information

- (1) Enter the contact name and title of the person completing this application and the person who will serve as your firm's contact for this application.
- (2) Enter the legal name of your firm, as indicated in your firm's Articles of Incorporation or charter.
- (3) Enter the primary phone number of your firm.
- (4) Enter a secondary phone number, if any.
- (5) Enter your firm's fax number, if any.
- (6) Enter the contact person's email address.
- (7) Enter your firm's website addresses, if any.
- (8) Enter the street address of the firm where its offices are physically located (not a P.O. Box).
- (9) Enter the mailing address of your firm, if it is different from your firm's street address.

B. Prior/Other Certifications and Applications

- (10) Check the appropriate box indicating whether your firm is currently certified in the DBE/ACDBE programs, and provide the name of the certifying agency that certified your firm. List the dates of any site visits conducted by your home state and any other states or UCP members. Also provide the names of state/UCP members that conducted the review.
- (11) Indicate whether your firm or any of the persons listed has ever been denied certification as a DBE, 8(a), or Small Disadvantaged Business (SDB) firm, or state and local MBE/WBE firm. Indicate if the firm has ever been decertified from one of these programs. Indicate if the application was withdrawn or whether the firm was debarred, suspended, or otherwise had its bidding privileges denied or restricted by any state or local agency, or Federal entity. If your answer is yes, identify the name of the agency, and explain fully the nature of the action in the space provided. Indicate if you have ever appealed this decision to the Department and if so, attach a copy of USDOT's final agency decision(s).

Section 2: GENERAL INFORMATION

A. Business profile:

- (1) Give a concise description of the firm's primary activities, the product(s) or services the company provides, or type of construction. If your company offers more than one product/service, list primary product or service first (attach additional sheets if necessary). This description may be used in our UCP online directory if you are certified as a DBE.

- (2) If you know the appropriate NAICS Code for the line(s) of work you identified in your business profile, enter the codes in the space provided.
- (3) State the date on which your firm was established as stated in your firm's Articles of Incorporation or charter.
- (4) State the date each person became a firm owner.
- (5) Check the appropriate box describing the manner in which you and each other owner acquired ownership of your firm. If you checked "Other," explain in the space provided.
- (6) Check the appropriate box that indicates whether your firm is "for profit." If you checked "No," then you do NOT qualify for the DBE/ACDBE program and should not complete this application. All participating firms must be for-profit enterprises. If the firm is a for profit enterprise, provide the Federal Tax ID number as stated on your firm's Federal tax return.
- (7) Check the appropriate box that describes the type of legal business structure of your firm, as indicated in your firm's Articles of Incorporation or similar document. Identify all joint venture partners if applicable. If you checked "Other," briefly explain in the space provided.
- (8) Indicate in the spaces provided how many employees your firm has, specifying the number of employees who work on a full-time, part-time, and seasonal basis. Attach a list of employees, their job titles, and dates of employment, to your application.
- (9) Specify the firm's gross receipts for each of the past three years, as stated in your firm's filed Federal tax returns. You must submit complete copies of the firm's Federal tax returns for each year. If there are any affiliates or subsidiaries of the applicant firm or owners, you must provide these firms' gross receipts and submit complete copies of these firm(s) Federal tax returns. Affiliation is defined in 49 C.F.R. §26.5 and 13 C.F.R. Part 121.

B. Relationships and Dealings with Other Businesses

- (1) Check the appropriate box that indicates whether your firm is co-located at any of its business locations, or whether your firm shares a telephone number(s), a post office box, any office space, a yard, warehouse, other facilities, any equipment, financing, or any office staff and/or employees with any other business, organization or entity of any kind. If you answered "Yes," then specify the name of the other firm(s) and fully explain the nature of your relationship with these other businesses by identifying the business or person with whom you have any formal, informal, written, or



oral agreement. Provide an explanation of any items shared with other firms in the space provided.

- (2) Check the appropriate box indicating whether any other firm currently has or had an ownership interest in your firm at present or at any time in the past. If you checked yes, please explain.
- (3) Check the appropriate box that indicates whether at present or at any time in the past your firm:
 - (a) ever existed under different ownership, a different type of ownership, or a different name;
 - (b) existed as a subsidiary of any other firm;
 - (c) existed as a partnership in which one or more of the partners are/were other firms;
 - (d) owned any percentage of any other firm; and
 - (e) had any subsidiaries of its own.
- (f) served as a subcontractor with another firm constituting more than 25% of your firm's receipts.

If you answered "Yes" to any of the questions in (3)(a-f), you may be asked to explain the arrangement in detail.

Section 3: MAJORITY OWNER INFORMATION

Identify all individuals or holding companies with any ownership interest in your firm, providing the information requested below (if your firm has more than one owner, provide completed copies of this section for each owner):

A. Identify the majority owner of the firm holding 51% or more ownership interest

- (1) Enter the full name of the owner.
- (2) Enter his/her title or position within your firm.
- (3) Give his/her home phone number.
- (4) Enter his/her home (street) address.
- (5) Indicate this owner's gender.
- (6) Identify the owner's ethnic group membership. If you checked "Other," specify this owner's ethnic group/identity not otherwise listed.
- (7) Check the appropriate box to indicate whether this owner is a U.S. citizen or a lawfully admitted permanent resident. If this owner is neither a U.S. citizen nor a lawfully admitted permanent resident of the U.S., then this owner is NOT eligible for certification as a DBE owner.
- (8) Enter the number of years during which this owner has been an owner of your firm.
- (9) Indicate the percentage of the total ownership this person holds and the date acquired, including (if appropriate), the class of stock owned.
- (10) Indicate the dollar value of this owner's initial investment to acquire an ownership interest in your firm, broken down by cash, real estate, equipment, and/or other investment. Describe how you acquired your business and attach documentation substantiating this investment.

B. Additional Owner Information

- (1) Describe the familial relationship of this owner to each other owner of your firm and employees.
- (2) Indicate whether this owner performs a management or supervisory function for any other business. If you

checked "Yes," state the name of the other business and this owner's function/title held in that business.

- (3) (a) Check the appropriate box that indicates whether this owner owns or works for any other firm(s) that has any relationship with your firm. If you checked "Yes," identify the name of the other business, the nature of the business relationship, and the owner's function at the firm.
(b) If the owner works for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week, please identify this activity.
- (4) (a) Provide the personal net worth of the owner applying for certification in the space provided. Complete and attach the accompanying "Personal Net Worth Statement for DBE/ACDBE Program Eligibility" with your application. Note, complete this section and accompanying statement only for each owner applying for DBE qualification (i.e., for each owner claiming to be socially and economically disadvantaged).
- (b) Check the appropriate box that indicates whether any trust has been created for the benefit of the disadvantaged owner(s). If you answered "Yes," you may be asked to provide a copy of the trust instrument.
- (5) Check the appropriate to indicate whether any of your immediate family members, managers, or employees, own, manage, or are associated with another company. Immediate family member is defined in 49 C.F.R. §26.5. If you answered "Yes," provide the name of each person, your relationship to them, the name of the company, the type of business, and whether they own or manage the company.

Section 4: CONTROL

A. Identify the firm's Officers and Board of Directors

- (1) In the space provided, state the name, title, date of appointment, ethnicity, and gender of each officer.
- (2) In the space provided, state the name, title, date of appointment, ethnicity, and gender of each individual serving on your firm's Board of Directors.
- (3) Check the appropriate box to indicate whether any of your firm's officers and/or directors listed above performs a management or supervisory function for any other business. If you answered "Yes," identify each person by name, his/her title, the name of the other business in which s/he is involved, and his/her function performed in that other business.
- (4) Check the appropriate box that indicates whether any of your firm's officers and/or directors listed above own or work for any other firm(s) that has a relationship with your firm. (e.g., ownership interest, shared office space, financial investments, equipment leases, personnel sharing, etc.) If you answered "Yes," identify the name of the firm, the individual's name, and the nature of his/her business relationship with that other firm.



B. Duties of Owners, Officers, Directors, Managers and Key Personnel

(1), (2) Specify the roles of the majority and minority owners, directors, officers, and managers, and key personnel who control the functions listed for the business. Submit résumés for each owner and non-owner identified below. State the name of the individual, title, race and gender and percentage ownership if any. Circle the frequency of each person's involvement as follows: "always, frequently, seldom, or never" in each area.

Indicate whether any of the persons listed in this section perform a management or supervisory function for any other business. Identify the person, business, and their title/function. Identify if any of the persons listed above own or work for any other firm(s) that has a relationship with this firm (e.g. ownership interest, shared office space, financial investment, equipment, leases, personnel sharing, etc.) If you answered "Yes," describe the nature of his/her business relationship with that other firm.

C. Inventory: Indicate firm inventory in these categories:

(1) Equipment and Vehicles

State the make and model, and current dollar value of each piece of equipment and motor vehicle held and/or used by your firm. Indicate whether each piece is either owned or leased by your firm or owner, whether it is used as collateral, and where this item is stored.

(2) Office Space

State the street address of each office space held and/or used by your firm. Indicate whether your firm or owner owns or leases the office space and the current dollar value of that property or its lease.

(3) Storage Space

State the street address of each storage space held and/or used by your firm. Indicate whether your firm or owner owns or leases the storage space and the current dollar value of that property or its lease. Provide a signed lease agreement for each property.

D. Does your firm rely on any other firm for management functions or employee payroll?

Check the appropriate box that indicates whether your firm relies on any other firm for management functions or for employee payroll. If you answered "Yes," you may be asked to explain the nature of that reliance and the extent to which the other firm carries out such functions.

E. Financial / Banking Information

Banking Information. State the name, City and State of your firm's bank. In the space provided, identify the persons able to sign checks on this account. Provide bank authorization and signature cards

Bonding Information. State your firm's bonding limits (in dollars), specifying both the aggregate and project limits.

F. Sources, amounts, and purposes of money loaned to your firm, including the names of persons or firms guaranteeing the loan.

State the name and address of each source, the name of person securing the loan, original dollar amount and the current balance of each loan, and the purpose for which each loan was made to your firm. Provide copies of signed loan agreements and security agreements

G. Contributions or transfers of assets to/from your firm and to/from any of its owners or another individual over the past two years:

Indicate in the spaces provided, the type of contribution or asset that was transferred, its current dollar value, the person or firm from whom it was transferred, the person or firm to whom it was transferred, the relationship between the two persons and/or firms, and the date of the transfer.

H. Current licenses/permits held by any owner or employee of your firm.

List the name of each person in your firm who holds a professional license or permit, the type of permit or license, the expiration date of the permit or license, and issuing State of the license or permit. Attach copies of licenses, license renewal forms, permits, and haul authority forms.

I. Largest contracts completed by your firm in the past three years, if any.

List the name of each owner or contractor for each contract, the name and location of the projects under each contract, the type of work performed on each contract, and the dollar value of each contract.

J. Largest active jobs on which your firm is currently working.

For each active job listed, state the name of the prime contractor and the project number, the location, the type of work performed, the project start date, the anticipated completion date, and the dollar value of the contract.

AIRPORT CONCESSION (ACDBE) APPLICANTS

Identify the concession space, address and location at the airport, the value of the property or lease, and fees/lease payments paid to the airport. Provide information concerning any other airport concession businesses the applicant firm or any affiliate owns and/or operates, including name, location, type of concession, and start date of the concession enterprise.

AFFIDAVIT & SIGNATURE

The Affidavit of Certification must accompany your application for certification. Carefully read the attached affidavit in its entirety. Fill in the required information for each blank space, and sign and date the affidavit in the presence of a Notary Public, who must then notarize the form.



Section 1: CERTIFICATION INFORMATION

A. Basic Contact Information

(1) Contact person and Title: _____ (2) Legal name of firm: _____

(3) Phone #: (____) _____ - _____ (4) Other Phone #: (____) _____ - _____ (5) Fax #: (____) _____ - _____

(6) E-mail: _____ (7) Firm Websites: _____

(8) Street address of firm (No P.O. Box): _____ City: _____ County/Parish: _____ State: _____ Zip: _____

(9) Mailing address of firm (if different): _____ City: _____ County/Parish: _____ State: _____ Zip: _____

B. Prior/Other Certifications and Applications

(10) Is your firm currently certified for any of the following U.S. DOT programs?

☐ DBE ☐ ACDBE Names of certifying agencies: _____

⊗ If you are certified in your home state as a DBE/ACDBE, you do not have to complete this application for other states.
Ask your state UCP about the interstate certification process.

List the dates of any site visits conducted by your home state and any other states or UCP members:

Date ____/____/____ State/UCP Member: _____ Date ____/____/____ State/UCP Member: _____

(11) Indicate whether the firm or any persons listed in this application have ever been:

(a) Denied certification or decertified as a DBE, ACDBE, 8(a), SDB, MBE/WBE firm? ☐ Yes ☐ No

(b) Withdrawn an application for these programs, or debarred or suspended or otherwise had bidding privileges denied or restricted by any state or local agency, or Federal entity? ☐ Yes ☐ No

If yes, explain the nature of the action. (If you appealed the decision to DOT or another agency, attach a copy of the decision,

Section 2: GENERAL INFORMATION

A. Business Profile: (1) Give a concise description of the firm's primary activities and the product(s) or service(s) it provides. If your company offers more than one product/service, list the primary product or service first. Please use additional paper if necessary. This description may be used in our database and the UCP online directory if you are certified as a DBE or ACDBE.

(2) Applicable NAICS Codes for this line of work include: _____

(3) This firm was established on ____/____/____ (4) I/We have owned this firm since: ____/____/____

(5) Method of acquisition (Check all that apply):

☐ Started new business ☐ Bought existing business ☐ Inherited business ☐ Secured concession
☐ Merger or consolidation ☐ Other (explain) _____



(6) Is your firm "for profit"? ☐ Yes ☐ No → **⊗ STOP!** If your firm is NOT for-profit, then you do NOT qualify for this program and should not fill out this application.
Federal Tax ID# _____

(7) Type of Legal Business Structure: (check all that apply):

- | | |
|----------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Joint Venture (Identify all JV partners _____) |
| <input type="checkbox"/> Applying as an ACDBE | <input type="checkbox"/> Other, Describe _____ |

(8) Number of employees: Full-time _____ Part-time _____ Seasonal _____ Total _____
(Provide a list of employees, their job titles, and dates of employment, to your application).

(9) Specify the firm's gross receipts for the last 3 years. (Submit complete copies of the firm's Federal tax returns for each year. If there are affiliates or subsidiaries of the applicant firm or owners, you must submit complete copies of these firms' Federal tax returns).

Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____
Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____
Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____

B. Relationships and Dealings with Other Businesses

(1) Is your firm co-located at any of its business locations, or does it share a telephone number, P.O. Box, office or storage space, yard, warehouse, facilities, equipment, inventory, financing, office staff, and/or employees with any other business, organization, or entity? ☐ Yes ☐ No

If Yes, explain the nature of your relationship with these other businesses by identifying the business or person with whom you have any formal, informal, written, or oral agreement. Also detail the items shared.

(2) Has any other firm had an ownership interest in your firm at present or at any time in the past?

☐ Yes ☐ No If Yes, explain _____

(3) At present, or at any time in the past, has your firm:

- (a) Ever existed under different ownership, a different type of ownership, or a different name? ☐ Yes ☐ No
- (b) Existed as a subsidiary of any other firm? ☐ Yes ☐ No
- (c) Existed as a partnership in which one or more of the partners are/were other firms? ☐ Yes ☐ No
- (d) Owned any percentage of any other firm? ☐ Yes ☐ No
- (e) Had any subsidiaries? ☐ Yes ☐ No
- (f) Served as a subcontractor with another firm constituting more than 25% of your firm's receipts? ☐ Yes ☐ No

(If you answered "Yes" to any of the questions in (2) and/or (3)(a)-(f), you may be asked to provide further details and explain whether the arrangement continues).



Section 3: MAJORITY OWNER INFORMATION

A. Identify the majority owner of the firm holding 51% or more ownership interest.

(1) Full Name: _____

(2) Title: _____

(3) Home Phone #: _____

() - _____

(4) Home Address (Street and Number): _____

City: _____

State: _____

Zip: _____

(5) Gender: ☐ Male ☐ Female

(6) Ethnic group membership (Check all that apply):

- ☐ Black ☐ Hispanic
☐ Asian Pacific ☐ Native American
☐ Subcontinent Asian
☐ Other (specify) _____

(7) U.S. Citizenship:

- ☐ U.S. Citizen
☐ Lawfully Admitted Permanent Resident

(8) Number of years as owner: _____

(9) Percentage owned: _____ %

Class of stock owned: _____

Date acquired _____

(10) Initial investment to acquire ownership interest in firm:	Type	Dollar Value
	Cash	\$ _____
	Real Estate	\$ _____
	Equipment	\$ _____
	Other	\$ _____

Describe how you acquired your business:

- ☐ Started business myself
☐ It was a gift from: _____
☐ I bought it from: _____
☐ I inherited it from: _____
☐ Other _____

(Attach documentation substantiating your investment)

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

(2) Does this owner perform a management or supervisory function for any other business? ☐ Yes ☐ No

If Yes, identify: Name of Business: _____

Function/Title: _____

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) ☐ Yes ☐ No

Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week? If yes, identify this activity: _____

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification ? \$ _____

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? ☐ Yes ☐ No

(If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? ☐ Yes ☐ No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage the company: (Please attach extra sheets, if needed): _____



Section 3: OWNER INFORMATION, Cont'd.

A. Identify all individuals, firms, or holding companies that hold LESS THAN 51% ownership interest in the firm (Attach separate sheets for each additional owner)

(1) Full Name: _____	(2) Title: _____	(3) Home Phone #: () - _____															
(4) Home Address (Street and Number): _____	City: _____	State: _____															
(5) Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female																	
(6) Ethnic group membership (Check all that apply) <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Native American <input type="checkbox"/> Subcontinent Asian <input type="checkbox"/> Other (specify) _____																	
(7) U.S. Citizenship: <input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Lawfully Admitted Permanent Resident																	
(8) Number of years as owner: _____																	
(9) Percentage owned: _____ % Class of stock owned: _____ Date acquired _____																	
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;">(10) Initial investment to acquire ownership interest in firm:</td><td style="width: 20%; text-align: center;"><u>Type</u></td><td style="width: 20%; text-align: center;"><u>Dollar Value</u></td></tr><tr><td></td><td style="text-align: center;">Cash</td><td style="text-align: center;">\$</td></tr><tr><td></td><td style="text-align: center;">Real Estate</td><td style="text-align: center;">\$</td></tr><tr><td></td><td style="text-align: center;">Equipment</td><td style="text-align: center;">\$</td></tr><tr><td></td><td style="text-align: center;">Other</td><td style="text-align: center;">\$</td></tr></table>			(10) Initial investment to acquire ownership interest in firm:	<u>Type</u>	<u>Dollar Value</u>		Cash	\$		Real Estate	\$		Equipment	\$		Other	\$
(10) Initial investment to acquire ownership interest in firm:	<u>Type</u>	<u>Dollar Value</u>															
	Cash	\$															
	Real Estate	\$															
	Equipment	\$															
	Other	\$															
Describe how you acquired your business: <input type="checkbox"/> Started business myself <input type="checkbox"/> It was a gift from: _____ <input type="checkbox"/> I bought it from: _____ <input type="checkbox"/> I inherited it from: _____ <input type="checkbox"/> Other _____ (Attach documentation substantiating your investment)																	

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

(2) Does this owner perform a management or supervisory function for any other business? ☐ Yes ☐ No

If Yes, identify: Name of Business: _____ Function/Title: _____

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) ☐ Yes ☐ No

Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week? If yes, identify this activity: _____

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification? \$ _____

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? ☐ Yes ☐ No

(If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? ☐ Yes ☐ No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage: (Please attach extra sheets, if needed): _____



Section 4: CONTROL

A. Identify your firm's Officers and Board of Directors *(If additional space is required, attach a separate sheet):*

	Name	Title	Date Appointed	Ethnicity	Gender
(1) Officers of the Company	(a)				
	(b)				
	(c)				
	(d)				
(2) Board of Directors	(a)				
	(b)				
	(c)				
	(d)				

(3) Do any of the persons listed above perform a management or supervisory function for any other business?

☐ Yes ☐ No If Yes, identify for each:

Person: _____ Title: _____

Business: _____ Function: _____

Person: _____ Title: _____

Business: _____ Function: _____

(4) Do any of the persons listed in section A above own or work for any other firm(s) that has a relationship with this firm? *(e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.)*

☐ Yes ☐ No If Yes, identify for each:

Firm Name: _____ Person: _____

Nature of Business Relationship: _____

B. Duties of Owners, Officers, Directors, Managers, and Key Personnel

1. *(Identify your firm's management personnel who control your firm in the following areas (Attach separate sheets as needed).)*

A = Always F = Frequently	S = Seldom N = Never	Majority Owner (51% or more)				Minority Owner (49% or less)			
		Name: _____	Title: _____	Percent Owned: _____		Name: _____	Title: _____	Percent Owned: _____	
Sets policy for company direction/scope of operations		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Bidding and estimating		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Major purchasing decisions		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Marketing and sales		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Supervises field operations		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Attend bid opening and lettings		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Perform office management (billing, accounts receivable/payable, etc.)		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hires and fires management staff		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hire and fire field staff or crew		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Designates profits spending or investment		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Obligates business by contract/credit		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Purchase equipment		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Signs business checks		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>

2. Complete for all Officers, Directors, Managers, and Key Personnel who control the following functions for the firm. (Attach separate sheets as needed).

A = Always S = Seldom F = Frequently N = Never	Officer/Director/Manager/Key Personnel				Officer/Director/Manager/Key Personnel			
	Name: _____ Title: _____ Race and Gender: _____ Percent Owned: _____				Name: _____ Title: _____ Race and Gender: _____ Percent Owned: _____			
Sets policy for company direction/scope of operations	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Bidding and estimating	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Major purchasing decisions	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Marketing and sales	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Supervises field operations	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Attend bid opening and lettings	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Perform office management (billing, accounts receivable/payable, etc.)	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hires and fires management staff	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hire and fire field staff or crew	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Designates profits spending or investment	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Obligates business by contract/credit	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Purchase equipment	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Signs business checks	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>

Do any of the persons listed in B1 or B2 perform a management or supervisory function for any other business? If Yes, identify the person, the business, and their title/function: _____

Do any of the persons listed above own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) If Yes, describe the nature of the business relationship: _____

C. Inventory: Indicate your firm's inventory in the following categories (Please attach additional sheets if needed):

1. Equipment and Vehicles

Make and Model	Current Value	Owned or Leased by Firm or Owner?	Used as collateral?	Where is item stored?
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				

2. Office Space

Street Address	Owned or Leased by Firm or Owner?	Current Value of Property or Lease



3. Storage Space *(Provide signed lease agreements for the properties listed)*

Street Address

Owned or Leased by
Firm or Owner?

Current Value of Property or Lease

D. Does your firm rely on any other firm for management functions or employee payroll? ☐ Yes ☐ No

E. Financial/Banking Information *(Provide bank authorization and signature cards)*

Name of bank: _____ City and State: _____
The following individuals are able to sign checks on this account: _____

Name of bank: _____ City and State: _____
The following individuals are able to sign checks on this account: _____

Bonding Information: If you have bonding capacity, identify the firm's bonding aggregate and project limits:
Aggregate limit \$ _____ Project limit \$ _____

F. Identify all sources, amounts, and purposes of money loaned to your firm including from financial institutions. Identify whether you the owner and any other person or firm loaned money to the applicant DBE/ACDBE. Include the names of any persons or firms guaranteeing the loan, if other than the listed owner.
(Provide copies of signed loan agreements and security agreements).

Name of Source	Address of Source	Name of Person Guaranteeing the Loan	Original Amount	Current Balance	Purpose of Loan
1. _____					
2. _____					
3. _____					

G. List all contributions or transfers of assets to/from your firm and to/from any of its owners or another individual over the past two years *(Attach additional sheets if needed):*

Contribution/Asset	Dollar Value	From Whom Transferred	To Whom Transferred	Relationship	Date of Transfer
1. _____					
2. _____					
3. _____					

H. List current licenses/permits held by any owner and/or employee of your firm
(e.g. contractor, engineer, architect, etc.)(Attach additional sheets if needed):

Name of License/Permit Holder	Type of License/Permit	Expiration Date	State
1. _____			
2. _____			
3. _____			



I. List the three largest contracts completed by your firm in the past three years, if any:

Name of Owner/Contractor	Name/Location of Project	Type of Work Performed	Dollar Value of Contract
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

J. List the three largest active jobs on which your firm is currently working:

Name of Prime Contractor and Project Number	Location of Project	Type of Work	Project Start Date	Anticipated Completion Date	Dollar Value of Contract
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____

AIRPORT CONCESSION (ACDBE) APPLICANTS ONLY MUST COMPLETE THIS SECTION

Identify the following information concerning the ACDBE applicant firm:

<u>Concession Space</u>	<u>Address / Location at Airport</u>	<u>Value of Property or Lease</u>	<u>Fees/Lease Payments Paid to the Airport</u>

Provide information concerning any other airport concession businesses the applicant firm or any affiliate owns and/or operates, including name, location, type of concession, and start date of concession

<u>Name of Concession</u>	<u>Location</u>	<u>Type of Concession</u>	<u>Start Date of Concession</u>



AFFIDAVIT OF CERTIFICATION

This form must be signed and notarized for each owner upon which disadvantaged status is relied.

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I _____ (full name printed),
swear or affirm under penalty of law that I am
_____ (title) of the applicant firm
_____ and that I

have read and understood all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information. The responses include all material information necessary to fully and accurately identify and explain the operations, capabilities and pertinent history of the named firm as well as the ownership, control, and affiliations thereof.

I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named firm's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named firm and its affiliates, inspection of its places(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial of certification.

If awarded a contract, subcontract, concession lease or sublease, I agree to promptly and directly provide the prime contractor, if any, and the Department, recipient agency, or federal funding agency on an ongoing basis, current, complete and accurate information regarding (1) work performed on the project; (2) payments; and (3) proposed changes, if any, to the foregoing arrangements.

I agree to provide written notice to the recipient agency or Unified Certification Program of any material change in the information contained in the original application within 30 calendar days of such change (e.g., ownership changes, address/telephone number, personal net worth exceeding \$1.32 million, etc.).

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I certify that I am a socially and economically disadvantaged individual who is an owner of the above-referenced firm seeking certification as a Disadvantaged Business Enterprise or Airport Concession Disadvantaged Business Enterprise. In support of my application, I certify that I am a member of one or more of the following groups, and that I have held myself out as a member of the group(s): (Check all that apply):

- ☐ Female ☐ Black American ☐ Hispanic American
☐ Native American ☐ Asian-Pacific American
☐ Subcontinent Asian American ☐ Other (specify) _____

I certify that I am socially disadvantaged because I have been subjected to racial or ethnic prejudice or cultural bias, or have suffered the effects of discrimination, because of my identity as a member of one or more of the groups identified above, without regard to my individual qualities.

I further certify that my personal net worth does not exceed \$1.32 million, and that I am economically disadvantaged because my ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially and economically disadvantaged.

I declare under penalty of perjury that the information provided in this application and supporting documents is true and correct.

Signature _____ (DBE/ACDBE Applicant) _____ (Date)

NOTARY CERTIFICATE



UNIFORM CERTIFICATION APPLICATION SUPPORTING DOCUMENTS CHECKLIST

In order to complete your application for DBE or ACDBE certification, you must attach copies of all of the following REQUIRED documents. A failure to supply any information requested by the UCP may result in your firm denied DBE/ACDBE certification.

Required Documents for All Applicants

- ☐ Résumés (that include places of employment with corresponding dates), for all owners, officers, and key personnel of the applicant firm
- ☐ Personal Net Worth Statement for each socially and economically disadvantaged owners comprising 51% or more of the ownership percentage of the applicant firm.
- ☐ Personal Federal tax returns for the past 3 years, if applicable, for each disadvantaged owner
- ☐ Federal tax returns (and requests for extensions) filed by the firm and its affiliates with related schedules, for the past 3 years.
- ☐ Documented proof of contributions used to acquire ownership for each owner (*e.g., both sides of cancelled checks*)
- ☐ Signed loan and security agreements, and bonding forms
- ☐ List of equipment and/or vehicles owned and leased including VIN numbers, copy of titles, proof of ownership, insurance cards for each vehicle.
- ☐ Title(s), registration certificate(s), and U.S. DOT numbers for each truck owned or operated by your firm
- ☐ Licenses, license renewal forms, permits, and haul authority forms
- ☐ Descriptions of all real estate (including office/storage space, etc.) owned/leased by your firm and documented proof of ownership/signed leases
- ☐ Documented proof of any transfers of assets to/from your firm and/or to/from any of its owners over the past 2 years
- ☐ DBE/ACDBE and SBA 8(a), SDB, MBE/WBE certifications, denials, and/or decertifications, if applicable; and any U.S. DOT appeal decisions on these actions.
- ☐ Bank authorization and signatory cards
- ☐ Schedule of salaries (or other remuneration) paid to all officers, managers, owners, and/or directors of the firm
- ☐ List of all employees, job titles, and dates of employment.
- ☐ Proof of warehouse/storage facility ownership or lease arrangements

Partnership or Joint Venture

- ☐ Original and any amended Partnership or Joint Venture Agreements

Corporation or LLC

- ☐ Official Articles of Incorporation (*signed by the state official*)
- ☐ Both sides of all corporate stock certificates and your firm's stock transfer ledger
- ☐ Shareholders' Agreement(s)
- ☐ Minutes of all stockholders and board of directors meetings

- ☐ Corporate by-laws and any amendments
- ☐ Corporate bank resolution and bank signature cards
- ☐ Official Certificate of Formation and Operating Agreement with any amendments (for LLCs)

Optional Documents to Be Provided on Request

The UCP to which you are applying may require the submission of the following documents. If requested to provide these document, you must supply them with your application or at the on-site visit.

- ☐ Proof of citizenship
- ☐ Insurance agreements for each truck owned or operated by your firm
- ☐ Audited financial statements (if available)
- ☐ Personal Federal Tax returns for the past 3 years, if applicable, for other disadvantaged owners of the firm.
- ☐ Trust agreements held by any owner claiming disadvantaged status
- ☐ Year-end balance sheets and income statements for the past 3 years (*or life of firm, if less than three years*)

Suppliers

- ☐ List of product lines carried and list of distribution equipment owned and/or leased



U.S. Department of
Transportation

Personal Net Worth Statement
For DBE/ACDBE Program Eligibility

As of _____

OMB APPROVAL NO:

EXPIRATION DATE:

This form is used by all participants in the U.S. Department of Transportation's Disadvantaged Business Enterprise (DBE) Programs. Each individual owner of a firm applying to participate as a DBE or ACDBE, whose ownership and control are relied upon for DBE certification must complete this form. Each person signing this form authorizes the Unified Certification Program (UCP) recipient to make inquiries as necessary to verify the accuracy of the statements made. The agency you apply to will use the information provided to determine whether an owner is economically disadvantaged as defined in the DBE program regulations 49 C.F.R. Parts 23 and 26. **Return form to appropriate UCP certifying member, not U.S. DOT.**

Name		Business Phone
Residence Address (As reported to the IRS) City, State and Zip Code		Residence Phone
Business Name of Applicant Firm		
Spouse's Full Name (Marital Status: Single, Married, Divorced, Union)		

ASSETS		LIABILITIES	
	(Omit Cents)		(Omit Cents)
Cash and Cash Equivalents	\$	Loan on Life Insurance (Complete Section 5)	\$
Retirement Accounts (IRAs, 401Ks, 403Bs, Pensions, etc.) (Report full value minus tax and interest penalties that would apply if assets were distributed today) (Complete Section 3)	\$	Mortgages on Real Estate Excluding Primary Residence Debt (Complete Section 4)	\$
Brokerage, Investment Accounts	\$	Notes, Obligations on Personal Property (Complete Section 6)	\$
Assets Held in Trust	\$	Notes & Accounts Payable to Banks and Others (Complete Section 2)	\$
Loans to Shareholders & Other Receivables (Complete section 6)	\$	Other Liabilities (Complete Section 8)	\$
Real Estate Excluding Primary Residence (Complete Section 4)	\$	Unpaid Taxes (Complete Section 8)	\$
Life Insurance (Cash Surrender Value Only) (Complete Section 5)	\$		
Other Personal Property and Assets (Complete Section 6)	\$		
Business Interests Other Than the Applicant Firm (Complete Section 7)	\$		
Total Assets	\$	Total Liabilities	\$
		NET WORTH	

Section 2. Notes Payable to Banks and Others

Name of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)	How Secured or Endorsed Type of Collateral

Section 3. Brokerage and custodial accounts, stocks, bonds, retirement accounts. (Full Value) (Use attachments if necessary).				
Name of Security / Brokerage Account / Retirement Account	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned (Including Primary Residence, Investment Properties, Personal Property Leased or Rented for Business Purposes, Farm Properties, or any Other Income Producing property). (List each parcel separately. Add additional sheets if necessary).			
	Primary Residence	Property B	Property C
Type of Property			
Address			
Date Acquired and Method of Acquisition (purchase, inherit, divorce, gift, etc.)			
Names on Deed			
Purchase Price			
Present Market Value			
Source of Market Valuation			
Name of all Mortgage Holders			
Mortgage Acc. # and balance (as of date of form)			
Equity line of credit balance			
Amount of Payment Per Month/Year (Specify)			

Section 5. Life Insurance Held (Give face amount and cash surrender value of policies, name of insurance company and beneficiaries).				
Insurance Company	Face Value	Cash Surrender Amount	Beneficiaries	Loan on Policy Information

Section 6. Other Personal Property and Assets (Use attachments as necessary)

Type of Property or Asset	Total Present Value	Amount of Liability (Balance)	Is this asset insured?	Lien or Note amount and Terms of Payment
Automobiles and Vehicles (including recreation vehicles, motorcycles, boats, etc.) Include personally owned vehicles that are leased or rented to businesses or other individuals.				
Household Goods / Jewelry				
Other (List)				
Accounts and Notes Receivables				

Section 7. Value of Other Business Investments, Other Businesses Owned (excluding applicant firm)

Sole Proprietorships, General Partners, Joint Ventures, Limited Liability Companies, Closely-held and Public Traded Corporations

Section 8. Other Liabilities and Unpaid Taxes (Describe)**Section 9. Transfer of Assets: Have you within 2 years of this personal net worth statement, transferred assets to a spouse, domestic partner, relative, or entity in which you have an ownership or beneficial interest including a trust?** Yes ☐ No ☐ If yes, describe.

I declare under penalty of perjury that the information provided in this personal net worth statement and supporting documents is complete, true and correct. I certify that no assets have been transferred to any beneficiary for less than fair market value in the last two years. I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application and this personal net worth statement, and I authorize such agency to contact any entity named in the application or this personal financial statement, including the names banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility. I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

NOTARY CERTIFICATE:

(Insert applicable state acknowledgment, affirmation, or oath)

Signature (DBE/ACDBE Owner)_____
Date

In collecting the information requested by this form, the Department of Transportation complies with Federal Freedom of Information and Privacy Act (5 U.S.C. 552 and 552a) provisions. The Privacy Act provides comprehensive protections for your personal information. This includes how information is collected, used, disclosed, stored, and discarded. Your information will not be disclosed to third parties without your consent. The information collected will be used solely to determine your firm's eligibility to participate in the Disadvantaged Business Enterprise (DBE) Program or Airport Concessionaire DBE Programs as defined in 49 C.F.R. Parts 23 and 26. You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477).



General Instructions for Completing the Personal Net Worth Statement for DBE/ACDBE Program Eligibility

Please do not make adjustments to your figures pursuant to U.S. DOT regulations 49 C.F.R. Parts 23 and 26. The agency that you apply to will use the information provided on your completed Personal Net Worth (PNW) Statement to determine whether you meet the economic disadvantage requirements of 49 C.F.R. Parts 23 and 26. If there are discrepancies or questions regarding your form, it may be returned to you to correct and complete again.

An individual's personal net worth according to 49 C.F.R. Parts 23 and 26 includes only his or her own share of assets held separately, jointly, or as community property with the individual's spouse and excludes the following:

- Individual's ownership interest in the applicant firm;
- Individual's equity in his or her primary residence;
- Tax and interest penalties that would accrue if retirement savings or investments (e.g., pension plans, Individual Retirement Accounts, 401(k) accounts, etc.) were distributed at the present time.

Indicate on the form, if any items are jointly owned. If the personal net worth of the majority owner(s) of the firm exceeds \$1.32 million, as defined by 49 C.F.R. Parts 23 and 26, the firm is not eligible for DBE or ACDBE certification. If the personal net worth of the majority owner(s) exceeds the \$1.32 million cap at any time after your firm is certified, the firm is no longer eligible for certification. Should that occur, it is your responsibility to contact your certifying agency in writing to advise that your firm no longer qualifies as a DBE or ACDBE. You must fill out all line items on the Personal Net Worth Statement.

If necessary, use additional sheets of paper to report all information and details. If you have any questions about completing this form, please contact one of the UCP certifying agencies.

Assets

All assets must be reported at their current fair market values as of the date of your statement. *Assessor's assessed value for real estate, for example, is not acceptable.* Assets held in a trust should be included.

Cash and Cash Equivalents: On page 1, enter the total amount of cash or cash equivalents in bank accounts, including checking, savings, money market, certificates of deposit held domestic or foreign. Provide copies of the bank statement.

Retirement Accounts, IRA, 401Ks, 403Bs, Pensions: On page 1, enter the full value minus tax and interest penalties that would apply if assets were distributed as of the date of the form. Describe the number of shares, name of securities, cost market value, date of quotation, and total value in section 3 on page 2.

Brokerage and Custodial Accounts, Stocks, Bonds, Retirement Accounts: Report total value on page 1, and on page 2, section 3, enter the name of the security, brokerage account, retirement account, etc.; the cost; market value of the asset; the date of quotation; and total value as of the date of the PNW statement.

Assets Held in Trust: Enter the total value of the assets held in trust on page 1, and provide the names of beneficiaries and trustees, and other information in Section 6 on page 3.

Loans to Shareholders and Other Receivables not listed: Enter amounts loaned to you from your firm, from any other business entity in which you hold an ownership interest, and other receivables not listed above. Complete Section 6 on page 3.

Real Estate: The total value of real estate excluding your primary residence should be listed on page 1. In section 4 on page 2, please list your primary residence in column 1, including the address, method of acquisition, date of acquired, names of deed, purchase price, present fair market value, source of market valuation, names of all mortgage holders, mortgage account number and balance, equity line of credit balance, and amount of payment. List this information for all real estate held. Please ensure that this section contains all real estate owned, including rental properties, vacation properties, commercial properties, personal property leased or rented for business purposes, farm properties and any other income producing properties, etc. Attach additional sheets if needed.

Life Insurance: On page 1, enter the cash surrender value of this asset. In section 5 on page 2, enter the name of the insurance company, the face value of the policy, cash surrender value, beneficiary names, and loans on the policy.

Other Personal Property and Assets: Enter the total value of personal property and assets you own on page 1. Personal property includes motor vehicles, boats, trailers, jewelry, furniture, household goods, collectibles, clothing, and personally owned vehicles that are leased or rented to businesses or other individuals. In section 6 on page 3, list these assets and enter the present value, the balance of any liabilities, whether the asset is insured, and lien or note information and terms of payments. For accounts and notes receivable, enter the total value of all monies owed to you personally, if any. This should include shareholder loans to the applicant firm, if those exist. If the asset is insured, you may be asked to provide a copy of the policy. You may also be asked to provide a copy of any liens or notes on the property.

Other Business Interests Other than Applicant Firm: On page 1, enter the total value of your other business investments (excluding the applicant firm). In section 7 on page 3, enter information concerning the businesses you

hold an ownership interest in, such as sole proprietorships, partnerships, joint ventures, corporations, or limited liability corporations (other than the applicant firm). Do not reduce the value of these entries by any loans from the outside firm to the DBE/ACDBE applicant business.

Liabilities

Mortgages on Real Estate: Enter the total balance on all mortgages payable on real estate on page 1.

Loans on Life Insurance: Enter the total value of all loans due on life insurance policies on page 1, and complete section 5 on page 2.

Notes & Accounts Payable to Bank and Others: On page 1, section 2, enter details concerning any liability, including name of noteholders, original and current balances, payment terms, and security/collateral information. The entries should include automobile installment accounts. This should not, however, include any mortgage balances as this information is captured in section 4. Do not include loans for your business or mortgages for your properties in this section. You may be asked to submit copy of note/security agreement, and the most recent account statement.

Other Liabilities: On page 1, enter the total value due on all other liabilities not listed in the previous entries. In section 8, page 3, report the name of the individual obligated, names of co-signers, description of the liability, the name of the entity owed, the date of the obligation, payment amounts and terms. Note: Do not include contingent liabilities in this section. Contingent liabilities are liabilities that belong to you only if an event(s) should occur. For example, if you

have co-signed on a relative's loan, but you are not responsible for the debt until your relative defaults, that is a contingent liability. Contingent liabilities do not count toward your net worth until they become actual liabilities.

Unpaid Taxes: Enter the total amount of all taxes that are currently due, but are unpaid on page 1, and complete section 8 on page 3. Contingent tax liabilities or anticipated taxes for current year should not be included. Describe in detail the name of the individual obligated, names of co-signers, the type of unpaid tax, to whom the tax is payable, due date, amount, and to what property, if any, the tax lien attaches. If none, state "NONE." You must include documentation, such as tax liens, to support the amounts.

Transfers of Assets:

Transfers of Assets: If you checked the box indicating yes on page 3 in this category, provide details on all asset transfers (within 2 years of the date of this personal net worth statement) to a spouse, domestic partner, relative, or entity in which you have an ownership or beneficial interest including a trust. Include a description of the asset; names of individuals on the deed, title, note or other instrument indicating ownership rights; the names of individuals receiving the assets and their relation to the transferor; the date of the transfer; and the value or consideration received. Submit documentation requested on the form related to the transfer.

Affidavit

Be sure to sign and date the statement. The Personal Net Worth Statement must be notarized