

Disadvantaged Business Enterprise (DBE) Program Training

Prepared for Airport Sponsors

DBE Program Training Agenda

- Background
- Definitions and Terminology
- Program Objectives, Requirements, and Concepts
- Roles and Responsibilities
- Process Flow and Procedures
- Documentation
- dotGrants DBE Reports

Background

- Disadvantaged Business Enterprise or (DBE) is a federal designation based upon the standards outlined in 49 Code of Regulations (CFR) Part 26.
- DBE is one of the most stringent certification programs in the country.
- The Pennsylvania Department of General Services verifies Small Diverse Businesses. They don't certify firms as DBEs.
- Only the Pennsylvania Unified Certification Program (PAUCP) can certify DBEs in Pennsylvania.

Background

- United States Department of Transportation (US DOT) Office of Inspector General issues audit report on DBE Program in 2013. Findings include:
 - Ineffective program management for DBE Program by operating administrations (FAA, FHWA, and FTA).
 - No comprehensive, standardized guidance
 - Insufficient training for recipients responsible for implementing program
 - Lack of accountability

Background (cont'd.)

- Federal Aviation Administration conducts DBE Compliance Review of PennDOT in May of 2014.
- Report of findings highlighted several areas of concern which include:
 - Lack of documentation with regard to DBE Commitments, Good Faith Efforts, Prompt Payment, Substitution/Replacement, Commercially Useful Function, etc.
 - Inadequate monitoring processes and procedures.
 - Inconsistent knowledge and understanding by program participants.

Definitions and Terminology

- Disadvantaged Business Enterprise (DBE)
 - To be certified as a DBE, five (5) criteria need to be satisfied
 - Firm is profit-based
 - Meet Ownership percentage threshold
 - Meet socially and economically disadvantaged
 - Meet Personal Net Worth (PNW) threshold
 - Business Size Standard

Definitions and Terminology (cont'd.)

- Disadvantaged Business Enterprise (DBE)
 - A for-profit small business concern.
 - At least 51% owned and controlled by one or more individuals who are both socially and economically disadvantaged.

Definitions and Terminology (cont'd.)

- Socially and Economically Disadvantaged Individual
 - Must be a member of a presumptive group: Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, and All Women

or

- Individual Determinations (Appendix E)

Definitions and Terminology (cont'd.)

- Personal Net Worth (PNW)
 - Each individual owner must have a PNW that does not exceed \$1.32 million.
 - PNW statements include all assets and liabilities.

Definitions and Terminology (cont'd.)

- Business Size Standards
 - DBE firms must be classified as a small business as per the Small Business Administration (SBA) standards.
 - To qualify, the firm's (including affiliates) average annual gross receipts over a three-year period must not exceed \$23.98 million.

Definitions and Terminology (cont'd.)

- Pennsylvania Unified Certification Program (PA UCP)
 - Only entity in PA that certifies DBEs that can be used for project goal purposes.
 - Comprised of Five (5) Certifying Agencies:
 - Allegheny County Department of MBE/WBE/DBE, Allegheny County Port Authority, Philadelphia International Airport, SEPTA, PennDOT
 - Certification as a DBE by one agency is recognized on all federally funded transportation projects regardless of agency (FAA, FHWA, and FTA) administering the project.
 - Assessment of recipients who receive federal transportation dollars

Definitions and Terminology (cont'd.)

- North American Industry Classification System (NAICS) Code
 - All DBEs are certified by the PA UCP with one or more code.
 - DBE firm must have NAICS code that corresponds to item of work for which DBE credit is being sought.
 - NAICS codes have business size limitations that may be less than or greater than overall DBE business size standards.

Definitions and Terminology (cont'd.)

- Good Faith Effort (GFE)
 - Efforts to achieve a DBE goal which by their scope, intensity, and appropriateness, can be reasonably be expected to fulfill the program requirement.
 - Exists until the project has been fully accepted and closed.
 - No cookbook or one way to make a GFE.
 - Each situation must be evaluated individually.

Definitions and Terminology (cont'd.)

- Interdisciplinary Review Team (IRT)
 - Team of individuals charged with reviewing good faith effort documentation and making recommendations to Bureau of Equal Opportunity (BEO) Director.
 - Panel of three individuals
 - IRT Chair and one other representative from the program area (Project Manager) awarding the contract and/or providing funding (i.e. Bureau of Aviation)
 - Final representative from BEO

Definitions and Terminology (cont'd.)

- Good Faith Effort Review Committee
 - Team of individuals charged with engaging in an administrative reconsideration of the IRT's GFE determination.
 - Cannot include any members that participated in the IRT.
 - Comprised of Executive and Leadership staff, generally Bureau Director's and other higher ranking personnel.
 - Decision of the GFE Review Committee is final and not appealable.

Program Objectives

- Ensure nondiscrimination in the award and administration of US DOT assisted contracts.
- Create a level playing field on which DBEs can compete fairly for US DOT assisted contracts.
- Ensure the PennDOT's DBE Program is narrowly tailored in accordance with law.

Program Objectives (cont'd.)

- Ensure only firms that fully meet eligibility standards are permitted to participate.
- Help remove barriers to the participation of DBEs in DOT assisted contracts.
- Promote use of DBEs in all types of DOT assisted contracts and procurement activities.

Program Objectives (cont'd.)

- Assist in the development of firms that can compete successfully in the marketplace outside the DBE program.
- Provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Program Requirements (cont'd.)

- Who must have a DBE Program?
 - All primary recipients of FHWA funding.
 - FTA recipients receiving planning, capital and/or operating assistance who will award prime contracts with a cumulative total value which exceeds \$250,000.
 - FAA recipients receiving grants for airport planning or development who will award prime contracts with a cumulative total value which exceeds \$250,000 for a Federal Fiscal Year.
 - All other recipients (including subrecipients) of U.S. DOT funds may utilize the DBE Program of the agency providing the funding.

Program Requirements (cont'd.)

- DBE Assurances
 - Speaks to nondiscrimination in solicitation and selection of contractors and subcontractors.
 - Must be included with all grant agreements along with any contracts and subcontracts issued in support of grant.
 - Provides sanctions for failing to comply with DBE Program.
 - Include, but not limited to, withholding monthly progress payments, assessing sanctions, liquidated damages, and disqualification from future bidding.

Program Requirements (cont'd.)

- [DBE Policy Statement](#)
 - Expresses PennDOT's commitment to DBE Program.
- Prompt Payment Mechanisms
 - Once the prime contractor receives a payment, the prime contractor must timely pay all subcontractors.
 - Requires payment to all subcontractors (especially DBEs) within 30 days of acceptance of work.
- DBE Directory
 - List of all eligible DBE firms.
 - PA UCP takes responsibility for management.
 - PA UCP database (www.paucp.com) is real-time.

Program Requirements (cont'd.)

- Monitoring
 - Must implement appropriate mechanisms to ensure compliance with DBE program by all participants.
- DBE Methodology and Goal
 - Three year projection of DBE participation absent discrimination.
 - Represented as a percentage.
 - Data driven and tailored to market area.
 - Maximum feasible portion of goal must be through race neutral measures.

Program Requirements (cont'd.)

DBE GOALS

Race Neutral goals are defined as:

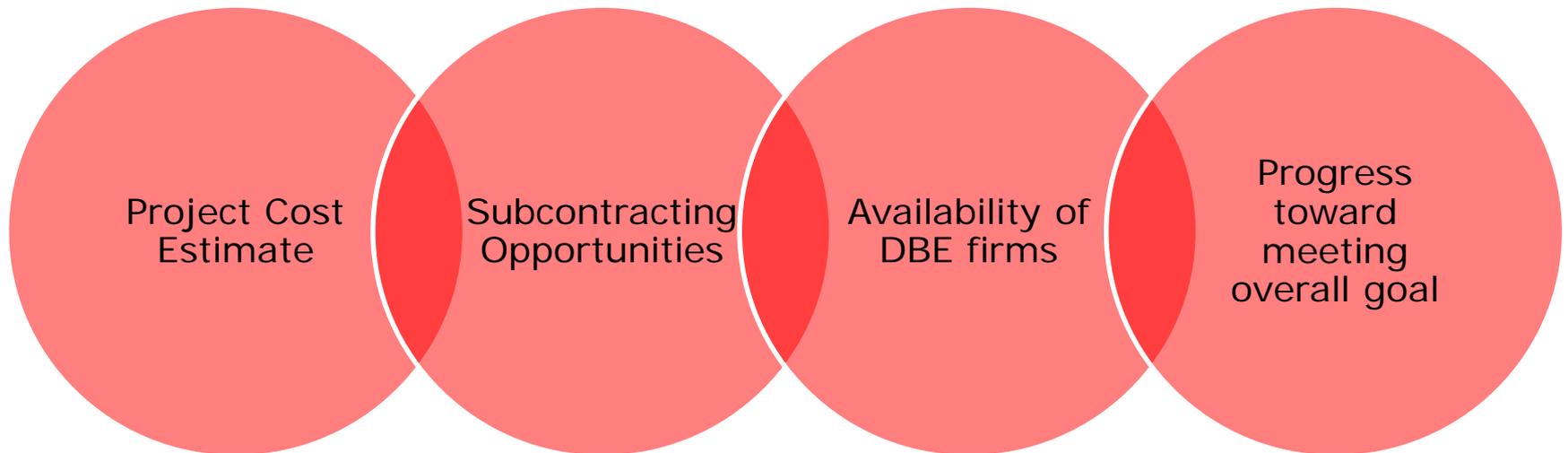
- The portion of the overall goal dollars, expressed as a percentage, that DBE firms are expected to receive without contract goals.

Race Conscious goals are defined as:

- The portion of the overall goal dollars, expressed as a percentage, that DBE firms are expected to receive as a result of contract goals.

Program Concepts

DBE PROJECT GOALS



Program Concepts (cont'd.)

GOOD FAITH EFFORT (GFE)

- Bidders must meet the DBE goal established for the project or make a GFE to do so.
- No cookbook exists for GFEs.
- 49 CFR Part 26 Appendix A provides examples but is not exhaustive.
- Each situation must be viewed on its own.
- GFE exists for the life of the project not just at award.

Roles and Responsibilities

- Bureau of Equal Opportunity
- Bureau of Aviation
- Multimodal Administration
- Airport Sponsors

Roles and Responsibilities (cont'd.)

- Bureau of Equal Opportunity
 - Ensure DBE requirements are being included with master grant agreements.
 - Provide guidance and technical assistance.
 - Participate in the IRT for GFEs.
 - Coordinate Project Goal Development.
 - Review Quarterly DBE Reports to ensure only certified DBE Firms are used.
 - Report DBE Utilization Information to FAA.

Roles and Responsibilities (cont'd.)

- Bureau of Aviation
 - Ensure Sponsors understand requirements and expectations.
 - Ensure DBE requirements are included throughout the grant process.
 - Ensure project DBE goals are met or a GFE is shown.
 - Approves DBE substitutions and/or terminations.
 - Participate in the IRT for GFEs.
 - Ensure DBE submissions only include eligible firms and proper NAICS codes are utilized.
 - Ensure Quarterly DBE Reports are submitted.

Roles and Responsibilities (cont'd.)

- Multimodal Administration
 - Serve as Co-Chair of IRT.
 - Posting of bid advertisements on Aviation website.
 - Maintains all DBE project files for closed projects.

Roles and Responsibilities (cont'd.)

- Airport Sponsors
 - Verify DBE requirements (special provision) are included in all contracts and subcontracts.
 - Ensure bid advertisements are sent to Multimodal for posting.
 - Ensure bidder meets DBE goal or submits GFE.
 - Monitors DBE attainment for life of project.
 - Ensures completion of Commercially Useful Function Form, [EO-354AV](#).
 - Obtains approval from BOA prior to replacement or termination of DBE firms.
 - Collects required data and documentation for reporting to BOA.

Process Flow and Procedures

- Project Goals
- Bid Advertisements and Pre-Bid Meetings
- Post Bid
- IRT and GFE Committee
- Post Award
- Subcontracts
- Commercially Useful Function
- Reporting
- Terminations and Substitutions
- Project Closeout

Process Flow and Procedures (cont'd.)

- Project Goals

- Project managers ensure project goals contained within DBE Methodology are assigned accordingly.
- PMs communicate the need to establish project DBE goals to Planning Division Chief (PDC) for projects that were unplanned or where the scope of work has changed.
- PDC communicates to BEO who coordinates the development or revision of project goals with the Consultant hired to develop the Methodology and Goal.
- PM includes project goal in Tentative Allocation letter to sponsor.

Process Flow and Procedures (cont'd.)

- Bid Advertisements

- Sponsors must include DBE goal in bid advertisements.
- Sponsors must send all bid advertisements to resource account, RA-pdBurofAviation@pa.gov, copying in PM and PDC.
- PMs must verify DBE goal is included in solicitation.
- Multimodal Administration to post bid advertisements on [Airport Project Listing](#) on BOA's webpage.
- Multimodal Administration will be monitoring BOA webpage to ensure most current bid advertisements are posted

Process Flow and Procedures (cont'd.)

- Pre-Bid Meeting
 - Not mandatory but highly recommended for large dollar value (>\$1 million dollars) or complex projects (i.e. those that have multiple types of work that lend themselves to potential subcontracting opportunities).
 - PMs should participate to ensure DBE requirements are discussed during the pre-bid meeting.

Process Flow and Procedures (cont'd.)

- Post Bid (Airport Sponsors)
 - Review of bid submissions
 - If project has a DBE goal, Sponsors must ensure the [EO-380AV](#), DBE Commitment Form, and/or GFE documentation is included.
 - Sponsor must evaluate to determine if DBE goal has been met.
 - Is DBE commitment percentage listed on EO-380AV(s) equal to or greater than project's DBE goal?
 - Are DBE firms certified by the PA UCP?
 - Do DBE firms have the NAICS code(s) listed on the EO-380AV?
 - Do NAICS codes correspond to items of work to be performed by DBE(s)?
 - Airport sponsor submits EO-380AV(s) and/or GFE documents to PM for approval.

Process Flow and Procedures (cont'd.)

- Post Bid (Project Managers)
 - PM reviews EO-380AV and/or GFE documents.
 - If DBE goal has been met and PM concurs, then PM communicates to the airport sponsor in writing that DBE goal has been satisfied (email is the preferred means of communication).
 - If DBE goal has not been met, then PM forwards GFE documents electronically along with recommendation to the IRT Chair.

Process Flow and Procedures (cont'd.)

- IRT evaluates GFE submission and provides final recommendation to BEO Director.
 - If IRT recommends approval and Director concurs, then GFE is approved.
- or
- If IRT recommends disapproval and Director disagrees, then GFE is approved.
 - IRT Chair communicates to PM and Airport Sponsor.
 - Sponsor communicates decision to bidder.

Process Flow and Procedures (cont'd.)

- IRT
 - If IRT recommends approval and Director disagrees, then 2nd Tier Review begins, i.e. GFE Committee.
 - or
 - If IRT recommends disapproval and Director concurs, then 2nd Tier Review begins, i.e. GFE Committee.
- Please note that the apparent low bidder/offeror may elect not to appeal a negative GFE determination.

Process Flow and Procedures (cont'd.)

- GFE Committee
 - Decision makers can not be those involved at IRT level.
 - Representatives from bidder can speak to GFE but cannot provide new information.
 - GFE Committee issues final determination in writing.
 - GFE Committee's decision is final and not appealable.

Process Flow and Procedures (cont'd.)

- Post Award
 - dotGrants
 - After PM accepts TA submission, PM must set up the DBE Report Object in dotGrants.
 - Every project will have a DBE goal although on some it may be 0%.
 - When grant status is changed in dotGrants to 'Grant Awarded', then PM to make DBE Report 'Available' for sponsor.

Process Flow and Procedures (cont'd.)

- Subcontracts
 - Prime contractor (consultant) must submit all subcontracts to Airport Sponsor.
 - Includes purchase orders for materials, trucking, or any other vendor participating on work towards the grant.
 - Sponsor to review all subcontracts with DBEs to ensure the following:
 - Subcontract amount is greater than or equal to amount listed on DBE Commitment (EO-380AV).
 - DBE Firm is still certified by the PA UCP.

Process Flow and Procedures (cont'd.)

- Subcontracts
 - Airport sponsor submits all DBE subcontract information to PM for review
 - Info to be provided includes DBE firm name, dollar amount, NAICS code, and description of work.
 - If subcontract is less than amount on EO-380AV, then sponsor must obtain explanation/justification from prime.
 - Sponsor reviews justification and provides recommendation to PM for concurrence.

Process Flow and Procedures (cont'd.)

- Performance
 - Commercially Useful Function (CUF)
 - A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing and supervising the work involved.
 - DBE firm cannot be a pass through or extra participant.
 - [EO-354AV](#), CUF Report, must be completed by Sponsor (or designee) for all DBE firms performing on project.
 - Includes DBE firms not being used to meet project goal.
 - Form cannot be completed by prime contractor. Must be independent evaluation by third party.
 - Sponsor sends completed forms to BEO via email resource account: penndotcuf@pa.gov copying in PM and PDC.

Process Flow and Procedures (cont'd.)

- CUF
 - Bureau of Equal Opportunity analyzes form to determine if further review is needed.
 - BEO may request additional documentation from Sponsor or prime contractor. PM will be copied in any such requests.
 - Any negative determination to be communicated to all parties (PM, Sponsor, prime contractor).

Process Flow and Procedures (cont'd.)

- Reporting
 - Prime contractor submits monthly report, [EO-406AV](#), to Sponsor which identifies all subcontracts executed and payments made during the prior month.
 - Report includes both DBE and non-DBE firms.
 - First payment to any firm must include supporting documentation, e.g. cancelled check, bank statement, etc.
 - Sponsor utilizes this information to populate the dotGrants DBE Report on a quarterly basis.
 - Serves as evidence that Sponsor is monitoring DBE requirements.

Process Flow and Procedures (cont'd.)

- Termination and Substitution
 - Prime contractor must notify Sponsor in writing of intent to terminate or substitute DBE firm.
 - If substituting prime should identify replacement DBE firm.
 - Prime must also notify DBE firm in writing of intent copying the Sponsor.
 - DBE Firm has five days from receipt to refute or accept termination/substitution.
 - If DBE firm agrees (in writing), then the Sponsor can issue a written approval to prime contractor.
 - If the DBE firm does not agree, then the Sponsor must forward all relevant information to the PM.

Process Flow and Procedures (cont'd.)

- Termination and Substitution
 - PM receives request to terminate/substitute from Sponsor and forwards to IRT.
 - IRT will make final determination to approve or deny request.
 - There is no GFE Committee Appeal.
 - IRT issues decision to Sponsor and PM.
 - Sponsor notifies prime contractor of decision.
 - If termination results in a shortfall in meeting the DBE goal, then the prime contractor must make a GFE to make up the participation.
 - An updated EO-380AV must be submitted for any replacement DBE firms.

Process Flow and Procedures (cont'd.)

- Project Closeout
 - If the DBE commitment is not met, the prime must submit an explanation of the shortfall to the Sponsor.
 - Sponsor reviews and makes recommendation to PM.
 - Sponsor must submit all final contract and payment information via the dotGrants DBE Reports.
 - Sponsor must provide the PM copies of all DBE documentation including the completed [AV-27](#), DBE Project Compliance Review Checklist for Airports'.

Documentation

- Sponsors Must Maintain the Following:
 - Bid advertisements with DBE requirements included.
 - Bid submissions including DBE Commitment and/or GFE information.
 - Contract and subcontracts for all vendors participating on the grant.
 - CUF Reports
 - Termination and substitution requests
 - Records of payments to all vendors participating especially DBE firms.

Documentation (cont'd.)

- Forms
 - AV-27
 - EO-380AV
 - EO-354AV
 - EO-406AV
- All forms available on BOAs [webpage](#).

dotGrants

- Currently required to complete three separate reports in dotGrants:
 - Quarterly Prime Contracting Report
 - Quarterly Sub Contracting Report
 - Quarterly DBE Contracting Report

dotGrants (cont'd.)

QUARTERLY PRIME CONTRACTING REPORT

Complete the Prime Contracting Information for the Quarter.

Contractor *

Contact Information:

Address *

City *

State *

Zip *

Phone Number *

Email Address *

Period Ending	Prime Contracts Awarded	Prime Contract Dollar Value	Prime Contract Paid
September 30, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2014 Totals	0	\$0	\$0
December 31, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2015	1	\$200,175.00	<input type="text"/>
September 30, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2015 Totals	1	\$200,175.00	\$0
December 31, 2015	<input type="text"/>	<input type="text"/>	\$164,899.35
March 31, 2016	<input type="text"/>	<input type="text"/>	\$35,275.65
June 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
September 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2016 Totals	0	\$0	\$200,175.00
December 31, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2017	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2017	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2017 Totals	0	\$0	\$0
Grant Totals	1	\$200,175.00	\$200,175.00
Total Project Amount		\$262,426.00	

dotGrants (cont'd.)

- Quarterly Prime Contracting Report
 - Complete for each prime contractor or consultant contract awarded.
 - When more than one, capture additional contractor info including name, address, phone number, and email address in 'Notes'.

dotGrants (cont'd.)

QUARTERLY SUB CONTRACTING REPORT

Complete the Sub Contracting Information for all Subcontracts (with both DBE and Non-DBE firms) Awarded During the Quarter.

Sub Contractor *

Contact Information:

Address *

City *

State *

Zip *

Phone Number *

Email Address *

Period Ending	Sub Contracts Awarded	Sub Contract Dollar Value	Sub Contract Paid
September 30, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2014 Totals	0	\$0	\$0
December 31, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2015	1	\$6,148.00	<input type="text"/>
September 30, 2015	<input type="text"/>	<input type="text"/>	\$3,003.00
FFY 2015 Totals	1	\$6,148.00	\$3,003.00
December 31, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
September 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2016 Totals	0	\$0	\$0
December 31, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2017	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2017	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2017 Totals	0	\$0	\$0
Grant Totals	1	\$6,148.00	\$3,003.00

dotGrants (cont'd.)

- Quarterly Sub Contracting Report
 - Complete for each subcontractor participating on the project including both DBE and non-DBE firms.
 - Subcontractors include suppliers, truckers, service providers, and any other vendor other than the prime participating on work towards the grant.

dotGrants (cont'd.)

QUARTERLY DBE CONTRACTING REPORT

Please complete the information for each DBE contractor used for this project. A new page for each DBE contract must be created. You must select either Prime OR Sub Contract and only select ONE race/gender.

DBE Contractor *

Contact Information:

Address *

City *

State *

Zip *

Phone Number *

Email Address *

- Prime Contract Sub Contractor
- Black American Hispanic American SubContinent Asian American
- Asian-Pacific American Non-Minority Woman Other (not specified)
- Native American

Is this DBE being used to meet the goal? Yes No *

Period Ending	Contracts Awarded	Dollar Value	Amount Paid
September 30, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2014 Totals	0	\$0	\$0
December 31, 2014	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2015	1	\$6,148.00	<input type="text"/>
September 30, 2015	<input type="text"/>	<input type="text"/>	\$3,003.00
FFY 2015 Totals	1	\$6,148.00	\$3,003.00
December 31, 2015	<input type="text"/>	<input type="text"/>	<input type="text"/>
March 31, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
June 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
September 30, 2016	<input type="text"/>	<input type="text"/>	<input type="text"/>
FFY 2016 Totals	0	\$0	\$0

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dotGrants (cont'd.)

- Quarterly DBE Contracting Report
 - Must complete for all DBE firms participating on the project including DBEs not being used to meet a project's DBE goal.
 - DBE firms must be listed here in addition to being listed on either the Prime or Sub Quarterly Contracting Report.

dotGrants (cont'd.)

- Changes for FFY 2016 Grants and Beyond
 - One Screen For Reporting All Vendor
 - Eliminates Need To Duplicate DBE Information on Two Screens

dotGrants (cont'd.)

QUARTERLY CONTRACTING REPORT

Please complete the following fields for ALL FIRMS that participate on the project. This includes all contractors, consultants, suppliers, truckers, service providers, etc. This also includes **BOTH** Disadvantaged Business Enterprises (DBEs) firms and non-DBE firms.

Firm Name: *

Contact Information:

Address: *

City: *

State: ▼ *

Zip: *

Phone Number: *

Email Address: *

Contractor Type *

Prime Contractor – Has a contract, agreement, purchase order, etc. directly with the airport sponsor.

Subcontractor – Has a contract, agreement, purchase order, etc. with the prime contractor. Includes consultants, suppliers, truckers, service providers, and any other vendor that does not have a direct contract with the airport sponsor

Identify the Type of Firm (Check one only): *

Contractor

Consultant

Supplier

Trucking

Engineering

Service Provider

Manufacturer

Other (Please Identify)

Is the firm certified as a DBE by the Pennsylvania Unified Certification Program (PA UCP)?

Yes No *

dotGrants (cont'd.)

QUARTERLY CONTRACTING REPORT

Please complete the following fields for ALL FIRMS that participate on the project. This includes all contractors, consultants, suppliers, truckers, service providers, etc. This also includes **BOTH** Disadvantaged Business Enterprises (DBEs) firms and non-DBE firms.

Firm Name: *

Contact Information:

Address: *

City: *

State: *

Zip: *

Phone Number: *

Email Address: *

Contractor Type *

- Prime Contractor – Has a contract, agreement, purchase order, etc. directly with the airport sponsor.
- Subcontractor – Has a contract, agreement, purchase order, etc. with the prime contractor. Includes consultants, suppliers, truckers, service providers, and any other vendor that does not have a direct contract with the airport sponsor

Identify the Type of Firm (Check one only): *

- Contractor
- Engineering
- Consultant
- Service Provider
- Supplier
- Manufacturer
- Trucking
- Other (Please Identify)
-

Is the firm certified as a DBE by the Pennsylvania Unified Certification Program (PA UCP)?

- Yes No *

If Firm is a DBE You Must Complete this Section

Is this DBE being used to meet the goal? Yes No

Gender: Female Male

Ethnicity: Black American Hispanic American Native American

Asian-Pacific American Subcontinent Asian American Non-Minority

Identify the North American Industry Classification System (NAICS) Code(s) that correspond(s) to the work to be performed by the DBE firm. At least one NAICS code must be identified for each DBE participating on the project

NAICS Code(s): NAICS codes are six (6) digits long. Multiple codes can be included by separating with a comma, e.g. 123456, 234567, etc.

If the Type of Firm is 'Supplier', then you must identify how they are performing:

- Regular Dealer – Count only 60% of the DBE firm's contract towards the project's DBE goal.
- Broker – Only the DBE firm's commission or fees can be counted toward the project's DBE goal.

Fee or commission (expressed as a percentage): %

Title VI and Nondiscrimination

Pennsylvania's Department of Transportation Bureau of Equal Opportunity advises, and assists the Airport Sponsor on Civil Rights and Equal Opportunity matters that ensure:

- The elimination of unlawful discrimination on the basis of race, color, national origin, sex, genetic information, age, religion, creed, sexual orientation, and individuals with disabilities in federally operated and federally assisted transportation programs;
- That all beneficiaries and potential beneficiaries of these programs, including employees and potential employees, are offered equal opportunities to participate in them.

Title VI and Nondiscrimination

Nondiscrimination Statutes

- American with Disabilities Act (disability)
- Title IX of the Education Act (gender)
- Age Discrimination Act (Age)
- Executive Orders – Environmental Justice & Limited English Proficiency
- Disadvantaged Business Enterprises (DBE).

Title VI and Nondiscrimination

Policy and documents required by law (42 U.S.C. §2000d):

- Title VI Policy
- Title VI Complaint Procedures
- Title VI Coordinator
- Title VI Complaint Log

To assist the Airports in complying with Title VI and additional Nondiscrimination requirements a 'Title VI Compliance Questionnaire' has been added to DotGrants.

Title VI and Nondiscrimination

Resource websites

- FAA – Office of Civil Rights

http://www.faa.gov/about/office_org/headquarters_offices/acr/

- Bureau of Equal Opportunity (PennDOT)

<http://www.penndot.gov/about-us/EqualEmployment/Pages/default.aspx>

- U.S. Department of Justice – Civil Rights

<http://ojp.gov/about/offices/ocr.htm>

Questions/Contact Information

Multimodal Administration

- Tatjana Over
 - 717-705-1332 or tover@pa.gov
- Heather Graham
 - 717-705-1191 or hegraham@pa.gov

Aviation

- Tony McCloskey
 - 717-705-1200 or amccloskey@pa.gov
- Matt Johnson
 - 717-705-1240 or matjohnson@pa.gov

Contact Information

Equal Opportunity

- Dustin Hobaugh
 - 717-783-1081 or dhobaugh@pa.gov