



AGENDA MEETING NOTICE

Committees

DATE: Wednesday, July 24, 2019
TIME: 8:30 a.m. Administration & Finance Committee Meeting,
 Operations & Capital Projects Committee Meeting
*(estimated at 9:30 a.m., although to be held immediately following
 the Administration & Finance Committee Meeting)*

LOCATION: Staples Street Center
 602 North Staples Street, 2ND Floor Board Room, Corpus Christi, TX

ADMINISTRATION & FINANCE COMMITTEE

TOM NISKALA (Chair)

Glenn Martin ~ Scott Harris ~ Anne Bauman ~ Philip Skrobarczyk

	TOPIC	SPEAKER	EST.TIME	REFERENCE
1.	Roll Call	D. Linnehan	2 min.	----
2.	Safety Briefing	M. Rendón	2 min.	----
3.	Receipt of Conflict of Interest Affidavits	T. Niskala	2 min.	----
4.	Opportunity for Public Comment 3 min. limit – no discussion	T. Niskala	3 min.	----
5.	Discussion and Possible Action to Approve the Administration & Finance Committee Meeting Minutes of June 26, 2019	T. Niskala	2 min.	Pages 1-4
6.	Discussion and Possible Action to Exercise an Amended Second Option Year of the 2015 Bus and Bench Advertising Contract with Iconic Sign Group, LLC. at 37 percent with a maximum guarantee of \$180,000	R. Patrick	5 min.	Pages 5-6 PPT
7.	Discussion and Possible Action to Adopt an Updated DBE Policy Statement & Program	R. Saldaña	5 min.	Page 7 PPT Attachment A
8.	Discussion and Possible Action to Adopt a Pension Funding Policy for the Defined Benefit Plan that establishes a funding ratio range of 85%-95%	R. Saldaña	5 min.	Pages 8-9 PPT Attachment B
9.	Adjournment	T. Niskala	1 min.	----

Total Estimated Time: 27 min.

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OPERATIONS & CAPITAL PROJECTS COMMITTEE

MICHAEL REEVES (Chair)

Dan Leyendecker ~ George B. Clower ~ Patricia Dominguez ~ Matt Woolbright

	TOPIC	SPEAKER	EST.TIME	REFERENCE
1.	Roll Call	D. Linnehan	2 min.	----
2.	Safety Briefing	M. Rendón	2 min.	----
3.	Receipt of Conflict of Interest Affidavits	M. Reeves	2 min.	----

4.	Opportunity for Public Comment 3 min. limit – no discussion	M. Reeves	3 min.	-----
5.	Discussion and Possible Action to Approve Issuing an Invitation for Bids (IFB) for an Automated Rim Polishing System	J. Fehribach	5 min.	Page 1 <i>PPT</i>
6.	Discussion and Possible Action to Approve Issuing a Request for Proposals (RFP) for Unleaded Cutaway Vans for a 5-year Replacement Contract	J. Fehribach	5 min.	Pages 2-3 <i>PPT</i>
7.	Discussion and Possible Action to Execute a One-Year Memorandum of Agreement (MOA) with Texas A&M University-Corpus Christi for Transportation Services	G. Robinson	5 min.	Pages 4-5 <i>PPT</i>
8.	Adjournment	M. Reeves	1 min.	-----

Total Estimated Time: 25 min.

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On **Friday, July 19, 2019** this Notice was posted by **Dena Linnehan** at the CCRTA Staples Street Center, 602 N. Staples Street, Corpus Christi, Texas; and sent to the Nueces County and the San Patricio County Clerks for posting at their locations.

PUBLIC NOTICE is given that the Board may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Board elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer.

In compliance with the Americans with Disabilities Act, individuals with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Assistant Secretary to the Board at (361) 903-3474 at least 48 hours in advance so that appropriate arrangements can be made.

Información en Español: Si usted desea esta información en Español o en otro idioma, por favor llame al teléfono (361) 289-2712.

Mission Statement

The Corpus Christi Regional Transportation Authority was created by the people to provide quality transportation and enhance the regional economy in a responsible manner consistent with its financial resources and the diverse needs of the people.



Vision Statement

Provide an integrated system of innovative, accessible and efficient public transportation services that increase access to opportunities and contribute to a healthy environment for the people in our service area.



**CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
ADMINISTRATION & FINANCE COMMITTEE MEETING MINUTES
WEDNESDAY, JUNE 26, 2019**

Summary of Actions

1. **Conducted Roll Call**
2. **Held Safety Briefing**
3. **Action to Receive Conflict of Interest Affidavits**
4. **Provided Opportunity for Public Comment - 3 min. limit – no discussion**
5. **Action to Approve the Administration & Finance Committee Meeting Minutes of May 22, 2019**
6. **Action to Award a One-Year Contract to Carlisle Insurance for Windstorm and Hail Insurance Coverage**
7. **Action to Amend the 2019 Fiscal Year Operating Budget to include an increase of \$2.5 million, and Approve a one-time payment of \$2.5 million for the Defined Benefit Pension Trust to obtain 90% funding level**
8. **Action to Award a Contract to IVS, Inc. AngelTrax for On-Board Mobile Video Surveillance System Replacement for Bus Fleet**
9. **Action to Award a Contract to Toshiba America Business Solutions, Inc. for Multifunction Printer/Copier Lease Agreement**
10. **Adjournment**

The Corpus Christi Regional Transportation Authority Administration & Finance Committee met at 8:30 a.m. in the Corpus Christi Regional Transportation Authority Staples Street Center facility located at 602 N. Staples Street, 2nd Floor Board Room, Corpus Christi, Texas.

Committee Members Present: Tom Niskala, Committee Chairman; Glenn Martin, Scott Harris, Anne Bauman and

Committee Members Absent: Philip Skorbarczyk.

Staff Present: Jorge G. Cruz-Aedo, CEO; David Chapa, Angelina Gaitan, Dena Linnehan, Michelle Martinez, Derrick Majchszak, Sharon Montez, Rita Patrick, Mike Rendón, Gordon Robinson and Robert Saldaña.

Public Present: Benjamin Schmit, MV Transportation; Chase Carlisle, Carlisle Insurance.

Call to Order & Roll Call

Mr. Tom Niskala called the meeting to order at 8:33 a.m. Ms. Dena Linnehan called Roll and stated a quorum was present.



Held Safety Briefing

Mr. Rendón provided safety information in the event of an emergency for the Board members and guests in the audience. He explained location to assemble outside of the building, and included shelter in-place instructions. He commented where building exits are located, and instructed individuals to not use elevators. He also stated once out of the building, to not enter until an 'all clear' is given by Security personnel. Ms. Dena Linnehan will lead board members to the muster point.

Action to receive Conflict of Interest Affidavits

No affidavits received.

Provided Opportunity for Public Comment

No one spoke under public comment.

Action to Approve the Administration & Finance Committee Meeting Minutes of May 22, 2019.

MR. SCOTT HARRIS MADE A MOTION TO APPROVE THE ADMINISTRATION & FINANCE COMMITTEE MEETING MINUTES OF JUNE 26, 2019. MS. ANNE BAUMAN SECONDED THE MOTION. THE MOTION CARRIED. NISKALA, MARTIN, HARRIS AND BAUMAN VOTING IN FAVOR. ABSENT SKROBARCZYK.

Action to Award a One-Year Contract to Carlisle Insurance for Windstorm and Hail Insurance Coverage

Mr. Mike Rendón reported this Board Priorities aligns with Facilities. He provided background information and said the current policy with Carlisle Insurance will expire July 27, 2019. He commented two proposals were received June 5, 2019. He said Carlisle Insurance scored 89.60 at \$92,589.00 and Victor O'Schinnerer & Company, Inc. scored 83.41 at \$123,926.25. He stated both vendors also bid last year and had a \$30,000 difference and based on the carrier underwriting the policy. Carlisle Insurance has been able to work with a carrier who continues to provide a better savings.

MR. MARTIN MADE A MOTION TO AWARD A ONE-YEAR CONTRACT TO CARLISLE INSURANCE FOR WINDSTORM AND HAIL INSURANCE COVERAGE. MS. ANNE BAUMAN SECONDED THE MOTION. THE MOTION CARRIED. NISKALA, MARTIN, HARRIS AND BAUMAN VOTING IN FAVOR. ABSENT SKROBARCZYK.

Action to Amend the 2019 Fiscal Year Operating Budget to include an increase of \$2.5 million, and Approve a one-time payment of \$2.5 million for the Defined Benefit Pension Trust to obtain 90% funding level

Mr. Robert Saldaña commented the Board Priority aligns with Financial Transparency. He stated the Board annually adopts an operating budget and the Operating budget approved for 2019 of \$44,354,735, and Capital Budget of \$5,393,411. At the May 1, 2019



Board meeting the members set a funding level range between 85 to 90 percent as a target for the Defined Benefit Plan. A one-time payment from the \$10,419,940 million of unrestricted reserves was approved in order to increase the current funding level to 90 percent for the Defined Benefit Plan, and also approved was to increase the Operating budget by \$2.5 million. The one-time payment is funded from local funds so it does not have a DBE requirement.

MR. HARRIS MADE A MOTION TO AMEND THE 2019 FISCAL YEAR OPERATING BUDGET TO INCLUDE AN INCREASE TO THE OPERATING BUDGET BY \$2.5 MILLION, AND TO APPROVE A ONE-TIME PAYMENT OF \$2.5 MILLION FOR THE DEFINED BENEFIT PENSION TRUST TO OBTAIN 90% FUNDING LEVEL. MR. MARTIN SECONDED THE MOTION. THE MOTION CARRIED. NISKALA, MARTIN, HARRIS AND BAUMAN VOTING IN FAVOR. ABSENT SKROBARCZYK.

Action to Award a Contract to IVS, Inc. AngelTrax for On-Board Mobile Video Surveillance System Replacement for Bus Fleet

Mr. Robert Saldaña reported on the Board Priority of Safety & Security – Facilities. He provided background information on the RFP that was issued February 21, 2019 for on-board surveillance equipment on our buses. Each item included in the RFP was detailed on the PowerPoint slide displayed, and also included the need for the replacement of the mobile surveillance system from older analog style equipment no longer the best practice for video surveillance and labor intensive to pull from the buses, to new technology of on-board video retention equipment with up to a 30-day retrieval and digital POE for quality pictures. Mr. Saldana stated 3 bids were received and scores received were AngelTrax at 95.80 of a 100 maximum points at \$139,179.01; Safe Fleet Bus and Rail at 79.80 at \$255,810.56; and Eyeride at 66.00 at \$198,604.00. He also commented another additional of \$16,304.84 for spare units, outdoor and indoor IP camera spares and interface equipment making the total cost of the project \$155,483.80, and will be funded using 5307 Formula Funds (80/20).

MR. HARRIS MADE A MOTION TO AWARD A CONTRACT TO IVS, INC. ANGELTRAX FOR ON-BOARD MOBILE VIDEO SURVEILLANCE SYSTEM REPLACEMENT FOR BUS FLEET. MR. MARTIN SECONDED THE MOTION. THE MOTION CARRIED. NISKALA, MARTIN, HARRIS AND BAUMAN VOTING IN FAVOR. ABSENT SKROBARCZYK.

Action to Award a Contract to Toshiba America Business Solutions, Inc. for Multifunction Printer/Copier Lease Agreement

Mr. Robert Saldaña reported on the current units of printing equipment and said this item aligns with the Board Priority - Innovation. He provided background information on the 6 units currently leased from Toshiba for the Bear Lane and Staples Street Center facilities and include color, black/white printing, fax and scanning capabilities and ink is included in the lease. Mr. Saldaña said replacement of these multifunction copier/printers will help minimize cost, maintenance and repair, and include staples and Ink cartridges with 2 of the units for Finance to print checks with specialized ink to help deter fraud. He stated



the total cost of the 5-year lease agreement is \$151,173, is budgeted in the FY2019 MIS budget, annual cost will be \$30,234.60 per year for a total of 8 units and will be locally funded.

MR. MARTIN MADE A MOTION TO AWARD A CONTRACT TO TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR MULTIFUNCTION PRINTER/COPIER LEASE AGREEMENT. MS. BAUMAN SECONDED THE MOTION. THE MOTION CARRIED. NISKALA, MARTIN, HARRIS AND BAUMAN VOTING IN FAVOR. ABSENT SKROBARCZYK.

Adjournment

There being no further review of items, the meeting adjourned at 8:52 a.m.

Submitted by: Dena Linnehan



Subject: Exercise an Amended Second Option Year of the 2015 Bus and Bench Advertising Contract with Iconic Sign Group, LLC.

Background

In 2015, the CCRTA contracted both bus and bench advertising with Iconic Sign Group. The contract was for 3-year contract with two, one-year options. CCRTA would now like to authorize the second (and final option) year that would include a requested amendment by Iconic Sign Group, LLC.

Identified Need

The CCRTA is constantly looking for new ways to expand its revenue stream so that the agency can provide quality transportation, security, and customer service for our transit riders. The contractor is also responsible for all graffiti removal on the advertisement and general appearance of the advertisement itself.

Financial Impact

Iconic Sign Group Three Year Base Contract with option years (see chart below).

Percentage of Gross	Revenue to CCRTA	Minimum Annual Guarantee to CCRTA
Three Year Base	37% or	\$150,000
First Option Year	37% or	\$175,000
Second Option Year (Original)	37% or	\$200,000

Amendment Request

Iconic is requesting to amend the second-year option (see chart below) due to a decrease of advertising inventory resulting in reduction of potential revenue. The current street construction throughout the city has had adverse results in bus bench advertising.

Percentage of Gross	Revenue to CCRTA	Minimum Annual Guarantee to CCRTA
Second Option Year (Amended)	37% or	\$180,000

Board Priority

This item aligns with the Board Priority – Financial Transparency.

Recommendation

Staff requests the Administration & Finance Committee recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to Exercise an Amended Second Option Year of the 2015 Bus and Bench Advertising Contract with Iconic Sign Group, LLC.

Respectfully Submitted,

Submitted by: Rita Patrick
Director of Marketing

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



Subject: Disadvantaged Business Enterprise (DBE) Updated Policy Statement and Program

Background

The Corpus Christi Regional Transportation Authority (CCRTA) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. As a condition for continued funding under USDOT, the CCRTA must comply with 49 CFR Part 26, which requires an updated DBE Policy Statement and Program when there are significant changes to the program.

Identified Need

The CCRTA's DBE Policy Statement and Program was last updated in 2011. Since the Policy Statement was last updated, the CCRTA has made two significant position changes. Jorge G. Cruz-Aedo has become the Chief Executive Officer (CEO) of the CCRTA and Christina Perez is now the designated DBE Liaison Officer. Because of these changes, the Policy Statement and Program need to be amended to show Mr. Jorge G. Cruz-Aedo as CEO and Ms. Christina Perez as DBE Liaison Officer.

Disadvantaged Business Enterprise (DBE)

Not applicable.

Financial Impact

None

Board Priority

This project aligns with Board Priority – Financial Transparency.

Recommendation

Staff requests the Administration & Finance Committee recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to adopt an updated Disadvantage Business Enterprise Policy Statement and Program.

Respectfully Submitted,

Submitted by: Christina Perez
DBE/EEO Compliance Officer

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
Disadvantaged Business Enterprise (DBE) Program

POLICY STATEMENT

I. Objectives/Policy Statement (49 CFR §26.1, §26.23)


The Corpus Christi Regional Transportation Authority (CCRTA) 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 CCRTA has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the CCRTA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the CCRTA to ensure that DBEs, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also CCRTA's policy:

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

The responsibility for carrying out CCRTA's commitment to this program is delegated by the CCRTA Board of Directors to the Chief Executive Officer (CEO). The CEO relies upon the assistance of the DBE Liaison Officer and staff in the day-to-day implementation of this program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by CCRTA in its financial assistance agreements with the Department of Transportation.

CCRTA has disseminated this policy statement to its Board of Directors and all components of its organization. Distribution of CCRTA's Policy Statement is accomplished through a variety of methods, including the posting of this Statement on its website (<http://www.ccrta.org/news-opportunities/dbe-program/>), a widespread direct email distribution that includes all its certified DBEs and numerous technical assistance and service providers, and community based organizations serving the disadvantaged community.



Jorge G. Cruz-Aedo
Chief Executive Officer

7/15/2019

Date

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

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

Section 26.3 Applicability

The Corpus Christi Regional Transportation Authority (hereafter referred to by its operating name of “CCRTA”), is the recipient of federal transit funds authorized by Titles I, III, V and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, III, and V of the TEA-21, Pub. L. 105-178.

Section 26.5 Definitions

CCRTA will adopt the definitions contained in Section 26.5 for this program.

Section 26.7 Non-discrimination Requirements

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

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(a)

CCRTA will report DBE participation to DOT by transmitting the Uniform Report of DBE Awards or Commitments and Payments, semi-annually on the first of June and December of each year. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

Bidders List: 26.11(c)

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

Section 26.13 Federal Financial Assistance Agreement

As a recipient of funds from U.S. DOT, CCRTA has signed financial assistance agreement with U.S. DOT containing the following assurance, applicable to all U.S. DOT-assisted contracts and their administration:

CCRTA 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. CCRTA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. CCRTA's DBE program, as required by 49 CFR Part 26 and as approved by U.S. 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 CCRTA 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.).

Pursuant to the requirements of 49 CFR §26.13 the following language shall be included in all contracts awarded by CCRTA and required to be included in all subcontracts signed by any CCRTA contractor:

The contractor, sub-recipient 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 DOT-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.

If CCRTA enters into a U.S. DOT-assisted financial assistance agreement with any sub-recipient in the future, the above assurance will be required for the sub-recipient and included in the agreement.

SUBPART B – ADMINISTRATIVE REQUIREMENTS

Section 26.21

1985 by majority vote of the residents and commenced operations on January 1, 1986. Located in Corpus Christi, Texas on the coast of the Gulf of Mexico, CCRTA is a regional provider of mass transportation services, primarily within Nueces County and also part of San Patricio County. Nueces County includes the cities of Agua Dulce, Bishop, Corpus Christi, Driscoll, Port Aransas, Robstown, and unincorporated areas. San Patricio County coverage includes the cities of Gregory and Old San Patricio. The total area is 838 square miles and has an approximate population of 305,200. An 11-member Board of Directors governs CCRTA. The City of Corpus Christi, Nueces County, and the Committee of Small City Mayors appoint members to the Board.

As a recipient of U.S. Department of Transportation (U.S. DOT) grant funds, CCRTA is subject to regulations governing such funds including the Code of Federal Regulations, Title 49, part 26 which details disadvantaged business enterprise requirements. The Part 26 regulations were published by U.S. DOT on February 2, 1999, effective March 4, 1999 which supersede the previous DBE regulations in Part 23 and have since been revised twice with the most current revision occurring and becoming effective February 28, 2011. One of the grant requirements is that transit recipients adopt a new disadvantaged business enterprise program. Adoption of this CCRTA Disadvantaged Business Enterprise Program by the CCRTA Board of Directors enables compliance with current DBE regulation requirements.

Section 26.21(b)(2)

CCRTA will submit its DBE program to FTA for approval through TrAMS when there are significant changes to the program.

Section 26.23

The Policy Statement is elaborated on the first page of this program.

Section 26.25 DBE Liaison Officer (DBELO)

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

Christina A. Perez, 602 N. Staples Street, Corpus Christi, TX 78401
(361) 903-3461; cperez@ccrta.org

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that CCRTA complies with all provisions of 49 CFR Part 26. DBELO has direct, independent access to the Chief Executive Officer of CCRTA concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 1 to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a staff of one to assist in the administration of the program. The duties and responsibilities include the following:

1. To develop, monitor implementation of, and provide continuing evaluation of CCRTA's Disadvantaged Business Enterprise Program;
2. To set overall annual goals for DBE participation;
3. Certify or deny DBE certification according to criteria set by U.S. DOT 49 CFR Part 26;
4. To maintain and continually update a directory of disadvantaged businesses eligible to participate in CCRTA's DBE program including information on principle business activities, and contact persons;

5. To assist in securing management and technical assistance resources for disadvantaged businesses as requested;
6. To publicize business opportunities with CCRTA to disadvantaged businesses in a timely manner and to refer such businesses to assistance resources for aid in bidding on CCRTA contracts and subcontracts;
7. Identify contracts and procurements so that DBE goals are included (both race-neutral methods and contract specific goals) and monitor results;
8. To attend pre-proposal, pre-bid and pre-award meetings to explain DBE requirements;
9. To review third party contracts and purchase requisitions, and to determine contractors' and subcontractors' compliance with all applicable requirements for DBE participation.
10. Participate in training sessions, workshops, seminars, etc. for the purpose of informing potential bidders/proposers of the DBE Program and of business opportunities with CCRTA;
11. To serve as liaison with agencies supporting economic development in the minority community;
12. To maintain accurate and up-to-date records demonstrating CCRTA efforts and progress;
13. To report at a minimum of once a year, to the CCRTA Board of Directors and the Chief Executive Officer on progress being made in the implementation of the DBE Program and to recommend program modifications where deemed appropriate;
14. Gather and report statistical data and other information, as required by U.S. DOT and other funding agencies;
15. To maintain open lines of communication with disadvantaged business communities; and
16. Act as the CCRTA Liaison to the Uniform Certification Program ("UCP") in Texas.

Section 26.27 DBE Financial Institutions

CCRTA will investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals. CCRTA shall maintain listings of financial institutions and insurance firms owned and controlled by socially and economically disadvantaged individuals who qualify as CCRTA firms. These listings shall be made available to CCRTA staff and CCRTA funded contractors to encourage and to make reasonable efforts to use these institutions.

Information on the availability of such institutions can be obtained from the DBE Liaison Officer.

Section 26.29 Prompt Payment Mechanisms

CCRTA will include the following clause(s) in each DOT-assisted contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than thirty (30) days from the receipt of each payment the prime contract receives from the Corpus Christi Regional Transportation Authority (CCRTA). Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Corpus Christi Regional Transportation Authority. This clause applies to both DBE and non-DBE subcontracts.

The prime contractor agrees to return retainage payments to each subcontractor within thirty (30) days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Corpus Christi Regional Transportation Authority (CCRTA). This clause applies to both DBE and non-DBE subcontracts.

The clause to be used will be determined by what is being procured by CCRTA.

The DBELO will monitor payments made to subcontractors via its compliance forms on a monthly basis to ensure the timeliness and accuracy of payments. Sanctions of non-compliance may apply to untimely payments to subcontractors.

Non-Compliance and Sanctions

Determination of Non-compliance

It shall be the responsibility of CCRTA's DBE Liaison Officer (DBELO) to monitor the Compliance Plan, as well as the fulfillment of any special conditions, work order goals, or other obligations by contract awardees.

1. The DBELO shall determine whether a contractor has complied with the obligations under its compliance plan and other related requirements. The contractor has the burden of proving compliance with all obligations and requirements.
2. If the contractor fails to fulfill the requirements of the compliance plan or other compliance-related contractual obligation, CCRTA will notify the contractor of the deficiencies. Following notification, the contractor shall have sixty (60) days to cure the deficiencies. If the deficiencies are not cured, CCRTA shall make a determination of non-compliance and recommend the imposition of sanctions

Sanctions for Non-Compliance

1. Sanctions for non-compliance may include but are not limited to the following:

- a. Withholding of payments under the contract;
- b. Recommendation not to exercise contract renewal option, if any;
- c. Termination of the contract;
- d. Debarment from future business with CCRTA

Section 26.31 Directory

CCRTA is a participant in the Texas Unified Certification Program (TUCP) which includes the following:

- City of Austin
- City of Houston
- North Central Texas Regional Certification Agency (NCTRCA)
- South Central Texas Regional Certification Agency (SCTRCA)
- Texas Department of Transportation (TxDOT)

CCRTA contributes to the Texas UCP's DBE Directory. The TUCP participants will maintain a unified DBE directory containing pertinent information on all firms certified by the TUCP. The TUCP participants shall make the directory available to the public electronically on the Internet, as well as in print. The TUCP participants shall update both electronic and print versions by including additions, deletions, and other changes on a regular basis. The Directory can be found at <http://www.ccrta.org/news-opportunities/dbe-program/>. The directory lists information on the types of goods or services provided by each firm, by using the most specific NAICS code available to describe each type of work the firm performs, the address and telephone number of the business, and the contact person.

The DBE Directory is categorized by types of firms to facilitate identifying businesses with capabilities relevant to a particular specification, request for proposal, or purchase order. The DBE Directory is made available to bidders and proposers to assist them in their efforts to meet DBE Program requirements and is available through the DBE Office.

Section 26.33 Overconcentration

CCRTA has not identified that overconcentration exists in the types of work that DBEs perform. If at any time CCRTA observes an over-concentration of DBE firms in a certain type of work as to unduly burden the opportunity of non-DBE firms to participate in the type of work that is being over-burdened, CCRTA will devise appropriate measures, at that time, to address the overconcentration.

Section 26.35 Business Development Programs

CCRTA has not established a business development program.

Section 26.37 Monitoring and Enforcement Mechanisms

CCRTA will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation 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.
2. We will consider similar action under our own legal authorities, including responsiveness determinations in future contracts. 49 CFR §26.87 lists the regulation, provisions, and contract remedies available to us in the event of non-compliance with the DBE regulation by a participant in our procurement activities.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished through on-site work monitoring, which may include photographs and/or signature of the DBE performing the work.
4. We will keep a running tally of actual payments made to DBE firms for work committed to them at the time of contract award. This will be verified through affidavits received from the DBE.

Section 26.39 Fostering small business participation

Pursuant to the requirements of 49 CFR Part 26, §26.39, CCRTA has established a Small Business Enterprise (SBE) Program. The purpose of the program is to increase opportunities for small businesses to perform work for CCRTA. See Attachment 2, Small Business Participation Program.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

CCRTA does not use quotas in any way in the administration of its DBE program.

Section 26.45 Overall Goals

A description of the methodology used to calculate the overall goal and the goal calculations can be found in Attachment 3 to this program. This section of the program will be updated triennially.

In accordance with Section 26.45(f)(1)(i), CCRTA will submit its overall goal to the Federal Transit Authority (FTA) on August 1st at three-year intervals. Before establishing the overall triennial goal, CCRTA will consult with local stakeholders, including minority, women's and general contractor groups, community organizations, and other officials or organizations through a publicized public meeting to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and CCRTA's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at CCRTA's Staples Street Center at 602 N. Staples Street, Corpus Christi, TX 78401 for 30 days following the date of the notice, and informing the public that CCRTA and FTA will accept comments on the goals for 35 days from the date of the notice. The notice will include an address to which comments may be sent, an email address as to where the comments can be sent electronically and where the proposal may be reviewed on-site as well as on CCRTA's website. CCRTA will publish its final DBE triennial goal on its website.

We will begin using our triennial goal on October 1st of each year, unless we have received other instructions from FTA.

Section 26.49 Transit Vehicle Manufacturers Goals

CCRTA requires, per 49 CFR part 26.49(a) that each transit vehicle manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, certify that it has complied with the requirements of this section. Only those transit vehicle manufacturers listed on FTA's certified list of Transit Vehicle Manufacturers, or that have submitted a goal methodology to the FTA that has been approved or has not been disapproved, at the time of solicitation are eligible to bid. The DBE Liaison Officer will verify, at the time of the bid, the status of the TVM through the Federal Transit Administration (FTA).

CCRTA will electronically submit within 30 days of making an award, the name of the successful bidder, and the total dollar value of the contract in the manner prescribed in the grant agreement to FTA.

Alternatively, and per 49 CFR part 26.49(f), CCRTA may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-conscious Participation

The CCRTA will meet the maximum feasible portion of its overall goal by using race-neutral means by facilitating DBE participation.

Section 26.51(d-g) Contract Goals

CCRTA will use contract goals to meet any portion of the overall goal CCRTA does not project being able to meet using race-neutral means. Contract goals 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.

We will establish contract goals only on those DOT-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 circumstances of each such contract (e.g. type and location of work, availability of DBEs to perform the particular type of work).

We will express our contract goals as a percentage of the total amount of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures

Demonstration of Good Faith Efforts 26.53(a) & (c)

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in Appendix A to Part 26.

The DBE Liaison Officer (DBELO) is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

In order to be responsive, a bidder must make good faith efforts to meet CCRTA's DBE goal in either of two ways. The bidder must either 1) document how it will meet the full goal by completing and signing Schedules A and B or C (if a joint venture); or 2) document its attempt to meet the goal through detailed, corroborating evidence, i.e. demonstrate that it took *all necessary and reasonable steps* which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if the bidder was not fully successful. CCRTA's DBELO will make a fair and reasonable judgment whether a bidder that did not meet the goal made adequate good faith efforts. The DBELO will consider the quality, quantity, and intensity of the different kinds of efforts that the bidder/proposer made. The efforts employed by the bidder should be those that one would reasonably expect a bidder to take if the bidder were actively and aggressively trying to obtain DBE participation sufficient to meet the DBE contract goal. Mere *pro forma* efforts are not good faith efforts to meet the DBE contract requirements.

The following is a list of types of action that the DBELO will consider as part of the evaluation of the bidder's good faith efforts to obtain DBE participation. It is not intended to be a mandatory check list, or to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases:

- A. Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, if applicable, advertising, and/or written notices) the interest of all certified DBEs who have the ability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
 - B. Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the bidder might otherwise prefer to perform these work items with its own forces.
 - C. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
 - D. Negotiating in Good Faith with interested DBEs
1. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes:
 - the names, addresses, and telephone numbers of DBEs that were considered
 - a description of the information provided regarding the plans and specifications for the work selected for subcontracting
 - evidence as to why additional agreements could not be reached for DBEs to perform the work.
 2. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take into consideration a firm's price and capabilities, as well as contract goals. The fact that there may be some additional costs involved in finding and using DBEs, however, is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a bidder to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept high quotes from DBEs if the price difference is excessive or unreasonable.

- E. Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within the industry, membership in specific groups, organizations, or associations and political or social affiliations (for example, union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.
- F. Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by CCRTA or the bidder.
- G. Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- H. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices, and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.

The DBELO will also take into account the performance of other bidders in meeting the contract goal. For example, when the apparent successful bidder fails to commit to the contract goal, but others commit to the goal, CCRTA will raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have committed to the goal. If the apparent successful bidder fails to commit to the goal, but meets or exceeds the average DBE participation obtained by other bidders, the DBELO may view this, in conjunction with other factors, as evidence that the apparent successful bidder made good faith efforts.

The DBELO for CCRTA is responsible for determining whether a bidder has properly committed to meet the DBE goal and whether a bidder who has not committed to meeting the goal has documented good faith efforts in order to be responsive. The DBELO must be satisfied that all information is complete and accurate, and adequately documents the bidder's good faith efforts before CCRTA commits to the performance of the contract by the successful bidder.

CCRTA will ensure that all information is complete and accurate and adequately documents the bidder/offer's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

Information to be submitted (26.53(b))

CCRTA treats bidder/offer's compliance with good faith efforts' requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A detailed description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal (Schedule A attached hereto);
5. Written confirmation from the DBE that it is participating in the contract as provided in the contractor's commitment (Schedule B attached hereto); and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative Reconsideration (26.53(d))

In accordance with 49 CFR §26.53(d), if CCRTA determines that a bidder is not responsive because it has not committed to meeting the contract goal or has not documented sufficient good faith efforts, it will notify the bidder in writing, and the bidder will have five (5) business days after receipt of this notification to request administrative reconsideration. The bidder must make this request in writing to the following CCRTA Reconsideration Official:

Chief Executive Officer (CEO)
Corpus Christi Regional Transportation Authority
602 N. Staples
Corpus Christi, TX 78401

The Reconsideration Official will not have played any role in the original determination that the bidder did not document sufficient good faith efforts.

As part of this Reconsideration, the bidder shall have the opportunity to provide written documentation or argument concerning the issue of whether it committed to meeting the contract goal or made adequate good faith efforts to do so. The bidder can also request in writing to meet in person with CCRTA's Reconsideration Official to discuss these issues; this request for a meeting must be submitted within five (5) business days after receipt of notification of non-compliance. CCRTA will send the bidder a written decision within 10 business days after its reconsideration request was received by CCRTA, explaining CCRTA's basis for the finding that the bidder did or did not meet the goal or did or did not make adequate good faith efforts to do so. The result of this reconsideration process is not administratively appealable to the United States Department of Transportation and CCRTA's decision shall be final.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

The DBE Office monitors contracts to ensure compliance with federal DBE regulations, and CCRTA's Federal DBE Program. As stated in the DBE compliance requirements section of CCRTA's general contract conditions: "Failure to abide by the DBE participation requirements

shall be viewed as a breach of contract and subject to such sanctions and penalties as are allowed by law.” CCRTA may exercise its right to terminate the contract for breach of the DBE requirements. In the event of such breach, CCRTA may first invoke its administrative remedies under the contract and allow the contractor a reasonable opportunity to cure the breach prior to termination.

The contractor’s use of DBEs is monitored to ensure that pre-award commitments are kept. A Contractor may not terminate a listed and approved DBE subcontractor or an approved substitute DBE firm without the prior written approval of CCRTA’s DBE Liaison Officer. This includes, but is not limited to, instances in which a contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm. The Contractor will have to show good cause in order to terminate the listed and approved DBE firm.

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 contractor;
3. The listed DBE subcontractor fails or refuses to meet the contractor’s reasonable, nondiscriminatory 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 1200 or applicable state law;
6. CCRTA’s DBE Liaison Officer has determined that the listed DBE subcontractor is not a responsible contractor;
7. The listed DBE subcontractor voluntarily withdraws from the project and provides to you 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 CCRTA's DBE Liaison Officer compels the termination of the DBE subcontractor. Provided, that good cause does not exist if;

- The contractor seeks to terminate a DBE it relied upon to obtain the contract so that the contractor can self-perform the work for which the DBE contractor was engaged or;
- So that the contractor can substitute another DBE or non-DBE contractor after contract award.

The DBE Office monitors whether identified DBE businesses are performing the work as identified by the Contractor through both field inspection and documentation, which includes verification of payment from the Contractor to the DBE subcontractor via the DBE Contract Compliance forms and other proof of performance. The DBE Office shall monitor the Contractor's efforts to assist DBE subcontractors as may be needed during the performance of the contract. The Contractor shall inform the DBE Office whenever regularly scheduled progress payments are not made to DBE subcontractors.

Sanctions for Non-Compliance may include but are not limited to the following:

- i. Withholding of payments under the contract;
- ii. Recommendation not to exercise contract renewal option, if any;
- iii. Termination of the contract; and/or
- iv. Debarment from future business with CCRTA.

Section 26.55 Counting DBE Participation

CCRTA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.71 Certification Process

CCRTA will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. We will make our certification decisions based on the facts as a whole.

For more information about the certification process or to apply for certification, firms should contact:

Corpus Christi Regional Transportation Authority
DBE Liaison Officer
602 N. Staples
Corpus Christi, TX 78401

CCRTA's certification application forms and documentation requirements are found in Attachment 5 to this program.

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Program

CCRTA is a member of the Texas Unified Certification Program (TUCP) administered by all members of the TUCP. The TUCP will meet all of the requirements of this section. The following is a description of the TUCP:

Pursuant to the requirements of the federal regulations, 49 CFR Part 26, all recipients of federal-aid must implement a "one-stop" certification process for Disadvantaged Business Enterprises (DBE) and Airport Concessions Disadvantaged Business Enterprises (ACDBE). As a result of this requirement, the following six entities have established the Texas Unified Certification Program (TUCP). The six certifying United States Department of Transportation (US DOT) direct recipients (Participants) are:

- City of Austin
- City of Houston
- Corpus Christi Regional Transportation Authority (CCRTA)
- North Central Texas Regional Certification Agency (NCTRCA)
- South Central Texas Regional Certification Agency (SCTRCA)
- Texas Department of Transportation (TxDOT)

The TUCP is based on the concept of reciprocity among the Participants. Pursuant to 49 CFR Part 26.81(b)(2), "one-stop shopping" will be provided to applicants for DBE certification, such that an applicant need only to apply once for DBE certification that will be honored by all recipients in the state of Texas.

Section 26.83 Procedures for Certification Decisions

Re-certifications 26.83(a) & (h)(1)(2)

For firms that CCRTA has certified under Part 26, those firms will remain certified until and unless CCRTA removes its certification, in whole or in part, through the procedures of §26.87, except as provided in §26.67(b)(1). CCRTA will conduct a certification review of a certified DBE firm, including a new on-site review, if appropriate in light of changed circumstances (e.g., of the kind requiring notice under paragraph 26.83(c)(1)(i) of this section or relating to suspension of certification under §26.88), a complaint, or other information concerning the firm's eligibility. If information comes to the attention of CCRTA that leads CCRTA to question the firm's eligibility, CCRTA may conduct an on-site review on an unannounced basis, at the firm's offices and job sites.

No Change Affidavits and Notices of Change (26.83(j))

CCRTA requires all DBEs to inform us, in a written affidavit, of any change in its circumstances affecting its ability to meet size, disadvantaged status, ownership or control criteria of 49 CFR Part 26 or of any material changes in the information provided with CCRTA's application for certification.

CCRTA also requires all owners of all DBEs we have certified to submit, on their eligibility date of their certification, a "no change" affidavit meeting the requirements of 26.83(j). The test of this affidavit is the following:

I, *Name of DBE firm owner(s)* swear (or affirm) that there have been no changes in *Name of DBE firm* circumstances affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR Part 26 and 13 CFR Part 121. I swear (or affirm) there have been no material changes in the information provided with *Name of DBE firm* Affidavit Form for certification, except for any changes about which I have provided written notice pursuant to 49 CFR §26.83(i) to the Corpus Christi Regional Transportation Authority.

I swear (or affirm) 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 in 49 CFR §26.5, without regard to my individual qualities. I further swear (or affirm) that my personal net worth does not exceed \$1,320,000, 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 specifically swear (or affirm) that *Name of DBE firm* continues to meet the Small Business Administration (SBA) business size criteria and the overall gross receipts cap of 49 CFR Part 26. I swear (or affirm) that *Name of DBE firm* average annual gross receipts and/or number of employees (as defined by SBA rules) over the previous three fiscal years do not exceed the SBA size standard pursuant to 49 CFR §26.65 (a) and (b) and 49 CFR §23.33. I provide the attached size and gross receipts documentation to support this affidavit (captured and affirmed on page two of this affidavit).

We require DBEs to submit with this affidavit documentation of the firm's size and gross receipts.

We will notify all currently certified DBE firms of these obligations via a certified letter 30 days prior to the DBEs' eligibility date. This notification will inform DBEs 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 or she, or the firm, fails to meet a Part 26 eligibility requirements (e.g. personal net worth), the obligation to submit a notice of change applies.

Section 26.86 Denials of Initial Requests for Certification

If CCRTA denies a firm’s application or decertify it, it may not reapply until twelve (12) months have passed from CCRTA’s action.

Section 26.87 Removal of a DBE’s Eligibility

In the event CCRTA proposes to remove a DBE’s certification, we will follow procedures consistent with 26.87. Attachment 7 to this program sets forth these procedures in detail. To ensure separation of functions in a decertification, CCRTA has determined that CCRTA’s Chief Executive Officer (CEO) will serve as the decision-maker in decertification proceedings. We have established an administrative “firewall” to ensure that the CEO will not have participated in any way in the decertification proceeding against the firm (including in the decision to initiate such a proceeding).

Section 26.89 Certification Appeals

Any firm or complainant may appeal our decision in a certification matter to DOT. Such appeals may be sent to:

United States Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Avenue, S.E.
Washington, DC 20590

CCRTA will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs for our DOT-assisted contracts (e.g. certify a firm if DOT has determined that our denial of its application was erroneous).

SUBPART F – CERTIFICATION PROCEDURES

Section 26.109 Information, Confidentiality, Cooperation

CCRTA will safeguard from disclosing to third parties, information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any contractor provision of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

Monitoring Payments to DBEs

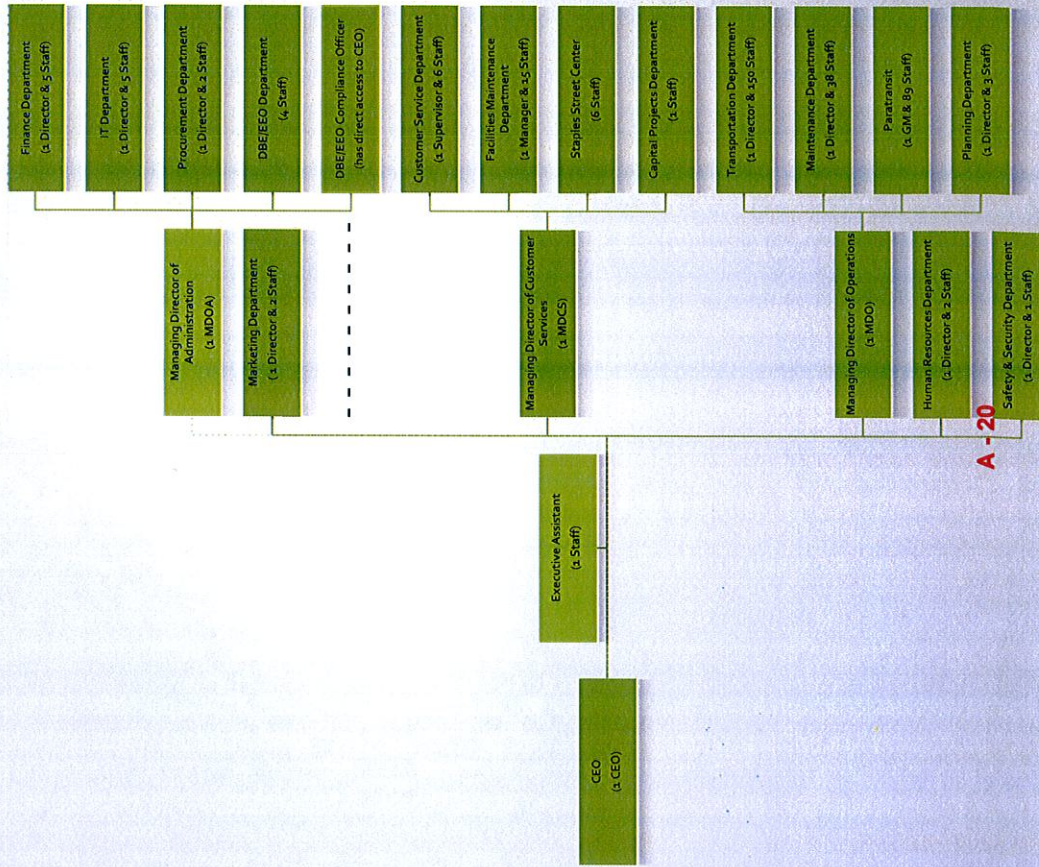
CCRTA will require contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of CCRTA or DOT. This reporting requirement also extends to any certified DBE subcontractor.

CCRTA will perform interim audits of contract payments to DBEs. 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.

ATTACHMENTS

Attachment 1	Organizational Chart
Attachment 2	Small Business Participation Program
Attachment 3	Overall Goal Calculation
Attachment 4	Uniform Certification Application
Attachment 5	Schedule A and Schedule B
Attachment 6	Monitoring Forms
Attachment 7	Procedures for Removal of DBE's Eligibility

CCRТА Organization Chart



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Small Business Participation Program

Program Objectives

1. To provide opportunities for small businesses to participate in all phases of Corpus Christi Regional Transportation Authority's (CCRTA) contracting activities;
2. To ensure nondiscriminatory practices in the utilization of small businesses in CCRTA contracts;
3. To encourage all small businesses to seek work as either a prime or a subcontractor when qualified and when work is available; and
4. To create formal processes and procedures that adequately and effectively assists in small business participation.

Definition of a Small Business

In determining whether a firm is eligible to compete as a small business, CCRTA defines a small business as any business whose annual gross income averaged over the past three (3) years does not exceed the Small Business Administration's (SBA) size standards as set forth in 13 CFR, Part 121. A size standard is the largest that a firm can be and still qualify as a small business.

Strategies

CCRTA has selected the following strategy to create contracting opportunities for small businesses.

Small Business Allocation: CCRTA's Board of Directors approved an allocation of 5% of contracts under \$1M for small businesses on January 24, 2012.

Note: CCRTA will fully implement this strategy within its Small Business Element within 90 days of FTA approval of its updated DBE Program.

How will CCRTA implement its selected strategy?

CCRTA has established the following processes and procedures to meet its SB element strategy:

1. Small Business Allocation: For 5% of CCRTA's contracts under \$1M:
 - a. DBE staff will create an "availability listing" of NAICS codes for which SB's can compete and use this listing to set the SB contract "target goal" for those contracting opportunities that small businesses can compete for. The process will "mirror current" DBE contract goal setting.
 - b. DBE staff will review work scope/task breakdown and estimated costs provided by project managers (Independent Cost Estimate—ICE) with the Procurement Department to determine if SB contracting opportunities exist; reduce the complexity and potential scope of large multiple- award contracts so that possible contracting opportunities can be of a level that encourage small business participation as a prime contractor. With regard to contract unbundling, if there are sections of work identified that do not significantly affect schedule, delivery, price and operations, CCRTA will ensure that services that are being requested are not bundled as a large umbrella contract.

- c. Then, DBE staff will set an SB “target goal” similarly to what is done in setting DBE race-conscious goals.
- d. DBE staff will confirm SB certification status through the Executive Director of the Small Business Administration in Corpus Christi, Texas.
- e. DBE staff will monitor contract performance to ensure the SB target goal is being met.
- f. DBE staff will “track” SB performance with its computerized software to establish a baseline for possible future FTA reporting mandates.

****Note: CCRTA will NOT establish a DBE goal and an SB Element “target goal” on the same contract.***

CCRTA will be ready to implement the SB Element/Program provisions immediately after FTA approval of its Updated DBE Program and in accordance with FTA instructions and the FTA—established implementation timeline.

Outreach and Other Technical Assistance

In preparation for FTA approval, CCRTA is in the process of:

- 1. Implementing procurement procedures requiring its contract administrators/buyers to obtain, when feasible and practical, at least one of three price quotations from an SBE for informal competitive procurements (i.e., other than Invitation for Bids (IFBs) and Request for Proposals (RFPs)).
- 2. Continuing to closely review, through its Procurement Department, any proposed changes to existing contracts to ensure that small businesses are being given the opportunity to bid on any new work that is out of the scope of an existing contract;
- 3. Utilizing CCRTA’s vendor registration process (now available on CCRTA’s website) to facilitate easier interaction between prime contractors and subcontractors, including DBEs and SBEs;
- 4. Revising current boilerplates for Invitation to Bid (IFBs) and Request for Proposals (RFPs) language to include SB Element/Program provisions and requirements;
- 5. Continuing to utilize its Buyer Program for “micro” and small purchases under \$50,000 that encourage small business participation;
- 6. Issuing guidance through adopted policy to encourage communication between contract administrators, project managers and CCRTA staff involved with DOT-assisted contracts and procurements in order to identify work that small businesses can perform;
- 7. Notifying CCRTA vendors/contractors of the new SB Element provisions through written materials, seminars, workshops and providing specialized assistance to individual firms;

8. Working closely with U.S. Small Business Administration located in Corpus Christi, its government partners (Del Mar College Small Business Development Program, the City of Corpus Christi Economic Development Department, Hispanic Chamber of Commerce) and other small business associations, trade associations and advocacy groups to ensure that procurement opportunity information is made available to small businesses;
9. Develop marketing tools in conjunction with the CCRTA's program of community awareness of the CCRTA and services provided;
10. Working with CCRTA Risk Management division, DBE staff are assisting in reviewing bonding and insurance requirements by doing a "best practices" search throughout the country. As information is received, CCRTA's Risk Management Officer will be assisting in the possible revision of CCRTA's current insurance and bonding requirements for different products and services. CCRTA is also reaching out to the U.S. Department of Transportation Office of Small and Disadvantaged Business (Financial Assistance Division) to see how they can access support from the Short-Term Lending Program and Bonding Assistance Program.

Accountability/Counting Participation

CCRTA will seek to implement one or more appropriate SB elements on all of CCRTA's contracting activity, regardless of funding source. When a race-conscious measure (such as a contract-specific CCRTA's DBE goal) is placed on a particular contract, CCRTA will not set an SB Element/Target Goal requirement on the same contract. By doing this, CCRTA will avoid confusion and misinterpretation of DBE goal in the business community.

CCRTA's program success will be measured by compiling statistical data that quantifies the number of prime and subcontract awards to small businesses. Although FTA does not currently require project goals for the new SB Element program, CCRTA proposes to track SB participation in order to establish baseline information in the event that FTA sets a requirement or goal setting methodology for this program.

CCRTA will monitor and review its goal achievement each year. If goals are achieved, no further action is required except to fulfill its reporting requirements as per 49 CFR 26. If CCRTA does not achieve its goal(s), a corrective action plan indicating reasons goals were not achieved will be submitted to FTA as per Section 26.47 (c). CCRTA will retain its analyses for a period of three years.

More importantly, the CCRTA Board of Directors has requested quarterly progress reports on what it considers key performance indicators (KPI's) for all of CCRTA's efforts with regard to small business participation. Information requested by the Board of Directors includes, but is not limited to:

1. Number of contracts awarded to small businesses;
2. Dollar amounts of contracts awarded to small businesses;

3. Types of Contracts and/or General Categories of contracts awarded to small businesses;
4. Assessment of total dollars and number of contract awards to small businesses as prime contractors.
5. Number of small business events, technical forums and/or special events held to outreach to small businesses in order to encourage small business participation in CCRTA's procurement activities.
6. Record of small business attendance/number of participants at different events.

CCRTA DBE staff is currently exploring the production of a report this information to the Board of Directors and, if requested, to the Federal Transit Administration.

Program Oversight/Monitoring & Enforcement

The Disadvantaged Business Enterprise Officer has overall DBE and SB Element/Program oversight. However, for day to day operations, the Equal Employment-Business Opportunity Coordinator in charge of Compliance will be responsible for the program implementation of the SB Element.

Mentor Protégé Program

CCRTA does not currently have a Mentor Protégé Program due to the staffing requirements that such a program would require. CCRTA works closely with fellow government partners, e.g., Del Mar College, the City of Corpus Christi Regional Economic Development Corporation, Nueces County and the Texas Department of Transportation Office of Civil Rights and area educational institutions to promote small business participation and DBE certification. CCRTA staff participate in regional small business symposiums and share information about small business development events on the CCRTA website and use software with email blast capabilities.

Small Business Development Program (SBDP)

The SBDP is a program overlay to CCRTA's Disadvantaged Business Enterprise Program. This program was instituted to further the development of all small businesses, regardless of race or gender, who wish to do business with CCRTA. The program assists all small businesses in areas including government contracting and competing in the marketplace within and outside the DBE program by providing training and assistance from CCRTA. The program was developed in response to the CCRTA Board of Directors and Advanced Transportation District (ATD) Board of Directors approval of a Business/Supplier Diversity Policy which is the preamble to all of CCRTA's and ATD's procurement activities targeted at empowering small business participation through the availability of business opportunities which encourage diversity and innovation.

SBDP ensures that all small businesses can participate with no geographic preferences or limitations. CCRTA is leveraging its existing collaborative efforts with business, educational and trade networks and is using these relationships with the technical community to enhance small business participation.

The following are the program's strategic objectives and corresponding success/performance indicators:

Strategic Objective 1: Ensure CCRTA's DBE Program is available to small businesses by collaborating across the community and within the CCRTA organization to expand opportunities for small businesses.

Strategies

1. Identification of Small Businesses for Participation
2. Expand Web-Based Presence/Training Opportunities for Existing DBEs and Small Businesses
3. Provide Public Outreach and Training
4. Increase Agency Accountability and Transparency
5. Enhance Data Integrity, Monitoring and Oversight

Performance Indicators

of contracts awarded to small businesses

Strategic Objective 2: Create opportunities to grow small business in order to assist in job creation.

Strategies

1. Develop Collaboration with Technical Assistance Provider Community.
2. Improve Business Outreach and Education.

Performance Indicators

of contracts awarded to small businesses

of small businesses attending small business events, technical forums and special events

Strategic Objective 3: Strengthen CCRTA's entrepreneurial education, counseling and training resources to help create new businesses and support the needs of existing businesses by successfully focusing on core program resources and ensuring these resources are aligned with the needs expressed by all small businesses.

Strategies

1. Provide Technical Assistance Programs, in conjunction with community resource partners, which are relevant to small businesses.
2. Minimize Insurance Risk, Bonding Barriers

Performance Indicators

of small businesses attending small business events, technical forums and special events

Strategic Objective 4: Strengthen CCRTA's relevance to small businesses to more effectively drive innovation and job creation through both the agency's existing programs as well as new initiatives.

Strategies:

1. Enhance Public Involvement Plans
2. Support Future Development Initiatives

Performance Indicators:

Customer Satisfaction Survey

**CCRTA PROPOSED FFY 2020-2022 OVERALL
DBE GOAL METHODOLOGY**

1. Introduction

Corpus Christi Regional Transportation Authority (CCRTA) herein sets forth its overall Disadvantaged Business Enterprise (DBE) Goal along with the corresponding goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2020-2022 (October 1, 2019 through September 30, 2022), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26 “Participation by Disadvantaged Business Enterprises in the U.S. Department of Transportation Programs.”

2. Background

CCRTA is a recipient of U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA) funding. As a condition of receiving this assistance, CCRTA must comply with FTA’s DBE requirements. In accordance with Title 49 CFR Part 26, Participation by DBE’s in USDOT programs, CCRTA is required to develop and submit a triennial Overall DBE goal for its FTA assisted projects.

3. FTA-Assisted Contracting Program for FFY 2020 – 2022

Table 1 represents CCRTA’s FTA-assisted contracting program which lists all the projects considered in preparing the goal methodology. It is anticipated that the projects listed in this table will be awarded during the triennial period.

Table 1

Projects with Contracting Opportunities	Federal Funds FFY 2020-2022
Bus Stop Shelter Amenities	\$1,787,818.00
Bus Stop Improvements Phase VIII through X	\$2,400,000.00
Maintenance Building Parking Lot Concrete Replacement	\$700,000.00
Non-Revenue Vehicles	\$678,702
Capitalized Preventive Maintenance	\$2,400,000
Mobile Bus Lifts	\$72,000
Mobility Management	\$407,730.00
Total FTA-assisted Contracting Opportunities	\$8,446,250.00

Table 2 represents all the projects in Table 1 but is further broken down by sub-contracting opportunities for each project (if applicable). NAICS codes were established for all work categories listed in Table 2.

Table 2

Projects and Sub-Contracting Opportunities	Estimated FTA \$ by Work Category 2020-2022
Capitalized Preventive Maintenance	\$ 2,400,000.00
Motor vehicle parts and accessories, new, merchant wholesalers	\$ 2,400,000.00
Bus Stop Shelter Amenities	\$ 1,787,818.00
Concrete	\$ 375,441.00
Bus Stop Improvements Phase VIII through X	\$ 2,400,000.00
Concrete	\$ 504,000.00
Maintenance Building Parking Lot Concrete Replacement	\$ 700,000.00
Concrete	\$ 50,000.00
Demolition	\$ 20,000.00
Electrical Contractors	\$ 20,000.00
Drainage (irrigation system)	\$ 20,000.00
Sidewalk and Ramps	\$ 20,000.00
Non-Revenue Vehicles	\$ 678,702.00
Non-Revenue Vehicles	\$ 678,702.00
Mobile Bus Lifts	\$ 72,000.00
Mobile Bus Lifts	\$ 72,000.00
Mobility Management	\$ 407,730.00
Mobility Management	\$ 407,730.00
Total FTA-assisted Contracting Opportunity	\$ 8,446,250.00

After all the NAICS Codes were assigned to the work categories in Table 2, the page below was sorted by NAICS code number to identify any potential duplicates. In some cases, the same NAICS code applied to work categories across different projects as demonstrated in Table 3.

Table 3

NAICS Codes "Duplicates"	NAICS Code	Estimated FTA \$ by NAICS 2020-2022
Concrete pouring	238110	\$ 375,441.00
Bus shelter construction	236220	\$ 1,412,377.00
Concrete pouring	238110	\$ 504,000.00
Bus terminal construction	236220	\$ 1,896,000.00
Highway, Street, and Bridge Construction	237310	\$ 570,000.00
Retaining wall (except anchored earth), poured concrete, construction	238110	\$ 50,000.00
Demolition, building and structure	238910	\$ 20,000.00
Electrical, electrical wiring, and low voltage electrical work	238210	\$ 20,000.00
Demolition, building and structure	238910	\$ 20,000.00
Sidewalk construction, residential and commercial	238990	\$ 20,000.00
Motor Vehicle Supplies and New Parts Merchant Wholesalers	423120	\$ 2,400,000.00
Non-Revenue Vehicles	441110	\$ 678,702.00
Motor Vehicle Supplies and New Parts Merchant Wholesalers	423120	\$ 72,000.00
Special Needs Transportation	485991	\$ 407,730.00
Total FTA assisted Contracting Opportunity		\$ 8,446,250.00

Table 4 provides a final summary of the work categories once all the duplicate NAICS codes were combined. The table also provides the estimated FTA funds per NAICS code and the corresponding NAICS weight for each work category.

Table 4

Category of Work	NAICS Code	Estimated FTA \$ by NAICS 2020 - 2022	NAICS Weight (%)
Concrete pouring	238110	\$ 929,441.00	11.00
Bus shelter construction	236220	\$ 3,308,377.00	39.17
Highway, Street, and Bridge Construction	237310	\$ 570,000.00	6.75
Demolition, building, and structure	238910	\$ 40,000.00	0.47
Electrical, electrical wiring, and low voltage electrical work	238210	\$ 20,000.00	0.24
Sidewalk construction, residential and commercial	238990	\$ 20,000.00	0.24
Motor Vehicle Supplies and New Parts Merchant Wholesalers	423120	\$ 2,472,000.00	29.27
Non-Revenue Vehicles	441110	\$ 678,702.00	8.04
Special Needs Transportation	485991	\$ 407,730.00	4.83
Total FTA-assisted Contracting Opportunity		\$ 8,446,250.00	100.00

4. Goal Methodology

Step 1: Determination of a base figure

CCRTA followed the prescribed federal methodology to determine a base figure. CCRTA looked at the availability of ready and willing DBE firms in each category code and also looked at ALL ready and willing firms in each category code. This information was gathered through the Texas Unified Certification Program (TUCP) DBE Database of certified firms and the 2016 U.S. Census Bureau County Business Patterns Database with defined specific market areas based on the individual contracting opportunity.

CCRTA's Metropolitan Statistical Area (MSA) consists of Nueces, San Patricio and Aransas Counties. This is where the majority of contracting dollars are expended and/or the majority of contractor and subcontractor bids/quotes are located.

The base figure is derived by dividing the number of ready, willing, and able DBE firms identified in each work category by the number of all firms identified in each work category (relative availability), then weighting the relative availability for each work category by the corresponding work category weight (Table 4), and then adding the weighted ratios together.

$$\text{Base Figure} = \frac{\text{NUMBER OF READY, WILLING AND ABLE DBE FIRMS}}{\text{NUMBER OF ALL READY, WILLING AND ABLE FIRMS}} (\text{X}) \text{ CATEGORY WEIGHT (X) } 100$$

NUMERATOR: TUCP DBE DATABASE OF CERTIFIED FIRMS

DENOMINATOR: U.S. CENSUS BUREAU'S 2016 BUSINESS PATTERNS

To ensure the information pulled for DBE firms and all firms were equal, the same geographic region was selected for both groups as noted in Table 5.

The result of the base figure calculations is **18.40%**, as shown in Table 5.

Table 5

Category of Work	NAICS Code	NAICS Weight (%)	Geographic Region	All Firms	DBE Firms	Weighted Ratio (%)
Concrete pouring	238110	11.56%	Nueces County, San Patricio County & Aransas County	23	7	3.51%
Bus shelter construction	236220	41.16%	Nueces County, San Patricio County & Aransas County	43	8	7.65%
Highway, Street, and Bridge Construction	237310	7.09%	Nueces County, San Patricio County & Aransas County	10	10	7.09%
Demolition, building, and structure	238910	0.50%	Nueces County, San Patricio County & Aransas County	31	7	0.11%
Electrical, electrical wiring, and low voltage electrical work	238210	0.25%	Nueces County, San Patricio County & Aransas County	80	2	0.00%
Sidewalk construction, residential and commercial	238990	0.25%	Nueces County, San Patricio County & Aransas County	46	9	0.04%
Motor Vehicle Supplies and New Parts Merchant Wholesalers	423120	30.75%	Nueces County, San Patricio County & Aransas County	17	0	0.00%
Non-Revenue Vehicles	441110	8.44%	Nueces County, San Patricio County & Aransas County	31	0	0.00%
Special Needs Transportation	485991	4.83%	Nueces County, San Patricio County & Aransas County	2	0	0.00%
BASE FIGURE		100.00%		283	43	18.40%

Step 2: Adjusting of a base figure

After establishing the base figure, CCRTA reviewed other known factors potentially impacting the relative availability of DBE’s within the market area. This approach follows the narrow tailoring provisions set forth under 49 CFR §26.45: Step 2; DBE Goal Adjustment guidelines.

Factors considered in making an adjustment to the Base Figure included the following:

Past DBE Goal Attainments

The primary form of evidence available is the past participation of DBE’s in CCRTA’s contracting awards. CCRTA calculated past DBE participation attainments for the last three (3) federal fiscal years. Table 6 reflects the actual representation of DBE’s on FTA-assisted contracts awarded by CCRTA in the last three federal fiscal years.

Table 6

Federal Fiscal Year (FFY)	Annual DBE Goal (%)	FTA DBE Goal Attainment (%)
2016	13%	67%
2017	16%	0%
2018	16%	7%
Median DBE Attainment Within the Last Three Years		7.00%
Base Figure		18.40%
Proposed Adjusted Base Figure		13%

The median established for the past three years, as shown in Table 6, is lower than the base figure derived from Step 1; therefore, an adjustment to the base figure based on CCRTA’s past DBE goal attainments has been made. The decision to make an adjustment was based on the following:

- Past participation (the volume of work DBE’s have performed in recent years) or other
- measures of demonstrated capacity as illustrated in Table 6;
- Evidence from past and recent disparity studies, and availability analysis which were used in evaluating the data; and
- Statistical data that show disparities in the ability of DBE’s getting financing and bonding.

Based on the above, CCRTA feels that an adjustment to the base figure is warranted. The adjustment is calculated in accordance with FTA guidance by averaging the base figure with the median DBE past attainment, as shown below:

$$\text{Adjusted Base Figure} = \frac{\text{Base Figure (18.40\%)} + \text{Median Attainment (7\%)}}{2}$$

The formula resulted in a proposed adjustment (decrease) to the base figure from 18.40% to 13%.

There are no other factors that CCRTA is aware of that would have an impact on the DBE goal setting methodology.

5. Proposed Overall DBE Goal

The final proposed overall DBE goal for FFY 2020-2022 for Corpus Christi Regional Transportation Authority’s FTA-assisted contracts is 13%.

6. Utilization of Race/Gender Neutral Method

Per 49 CFR §26.51, “You must meet the maximum feasible portion of your overall goal by using race/gender-neutral means of facilitating DBE participation.” Contract specific goals may be established in those instances when it is anticipated that the use of race-neutral measures may not be sufficient to meet the goal.

To ensure a measurable and accurate calculation, FTA’s DBE program, through way of its Goal Setting Methodology and Consultation webinar held in May, 2019 has provided a current formula for calculating the race-neutral/race-conscious split. The formula, as shown below, requires you to calculate the *Relative RN (Race-Neutral) Attainment*, the *Absolute RN (Race-Neutral Attainment)* and finally, the *RC (Race-Conscious) Split*.

1. Relative RN Attainment =

$$\frac{\text{RN Attainment (by \$ or \%)}}{\text{Overall DBE Achievement (by \$ or by \%)}}$$

2. Absolute RN Attainment =

$$\text{Relative RN Attainment (by \%) (X) Proposed Overall Goal (by \%)}$$

3. RC Split

$$\text{Proposed Overall Goal (by\%) – Absolute RN Attainment (by\%)}$$

Following this suggested formula lead CCRTA’s Race-Conscious (RC)/Race-Neutral (RN) split as follows:

$$13\%/0\%$$

Because the goal of §26.51 is to meet the maximum feasible portion of a recipient’s overall goal by race-neutral means of facilitating race-neutral DBE participation, CCRTA is committed to a RC/RN split of:

$$\text{RC} = 10\% / \text{RN} = 3\%$$

CCRTA will actively seek to solicit procurement participation from DBE firms and ensures the same in its public notices.

Race-neutral methods will include, but are not limited to the following:

- DBE participation through a prime contract obtained through competitive procurement measures
- DBE participation through a subcontract on a prime contract
- CCRTA will provide pre-bid/pre-proposal meetings to allow for networking opportunities for primes and subcontractors
- CCRTA advertises and distributes its DBE directory via its website, www.ccrta.org
- CCRTA participates in local outreach events

CCRTA will also ensure that Requests for Proposals (RFPs), Invitation for Bids (IFBs), and all corresponding contracting requirements foster participation by DBEs and other small businesses. CCRTA encourages prime contractors to subcontract portions of the work to disadvantaged business enterprises (DBEs).

7. Public Participation

In accordance with 49 CFR Part 26.45(g)(1)(i), minority, women, local business owners, and community organizations within CCRTA's metropolitan statistical areas were provided an opportunity to review the triennial goal methodology and provide input.

CCRTA issued a notice on their website of the proposed FTA Overall DBE Goal Methodology for FFY 2020-2022. This notice informed the public that the proposed goal and methodology are available for review at the CCRTA's Staples Street Center during normal business hours for 35 days following the date of the public notice.

RTA held a public meeting on July 17, 2019 at the CCRTA Staples Street Center, 602 N. Staples, Corpus Christi, TX 78401 at 1:00 p.m. Official notice was posted at the Nueces County Office and the City of Corpus Christi City Hall. The public meeting notice was also posted to CCRTA's website.

Invites to the meeting and a copy of the DBE methodology were emailed directly to:

- Procurement Technical Assistance Center (PTAC)
- United Corpus Christi Chamber of Commerce
- U.S. Small Business Administration (SBA) Corpus Christi Branch Office
- Corpus Christi International Airport
- Texas Department of Transportation – Corpus Christi District – DBE Program
- Alliance Program through the Texas Department of Transportation at the University of Texas at San Antonio

CCRTA did not receive any response from individuals, agencies or organizations regarding their attendance. However, three individuals did attend the meeting but no specific feedback was provided from the attendees.

Staff has attended outreach events to encourage DBE participation with the local community, at these events, CCRTA provides information, such as the DBE pamphlet entitled *What you need to know to become Certified*. This provides information to the public on how to become a vendor for CCRTA along with the general criteria for certification as a DBE. Listed below are a few events staff has attended in the last twelve months:

- Doing Business with CCRTA (hosted by PTAC)
- DBE Certification and Government Contracting Resources for Small Businesses
- 7th Annual B.I.G Event
- PTAC Vendor Fair

FEEDBACK FROM PUBLIC PARTICIPATION PROCESS

Staff has not received any feedback related to the FFY 2020-2022 Overall DBE Goal Methodology and proposed DBE goal.



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 (\$56.42 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? CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY

4. Who will contact me about my application and what are the eligibility standards? A transportation agency in your state that performs certification functions will contact you. The agency is a member of a statewide Unified Certification Program (UCP), which is required by the U.S. Department of Transportation. 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, 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.transportation.gov/civil-rights> (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 C.F.R. §26.5 and the Airport Concession Disadvantaged Business Enterprise Program as defined in 49 C.F.R. §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 C.F.R. Parts 180 and 1200, No procurement Suspension and Department, 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 firms owned by the persons listed has ever been denied certification as a DBE/ACDBE, 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. 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. 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 are responsible for the functions listed for the firm. 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

State the name, City and State of your firm's bank. Identify the persons able to sign checks on this account. Provide bank authorization and signature cards.

Bonding Information. State your firm's bonding limits both 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.

Section 5: AIRPORT CONCESSION (ACDBE) APPLICANTS

Complete the entries in this section if you are applying for ACDBE certification. Indicate in Section A if you operate a concession at the airport, and/or supply a good or service to an airport concessionaire. Indicate in Section B whether the applicant firm owns or operates any off-airport locations, providing the type of business, lease information, address/location, and annual gross receipts generated. Provide similar information in section C for any airport concession locations the firm currently owns or operates. If the applicant firm has any affiliates, provide the requested information in Section D. Indicate whether the ACDBE firm is participating in any joint ventures, and if so, include the original and any amended joint venture agreements.

AFFIDAVIT & SIGNATURE

The Affidavit of Certification must accompany your application. 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

I am applying for certification as DBE ACDBE

(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
- Gifted
- Merger or consolidation
- Other (explain) _____

(6) Is your firm "for profit"? Yes
Federal Tax ID# _____

No → **STOP!** If your firm is NOT for-profit, then you do NOT qualify for this program and should not fill out this application.

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

- Sole Proprietorship
- Limited Liability Partnership
- Partnership Corporation
- Limited Liability Company 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 engage 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: _____ | 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: (*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. Complete for all Owners who are responsible for the following functions of the firm (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 are responsible for the following functions of 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. _____	_____	_____	_____	_____	_____

Additional Information:



SECTION 5 - AIRPORT CONCESSION
(ACDBE APPLICANTS ONLY)

A. I am applying for ACDBE certification to: *(check all that apply)*

- Operate a concession at an airport Supply a good or service to an airport concessionaire

B. Does the applicant firm own/operate any off-airport locations? Yes No *If Yes, identify the following*

Type of Business (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Lease Term (years)	Lease Start Date	Address / Location	Annual Gross Receipts Generated

C. Does the applicant firm currently own/operate any airport concession locations? Yes No *If Yes, supply the following information:*

Airport Name	Concession Type (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Number of Leases	Number of Locations	Annual Gross Receipts Generated	Lease Type <i>(e.g. Direct Lease, Subcontract Management Agreement, etc. enter all that apply to the leases listed)</i>

D. Does the applicant firm have any affiliates? Yes No *If Yes, provide the following information concerning any locations owned/operated by affiliate firms.*

Airport Name	Concession Type (e.g., F&B, News & Gift, Retail, Duty Free, Advertising, etc.)	Number of Leases	Number of Locations	Annual Gross Receipts Generated	Lease Type <i>(e.g. Direct Lease, Subcontract Management Agreement, etc. enter all that apply to the leases listed)</i>

E. Is the ACDBE applicant firm a participant in any joint ventures? Yes No *If Yes, attach all original and any amended Joint Venture Agreements and any amendments to the agreements.*



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 who the applicant firm relies upon to satisfy the Regulation's 51% ownership requirement.
- 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 decertification's, 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 director's 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 certifying agency 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)
- 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**

OMB APPROVAL NO: [2105-0510](#)
EXPIRATION DATE: 10/31/2021

As of _____

This form is used by all participants in the U.S. Department of Transportation's Disadvantaged Business Enterprise (DBE) and Airport Concession DBE (ACDBE) 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 certifying agency 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 certifying agency, not U.S. DOT.**

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

ASSETS		(Omit Cents)	LIABILITIES		(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 from You to the Firm, Other Entities, Individuals, & 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).

ATTACHMENT A

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



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

ATTACHMENT A

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;
- Federal Tax and penalties, if applicable, 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 specified in §26.67(a)(2)(i) 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 the certifying agency.

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 Federal tax and 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 from you to the firm, other Entities, Individuals, and Other Receivables not listed: Enter current balances of loans you have extended to this firm and to other entities or individuals, plus interest payable on those loans; 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, names of beneficiaries, 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. 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.

ATTACHMENT A

contingent liability. Contingent liabilities do not count toward your net worth until they become actual liabilities.

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

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.

SCHEDULE B
AFFIDAVIT OF DBE SUBCONTRACTOR

Subcontracting Levels

(14) % _____ of the dollar amount of the DBE's subcontractor will be sublet to **DBE Subcontractors**

(15) % _____ of the dollar amount of the DBE's subcontractor will be sublet to **non-DBE Subcontractors**

NOTICE: IF THE DBE WILL NOT BE SUBCONTRACTING ANY OF THE WORK DESCRIBED IN THIS SCHEDULE, A ZERO MUST BE SHOWN IN EACH BLANK ABOVE

IF ANY DOLLAR AMOUNT OF THE DBE'S SCOPE OF WORK WILL BE SUBLET, A BRIEF EXPLANATION AND DESCRIPTION OF THE WORK TO BE SUBLET MUST BE LISTED BELOW: (16)

NOTICE: Any misrepresentation regarding the status of a person or an entity in order to qualify for DBE status may result in conviction for a Class 2 felony, including a penalty for one and a half times the value of the contract. Material misrepresentation on any matter will also be ground for terminating any contract which may be awarded, and for initiating action under federal or state laws concerning false statements.

The undersigned will enter into a formal written agreement for the above work with the Contractor conditioned upon their execution of a contract with CCRTA, and will do so within 30 calendar days for their receipt of a signed contract from CCRTA.

I further understand that any willful falsification, fraudulent statement, or misrepresentation will result in appropriate sanctions, which may include debarment and/or prosecution under applicable State and Federal laws.

(17) _____ (18) _____
Signature of Owner, President or Authorized Agent of DBE

(19) _____
Print – Name and Title
Date

Pursuant to 49 CFR §26.13(b), each subcontract the contractor signs with a subcontractor must include the following assurance:

The contractor, sub-recipient for 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 DOT-assisted contracts. Failure by the contractor to carry out these requirements are a material breach of this contract, which may result in the termination of this contract or such other remedy as CCRTA deems appropriate.

Pursuant to 49 CFR §26.27, CCRTA encourages you to utilize financial institutions owned and controlled by socially and economically disadvantaged individuals within your community.



**CCRTA OFFICE OF DBE ADMINISTRATION
DBE COMMERCIALY USEFUL FUNCTION
CONSTRUCTION, ARCHITECTURAL/ENGINEERING,
PROFESSIONAL SERVICE, SUPPLIER
WORK SITE REVIEW**

CCRTA Contract No.: _____

Description/Location: _____

The Contract between:

_____ and DBE _____
(Prime Contractor Name) (DBE Contractor Name)

- Subcontractor Subconsultant Material Contractor
- Manufacturer Regular Dealer Broker
- Other (Specify) _____

CONTRACTOR WORK SITE REVIEW (Attach photos if available) DATE: _____

ADDRESS/LOCATION: _____

Date of Review:		
Name of the on-site representative(s):		
Describe the type of work observed:		
Is there a legal contract executed by the DBE to perform a distinct element of work? ___ Yes ___ No		
Has the onsite representative been identified as an employee of the DBE? ___ Yes ___ No		
Has this individual ever shown up on the Prime Contractor's payroll? ___ Yes ___ No		
Does the DBE effectively manage the job site? ___ Yes ___ No		
Has the DBE owner been present on the jobsite? ___ Yes ___ No		
Does the equipment have the DBE's markings or emblems? ___ Yes ___ No		

If another firm's markings are discernible, note the Name: _____

Is the DBE's equipment? _____ Owned _____ Leased

If leased, is there a formal agreement identifying the terms and parties? _____ Yes _____ No

Is the operator of the leased equipment the DBE's employee? _____ Yes _____ No

Is the work to be performed by a DBE a furnish and install item of work? _____ Yes _____ No

Who makes arrangements for delivery of materials? _____

Does the DBE appear to have control over methods of work on its contract items? _____ Yes _____ No

The DBE is responsible for execution of the work of the contract and carrying out its responsibilities:

Y N
 installing, where applicable (DBE contractor above materials and supplies on the contract):

DESCRIBE: _____

Y N
 actually performing/manufacturing, where applicable (DBE contractor/consultant workers on site performing identified work);

DESCRIBE: _____

Y N
 managing and supervising the work involved (DBE contractor/consultant has supervision on site and is in control of subcontracted portion of work – is independent and not under constant supervision of prime or other contractor/consultant)

DESCRIBE: _____

NOTE:

A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, you must examine similar transactions, particularly those in which DBEs do not participate.

If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work of a contract than would be expected on the basis of normal industry practice for the type of work involved, you must presume that it is not performing a commercially useful function.

Normal Industry Practice

The most consistent thread through a CUF evaluation is whether the role the DBE is playing in any transaction is consistent with "normal industry practice." The concern is that the normal industry practice is determined largely by non-DBE firms and is often simply a practice repeated enough to set the normal industry practice. However, if normal practices in fact erode the ability of the DBE to control its work and remain independent, the practice is inconsistent with the DBE program. In such cases, the DBE program requirements must prevail.

One general rule of thumb that can be considered is whether a DBE firm would be performing in the manner it is if there was no DBE program. As further evidence of meeting normal industry practice, does the DBE firm perform this work on non-federal work?



**CCRTA OFFICE OF DBE ADMINISTRATION
DBE COMMERICALLY USEFUL FUNCTION
CONSTRUCTION, ARCHITECTURAL/ENGINEERING,
PROFESSIONAL SERVICE, SUPPLIER
WORK SITE REVIEW**

Signature Page

Name of Firm Being Reviewed: _____

Dated: _____

Signature of DBE Subcontractor		Date
Printed Name, Title (DBE Subcontractor)	Signature	
Printed Name, Title (DBE Subcontractor)	Signature	

Printed Name, Title (DBE Subcontractor) Signature

Signature of Reviewer(s)		Date
Printed Name, Title (CCRTA Representative)	Signature	

Printed Name, Title (CCRTA Representative) Signature

1) Invoice Number	2) Report No.
3) Reporting Period	From: _____ To: _____



VENDOR PAYMENT REPORT

Instructions: All prime contractors and consultants are required to complete and submit this report with each invoice, until final payment of the contract. Note: Failure to comply with RTA's Disadvantaged Business Enterprise (DBE's) provisions may result in contract termination, or the suspension or debarment of the contractor from doing business with RTA in the future in accordance with the procedures set forth in RTA's Procurement Regulations. To complete this report, see detailed instructions on the proceeding page. **This report must be submitted with Invoice.**

4) RTA Contract Number	5) Type of Contract (x) <input type="checkbox"/> Construction <input type="checkbox"/> Professional Service <input type="checkbox"/> Service <input type="checkbox"/> Supply/ Commodity		6) Contractor's Business Name, Address, and Telephone Number	
7) Date of Contract Award	8) Estimated Date of Completion	9) Original Contract Amount	10) Current Contract Amount, (including Modifications)	
11) Total Amount Received To Date \$	12) Total Amount Owed \$	13) Committed Disadvantaged Business Participation %	14) Instructions for Calculation of DBE Percentage: Dollar amount paid to DBE divided by dollar amount received by Contractor from RTA	15) Actual Disadvantaged Business Enterprise % to Date: %
	17) DBE/ MBE/ WBE	18) Description of Work	20) Subcontract Value (Dollars)	21) Total Amount Paid-to-Date (Dollars)
16) Name of Vendor/ Subcontractor	19) Amount & Date of Last Payment	22) % Paid to Date	23) Amount of This Invoice Allocated to Subcontractor	

I hereby certify that _____ has made timely payments from proceeds of prior payments, and will make payments within five (5) days of receipt of funds from RTA for progress and/or final payment to our subcontractors and suppliers in accordance with contractual arrangements with them.

Company Official's Signature & Title	Date Signed	Name & Title of Individual Completing Report
--------------------------------------	-------------	--

**INSTRUCTIONS FOR CONTRACTORS
"HOW TO FILL OUT VENDOR PAYMENT REPORT"**

The Vendor Payment Report is to be filled out by the Contractor and submitted with each invoice. The instructions below correspond to each item on the reverse side of the report. Please follow the instructions.

1. **Invoice Number** – Fill in the invoice number accompanying this report.
2. **Report Number** – Fill in the number of the report you are sending in sequence. For example: if this is the second invoice you are submitting, you are sending in Report Number 2.
3. **Reporting Period** – This is to be filled in to state the period of time you are reporting. Example: From: April 1, 2011 To: April 30, 2011
4. **RTA Contract Number** – Fill in the contract number assigned to your project by RTA; make sure that your invoice corresponds to the Contract No.
5. **Type of Contract** – Designate the type of contract that has been awarded you by the RTA.
6. **Contractor's Business Name, Address, and Telephone Number** – Fill in your company's name, address, and telephone number
7. **Date of Contract Award** – Fill in the date contract was executed by both you and RTA.
8. **Estimated Date of Completion** – Fill in the completion date of contract as written in contract.
9. **Original Contract Amount** – Fill in dollar amount of original contract agree upon by you and RTA.
10. **Current Amended Contract Amount** – Fill in the dollar amount of original contract plus/minus the dollar amount agreed upon at a later date as a result of contract modifications (change order). If applicable, include date of modification.
11. **Total Amount Received to Date** – Fill in the dollar amount you have received from RTA to date.
12. **Total Amount Owed** – Fill in the dollar amount of the contract minus amount paid to you by RTA.
13. **Committed Disadvantaged Business Participation** – Fill in the percentage of DBE participation you committed to obtain on the contract.
14. **Instructions for Calculation of DBE Percentage: Dollar amount paid to DBE divided by dollar amount received by Contractor from RTA** – Complete in accordance with directions on the form.
15. **Actual Disadvantaged % to Date** – Fill in the calculated dollar amount paid to the DBE divided by the dollar amount you received from RTA.
16. **Name of Vendor/Subcontractor** – Name all DBE/MBE/WBE subcontractors used in this contract. Use additional sheets as necessary.
17. **Disadvantaged/Minority/Women-Owned Business Enterprise** – State whether the subcontractor is a DBE/MBE/WBE.
18. **Description of Work** – State the work performed by the DBE/MBE/WBE subcontractor.
19. **Amount and Date of Last Payment** – State the amount and date of last payment made to each DBE/MBE/WBE subcontractor. Submit evidence of payment, i.e. cancelled check, check register, etc.
20. **Subcontractor Value (Dollars)** – State the committed dollar value to the DBE/MBE/WBE subcontractor for the duration of the contract.
21. **Percent of Earned Progress to Date** – State the percentage by dividing the dollar amount paid to the DBE/MBE/WBE subcontractors by the full amount committed to them.
22. **Amount Paid to Date (Dollars)** - Add all amount paid to each DBE/MBE/WBE subcontractor to date.
23. **Amount of This Invoice Allocated to Vendor/Subcontractor** – Fill in how much of this invoice will be paid to each DBE/MBE/WBE subcontractor.

ATTACHMENT 7

Removal of DBE/ACDBE Eligibility (Decertification)

*ALL MEMBERS OF THE TUCP, INCLUDING THE CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY (CCRТА)
FOLLOW THE TEXAS UNIFIED CERTIFICATION PROGRAM STANDARD OPERATING PROCEDURES, WHICH INCLUDES THE
PROCESS OF REMOVING A DBE/ACDBE ELIGIBILITY (DECERTIFICATION)

1. INITIAL DENIAL OF DBE/ACDBE CERTIFICATION

- a. A firm will be notified in writing by the Certifying Partner that it has been denied DBE/ACDBE certification by the TUCP.
- b. The firm will be provided with a written explanation of the reasons for denial, specifically referencing the evidence in the record that supports each reason for the denial.
- c. All documents and information used to render a determination of denial will be made available for inspection by the applicant, upon written request to the Certifying Partner.
- d. A firm that is denied DBE/ACDBE certification may not apply for certification with the TUCP for a period of one year (12 months).
- e. A firm denied DBE/ACDBE certification may appeal the denial of DBE/ACDBE certification to the USDOT in accordance with §26.89 of the regulation.

2. REMOVAL OF DBE/ACDBE ELIGIBILITY (DECERTIFICATION)

- a. The TUCP members agree to follow the eligibility removal procedures set forth in 49 CFR §26.87 including:
 - i. Ineligibility complaints: Any person, including another TUCP member, may file a written complaint alleging that a currently-certified firm is ineligible and specifying the alleged reason(s) why the firm is ineligible within 90 days.
 - ii. Recipient initiated proceedings: If a direct recipient of federal funds determines that there is reasonable cause to believe that a currently certified firm is ineligible based on notification by that DBE/ACDBE firm of a change in its circumstances or any other information that becomes available, they must provide written notice to the firm that it proposes to find them ineligible for the DBE/ACDBE program setting forth the reasons for the proposed determination. The statement of reasons for the finding of reasonable cause must specifically reference the evidence in the record on which each reason is based.

- iii. DOT directive to initiate proceeding: If the concerned operating administration (FHWA, FTA, FAA) determines that information in your certification records, or other information available to the concerned operating administration, provides reasonable cause to believe that a firm you certified does not meet the eligibility criteria of this part, the concerned operating administration may direct you to initiate a proceeding to remove the firm's certification.
- iv. When a firm is notified that there is reasonable cause to remove its eligibility, as provided in paragraph (a), (b), or (c) of this section, it will be provided the opportunity for an informal hearing, at which the firm may respond to the reasons for the proposal to remove its eligibility in person and provide information and arguments concerning why it should remain certified.
- v. A DBE/ACDBE firm whose eligibility has been removed (decertified) for any of the following reasons will be afforded an Appeal Process as stated in Section M:
 - 1. The business has changed to the extent that it is no longer owned or controlled by socially and economically disadvantaged individual(s).
 - 2. The DBE/ACDBE firm is no longer an ongoing business entity.
 - 3. The socially and economically disadvantaged owners falsified a sworn statement. This action may also result in more punitive action such as debarment.
 - 4. The DBE/ACDBE fails to notify the TUCP Certifying Partner, within 30 days, of changes in ownership, control, independence or status as an ongoing concern.
 - 5. A determination by the TUCP Certifying Partner that the firm no longer meets certification eligibility standards.
 - 6. The DBE/ACDBE exhibits a pattern of conduct indicating its involvement in attempts to evade or subvert the intent or requirement of the regulations. This action may also result in more punitive action such as debarment.
- vi. Decertified firms shall be removed from the TUCP directory.
- vii. A firm decertified for cause may not apply again for DBE/ACDBE certification with the TUCP for a period of one year (12 months). A firm that is decertified for not submitting an Annual Affidavit (failure to cooperate clause) may reapply for DBE/ACDBE certification after a six (6) month waiting period from the date of decertification.

3. APPEAL PROCESS

a. Initial Denials

- i. A firm denied DBE/ACDBE certification may appeal the denial of DBE/ACDBE certification to the United States Department of Transportation (USDOT) in accordance with §26.89 of the regulation.

Such appeal must be filed within ninety (90) days of the date of the determination letter.

- ii. Pending a determination by USDOT, the decision rendered by the Certifying Partner remains in effect for the TUCP. Upon notification by USDOT, the TUCP Certifying Partner will forward a copy of the complete administrative record for review within fifteen (15) business days.
- iii. All appeal decisions rendered by USDOT are administratively final and are not subject to petitions for reconsideration.
- iv. A firm that is denied DBE/ACDBE certification may not again apply for certification with the TUCP for a period of one year (12 months).

b. Removal of Certification

- i. Any firm that was certified under 49 CFR Part 23 and Part 26 and has had their certification proposed to be removed may file a written rebuttal or appear in person at an informal hearing.
- ii. All requests for an informal hearing must be filed with the TUCP Certifying Partner responsible for the removal of DBE/ACDBE certification. The firm will have the opportunity to present information in person or in writing to the certifying TUCP Partner and all aspects of the hearing shall be coordinated by the TUCP Certifying Partner.
- iii. The TUCP Certifying Partner must maintain a complete record of the hearing, by a means acceptable under State law for the retention of a verbatim record of an Administrative Hearing.
- iv. Separations of Functions: The TUCP Certifying Partner must ensure that the decision in a proceeding to remove a firm's eligibility (decertification) is made by an office and personnel that did not take part in actions leading to or seeking to implement the proposal to remove the firm's eligibility and are not subject, with respect to the matter, to direction from the office or personnel who did take part in these actions.
- v. Any firm may appeal directly to the United States Department of Transportation (USDOT). Such appeal must be filed within 90 days of the date of the denial letter from the Certifying Partner.
- vi. Pending a determination by the USDOT, the decision rendered by the TUCP Certifying Partner remains in effect for the TUCP.
- vii. Upon notification by USDOT, the TUCP Certifying Partner will forward a copy of the complete administrative record for review. USDOT will make a determination based solely on the administrative record.
- viii. USDOT will provide written notice of its decision to the TUCP and the appellant.
- ix. It is the policy of USDOT to make its determination within 180 days of receiving the complete administrative record. If a determination is not made within this period, USDOT will provide written notice to the parties explaining the reason for the delay and a date by which the appeal decision will be made.

- x. All appeal decisions rendered by the USDOT are administratively final and are not subject to petitions for reconsideration.

4. DECERTIFICATION PROCEDURES (3RD PARTY CERTIFICATION CHALLENGES)

- a. In compliance with §26.87 the TUCP Certifying Partners shall accept written complaints from any entity alleging that a currently certified DBE/ACDBE firm is ineligible.
- b. The complainant must state the specific reasons for the challenge and submit documentation in support of the complaint. The complainant's identity shall be protected as provided for in §26.109 (b).
- c. The challenged firm shall be notified, in writing, by the original TUCP Certifying Partner within five (5) business days of the challenge, the basis for the challenge and the relevant regulations.
- d. The TUCP Certifying Partner responsible for the original certification shall thoroughly investigate the complaint within a reasonable time not to exceed sixty (60) days.
- e. A TUCP Certifying Partner may accompany and or conduct an investigation when a complaint is filed by another certifying partner. The TUCP Partner who receives the certification challenge has fifteen (15) days to respond in writing indicating the certification decision or indicate wishes for the challenger to proceed with the eligibility review. In cases where another TUCP 3rd Party has conducted the eligibility review, that TUCP Partner shall be responsible for all administrative procedures associated with the decertification process.
- f. When TUCP Certifying Partners cannot reach a consensus regarding the eligibility of a DBE/ACDBE certification as a result of an investigation, the information will be forwarded to an independent certifying partner or to FHWA-Texas Division for a final determination.
- g. The TUCP Certifying Partner shall notify the challenged firm in writing via certified mail of the preliminary findings of the complaint.
- h. The challenged firm may request reconsideration in writing, of the intent to remove certification eligibility, within fifteen (15) days of the date of the notice.
- i. The request for an appeal must be made to the investigating TUCP Certifying Partner and must indicate whether the firm wishes to file a written appeal or appear in person for a hearing to be conducted by the certifying entity.

- j. USDOT may also notify the TUCP of reasonable cause to find a certified DBE/ACDBE.
- k. firm to be ineligible. In such cases, the TUCP shall without delay begin a proceeding.
- l. to determine whether the firm's eligibility should be removed, as provided in §26.87.



Subject: Adopt a Pension Funding Policy for the Defined Benefit Plan that establishes a funding ratio range of 85%-95%

Background

Sustainable funding practices for Defined Benefit Pensions suggest that public officials and associated trustees should at a minimum adopt a funding policy identifying a target funded ratio that will provide reasonable assurance that the pension plan is able to cover all payments it is obligated to make. Recognizing this responsibility, the Board has requested that a written pension funding policy be formulated that establishes a funding ratio range of 85%-95% for their consideration and adoption.

Identified Need

In response to the Board's request for a pension funding policy, staff is providing the attached Draft Funding Policy. In addition, there are new reporting requirements in Chapter 802-86th Legislature that will require each public retirement system to adopt a funding policy by January 1, 2020 that details a plan for achieving a funding ratio that is equal to or greater than 100%.

Because the funding ratio is a critical indicator of a pension's health at a specific point in time, the proposed pension funding policy will serve as a starting point that will provide an opportunity for corrective action should the ratio fall outside of the desired range of 85%-95%. With the guidance of the Authority's Actuary, the proper steps can be taken to achieve the ultimate goal of funding 100% of the pension obligation in the future years.

Disadvantaged Business Enterprise (DBE)

Not applicable.

Board Priority

This Policy aligns with the Board Priority – Financial Transparency.

Recommendation

Staff requests the Administrative & Finance Committee recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to accept and adopt the Pension funding Policy for the Defined Benefit Plan that establishes the funding ratio range of 85%-95%.

Respectfully Submitted,

Submitted by: Sandy Roddel
Director of Finance

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer

Section 1. PURPOSE

The purpose of this funding policy is to state the overall funding goals for the Defined Benefit Plan, the benchmarks that will be used to measure progress in achieving those goals, and the methods and assumptions that will be employed to develop the benchmarks.

Section 2. BACKGROUND

CCRTA provides its employees with a defined benefit pension plan and a defined contribution plan and does not participate in social security. In addition, CCRTA provides its employees the opportunity to increase personal retirement savings by offering supplemental retirement plans that allow additional contributions plans to be made either on a pre-tax basis or a post-tax basis. While this policy primarily focuses on the Authority's Defined Benefit and Defined Contribution Plans it recognizes the importance of offering supplemental retirement plans in assisting employees in achieving retirement security.

Section 3. GUIDANCE SOURCES

1. **Funding Policy** (SB 2224, effective September 1, 2019): The governing body of a public retirement system shall:
 - Adopt a written funding policy that details the governing body's plan for achieving a funding ratio that is equal to or greater than 100%;
 - File a copy of the policy with the Pension Retirement Board no later than the 31st day after the date the policy or change, as applicable.
 - Each public retirement system shall adopt a funding policy by January 1, 2020
2. **Investment Performance Evaluation** (SB 322, effective immediately): Certain public retirement systems are required to select an independent firm to evaluate investment practices and performance and make recommendations for improving the retirement system's investment policies procedures, and practices.
 - Systems >=\$100M in assets must conduct investment performance evaluations every 3 years.
 - Systems >=\$30M in assets must conduct investment performance evaluations every 6 years.
 - Systems <\$30M in assets are not required to conduct these evaluations
 - A report of the first evaluation must be filed with the governing body by May 1, 2020.
 - The report is due to the PRB 31 days after the date the governing body receives it.
3. **Fee Disclosures** (SB 322): Public retirement systems are required to include in their annual financial report a listing, by asset class, of all direct and indirect commissions and fees paid by the retirement system for the sale, purchase, or management of its assets and to provide the names of the investment managers engaged by the retirement system.
4. **Society of Actuaries** – 100% of the pension obligation over the career of the employee

Section 4. PLAN DESIGN

The retirement benefit formula is currently set by the board to provide a monthly benefit equal to 2% of average compensation for the last 3 years of employment times years of service divided by 12.

Section 4. FUNDING GOALS

The fundamental financial objective of the Defined Benefit Plan is to fund the long-term cost of the benefits promised to participants. Management acknowledges that the appropriate way to attain reasonable assurance that benefits will remain sustainable is for the retirement system to accumulate resources for future benefit payments in a systematic and disciplined manner during the active service life of the benefitting employees.

The objective is to keep contributions relatively stable while equitably allocating the costs over the employees' period of active service.

Section 5. FUNDING SOURCES AND STRATEGIES

Long-term funding is accomplished through contributions from the employer and from investment earnings which typically provide the largest component of funding. An indication of a reasonable funding strategy is a fund's unfunded actuarial accrued liability (UAAL) as a percentage of covered payroll and the unfunded ratio of assets to liabilities.

To ensure sustainability, the authority will use a funding ratio between 85% to 95%. Pension fund contributions will have the same budget priority as other salaries and wages.

Section 6. FUNDING RATIO POLICY STATEMENT

- Actuarially Determined Contributions – CCRTA will make level dollar amortization contributions in such a manner that total projected contributions are sufficient to maintain a funded ratio between 85%-95%.
- Updated mortality tables on an annual basis will be reflected in the actuarial valuations to better recognize current and future mortality data.
- The investment rate of return and discount rate will be reviewed by the Board to gradually reduce the expected rate of return over the next 4 years until a rate of 7% is reached in order to align with future expectations.



Subject: Approve Issuing an Invitation for Bids (IFB) for an Automated Rim Polishing System

Background

An automated rim polishing system has the capability of restoring aluminum bus wheel rims to a mirror-like finish. The system will refurbish road-wear wheels, revealing any hidden damage such as cracks between the bolt holes which compromise the safety of wheels. The system is environmentally friendly with a fully enclosed cabinet which traps all containments.

Identified Need

CCRTA Maintenance Department is responsible for maintaining a fleet of 70 buses. The Automated Rim Polishing System will allow maintenance staff to safely and quickly refurbish and maintain the rims. Currently, maintenance relies on staff to manually maintain rims, averaging 4 hours per vehicle and 1,680 hours annually for the fleet. An automated polishing system drastically reduces labor hours by 75%, 420 annual labor hours, while restoring rims to a mirror-like finish.

Disadvantaged Business Enterprise

Staff will review DBE and collaborate with the successful bidder to pursue DBE participation.

Financial Impact

Total expenditures for the Automated Rim Polishing System is estimated to be \$140,000.00. This item is a 2019 CIP Capital Project and is using local funds.

Board Priority

This item aligns with the Board Priority – Public Image and Transparency

Recommendation

Staff Requests the Operations & Capital Projects Committee Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Approve Issuing an Invitation for Bids (IFB) for an Automated Rim Polishing System.

Respectfully Submitted,

Submitted by: Bryan Garner
Director of Maintenance

Reviewed by: Jennifer Fehribach
Managing Director of Operations

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



Subject: Approve Issuing a Request for Proposals (RFP) for Unleaded Cutaway Vans for a 5-year Replacement Contract

Background

CCRTA contracts out the operation of thirty-four (34) vehicles for Paratransit and nineteen (19) vehicles for contracted Fixed Routes to MV Transportation Inc. The current units are 26 feet in length using a GM cutaway chassis powered by a 6.0 engine converted to C.N.G. Annual total miles driven per vehicle is estimated to be 39,662 for fiscal year 2019. Historically, within a 5-year period, each vehicle will reach or exceed the useful life miles or 200,000 miles.

As outlined by the Federal Transit Administration guidelines, the useful life of a cutaway van is seven (7) years or 200,000 miles. CCRTA retires vehicles based on useful life miles.

Identified Need

Currently, the CCRTA has thirty-four (34) vehicles that have met their useful life in mileage and in need of replacement. The five-year (5) contract provides for a fleet replacement schedule to meet the retirement and replacement needs of the aging fleet. Additionally, RTA is including an option to purchase fifteen (15) units to accommodate service expansion within the contract term, preparation for potential growth of the operation or service area.

CCRTA will transition cutaway vans from C.N.G. to unleaded fuel in order to diversify the fleet's ability to operate in a variety of situations. By ensuring the agency is not dedicated to one fuel source, CCRTA is flexible to operate in communities without C.N.G. sources and travel long distances without restrictions or limitations due to refueling stations.

Disadvantaged Business Enterprise

Staff will collaborate with the successful bidder to pursue DBE participation.

Financial Impact

Total expenditures for the 5-year contract to purchase a total of fifty-seven (57) cutaway vans is estimated to be \$14,249,943.00. This item is a 2019-2023 CIP Capital project and includes 5307 Federal Grant Funds, estimated federal portion 85% - \$12,112,451.55, CCRTA local portion 15% - \$2,137,491.45

Board Priority

This item aligns with the Board Priority – Customer Service.

Recommendation

Staff Requests the Operations & Capital Projects Committee Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Approve Issuing a Request for Proposals (RFP) for Unleaded Cutaway Vans for a 5-year Replacement Contract.

Respectfully Submitted,

Submitted by: Bryan Garner
Director of Maintenance

Reviewed by: Jennifer Fehribach
Managing Director of Operations

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



Subject: Execute a One-Year Memorandum of Agreement (MOA) with Texas A&M University-Corpus Christi for Transportation Services

Background

The CCRTA has operated bus services for Texas A&M University – Corpus Christi (TAMU-CC) since the year 2000. A Memorandum of Agreement containing service descriptions and reimbursement costs is negotiated annually. Historically, the agreement consists of two services, Route 60 – Momentum Shuttle, and Route 63 – The Wave. For the 2019-20 academic year, TAMU-CC is recommending the continuation of the Route 60 service at the existing service levels and the implementation of a new service, Pilot Flex 93, to replace the Route 63 service.

Identified Need

Route 60 provides transportation between student housing areas at Momentum Village and the main campus. For the upcoming 2019-20 academic year, no change in service levels are recommended. Route 60 will operate as follows:

Monday – Thursday	Friday	Saturday	Sunday
10-minute frequency, 7:30 a.m. – 1 p.m.	20-minute frequency, 7:30 a.m. – 6:00 p.m.	No Service	No Service
20-minute frequency, 1 p.m. – 7:30 p.m.			

Pilot Flex 93 will provide transportation from the main campus to student housing, medical, retail, and grocery shopping establishments within the Flour Bluff area as an on-demand service. Due to the flexible service operation, this service is more cost effective, direct, and efficient in comparison to Route 63. For the upcoming 2019-20 academic year, Pilot Flex 93 will operate as follows:

Monday – Friday (During Non-Summer period)	Monday – Friday (During Summer period)	Saturday	Sunday
12:15 p.m. – 11:00 p.m.	7:30 a.m. – 11:00 p.m.	9:35 a.m. – 9:00 p.m.	No Service

Financial Impact

The CCRTA and TAMU-CC share the cost of the transportation services. For the Route 60 service, CCRTA has negotiated reimbursement from TAMU-CC for the 2019-20 Fall and Spring semesters in the amount of \$119,639.38. For the Pilot Flex 93 service, CCRTA has negotiated reimbursement from TAMU-CC in the amount of \$114,390.09. The total combined reimbursement amount is \$234,029.47.

Board Priority

This item aligns with the Board Priority – Innovation.

Recommendation

Staff requests that the Operations & Capital Projects Committee recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to execute a one-year Memorandum of Agreement with TAMU-CC in the amount of \$119,639.38 for the Route 60 service and \$114,390.09 for the Pilot Flex 93 service for a total of \$234,029.47.

Respectfully Submitted,

Submitted by: Gordon Robinson
Director of Planning

Reviewed by: Jennifer Fehribach
Managing Director of Operations

Final Approval by: 

Jorge G. Cruz-Aedo
Chief Executive Officer