



MEETING AGENDA

DATE: Wednesday, November 15, 2023
TIME: 8:30 a.m.
Administration & Finance Committee, Operations & Capital Projects Committee (estimated at 9:30 a.m., although to be held immediately following the Administration & Finance Committee Meeting),
Rural and Small Cities Committee (No Meeting), and **Legislative Committee** (No Meeting)
LOCATION: Staples Street Center – 2ND Floor Boardroom (602 North Staples St., Corpus Christi, TX)

ADMINISTRATION & FINANCE COMMITTEE

LYNN ALLISON, Committee Chair

Jeremy Coleman Arthur Granado Anna Jimenez Aaron Muñoz

	TOPIC	SPEAKER	EST.TIME	REFERENCE
1.	Roll Call	M. Montiel	2 min.	-----
2.	Safety Briefing	M. Rendón	3 min.	-----
3.	Receipt of Conflict of Interest Affidavits	L. Allison	2 min.	-----
4.	Opportunity for Public Comment 3 min. limit – no discussion	L. Allison	3 min.	-----
Public Comment may be provided in writing, limited to 1,000 characters, by using the Public Comment Form online at www.ccrta.org/news-opportunities/agenda or by regular mail or hand-delivery to the CCRTA at 602 N. Staples St., Corpus Christi, TX 78401, and MUST be submitted no later than 5 minutes after the start of a meeting in order to be provided for consideration and review at the meeting. All Public Comments submitted shall be placed into the record of the meeting.				
5.	Discussion and Possible Action to Approve the Administration and Finance Committee Meeting Minutes of October 25, 2023	L. Allison	3 min.	Pages 1-5
6.	Discussion and Possible Action to recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to Award and Execute a Contract for Depository and Banking Services with Frost Bank	R. Saldaña	3 min.	Page 6-8 PPT
7.	Discussion and Possible Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or designee to Renew Endeavors Lease for Five Years	S. Montez	3 min.	Pages 9-10 PPT
8.	Discussion and Possible Action to Recommend the Board of Directors Disadvantaged Business Enterprise (DBE) updated Policy Statement and Revised Small Business Enterprise (SBE) Program	R. Patrick	3 min.	Pages 11-79 Attachment PPT
9.	Presentation – DBE Participation and Goals for Federal Fiscal Year 2023-2025	R. Patrick	3 min.	Pages 79-81 PPT
10.	Committee Chair Report	L. Allison	3 min.	-----
11.	Adjournment	L. Allison	1 min.	-----

Total Estimated Time: 29 min.

OPERATIONS & CAPITAL PROJECTS COMMITTEE

ELOY SALAZAR, Committee Chair

Gabi Canales Beatriz Charo Armando Gonzalez Erica Maymi

	TOPIC	SPEAKER	EST.TIME	REFERENCE
	Roll Call	M. Montiel	2 min.	-----
2.	Safety Briefing	M. Rendón	3 min.	-----
3.	Receipt of Conflict of Interest Affidavits	E. Salazar	2 min.	-----
4.	Opportunity for Public Comment 3 min. limit – no discussion	E. Salazar	3 min.	-----
Public Comment may be provided in writing, limited to 1,000 characters, by using the Public Comment Form online at www.ccrta.org/news-opportunities/agenda or by regular mail or hand-delivery to the CCRTA at 602 N. Staples St., Corpus Christi, TX 78401, and MUST be submitted no later than 5 minutes after the start of a meeting in order to be provided for consideration and review at the meeting. All Public Comments submitted shall be placed into the record of the meeting.				
5.	Discussion and Possible Action to Approve the Operations & Capital Projects Committee Meeting Minutes October 25, 2023	E. Salazar	3 min.	Pages 1-4
6.	Discussion and Possible Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Purchase Two Ford F-150 Utility Trucks from the Interlocal Purchasing System (TIPS) Purchasing Cooperative	G. Robinson	3 min.	Page 5 PPT
7.	Discussion and Possible Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Award Option Year to Tolar Manufacturing for Shelter Amenities	S. Montez	3 min.	Pages 6-8 PPT
8.	Committee Chair Report	E. Salazar	3 min.	-----
9.	Adjournment	E. Salazar	1 min.	-----

Total Estimated Time: 23 min.

RURAL AND SMALL CITIES COMMITTEE

GABI CANALES, Committee Chair

Beatriz Charo Jeremy Coleman Armando Gonzalez Anna Jimenez Aaron Muñoz

NO MEETING

LEGISLATIVE COMMITTEE

ARTHUR GRANADO, Committee Chair

Lynn Allison Gabi Canales Aaron Muñoz Eloy Salazar

NO MEETING

On **Friday, November 10, 2023** this Notice was posted by **Marisa Montiel** 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 Regional Transportation Authority was created by the people to provide quality transportation in a responsible manner consistent with its financial resources and the diverse needs of the people. Secondly, The RTA will also act responsibly to enhance the regional economy.

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, October 25, 2023**

Summary of Actions

1. Roll Call
2. Heard Safety Briefing
3. Receipt of Conflict of Interest Affidavits – None Received
4. Opportunity for Public Comment – No Public Comments
5. Approved the Administration & Finance Committee Meeting Minutes of August 23, 2023 (No September Meeting)
6. Approved to Recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to execute estimated payment of \$653,087 to Texas Municipal League Inter-Governmental Risk Pool for the following lines of coverage for FY2024: Auto Liability Insurance, Auto Catastrophe Insurance, Property Insurance, General Liability Insurance, Errors & Omissions Insurance, Law Enforcement Liability and Workers' Compensation Insurance
Approved to Recommend the Board of Directors Approve Awarded Projects for CCRTA's Section 5310 2023 Call-for-Projects for FFY 2021-2022
7. Approved to Recommend the Board of Directors Adopt a Resolution to Approve Changes to the Investment Policy, Designation of the Investment Advisor and List of Approved Brokers/Dealers
8. Approved to Recommend the Board of Directors Adopt a Resolution for the GoodBuy Purchasing Cooperative
9. Approved to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Exercise the First Option Year with Unum For Employee Long-Term Disability and Short-Term Disability Insurance
10. Approved to Recommend the Board of Directors Approve the Fiscal Year 2024 Board & Committee Meetings Calendar
11. Heard Committee Chair Report
12. Adjournment

The Corpus Christi Regional Transportation Authority Board of Directors 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.

Call to Order & Roll Call

Lynn Allison; Committee Chair, called the meeting to order at 8:30 a.m. Marisa Montiel called roll and stated a quorum was present.

Board Members Present

Lynn Allison, Jeremy Coleman, Arthur Granado, Anna Jimenez and Aaron Muñoz. Dan Leyendecker (Virtual).



Board Members Absent

None

Staff Present

David Chapa, Angelina Gaitan, John Esparza, Derrick Majchszak, Sharon Montez, Marisa Montiel, Rita Patrick, Miguel Rendón, Gordon Robinson and Robert Saldaña. Tim Van Zalen, MV Transportation.

Public Present

None

Safety Briefing

Mr. Miguel Rendón, Deputy CEO, gave the safety briefing to the audience and Board of Directors. He asked that in the event of an emergency, the audience exit the boardroom to his right and proceed towards the west stairwell to the first floor where they will exit through the westside doors. Once outside, everyone will go to the clocktower adjacent to the transfer station. Marisa would account for all board members and he would be the last out to make sure that everyone exits properly. He instructed to not use the elevator during an emergency and to not return until the all-clear is given. If a shelter-in-place is needed, this will be done in the westside stairwell.

Receipt of Conflict of Interest Affidavits

None received

Opportunity for Public Comment

None received

Public Comment may be provided in writing, limited to 1,000 characters, by using the [Public Comment Form](http://www.ccrta.org/news-opportunities/agenda) online at www.ccrta.org/news-opportunities/agenda or by regular mail or hand-delivery to the CCRTA at 602 N. Staples St., Corpus Christi, TX 78401, and MUST be submitted no later than 5 minutes after the start of a meeting in order to be provided for consideration and review at the meeting. All Public Comments submitted shall be placed into the record of the meeting.

Discussion and Possible Action to Approve the Administration & Finance Committee Meeting Minutes of August 23, 2023 (no September meeting)

VICE CHAIR ANNA JIMENEZ MADE A MOTION RECOMMEND THE BOARD OF DIRECTORS APPROVE THE ADMINISTRATION & FINANCE COMMITTEE MEETING MINUTES OF AUGUST 23, 2023. DIRECTOR ARTHUR GRANADO SECONDED THE MOTION. ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.



Discussion and Possible Action to recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to execute estimated payment of \$653,087 to Texas Municipal League Inter-Governmental Risk Pool for the following lines of coverage for FY2024: Auto Liability Insurance, Auto Catastrophe Insurance, Property Insurance, General Liability Insurance, Errors & Omissions Insurance, Law Enforcement Liability and Workers' Compensation Insurance

Mr. Miguel Rendón presented the item and presented the background stating CCRTA is self-insured through the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) and the Authority has been a member of the Liability Property Fund since 1990. Participation in the funds was initiated by entering Interlocal Agreements with the participating pool member local governments. He displayed a chart displaying coverage and contributions which displayed types of coverage, limit, deductible, contribution by year (2022-2024) and the increase/decrease from the prior year. The total for 2024 is \$653,087 with an increase of \$107,458 from 2023. At this time, he answered any questions from the board. Director Granado asked what the errors and omissions cover. Mr. Rendón replied it covers CCRTA employees and Board of Directors errors up to \$2 million per occurrence. Secretary Allison said in her opinion higher deductibles should be considered down the road and for the staff to work with legislators to think of ways to help manage the insurance rate increases.

VICE CHAIR JIMENEZ MADE A MOTION TO RECOMMEND THE BOARD BOARD OF DIRECTORS AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) OR DESIGNEE TO EXECUTE ESTIMATED PAYMENT OF \$653,087 TO TEXAS MUNICIPAL LEAGUE INTER-GOVERNMENTAL RISK POOL FOR THE FOLLOWING LINES OF COVERAGE FOR FY2024: AUTO LIABILITY INSURANCE, AUTO CATASTROPHE INSURANCE, PROPERTY INSURANCE, GENERAL LIABILITY INSURANCE, ERRORS & OMISSIONS INSURANCE, ENFORCEMENT LIABILITY AND WORKERS' COMPENSATION INSURANCE. DIRECTOR ARTHUR GRANADO SECONDED THE MOTION. ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.

Action to Recommend the Board of Directors Adopt a Resolution to Approve Changes to the Investment Policy, Designation of the Investment Advisor and List of Approved Brokers/Dealers

Mr. Robert Saldaña, Managing Director of Administration, presented the item stating the Board Priority of Financial Transparency. He provided background on Texas Government Code, Section 2256.005 (Public Funds Investment Act) stating it requires the Board of Directors Authority on an annual basis to review and adopt the investment policy and the policy was last revised on November 2, 2022. The Investment Advisor must also be designated, and the list of brokers/dealers must be approved annually by the Board. He discussed PFIA components, discussed the investment strategy and investment objectives. He displayed slides that highlighted the verbiage that would be updated to the policy. He noted there would be no changes in the broker/dealer list and displayed the list. At this time, he answered any questions the board had.



DIRECTOR ARTHUR GRANADO MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS ADOPT A RESOLUTION TO APPROVE CHANGES TO THE INVESTMENT POLICY, DESIGNATION OF THE INVESTMENT ADVISOR AND LIST APPROVED BROKERS/DEALERS. DIRECTOR AARON MUNOZ SECONDED THE MOTION. *ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.*

Action to Recommend the Board of Directors Adopt a Resolution for the GoodBuy Purchasing Cooperative

Mr. Robert Saldaña presented the item stating the Board Priority of Public Image and Transparency. He provided background information stating CCRTA utilizes purchasing cooperatives, among other methods, to streamline the procurement process and save time, resources, and money. Goodbuy is an additional purchasing cooperative available to the CCRTA, providing an opportunity to obtain goods and services that align with local and state competitive bidding requirements. He added that in order to join the GoodBuy Purchasing Cooperative, the CCRTA Board of Directors must pass a resolution approving the Interlocal Participation Agreement. Secretary Allison asked for clarification if this is in addition to the prior buy boards that have been approved in the past. Mr. Saldaña replied yes.

VICE CHAIR ANNA JIMENEZ MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS ADOPT A RESOLUTION FOR THE GOODBUY PURCHASING COOPERATIVE. DIRECTOR JEREMY COLEMAN SECONDED THE MOTION. *ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.*

Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Exercise the First Option Year with Unum For Employee Long-Term Disability and Short-Term Disability Insurance

Ms. JoAnna Serna, EEO/ADA Compliance Officer, presented the item noting a board priority of transparency. She provided background information stating the original contract began January 1, 2022 through December 31, 2023, with two one-year options. She stated that CCRTA provides LTD coverage to full-time employees with the completion of one-year employment at no cost to the employees. LTD pays out the employee 66.67% of an employee's base wages after a 90-day elimination period. CCRTA provides STD to employees who work 32 hours per week and employees are responsible for premium payment. STD pays out 60% of an employee's base wages after a 14-day elimination period. She noted that services have been satisfactory and annual projected cost is \$181,538, split cost of LTD \$134,402 paid by CCRTA and STD \$47,136 reimbursable by employee. Mr. Majchszak added that staff is working to update the LTD to a 30-day elimination period. Director Granado added said that for the groups information, discussion was had on updating medical coverages for employees to around 30 days or as soon as possible to match the industry standards. Director Granado also suggested that in the future the contract be longer than a year to help obtain better rates.



VICE CHAIR ANNA JIMENEZ MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) OR DESIGNEE TO EXERCISE THE FIRST OPTION YEAR WITH UNUM FOR EMPLOYEE LONG-TERM DISABILITY AND SHORT-TERM DISABILITY INSUANCE. DIRECTOR ARTHUR GRANADO SECONDED THE MOTION. *ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.*

Action to Recommend the Board of Directors Approve the Fiscal Year 2024 Board & Committee Meetings Calendar

Mr. Derrick Majchszak, CEO, presented the item noting that a copy of the proposed calendar has been provided to each Board Member. He adds that holidays were taken into consideration and the meetings have been moved if there were to have directly preceded or followed a holiday.

VICE CHAIR ANNA JIMENEZ MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS APPROVE THE FISCAL YEAR 2024 BOAD & COMMITTEE MEETINGS CALENDAR. DIRECTOR ARTHUR GRANADO SECONDED THE MOTION. *ALLISON, COLEMAN, GRANADO, JIMENEZ AND MUNOZ VOTING IN FAVOR. ABSENT NONE.*

Heard Committee Chair Report

Committee Chair Allison noted that the APTA Conference in Orlando was a great learning experience. Director Coleman agreed with the Committee Chair on the conference and also requested that the 2022 to date report for contributions that were given to the community be provided to the Board.

Adjournment

There being no further review of items, the meeting adjourned at 9:20 a.m.

Submitted by: Marisa Montiel



Subject: Award a Five-Year Contract for Banking & Depository Services to Frost Bank

Background

Pursuant to the Texas Administrative Code Chapter 451.05, "Depository; Deposit of Funds... (a) A board shall designate one or more banks as depositories for authority funds and (b) All funds of an authority shall be deposited in one or more of the authority's depository banks unless an order or resolution authorizing the issuance of an authority bond or note requires otherwise".

In addition, prudent procurement practices of public fund entities require periodic review of banking services to exercise due diligence in selecting banking services and establishing proper controls over banking services costs and changes in technology, treasury management practices, and in the banking industry structure.

Identified Need

The current depository five-year (5) service agreement with Frost Bank, NA expires December 31, 2023. There are no bank fee charges incurring under the current Frost Bank contract as the analysis fees were waived.

Prior to that Wells Fargo Bank provided this service for 14 years from 2004 to 2018. The total bank fee charges from Wells Fargo from 2014 through 2018 totaled \$157,016 and averaged \$31,403.20 per year.

Analysis

Two (2) responses were received: one from Frost Bank and the other from Plains Capital Bank, from the **Request for Proposals (RFP)** that was issued August 28, 2023, seeking responses from qualified banks to provide banking and depository services.

Frost Bank is recommended to continue as the official bank depository of the Authority as Plains Capital Bank was deemed non-responsive to the proposal because they included extraneous information that altered the requirements of the solicitation.

Frost is well known for their Customer Service efforts and is listed as the Top Texas Bank for Customer Service for satisfaction by Forbes.

Frost Bank has sustained financially for 150 years and is one of the 50 largest banks in the U.S. with \$50 billion in assets and \$54 billion in trust, brokerage and advisory assets earning a "A" rating from the global credit rating agency DBRS, Inc.

The following evaluation criteria was established in the RFP to use in evaluating responses:

Evaluation Criteria	Weight (Points)
Qualifications, Related Experience, and References	30 Points
Approach and Work Plan	35 Points
Staff and Project Organization	20 Points
Fee Pricing	15 Points
Total	100 Total Maximum Points

Banking services include the on-line processing of the day-to-day financial transactions of the Authority which include payments and transfers, commercial vault services stemming from fare collections, fraud & risk management, and transaction reporting in both summary and detail formats. Also included are responsive technical support services necessary for resolving issues and customer services that assist in facilitating the most efficient and effective use of remote and digital channels being offered along with custody and safekeeping functions of our securities operations.

Financial Impact

Frost bank offers the Authority to choose either the Fee Basis or the Compensated Balance Basis to pay for the cost of service and to maximize our investment objectives.

The **Fee Basis approach** considers the cost of service based on the fees charged for transactions each month.

The estimated total service fees using the Fee Basis for the 5-year contract are estimated at \$85,875. The cost per year is illustrated as follows:

	<u>Frost Bank</u>
Base Year 1	\$ 13,643
Base Year 2	18,058
Base Year 3	18,058
Base Year 4	18,058
Base Year 5	18,058
Grand Total	<u>\$ 85,875</u>

These costs are expected to be offset by interest income on an average monthly balance of \$3.332 million, which is expected to be \$111,172 per year, assuming the bank-offered rate of 3.35%. In the first year, annual expenses of approximately \$13,643 will be reflected in the general ledger as banking fees while annual revenues will be reflected as approximately \$111,172, netting out at \$97,529.

The proposed 2024 budget includes the estimated fees of \$13,643 for the first year.

Meanwhile, by using the **Compensated Balance Basis**, an earnings credit rate (ECR) of 1.00% is offered by the Bank, resulting in a monthly average minimum balance requirement of \$1.717 million. The earnings calculated by the ECR is not a cash offering meaning that there is no interest income received or recorded as this calculation is only used to determine if there are sufficient earnings from the ECR to cover the cost of services in its entirety or partially. Any excess in the ECR calculations over and above the cost of service is lost and does not carry over to the next month.

The objective of the Compensated Balance Basis is to maintain deposits totaling the minimum required balance, but also does not provide interest income for the balance of \$1.717 million. The incremental average monthly balance, or \$1.602 million, would generate \$53,684 in annual interest income assuming the Bank-offered rate of 3.35%, or \$57,488 less than the Fee Basis approach.

The Bank offers the Authority to choose whichever method is most advantageous to its investment objectives and **opts for the Fee Basis Approach.**

Board Priority

This Board Priority aligns with Public Image & Transparency.

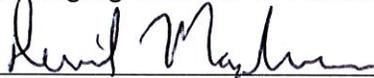
Recommendation

Staff requests that the Administration and Finance Committee recommend the Board of Directors to authorize the Chief Executive Officer (CEO) or designee to award a five-year contract to Frost Bank, NA for banking and depository services.

Respectfully Submitted,

Submitted by: Marie S. Roddel
Director of Finance

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval by: 
Derrick Majchszak
Chief Executive Officer



Subject: Discussion and Possible Action to Authorize the Lease Renewal with Family Endeavors, Inc., Office Lease Space at the Staples Street Center Building

Background

Family Endeavors' office is located on the first floor at the Staples Street Center and have occupied that space since 2017. Their office space is approximately 2,796 square feet of rentable area. Family Endeavors' lease agreement also allows for up to 4 unreserved parking spaces for their employees. Family lease also provides access to any community room facilities for meetings or conferences, upon coordination with CCRTA staff.

Identified Need

The initial term of the lease was a about 7 years. The term of the initial lease expires on February 28, 2024

The second lease term covers 60 months. The term runs from March 1, 2024 through February 28, 2029.

The term of this lease is 5 years.

Lease Information

Months	Annual Gross Rental Rate (PSF)	Rentable Square Feet	Monthly Rent	Estimated Annual Lease Amount
1-12	\$ 17.35	2,796	\$ 4,042.55	\$ 48,510.60
13-24	\$ 18.00	2,796	\$ 4,194.00	\$ 50,328.00
25-36	\$ 18.62	2,796	\$ 4,338.46	\$ 52,061.52
37-48	\$ 19.27	2,796	\$ 4,489.91	\$ 53,878.92
49-60	\$ 19.94	2,796	\$ 4,646.02	\$ 55,752.24
Estimated Total for 5-Year Lease Term				\$ 260,531.30

Board Priority

The Board Priority for this item is Facilities and Public Image.

Financial Impact

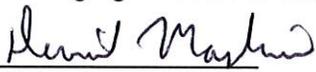
The 5-year annual expected lease revenue is estimated at \$260,531.50.

Recommendation

Staff requests that the Administration & Finance Committee recommend the Board of Directors authorize the Chief Executive Officer (CEO) or designee to authorize the lease renewal with Family Endeavors, Inc., for office lease space at Staples Street Center building.

Respectfully Submitted,

Submitted and Reviewed by: Sharon Montez
Managing Director of Capital Programs and Customer Services

Final Approval by: 
Derrick Majchszak
Chief Executive Officer



Subject: Adopt Disadvantaged Business Enterprise (DBE) Updated Policy Statement and Revised Small Business Enterprise (SBE) 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. 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 as a condition of receiving continued funding under USDOT.

Identified Need

The CCRTA's DBE Policy Statement and Program was last adopted on July 15, 2019. The DBE Policy Statement needs updating to reflect changes in the agency's leadership. Derrick Majschszak has been appointed the Chief Executive Officer (CEO) of the CCRTA effective July 1, 2023. Further, we are revising the Small Business Enterprise Program under 49 CFR §26.39 – Fostering Small Business Participation.

Staff incorporated these changes in the CCRTA's DBE Policy Statement and Program manual (Attachment A) to be submitted to the Federal Transit Administration.

Disadvantaged Business Enterprise (DBE)

Not applicable.

Financial Impact

None

Board Priority

This project aligns with Board Priority – Public Image and Financial Transparency.

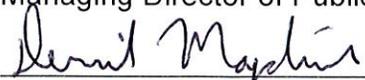
Recommendation

Staff requests the Administration & Finance Committee recommend the Board of Directors adopt Disadvantaged Business Enterprise (DBE) updated Policy Statement and revised Small Business Enterprise (SBE) Program.

Respectfully Submitted,

Submitted by: Laura Yaunk
DBE Liaison Officer

Reviewed by: Rita Patrick
Managing Director of Public Relations

Final Approval by: 
Derrick Majchszak
Chief Executive Officer



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY



DISADVANTAGED BUSINESS ENTERPRISE (DBE) 49 CFR PART 26

Policy Statement and Program Manual

December 2023



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM MANUAL

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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 in DOT-assisted contracts;
6. To promote the use of DBEs in all types of federally assisted contracts and procurement activities conducted by recipients;
7. To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

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 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 will disseminate this policy statement to its Board of Directors, the Executive Management Team, all components of its organization, and all DBE and non-DBE business communities that perform work for CCRTA on DOT-assisted contracts. CCRTA's Policy Statement will be published on the Authority's website at <https://www.ccrta.org/news-opportunities/dbe-program/> and will be distributed electronically or in paper format upon request.

Derrick Majchszak
Chief Executive Officer

December 6, 2023
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 day of June and December of each year. These reports will reflect payments 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 bidders 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 DBE Program Requirements

CCRTA is a regional provider of mass transportation services, primarily within Nueces County and 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 317,773. 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 with the most current revision occurring and becoming effective November 3, 2014. 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) DBE Program Updates

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

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer

CCRTA has designated the following individual as our DBE Liaison Officer (DBELO):

Laura Yaunk, 602 N. Staples Street, Corpus Christi, TX 78401
(361) 903-3521; lyaunk@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 one staff to assist in the administration of the program. The duties and responsibilities include the following:

1. Develop, monitor implementation of, and provide continuing evaluation of CCRTA's Disadvantaged Business Enterprise Program.
2. Set overall annual goals for DBE participation.
3. Certify, decertify, or deny DBE certification according to criteria set by U.S. DOT 49 CFR Part 26.

4. Maintain and continually update a directory of disadvantaged businesses eligible to participate in CCRTA's DBE program including information on principal business activities and contact persons.
5. Assist in securing management and technical assistance resources for disadvantaged businesses as requested.
6. Publicize CCRTA business opportunities 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 in solicitations (both race-neutral methods and contract specific goals) and monitor results.
8. Attend pre-proposal, pre-bid, and pre-award meetings to explain DBE requirements.
9. 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. Serve as a liaison with agencies supporting economic development in the minority community.
12. Maintain accurate and up-to-date records demonstrating CCRTA efforts and progress.
13. 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 were deemed appropriate.
14. Gather and report statistical data and other information, as required by U.S. DOT and other funding agencies.
15. Maintain open lines of communication with disadvantaged business communities.
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 in the community and make reasonable efforts to use such institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. CCRTA shall maintain listings of financial institutions and insurance firms owned and controlled by socially and economically disadvantaged individuals who qualify as such.

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

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.

DBELO will monitor payments made to subcontractors via its compliance forms monthly 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; and
- d. Debarment from future business with CCRTA.

Section 26.31 Directory

CCRTA is a certifying partner 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)

The TUCP Certifying Partners will maintain a unified DBE Directory containing pertinent information on all firms certified by the TUCP. The TUCP Certifying Partners shall make the directory available to the public electronically on the Internet, as well as in print. The TUCP Certifying Partners shall update both electronic and print versions by including additions, deletions, and other changes on a regular basis.

The DBE Directory can be found online at <https://www.ccrta.org/news-opportunities/dbe-program/> and <https://txdot.txdotcms.com/>. 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 and mentor-protégé program at this time. The DBELO will continually evaluate the need and assess whether CCRTA should

establish a Business Development Program and/or Mentor-Protégé Program. If CCRTA establishes either program, the program will be guided by the applicable Appendix C and D of 49 CFR Part 26 and approved by the Federal Transit Administration (FTA) before being implemented.

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. CCRTA 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. CCRTA 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. CCRTA 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. CCRTA will keep a running tally of actual payments made to DBE firms for work committed to them at the time of the 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 §26.39, CCRTA has established and incorporated a Small Business Enterprise (SBE) Program, a non-discriminatory element to its DBE Program. The purpose of the program is to facilitate competition on DOT-assisted projects by small business concerns (both DBEs and non-DBE small businesses) and to increase opportunities for small businesses to perform work for CCRTA. A revised Small Business Enterprise (SBE) Program effective October 2023 can be found in [Attachment 2](#) to this 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 on a triennial basis.

In accordance with 49 CFR § 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, CCRTA 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 30 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.

CCRTA will begin using the triennial goal on October 1st of each year unless the agency has received other instructions from FTA.

Section 26.47 Shortfall Analysis and Corrective Action Plan

If at the end of each federal fiscal year, awards/commitments are less than the applicable overall goal, CCRTA will analyze the reasons for the shortfall and establish specific steps that may enable the agency to meet its overall goal in the next year.

The shortfall analysis and corrective action plan report is to be kept on file for three years and will be made available to the Federal Transit Administration (FTA) upon request.

Section 26.49 Transit Vehicle Manufacturers Goals

CCRTA requires, per 49 CFR §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 §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 and Race-Conscious Participation

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.

CCRTA will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. CCRTA 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).

CCRTA will express 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/offeree who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

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 DBE Participation Schedules A and B or C (if a joint venture) forms; 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 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; and
 - 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 consider 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, 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 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 committing to the performance of the contract by the bidder/offeror.

Information to be submitted (26.53(b)(3)(i)(A))

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

In those instances where a contract-specific DBE goal is included in the solicitation, CCRTA will follow the procedure outlined in 49 CFR §26.53 (b)(3)(i)(A) – *“under sealed bid procedures, as a matter of responsiveness, or with initial proposals, under contract negotiation procedures.”*

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

- 1) The names and addresses of DBE firms that will participate in the contract;
- 2) A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
- 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 ([Attachment 5 -DBE Participation Schedule A attached hereto](#));
- 5) Written confirmation from the DBE that it is participating in the contract in the kind and amount of work provided in the prime

contractor's commitment ([Attachment 5 - DBE Participation Schedule B attached hereto](#)); and

- 6) If the contract goal is not met, evidence of good faith efforts. DBELO examines the documentary evidence provided by the bidder and determines whether the efforts made are consistent with examples of good faith efforts as found in Appendix A of 49 CFR Part 26.

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 St. 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 terminated/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 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. 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 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. CCRTA monitors its projects to ensure that DBEs are performing a commercially useful function (CUF). The results of the CUF evaluation are reported using a DBE Commercially Useful Function (CUF) Evaluation/Review Form can be found in [Attachment 6](#) to this program.

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. CCRTA will make 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 St.
Corpus Christi, TX 78401

CCRTA's certification application forms and documentation requirements are found online at <https://www.ccrta.org/news-opportunities/dbe-program/> and in [Attachment 4](#) 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 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 §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 49 CFR §26.87, except as provided in 49 CFR §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 49 CFR §26.83(c)(1)(i) of this section or relating to suspension of certification under 49 CFR §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 certified DBEs to submit, on the anniversary date of their certification, a “no change” affidavit meeting the requirements of 49 CFR §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).

CCRTA requires DBEs to submit with this affidavit documentation of the firm’s size and gross receipts.

CCRTA will notify all currently certified DBE firms of these obligations online via email notification 60 days prior to the DBEs’ anniversary date of certification. This notification will inform DBEs to submit the “No Change” Affidavit, wherein 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, 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, CCRTA will follow procedures consistent with 49 CFR §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 their Chief Executive Officer (CEO) will serve as the decision-maker in decertification proceedings. CCRTA has 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 CCRTA's decision in a certification matter directly to USDOT in accordance with 49 CFR §26.89. The appeal must be filed within 90 days from the date of CCRTA's final decision to deny certification or remove certification. The appeal must include a copy of CCRTA's denial or decertification letter and other pertinent information and provide a full and specific statement as to why the decision is erroneous, what significant fact CCRTA has failed to consider, or what provisions of the DBE regulations CCRTA did not properly apply. Such appeals may be sent to:

U.S. Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Ave, S.E.
Washington, DC 20590

Note: Effective June 28, 2022, USDOT's Department of Civil Rights issued DBE and ACDBE Program Flexibilities wherein appeals must be emailed within 90 days of the date of the denial and decertification letters to S33AppealsManagementRecords@dot.gov.

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 – COMPLIANCE AND ENFORCEMENT

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, CCRTA 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 Enterprise (SBE) Program
Attachment 3	Overall Goal Calculation (FFY2023-202)
Attachment 4	Uniform Certification Application
Attachment 5	DBE Participation Schedule A and Schedule B
Attachment 6	Monitoring Forms
Attachment 7	Procedures for Removal of DBE's Eligibility

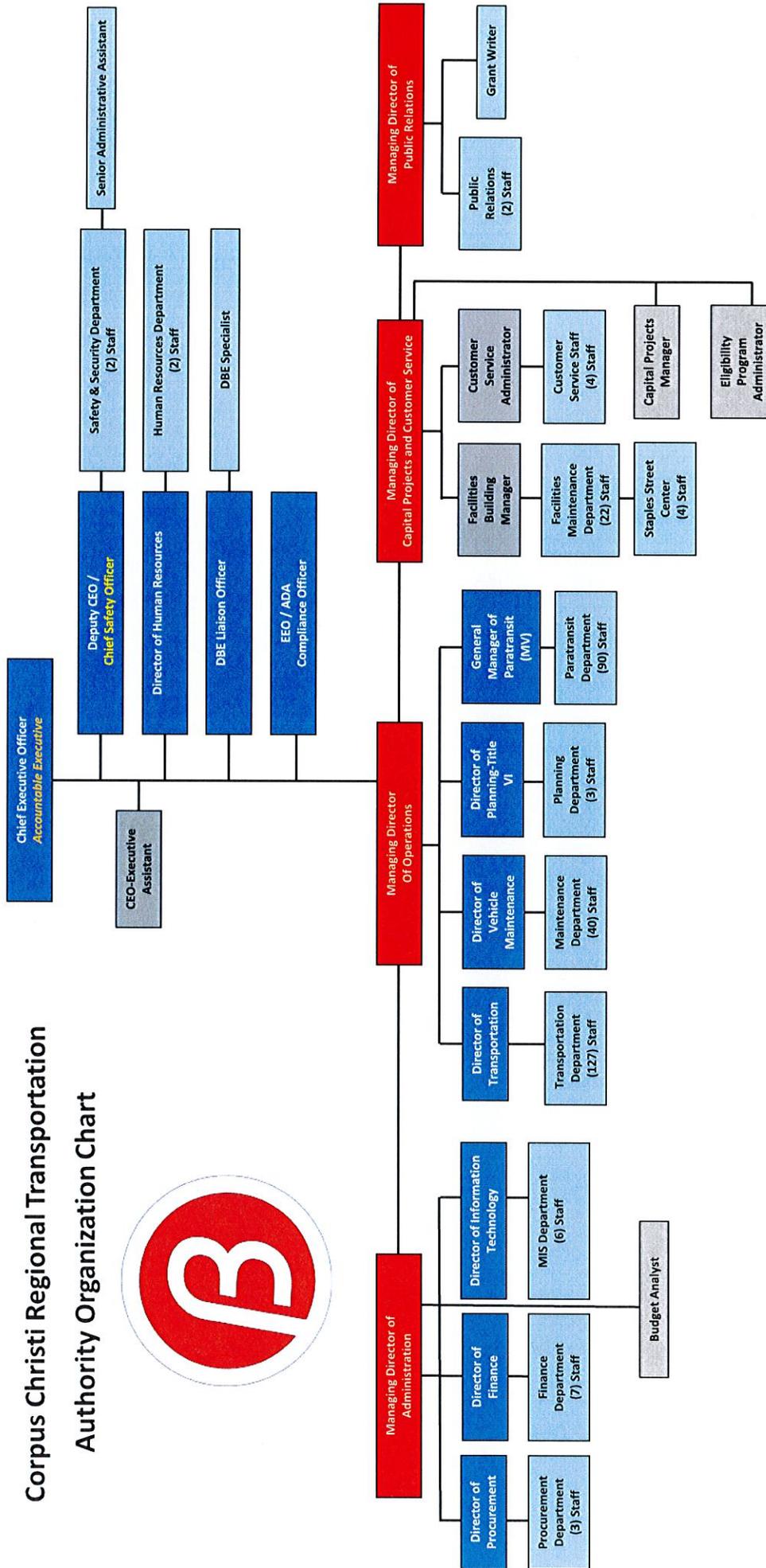


CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 1: Organizational Chart

Corpus Christi Regional Transportation Authority Organization Chart





CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 2: Small Business Enterprise (SBE) Program

Small Business Enterprise (SBE) Program

Introduction

As specified in 49 CFR Part 26.39, CCRTA has created a program to foster small business element as part of the Disadvantaged Business Enterprise (DBE) Program Plan. In accordance with 49 CFR Part 26.51, the program is designed to ensure that the maximum feasible portion of the overall DBE goal is met by using race-neutral DBE participation. The SBE Program is a race-neutral small business program which restricts competition on certain contracts to only small businesses either as a prime contractor or subcontractor, regardless of the gender and ethnicity of the owners. The program will facilitate competition and small business participation on federally-funded Corpus Christi Regional Transportation Authority (CCRTA) contracts.

Certified DBE firms that are also certified as SBE will be counted toward race-neutral participation in the program and will contribute to attainment of the overall DBE goal. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on prime contract that does not carry a DBE contract goal.

Program Objectives

1. To provide opportunities for small business to participate in all phases of CCRTA contracting activities;
2. To ensure non-discriminatory practices in the utilization of small businesses in CCRTA contracts;
3. To encourage all small businesses to seek work as either as a prime or a subcontractor when qualified and when work is available;
4. To create formal processes and procedures that adequately and effectively assists in small business participation; and
5. To certify firms that meets the Small Business Enterprise (SBE) definition set forth below.

Definition of a Small Business

In determining whether a firm is eligible to compete as a small business, CCRTA will adopt the definitions contained in 13 CFR 121.103 and 121.104 for this policy and definition of small business concerns set out in 49 CFR 26.5.

Small Business Enterprise (SBE)

A small business is defined as any business whose annual gross receipts, including the annual gross receipts of all of the firm's affiliates, for the five previous years may not have exceeded the United States Small Business Administration's size standard for the North American Industry Classification System (NAICS) Code, as provided by 13 CFR 121.201 and not to

exceed the business size set out in 49 CFR part 26.65(b); and must be owned by one or more persons who are U.S. citizen or lawfully-admitted permanent residents.

Implementation

CCRTA is committed to conduct the SBE program to foster small business (DBEs and non-DBE small businesses) participation in compliance with 49 CFR Part 26.39 through race-neutral measures. The SBE program is a supplement to the federal Disadvantaged Business Enterprise (DBE) program.

CCRTA incorporates the following non-discriminatory elements to its DBE Program, in order to facilitate competition on federally-funded projects by small business concerns (both DBEs and non-DBE small businesses):

- 1) The SBE program applies to contracts for which CCRTA has not set a DBE goal. However, if a certified DBE has been awarded a contract either as a prime contractor or subcontractor (when there is no contract goal), its participation shall be counted towards CCRTA's DBE overall goals.
- 2) When no DBE goal is established for a contract, provide procurement with a list of vendors found in the Texas Unified Certification Program (TUCP) DBE Directory and CCRTA's SBE Directory, and SBEs certified by TUCP Partners that may have the capability to bid the contract as a prime contractor or subcontractor. These vendors are notified of the contract opportunity.
- 3) Unbundle contracts, when possible, so an SBE can become a prime contractor on separate smaller contracts. This also includes the removal of unnecessary and unjustified bundling of contract requirements. Project Managers, Director of Procurement, Managing Director of Public Affairs, and the DBELO may conduct contract reviews on FTA-assisted contracts to determine whether portions of the project could be unbundled or bid separately.
- 4) Encourage CCRTA vendors to apply for SBE certification with CCRTA. CCRTA implemented a simplified certification process for SBEs. A qualified SBE, as defined by the United States Small Business Administration (SBA) must meet the required average gross receipts (under Title 13 CFR Part 121.104) or average number of employees (under Title 13 CFR Part 121.106) to qualify as a small business concern.
- 5) Exploring best practices to share the letting information with SBEs and encouraging small businesses which are also owned and controlled by socially and economically disadvantaged individuals to seek DBE certification.

While the SBE component of the DBE program does not require utilization goals on projects, CCRTA encourages contractors to utilize small businesses that are registered as SBEs on their contracts. The contractor will use the TUCP DBE Directory, CCRTA's SBE Directory, and

SBEs certified by TUCP Partners to search for certified DBEs and SBEs that can be used on the contract. However, SBEs that are not DBEs will not be counted toward DBE participation.

Small Business Enterprise (SBE) Certification Registration Procedures

To be eligible for certification as an SBE:

- a) A firm's annual gross receipts, including the annual gross receipts of all the firm's affiliates, for the five preceding completed fiscal years may not have exceeded the United States Small Business Administration (SBA) size standard for the North American Industry Classification System (NAICS) Code, as provided by 13 C.F.R. §121.201 and definition of small business concerns set out in 49 CFR Part 26.5.
- b) At least 51% of the firm's assets and interest and classes of stock, if applicable, must be owned by one or more persons who are U.S. citizens or lawfully admitted permanent residents.

CCRTA's certified DBEs will be automatically certified as an SBE. Businesses interested in pursuing SBE certification shall apply online via the CCRTA's Business Opportunity and DBE Program web portal at: <https://ccrta.gob2g.com>.

Certification Application Review and Evaluation

CCRTA will review and evaluate applications for SBE certification. At CCRTA's discretion or if circumstances warrant, an onsite inspection may be conducted to verify eligibility.

- A. When an applicant is approved by CCRTA as an SBE, the business will be notified in writing of such certification. The certification shall be effective as of the date of the approval and shall remain valid unless revoked or withdrawn voluntarily by the certified SBE owner.
- B. SBE certification is valid for three years from the initial date of certification. To be recertified as an SBE, SBE firm must submit a renewal application and documentation requirements.
- C. CCRTA may deny an application if:
 - (1) the application is not completed satisfactorily;
 - (2) the applicant is not eligible to be certified as an SBE;
 - (3) the applicant knowingly supplies false or inaccurate information; and
 - (4) the applicant does not comply with the documentation requirements.
- D. When an applicant is denied certification as an SBE, the business shall be notified in writing of the reasons for that decision. The burden of proof of eligibility shall be upon the applicant in any such proceeding.
- E. A firm may not reapply for SBE certification within 12 months after the date of the denial notice.



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 3: Overall Goal Calculation (FFY 2023-2025)

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DBE Triennial Overall Goal and Methodology for FFY 2023-2025

I. SUMMARY

Corpus Christi Regional Transportation Authority (CCRTA) submits the following Disadvantaged Business Enterprise (DBE) overall goal and methodology for Federal Fiscal Years (FFY) 2023-2025 to Federal Transit Administration (FTA) for review in accordance with 49 Code of Federal Regulations (CFR) Part 26.45. CCRTA's triennial overall goal of 14% for FFY 2023-2025 includes a race-conscious projection of 11.58% and race-neutral projection of 2.42%. CCRTA shall make good faith efforts to meet the overall DBE goal each year during the triennial period. The overall goal was derived in the following manner:

- A base goal of 22.29% was calculated;
- An adjustment to the base goal was made taking into consideration the median past participation of 5.96%, thus reducing the base goal to 14.13% rounded to 14%;
- The maximum portion of the adjusted goal is 11.58% which is race-conscious and the race-neutral portion of the adjusted goal is 2.42%.

II. BACKGROUND

As a recipient of Federal Transit Administration (FTA) funding, CCRTA is required to establish and submit a triennial DBE overall goal for its FTA-assisted projects pursuant to the U.S. Department of Transportation (USDOT) rules and regulations provided in Title 49 Code of Federal Regulations (CFR) Part 26 (DBE Regulations). DBE regulations required USDOT recipients to set an overall goal based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on federally-assisted contracts. The goal must reflect CCRTA's determination on the level of DBE participation expected absent the effects of discrimination.

III. FTA-ASSISTED CONTRACTING PROGRAM FOR FFY 2023-2025

Table 1 represents CCRTA's FTA-assisted projects that are anticipated to be awarded during the triennial period and which are considered in preparing this goal methodology. The projects have viable subcontracting possibilities and corresponding availability of DBEs, a required criterion for overall goal consideration.

Table 1

Project Name	Estimated FTA Funding for FFY 2023-2025
Bus Stop Shelter Amenities	\$1,098,085.00
Bus Stop Improvements	\$1,200,000.00
Concrete Bus Pads	\$840,000.00
Bus Wash Replacement	\$200,000.00
Bus Lift Replacements	\$680,000.00
Fork Lift Replacement	\$43,008.00
Mobile Radio Replacement	\$195,200.00
Support Vehicle Purchases	\$506,726.00
Total	\$4,763,019.00

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DBE Triennial Overall Goal and Methodology for FFY 2023-2025

Categories of Work

CCRTA reviewed each project anticipated to be awarded in the triennial period and determined the applicable categories of work applicable for each project using North American Industry Classification System (NAICS) codes. The corresponding dollar values for each NAICS code for each project are summarized below for purposes of weighting the categories of work based on the staff estimates. Table 2 provides a summary of the categories of project with estimated dollars for each.

Table 2

NAICS Code	Bus Stop Shelter Amenities	Bus Stop Improv	Concrete Bus Pads	Bus Wash Replc	Bus Lifts Replc	Fork Lift Replc	Mobile Radio Replc	Support Vehicle Purchases	Est. FTA \$ Share NAICS	Est. FTA % Share NAICS
236220	\$957,296	\$400,000							\$1,357,296	28.50%
237310		\$200,000	\$465,000						\$665,000	13.96%
238110	\$120,789	\$450,000	\$375,000						\$945,789	19.86%
238910	\$20,000	\$50,000							\$70,000	1.47%
334220							\$195,200		\$195,200	4.10%
423120					\$680,000	\$43,008			\$723,008	15.18%
441110								\$506,726	\$506,726	10.64%
541330		\$100,000							\$100,000	2.10%
811192				\$200,000					\$200,000	4.20%
	\$1,098,085	\$1,200,000	\$840,000	\$200,000	\$680,000	\$43,008	\$195,200	\$506,726	\$4,763,019	100.00%

IV. GOAL METHODOLOGY

Step 1: Determination of a Base Figure

The calculations to determine the base figure are made in order to measure the relative availability of DBE firms or firms that could be certified as DBE firms to perform the types of prime and subcontract work that CCRTA contracts. The methodology used determines the percentage of DBE firms that are ready, willing, and able to respond to solicitations for the types of work that CCRTA will be performing during the 2023-2025 federal fiscal years.

CCRTA followed one of the prescribed federal goal-setting methodologies in accordance with 49 CFR Part 26.45 regulations. This was accomplished by accessing the *Texas Unified Certification Program (TUCP) Directory of Certified DBE firms* and the *2020 U.S. Census Bureau County Business Patterns (CBP) database*.

Local Market Area:

Comparisons were made within CCRTA’s local market area which consists of Nueces, San Patricio, and Aransas counties and by specified industries and type of businesses. This is where the substantial majority of CCRTA’s contracting dollars are expended and/or the substantial majority of contractors’ and subcontractors’ bids or quotes are received.

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DBE Triennial Overall Goal and Methodology for FFY 2023-2025

In accordance with the formula below, the Base Figure is derived by dividing the number of ready, willing, and able DBE firms identified for each NAICS work category by the number of all firms identified for each corresponding work category (relative availability), then weighting the relative availability for each work category by the corresponding work category weight from Table 2 (weighted ratio) and then adding the weighted ratio figures together.

$$\text{Base Figure} = \frac{\text{Number of Ready, Willing, and Able DBEs}}{\text{Number of All Ready, Willing, and Able Firms}} \times \text{Weight} \times 100$$

⇒ For the numerator: Texas UCP DBE Database of Certified Firms

⇒ For the denominator: 2020 U.S. Census Bureau’s County Business Pattern (CBP) Database

CCRTA made a concerted effort to ensure that the scope of businesses included in the numerator was as close as possible to the scope included in the denominator.

The result of the Base Figure calculation is **22.29%**, as shown in Table 3 as follows:

Table 3

NAICS CODE	NAICS TITLE	NAICS %	DBEs	ALL FIRMS	RELATIVE AVAILABILITY (DBE ÷ All Firms)	WEIGHTED RATIO (Relative Availability % x NAICS %)
236220	Bus shelter construction	28.50%	9	43	20.93%	5.97%
237310	Concrete paving	13.96%	6	10	60.00%	8.38%
238110	Concrete pouring	19.86%	9	24	37.50%	7.45%
238910	Site preparation contractors	1.47%	7	27	25.93%	0.38%
334220	Mobile communication equipment	4.10%	0	4	0.00%	0.00%
423120	Shop equipment	15.18%	0	12	0.00%	0.00%
441110	Auto/light utility truck dealers	10.64%	0	25	0.00%	0.00%
541330	Engineering services	2.10%	5	100	5.00%	0.11%
811192	Truck and bus washes	4.20%	0	21	0.00%	0.00%
					Base Figure	22.29%

Step 2: Adjusting the Base Figure

Upon establishing the base figure, CCRTA reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within the market area, in accordance with prescribed narrow tailoring provisions set forth under 49 CFR Part 26.45: Step 2; DBE Goal Adjustment guidelines.

Evidence considered in making an adjustment to the Base Figure included past DBE goal attainments and other evidence as follows:

CCRTA

DBE Triennial Overall Goal and Methodology for FFY 2023-2025

A. Past DBE Goal Attainments

As historical DBE participation attainments provide demonstrable evidence of DBE availability and capacity to perform, CCRTA considered DBEs' past participation as a relevant factor and proceeded to calculate past DBE participation attainments for the last three federal fiscal years, for which DBE attainment data is available. The projects anticipated to be awarded during the triennial period are slightly similar to those awarded in the recent past. Every semi-annual reporting period, CCRTA awards FTA-assisted contracts that consist of varying dollar amounts, varying term periods, use of varying procurement selection methods and depending on the contract, a varying number of DBE firms ready, willing, and able to perform those type of services. These multiple factors have resulted in a range of DBE attainment rates in the given semi-annual reporting period.

Table 4 shows the demonstrated capacity of DBEs (measured by actual historical DBE participation attainment) on FTA-assisted contracts awarded by CCRTA in the last three federal fiscal years.

Table 4

FFY	Total Dollars	Total \$ to DBEs	Race-Conscious (RC) DBEs \$	Race-Neutral (RN) DBEs \$	RC %	RN%	Total RC+RN%*	FFY DBE Goal Attainment %
2019 - Oct-Mar	\$586,533.00	\$0.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	
	Apr-Sep	\$768,247.00	\$80,765.00	\$40,015.00	\$40,750.00	5.21%	5.30%	10.51%
2020 - Oct- Mar	\$247,552.00	\$40,000.00	\$0.00	\$40,000.00	0.00%	16.16%	16.16%	
	Apr-Sep	\$1,407,719.00	\$0.00	\$0.00	\$0.00	0.00%	0.00%	0.00%
2021 - Oct-Mar	\$1,183,193.00	\$58,128.00	\$58,109.00	\$19.00	4.91%	0.002%	4.91%	
	Apr-Sep	\$687,845.00	\$91,373.00	\$71,618.00	\$19,755.00	10.41%	2.87%	13.28%
Median DBE Attainment within the last three FFY								5.96%

*The percentage of DBE goal attainment on the FTA share from CCRTA's Semi-Annual Uniform reports that were submitted to FTA.

The median DBE attainment for the past three years, as shown in Table 4, 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 adjustment is calculated by averaging the base figure with the median DBE past attainment, as shown below:

$$\text{Adjusted Base Figure} = \frac{\text{Base Figure (22.29\%)} + \text{Median Past Attainment (5.96\%)}}{2}$$

The formula resulted in an adjustment (decrease) to the base figure from 22.29% to 14.13% rounded to **14%**.

B. Disparity Studies

CCRTA has not conducted any disparity studies in the past three federal fiscal years. Therefore, no disparity studies were considered.

CCRTA

DBE Triennial Overall Goal and Methodology for FFY 2023-2025

C. Other Related Evidence

In accordance with DOT DBE regulations, if available, CCRTA must consider evidence from related fields that affect the opportunity for DBEs to form, grow, and compete which include but not limited to: statistical data that show disparities in the ability of DBEs getting financing, bonding and insurance required to participate in CCRTA's DBE Program; and data on employment, self-employment, education, training, and union apprenticeship programs to the extent related to the opportunities for DBEs to perform in CCRTA's DBE Program. No such evidence of the kind described in the regulations at 49 CFR Part 26.45(d)(2) was available to consider in determining whether an adjustment to base figure is warranted.

V. PROPOSED OVERALL DBE GOAL

The final proposed overall DBE goal for federal fiscal years (FFY) 2023-2025 for Corpus Christi Regional Transportation Authority's (CCRTA) FTA-assisted contracts is 14%.

BREAKOUT OF ESTIMATED RACE-NEUTRAL/RACE-CONSCIOUS PARTICIPATION

The federal regulations require CCRTA to meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. Race-neutral participation includes:

- DBEs who win prime contracts through customary competitive procurement procedures;
- DBEs who are awarded subcontracts on prime contracts that do not carry a DBE goal; and
- DBEs who are awarded subcontracts in excess of the stated DBE contract goal.

To calculate the race-neutral and race conscious split of the overall goal, CCRTA examined the race-neutral attainment for the past three years to determine the maximum feasible race-neutral participation. The median was used instead of the average to exclude outliers – that is, abnormally high or low numbers. Table 5 shows that CCRTA achieved a median of 2.42% of the goal over the past three years through race neutral means. CCRTA intends to meet the maximum feasible portion of the overall goal by using a combination of race-neutral and race conscious DBE participation.

Table 5

FFY	Total Dollars	Total \$ to DBEs	DBE Goal Attainment%	Race-Conscious DBEs \$	Race-Neutral DBEs \$	Race-Conscious %	Race-Neutral %
2019	1,354,780.00	80,765.00	5.96%	40,015.00	40,750.00	2.95%	3.01%
2020	1,655,271.00	40,000.00	2.42%	0.00	40,000.00	0.00%	2.42%
2021	1,871,038.00	149,501.00	7.99%	129,727.00	19,774.00	6.93%	1.06%
Median Race-Neutral Attainment							2.42%

CCRTA anticipates meeting the overall goal of 14% DBE participation for FFY 2023-2025 with 2.42% race-neutral participation and 11.58% race-conscious participation calculation as follows:

Overall DBE goal for FFY 2023-2025	-	14.00%
Race-neutral DBE goal (median FFY 2019-2021)	-	<u>- 2.42%</u>
Race-conscious DBE goal	-	11.58%

CCRTA

DBE Triennial Overall Goal and Methodology for FFY 2023-2025

Pursuant to the final rule requiring submission of a goal-setting methodology on a three-year cycle, CCRTA is also required to conduct an annual review to account for changes that may warrant an adjustment to the overall goal or make an adjustment based on changed circumstances (i.e. significant change in the legal standards governing the DBE program, new contracting opportunities presented by the availability of new or different grant opportunities, etc.) to ensure the goal and program as a whole are narrowly-tailored throughout the goal period.

CCRTA will monitor and adjust as needed the estimated breakout of race-neutral and race-conscious participation to reflect actual DBE participation. On a quarterly basis, CCRTA will:

- Separately track and report race-neutral and race-conscious participation
- Maintain data on DBE achievements in those contracts with or without contract goals.

VI. RACE-NEUTRAL IMPLEMENTATION METHODS

To assist in increasing race-neutral participation on its contracts, CCRTA will continue to actively seek procurement participation from DBE certified firms which includes the following but are not limited to:

- Participating in conference, seminars and community outreach activities for the purpose of informing potential contractors of CCRTA's contracting procedures and available business opportunities;
- Hosting DBE Certification and How to Do Business with CCRTA outreach events in the local market area;
- Providing and arranging for pre-bid and pre-proposal meetings to allow for networking opportunities for primes and subcontractors;
- Ensuring participants at pre-bid meetings are informed of CCRTA's DBE Program and requirements;
- Advising its contracting community of the benefits of becoming DBE certified, the eligibility requirements to become certified as a DBE, and the online directory of certified DBEs found at CCRTA's website: www.ccrta.org & the Texas UCP website: <https://txdot.txdotcms.com/>;
- Ensuring that Invitation for Bids (IFBs), Requests for Proposals (RFPs), and all corresponding contracting requirements foster participation by DBEs and other small businesses.
- Encouraging prime contractors to subcontract portions of the work to DBEs.

VII. PUBLIC PARTICIPATION & FEEDBACK

A Public Notice was issued on the CCRTA website, publishing the Proposed DBE Overall Goal Setting & Methodology for FFY 2023-2025. The Public Notice informed the public that the proposed goal and methodology were available for review at the CCRTA's Staples Street Center during the normal business hours for 30 days following the date of the public notice; and that CCRTA would also be accepting written comments regarding the proposed goal for 45 days from the date of the publication of the notice.

In accordance with 49 CFR Part 26.45 (g)(1)(i), minority, women, local business associations, and community organizations within the market area were contacted and provided an opportunity to

CCRTA

DBE Triennial Overall Goal and Methodology for FFY 2023-2025

review the triennial goal analysis and provide input. CCRTA reached out to various local minority, women, community business organizations, and stakeholders) by email (Attachment 3: Email to various local minority, women, community business organizations, and stakeholders) with a request that they disseminate CCRTA's Proposed DBE Overall Goal for FFY 2023-2025 to afford their members and clients to participate and solicit comments. Emails were sent to the following:

- United Corpus Christi Chamber of Commerce
- Robstown Area Development Commission
- Coastal Bend – Procurement Technical Assistance Center & Small Business Development Center
- Corpus Christi International Airport
- Corpus Christi Black Chamber of Commerce
- National Association for the Advancement of Colored People (NAACP) Corpus Christi Branch
- Hispanic Women's Network of Texas
- Westside Business Association
- U.S. Small Business Administration (SBA) Corpus Christi Branch

A public meeting notice (in-person and virtual) was posted to CCRTA's website. The public meeting notice was also sent to the City of Corpus Christi, Nueces County Office, San Patricio County Office for posting including neighboring small cities in the Coastal Bend. Invites to the public meeting was also sent to the above-mentioned organizations via email for public comment with presentation describing how the goal was developed and inviting questions and comments.

CCRTA held a hybrid public meeting with a presentation describing how the goal was developed and inviting questions and comments. The public meeting was held on July 20, 2022 at the CCRTA Staples Street Center, 602 N. Staples St. Corpus Christi, TX 78401 at 1:30 p.m. Representatives from Coastal Bend -Procurement Technical Assistance Center & Small Business Development Center, Corpus Christi International Airport, a local small business, and a DBE certified firm attended the public meeting. The attendees did not provide any specific comment or feedback on the methodology.

Feedback from Public Participation Process

CCRTA has not received any comment/feedback related to the FFY 2023-2025 overall DBE goal setting and methodology and proposed DBE goal.



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 4: Uniform Certification Application



OMB APPROVAL NO:
2105-0510
Expiration Date: 10/31/2021

Appendix F

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 _____

Table with 3 columns: Type, Dollar Value. Rows include 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: _____		Name: _____		Title: _____	
		Percent Owned: _____				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 _____ (Date) _____
(DBE/ACDBE Applicant)

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



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 5: DBE Participation Schedule A and Schedule B

SCHEDULE A

CONTRACTOR- SUMMARY OF DBE PARTICIPATION AS SUBCONTRACTOR, SUPPLIER AND/OR CONSULTANT

NAME OF CONTRACTOR: (1) _____
 NAME OF PROJECT: (2) _____
 PHONE #: (3) _____ EMAIL: (4) _____
 IFB/RFP/RFQ NUMBER: (5) _____
 TOTAL ESTIMATED CONTRACT AMOUNT: (6) _____
 PROJECTED BEGINNING/ENDING DATES OF WORK: (7) _____

In connection with the above-captioned contract, I HEREBY DECLARE AND AFFIRM that I am the (8) _____ (*Title of Affiant*) and duly authorized representative of (9) _____ (*Name of Contractor*) and that I have personally reviewed the material and facts set forth in and submitted with the attached Disadvantaged Business Enterprise (DBE) Schedules for each DBE. Listed below is/are the agreement(s) that correspond(s) with the Schedule B submitted by each DBE and listed separately for each DBE participating on the above-mentioned contract:

NAME OF DBE SUBCONTRACTOR (10)	SCOPE OF WORK TO BE PERFORMED (11)	NET DBE CREDIT (12)	AGREED SUBCONTRACT PRICE (13)
NOTE: PRICES REPRESENTED ON THIS PAGE SHOULD ACCURATELY REFLECT AGREEMENT BETWEEN CONTRACTOR AND SUBCONTRACTOR ONLY 60% OF AGREED SUBCONTRACT PRICE MAY BE CREDITED FOR MATERIALS AND SUPPLIES. LIST ONLY <u>CERTIFIED DBE OWNED & CONTROLLED FIRMS</u> THAT WILL PARTICIPATE IN THIS CONTRACT.		TOTAL NET DBE CREDIT (14) \$ _____	TOTAL DBE CONTRACT AMOUNT (15) \$ _____

AFFIDAVIT OF CONTRACTOR – failure to submit this form without a signature will result in the bid being rejected in its entirety.

The Contractor will enter into written agreements with all listed DBE firms for work as indicated by this Schedule A and accompanying Schedules, and will enter into such agreements within 30 calendar days after receipt of the contract executed by CCRTA. In the event the Contractor cannot meet said 30-day schedule, it must provide a written explanation for the delay and an estimate date by which the written agreements will be completed.

The Contractor understands that if it knowingly provides incorrect information or false statements or fail to comply with contract DBE requirements that CCRTA has an obligation (49 CFR 29.17(B)) to inform the U.S. Department of Transportation who may then initiate actions which would prohibit the Contractor from participation in future government contracts and may result in conviction for a third-degree felony, including a penalty of one and a half times the value of the contract. Any substitutions of the above-named subcontractors require prior written approval from CCRTA.

I do solemnly declare and affirm under penalty of perjury that the contents of the foregoing document are true and correct, and no material facts have been omitted, and that I am authorized on behalf of the Contractor to make this Affidavit.

 Name of Contractor's Affiant – Print

 Title of Affiant

 Signature

 Date

SCHEDULE B

CONFIRMATION OF PROPOSED DBE PARTICIPATION

IFB/RFP/RFQ NUMBER: (1) _____

NAME OF PROJECT: (2) _____

FROM: (3) _____ (Name of DBE Firm)

TO: (4) _____ (Name of Contractor) and CCRTA

(5) _____ (Address of DBE Firm)

(6) _____ (Phone Number of Authorized Agent of the DBE Firm)

(7) _____ (Email Address of the Authorized Agent of the DBE Firm)

The DBE status of the undersigned is confirmed by the attached **Letter of Certification from the TUCP dated, (8)** _____ (if proposing to perform as a DBE/non-DBE Joint Venture, the Letter of Certification from the DBE venturer is attached along with a completed Schedule B and joint venture agreement).

The undersigned is prepared to provide the following described services or supply the following described goods in connection with the above-named project/contract:

DESCRIPTION/TYPE OF WORK (In Detail) (9) QUANTITY (If Applicable) (10) DOLLAR AMOUNT OF DBE CONTRACT (11)

TOTAL VALUE \$ _____ (12)

MULTI-PHASE PROJECT(S) – For those project that are multi-phase, please indicate the phase in which the DBE will be performing work: (13)

SCHEDULE B

AFFIDAVIT OF DBE SUBCONTRACTOR

Subcontracting Levels

(14) % _____ of the dollar amount of the DBE's subcontract will be subcontracted to
DBE Subcontractors

(15) % _____ of the dollar amount of the DBE's subcontract will be subcontracted 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 of a third-degree felony, and a penalty of one and a half times the value of the contract. Material misrepresentation on any matter will also be grounds for terminating any contract which may be awarded and for initiating action under federal or state laws concerning false statements. Any willful falsification of fraudulent statement also may result in debarment from participation in any future federally-assisted contracts.

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

(17) _____
Print – Name and Title

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

(19) _____
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.



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 6: Monitoring Forms

- a) Commercially Useful Function (CUF) Review Form
- b) DBE Payment Report Form
- c) DBE Termination/Substitution Request Form



COMMERCIALLY USEFUL FUNCTION (CUF) EVALUATION/REVIEW FORM

A CUF review is required on each DBE firm working on any federally-funded project, regardless of whether there is a DBE goal. A minimum of one CUF review must be performed for each DBE on each project with or without a DBE goal. This review must be conducted while the DBE is actually working on the project. Federal regulations 49 CFR 26.55 states that *"A DBE performs a commercially useful function when it is responsible for execution of the work on the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved... A DBE does not perform a CUF 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..."*

This form is for the purpose of monitoring and reviewing DBEs compliance with the CUF requirements for obtaining DBE credit on projects.

PROJECT AND PAYMENT DATA:

CONTRACT NO.: _____ PROJECT NAME: _____

PRIME CONTRACTOR: _____

DBE GOAL %: _____ DBE SUBCONTRACT \$: _____ DBE COMMITMENT \$: _____

% OF DBE WORK COMPLETED: _____ DBE START DATE: _____ DBE END DATE*: _____

DBE FIRM: _____ DBE COMPANY OWNER: _____

DBE REPRESENTATIVE NAME/TITLE: _____

BRIEF DESCRIPTION OF THE DBE'S SCOPE OF WORK FROM THE APPROVED SUBCONTRACT:

(*EXPECTED DATE)

MANAGEMENT:

YES NO N/A

1. Has the DBE owner been present on the jobsite? ___ ___ ___
2. Does the DBE firm employ a supervisor or foreman who is onsite directing all work activities without assistance from any other non-DBE contractor? ___ ___ ___
3. Who schedules work activities, material delivers and other requirements for the DBE's work? Provide name(s) and title(s) below:

Name	Title

4. Is the person who signs the DBE's certified payroll an employee of the DBE and not the Prime or upper-tier subcontractor? ___ ___ ___

WORKFORCE:

YES NO N/A

5. Does the DBE firm have employees on the job? ___ ___ ___
6. Do they appear on the DBE firm's certified payroll? ___ ___ ___
7. Do they appear on any other contractor's payroll? ___ ___ ___
8. Based on employee interview, is the DBE the only contractor providing pay and other compensation? ___ ___ ___

PERFORMANCE:

YES NO N/A

9. Has any other contractor performed any of the DBE's work?
If yes, explain below. ___ ___ ___



Corpus Christi Regional Transportation Authority
602 N. Staples St. Corpus Christi, TX 78401

DBE PAYMENT REPORT FORM

1) Invoice Number:	2) Report Number:	
3) Reporting Period:	From:	To:

INSTRUCTIONS: All prime contractors and consultants are required to complete and submit this report to the DBE Liaison Officer with a copy of the invoice every 30th day of the month, until FINAL payment of the contract. Use additional sheets if reporting more than two subcontractors.

NOTE: Failure to comply with CCRTA's Disadvantaged Business Enterprise (DBEs) provisions may result in contract termination, or the suspension or debarment of the contractor from doing business with CCRTA in the future in accordance with the procedures set forth in CCRTA's Procurement Regulations. To complete this report, see detailed instructions on the proceeding page.

4) CCRTA Contract Number:		
5) Type of Contract:	<input type="checkbox"/> Construction	<input type="checkbox"/> Professional Service
	<input type="checkbox"/> Supply/Commodity	<input type="checkbox"/> Service
6) Contractor's Business Name:		
Address:		Phone No.:
7) Date of Contract Award:		
8) Estimated Date of Completion:		
9) Original Contract Amount:		
10) Current Amended Contract Amount (including Modifications):		
11) Total Amount Received to Date:		
12) Total Amount Owed:	Amount of This Invoice:	
13) Committed Disadvantaged Business Participation:		
14) Actual Disadvantaged Business Enterprise (DBE) Percentage (%) to Date:		
(Calculation of DBE%: Dollar Amount Paid to DBE divided by Dollar Amount Received by Contractor from CCRTA)		
15) SUBCONTRACTOR NAME:		
16) Is Subcontractor DBE Certified?	<input type="checkbox"/> Yes, Certificate # _____	<input type="checkbox"/> No <input type="checkbox"/> Yes, Certificate# _____ <input type="checkbox"/> No
17) Description of Work:		
18) Amount & Date of Last Payment:		
19) Subcontract Value (in \$\$):		
20) Total Amount Paid-to-Date (in \$\$):		
21) Percentage (%) Paid to Date:		
22) 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 CCRTA for progress and/or final payment to our subcontractors and suppliers in accordance with contractual arrangements with them.

COMPANY OFFICIAL'S NAME & TITLE:	
COMPANY OFFICIAL'S SIGNATURE:	DATE SIGNED:
NAME & TITLE OF INDIVIDUAL COMPLETING REPORT:	

**INSTRUCTIONS FOR CONTRACTORS
"HOW TO FILL-OUT DBE PAYMENT REPORT FORM"**

The DBE Payment Report is to be filled out by the Contractor and submitted with a copy of the invoice every 30th day of the month. The instructions below correspond to each item on the reverse side of the report. Please follow the instructions.

Please submit by email the completed DBE Payment Report form to the DBELO at cctadbe@ccrta.org

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: October 1, 2020 To: October 31, 2020.
4. **CCRTA Contract Number** – Fill in the contract number assigned to your project by CCRTA; make sure that your invoice corresponds to the Contract No.
5. **Type of Contract** – Designate the type of contract that has been awarded your by the CCRTA.
6. **Contractor's Business Name, Address, and Phone Number** – Fill in your company's name, address, and phone number
7. **Date of Contract Award** – Fill in the date contract was executed by both you and CCRTA.
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 CCRTA.
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 CCRTA to date.
12. **Total Amount Owed** – Fill in the dollar amount of the contract minus amount paid to you by CCRTA.
13. **Committed Disadvantaged Business Participation** – Fill in the percentage of DBE participation you committed to obtain on the contract.
14. **Actual Disadvantaged % to Date** – Fill in the calculated dollar amount paid to the DBE divided by the dollar amount you received from CCRTA.
15. **Name of Subcontractor** – Name all DBE and non-DBE subcontractors used in this contract. Use additional sheets as necessary.
16. **Disadvantaged Business Enterprise (DBE)** – Select yes if subcontractor is certified DBE and indicate Certificate Number; if not DBE certified, select no.
17. **Description of Work** – State the work performed by the DBE and non-DBE subcontractor(s).
18. **Amount and Date of Last Payment** – State the amount and date of last payment made to each DBE and non-DBE subcontractor. Submit evidence of payment, i.e. cancelled check, check register, etc.
19. **Subcontractor Value (Dollars)** – State the committed dollar value to the DBE and non-DBE subcontractor for the duration of the contract.
20. **Percent of Earned Progress to Date** – State the percentage by dividing the dollar amount paid to the DBE and non-DBE subcontractors by the full amount committed to them.
21. **Amount Paid to Date (Dollars)** - Add all amount paid to each DBE and non-DBE subcontractor to date.
22. **Amount of This Invoice Allocated to Vendor/Subcontractor** – Fill in how much of this invoice will be paid to each DBE and non-DBE subcontractor.

10. Is the DBE performing at least 30% of the work?

___ ___ ___

EQUIPMENT:

YES NO N/A

11. Does the Prime's name appear on any equipment used by the DBE firm?

___ ___ ___

12. Is the equipment being operated by DBE employees and under the direct supervision of the DBE?

___ ___ ___

MATERIALS: (furnish and install work only)

YES NO N/A

13. Is the DBE contracted to furnish and install a contract item?

___ ___ ___

14. Were material shipping documents addressed to the DBE?

___ ___ ___

15. Was the DBE onsite to receive delivery of its materials?

___ ___ ___

16. According to the material invoice, were materials billed to the DBE?

___ ___ ___

TRUCKING/HAULING:

YES NO N/A

17. Does a review of the haul/load tickets indicate that hauling is being done by the DBE?

___ ___ ___

18. Do the trucks on the work site belong to the DBE?

___ ___ ___

19. If leased, does the driver have the lease agreement in their truck and does it identify the DBE?

___ ___ ___

COMMENTS/EXPLANATION:

COMMERCIALLY USEFUL FUNCTION (CUF) DETERMINATION:

Based on the above information, is the DBE performing a CUF? YES NO

REVIEWER'S PRINTED NAME: _____ TITLE: _____

REVIEWER SIGNATURE: _____ DATE OF REVIEW: _____

CUF Review – DBE Employee Interview

Date of Interview: _____

Contract #/Project Name: _____

Project Site Address or Location: _____

Employee
<p>1. Name: _____</p> <p>2. Job Title: _____</p> <p>3. How long have you worked for the firm? _____</p> <p>4. Who pays your salary? _____</p> <p>5. Who is your immediate Boss? _____</p> <p>6. To the best of your knowledge who is in charge of the firm? _____</p>
Employee
<p>1. Name: _____</p> <p>2. Job Title: _____</p> <p>3. How long have you worked for the firm? _____</p> <p>4. Who pays your salary? _____</p> <p>5. Who is your immediate Boss? _____</p> <p>6. To the best of your knowledge who is in charge of the firm? _____</p>



**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
TERMINATION/SUBSTITUTION REQUEST FORM**

CONTRACT NO.: _____ PROJECT NAME: _____

PRIME CONTRACTOR: _____

REQUESTOR: _____ EMAIL: _____ PHONE: _____

TYPE OF REQUEST: TERMINATION SUBSTITUTION

- 1) Date determined the DBE is unwilling, unable or ineligible to perform: _____
- 2) Date of Written Notice to DBE: _____ Attach notice with this request, along with the DBE response.
- 3) Original DBE commitment amount: \$ _____
- 4) Amount of work completed to date: \$ _____
- 5) Remaining DBE amount: \$ _____

For DBE Substitution only, answer questions 6 thru 8:

- 6) Proposed DBE Name(s): _____
- 7) Proposed DBE dollar amount to be substituted: \$ _____
- 8) Projected date for substitute DBE to commence work: _____

Good Faith Effort Documentation to be submitted with this request or within 7 calendar days from approval of this request:

- a) DBE Certified firm approval letter and/or
- b) Other documentation to substantiate efforts made to replace the same amount of DBE work

Prime Contractor Signature

Date

Original DBE Subcontractor Signature

Date

CCRТА Project Signature

Date

For CCRТА use only

Request is: Approved Not Approved

DBE Office Representative: _____ Signature: _____

Date: _____



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

DBE Program Plan Attachments

Attachment 7: Procedures for Removal of DBE's Eligibility

Removal of DBE/ACDBE Eligibility (Decertification)

All Members of the TUCP, including the Corpus Christi Regional Transportation Authority (CCRTA) follow the Texas Unified Certification Program (TUCP) 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 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 firm to be ineligible. In such cases, the TUCP shall without delay begin a proceeding to determine whether the firm's eligibility should be removed, as provided in §26.87.



Subject: Disadvantaged Business Enterprise (DBE) Report of Awards or Commitments, and Payments for Federal Fiscal Year 2023

Background

As a Federal Transit Administration (FTA) recipient, Corpus Christi Regional Transportation Authority (CCRTA) complies with the federal regulations set forth in 49 Code of Federal Regulations (CFR) Part 26 regarding participation by DBEs in the U.S. Department of Transportation (DOT) Program. To meet the objectives of 49 CFR Part 26, CCRTA submitted its DBE triennial overall goal for FFY 2023 to 2025 to FTA that states the level of DBE participation it endeavors to obtain on an annual basis.

CCRTA's DBE overall goal for federal fiscal years (FFYs) 2023 to 2025 is 14% on DOT-assisted contracts which comprises a race-conscious measure of 11.58% and race-neutral measure of 2.42%.

CCRTA Responsibilities

Based on 49 CFR Part 26.11(a), recipients of DOT funds are expected to keep accurate data regarding the contracting opportunities available to firms paid for with DOT dollars by transmitting to FTA the Uniform Report of DBE Awards or Commitments and Payments every June 1st and December 1st. Failure to submit contracting data relative to the DBE program will result in non-compliance with Part 26.

CCRTA measure commitments made prior to award of federally assisted contracts and payments made to DBEs. Credit towards DBE goals will be given to contractors only when certified DBEs are paid. CCRTA will also keep a running tally on each federally assisted contract to the extent to which performance matches the commitment made by the prime contractor. This information is maintained in the B2GNow contract compliance system, which tracks both monthly and year-to-date payments.

For purposes of reporting DBE participation to the FTA, CCRTA may only count participation by certified DBE contractors and/or subcontractors.

Summary of FFY 2023 DBE Report Achievement (Federal Funds Only)

Federal fiscal year 2023 (FFY2023) covers the period of October 1, 2022 through September 30, 2023. Only contracts awarded and paid by CCRTA using federal funds are reported to the FTA per DOT DBE Regulations.

a. Awarded Contracts

For FFY 2023 reporting period, CCRTA achieved **30.50%** DBE participation for contracts awarded, as shown below in Table 1.

The table below illustrates the reporting period's DBE participation relative to the overall expenditures on federally funded contracts.

DBE Awards or Commitments for FFY 2023			
Reporting Period to FTA	Total Federal \$ Awarded	Total \$ DBE Awarded	DBE%
Oct. 1, 2022 – Mar. 31, 2023	\$1,894,745	\$ 238,040	12.56%
Apr. 1, 2023 – Sept. 30, 2023	\$4,707, 807	\$1,776,037	37.70%
FFY 2023 Total DBE Awarded ÷ FFY 2023 Total Federal Awarded	\$6,602,552	\$2,014,077	30.50%

During this period, staff worked diligently to sustain a level of DBE participation through outreach and networking efforts.

Board Priority

This project aligns with Board Priority – Public Image & Transparency.

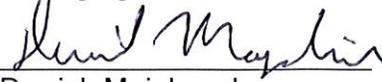
Recommendation

For informational purposes only.

Respectfully Submitted,

Submitted by: Laura Yaunk
DBE Liaison Officer

Reviewed by: Rita Patrick
Managing Director of Public Relations

Final Approval by: 
Derrick Majchszak
Chief Executive Officer



**CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
OPERATIONS & CAPITAL PROJECTS COMMITTEE MEETING MINUTES
WEDNESDAY, October 25, 2023**

Summary of Actions

- 1. Roll Call**
- 2. Heard Safety Briefing**
- 3. Receipt of Conflict of Interest Affidavits – None Received**
- 4. Provided Opportunity for Public Comment – None Received**
- 5. Approved the Operations & Capital Projects Committee Meeting Minutes of September 27, 2023**
- 6. Approved to Recommend the Board of Directors Approve the Fiscal Year 2024 Holidays and Service Levels**
- 7. Approved to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Award a Contract to Pinnacle Petroleum Inc. for Unleaded Fuel Supply**
- 8. Approved to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Award a Contract to Pinnacle Petroleum Inc. for Unleaded Fuel Supply**
- 9. Heard Committee Chair Report**
- 10. Adjournment**

The Corpus Christi Regional Transportation Authority Board of Directors 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.

Call to Order & Roll Call

Gabi Canales, Acting Committee Chair on behalf of Committee Chair Eloy Salazar, called the meeting to order at 9:20 a.m. Ms. Marisa Montiel called roll and stated a quorum was present.

Board Members Present

Eloy Salazar (virtual), Gabi Canales, Armando Gonzalez and Erica Maymi. Dan Leyendecker (virtual).

Board Members Absent

Beatriz Charo

Staff Present

David Chapa, Angelina Gaitan, John Esparza, Derrick Majchszak, Sharon Montez, Marisa Montiel, Rita Patrick and Miguel Rendón. Tim Van Zalen, MV Transportation.

Public Present

None



Safety Briefing

Mr. Miguel Rendón, Deputy CEO, gave the safety briefing to the audience and Board of Directors. He asked that in the event of an emergency, the audience exit the boardroom to his left and proceed towards the west stairwell to the first floor where they will exit through the westside doors. Once outside, everyone will go to the clocktower adjacent to the transfer station. He instructed to not use the elevator during an emergency and to not return until the all-clear is given. If a shelter-in-place is needed, this will be done in the westside stairwell.

Receive Conflict of Interest Affidavits

None Received

Opportunity for Public Comment

None Received

Discussion and Possible Action to Approve the Operations & Capital Projects Committee Meeting Minutes of September 27, 2023

DIRECTOR ARMANDO GONZALEZ MADE A MOTION TO APPROVE THE OPERATIONS & CAPITAL PROJECTS COMMITTEE MEETING MINUTES OF OCTOBER 25, 2023. DIRECTOR ERICA MAYMI SECONDED THE MOTION. SALAZAR, CANALES, GONZALEZ AND MAYMI VOTING IN FAVOR. ABSENT CHARO.

Discussion and Possible Action to Recommend the Board of Directors Approve the Fiscal Year 2024 Holidays and Service Levels

Mr. Gordon Robinson, Managing Director of Operations, presented the item noting the Board Priority is Public Image and Transparency. He provided background information noting that each year, Service Standards require Board of Directors approval of holiday and service levels on or near holiday dates. For FY2024, proposed holidays and service levels are determined by executive management, historic ridership date and public input. Mr. Robinson displayed the FY2024 Proposed Holidays and Service Levels for review.

DIRECTOR ERICA MAYMI MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS APPROVE THE FISCAL YEAR 2024 HOLIDAYS AND SERVICES LEVELS. DIRECTOR ARMANDO GONZALEZ SECONDED THE MOTION. SALAZAR, CANALES, GONZALEZ AND MAYMI VOTING IN FAVOR. ABSENT CHARO.

Discussion and Possible Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Award a Contract to Pinnacle Petroleum Inc. for Unleaded Fuel Supply

Mr. Gordon Robinson presented the item noting the Board Priority is Public Image and Transparency. He provided background noting there are 36 maintenance, security, supervisor and other support vehicles, four cutaway vans utilized by Port Aransas and 29



ARBOC cutaway vans delivered in 2021. The current contract is a two-year base contract with a one-year option. The incumbent did not agree to exercise one year option. The new contract will be for a two (2) year base term. The unleaded fuel supply agreement ensures product availability, more predictable pricing, Oil Price Information Service (OPIS) and discounts or mark-ups. A total of six bids were received and three were deemed responsive. Mr. Robinson displayed a chart comparing the bids. There is no DBE requirement for the procurement. Total expenditures will be determined by consumption and OPIS and funds have been accounted for in the Board approved annual operating budgets. The total estimated cost for 2024 is \$560,373.00 and for 2025 is \$599,597.00.

DIRECTOR ELOY SALAZAR MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) OR DESIGNEE TO AWARD A CONTRACT TO PINNACLE PETROLEUM INC. FOR UNLEADED FUEL SUPPLY. DIRECTOR ARMANDO GONZALEZ SECONDED THE MOTION. SALAZAR, CANALES, GONZALEZ AND MAYMI VOTING IN FAVOR. ABSENT CHARO.

Discussion and Possible Action to Recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Award the Transportation Department Uniform Supplier Contract to Cintas Corporation

Mr. Gordon Robinson presented the item noting the Board Priority is Transparency. He provided background information noting uniforms are used to maintain a consistent and professional image. Uniform components require replacement to ensure proper representation of frontline employees. For 2024, the transportation staff breakdown consists of 110 total Bus Operator positions and 19 total administrative positions. CCRTA currently purchases uniforms from Cintas Corporation and the current contract will expire December 31, 2023. Three proposals were received, of which two were deemed responsive. A chart was displayed comparing the two bids. Next, he displayed a chart of possible items that could be purchased with the current allowance of \$295 per eligible employee. The estimated amount for 2024 is \$43,955.00 with a projected three-year cost of \$137,952.50 which includes 5% escalation per year. Director Canales asked if the quality was pretty similar between the two bidders. Mr. Majchszak noted the quality was similar and Cintas is has a local office. Director Canales asked if in the future the budget could be looked into to see if it needs to be raised. Mr. Majchszak said yes the example provided was just a sample of what the employees could purchase but throughout the year, other items are provided to them at no cost to them.

DIRECTOR ERICA MAYMI MADE A MOTION TO RECOMMEND THE BOARD OF DIRECTORS AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) OR DESIGNEE TO AWARD THE TRANSPORTATION DEPARTMENT UNIFORM SUPPLIER CONTRACT TO CINTAS CORPORATION. DIRECTOR ARMANDO GONZALEZ SECONDED THE MOTION. SALAZAR, CANALES, GONZALEZ AND MAYMI VOTING IN FAVOR. ABSENT CHARO.



Heard Committee Chair Report

Mr. Eloy Salazar noted that on the Zoom it was very difficult to hear the presenters at the podium and he hopes in the future the problem is resolved.

Adjournment

Adjourned at 9:44 a.m.

Submitted by: Marisa Montiel



Subject: Authorize the Purchase of Two Ford F-150 Utility Trucks from the Interlocal Purchasing System (TIPS) Purchasing Cooperative

Background

The CCRTA Facility Maintenance staff operate non-revenue utility vehicles to provide preventive maintenance inspections, cleaning of bus stops and transfer stations, and complete repairs to facilities throughout the 846 square mile service area. Additionally, Facility Maintenance staff utilize the vehicles to respond to service needs at the CCRTA Staples Street Center building, Bear Lane Operations Facility, special events, and other locations to support service needs.

Identified Need

The Facility Maintenance Department added additional staff to further enhance the cleaning and maintenance of approximately 1,375 bus stops, transfer stations, the Del Mar College Oso Creek Campus Super Stops, the new Port Ayers Station, and other CCRTA facilities. Due to the expansion of the Facility Maintenance team, two additional utility vehicles are needed to ensure that the new staff can readily carry out daily duties and assigned tasks. Additional features will be added to the vehicles to meet facility maintenance needs.

Disadvantaged Business Enterprise

DBE participation is zero percent (0%).

Financial Impact

The two Ford F-150 Utility Trucks are budgeted for \$86,400 and is a 2023 Capital Improvement Program project funded by local funds. Silsbee Ford, Inc. is providing the two vehicles through the TIPS Purchasing Cooperative. Total expenditures for the two vehicles is estimated to be \$80,132.50 at an estimated cost of \$40,066.25 per vehicle. Funds are accounted for in the Board approved annual operating budgets.

Board Priority

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

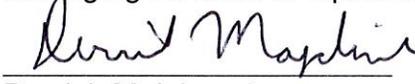
Recommendation

Staff requests the Operations & Capital Projects Committee to recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to Purchase Two Ford F-150 Utility Trucks from the Interlocal Purchasing System (TIPS) Purchasing Cooperative for \$80,132.50.

Respectfully Submitted,

Submitted by: Bryan Garner
Director of Maintenance

Reviewed by: Gordon Robinson
Managing Director of Operations

Final Approval by: 
Derrick Majchszak
Chief Executive Officer



Subject: Award the Option Year to Tolar Manufacturing, Inc., for Bus Stop Shelter Amenities

Background

The CCRTA had the following number of bus stops and bus stop amenities, prior to the new procurement:

- 1375 Bus stops
- 58 Existing Tolar shelters
- 128 Sun shade shelters
- 40 new 13' Tolar Shelter sets (inclusive of solar lighting, 6' advertising bench, and a trash receptacle)
- 874 Benches and 12 Simme Seats
- 647 Trash receptacles

In early 2022, the CCRTA, awarded a contract to Tolar Manufacturing, Inc., for the procurement of new shelter amenities, to support the new Shelter Expansion/Replacement Program. The award included a two-year base bid with a one-year option.

To date the CCRTA has installed the following amenities, from the two-year base bid:

- 337 new 13' Tolar shelter sets (inclusive of solar lighting, 6' advertising benches, and trash receptacles), 13 pending delivery on this order
- 337 new advertising benches, 220 pending delivery
- 337 new trash receptacles, 81 pending delivery
- 32 Beacon light dual seating kit, 198 pending delivery

Identified Need

The CCRTA has now ordered the shelter amenities for the 2-year base bid and is now ready to award the option year, for the next set of shelter amenities, left on the contract.

Below is the proposed capital schedule for bus stop shelter amenities for the fixed 2-year base for your review, and the Option Year.

No.	Description	Total Est. Quantities for 2 Years	Total Est. Quantities Option Year	Total Amenities for 3 Years
1	13' X 5' Shelter	350	25	375
2	6' Advertising Bench	566	133	699
3	44 Gallon Trash Can	418	77	495
4	Solar Lighting	350	25	375
5	Smart 13' Shelter	1	1	2
6	Beacon Light and Seating Kit	230	115	345
7	Antibacterial Coating for Benches	566	133	699

Analysis

A Request for Proposals (RFP) was issued on December 1, 2021 and two proposals were received on January 12, 2022.

The Request for Proposal for the procurement of shelter amenities was evaluated on the following criteria:

- Qualification of Firm
- Bus Shelter Design
- Qualification of Staff
- Qualifications of Subcontractor
- Disadvantaged Business Enterprise
- Price

The table below represents the results of the evaluation.

Firm	Subtotal - Maximum Points (80 Points Max)	Cost (20 Points Max)	Totals (Maximum Points 100)	Price (Total Cost)
Tolar Manufacturing, Inc.	80.00	20.00	100.00	\$ 8,180,230.00
GST Manufacturing, LTD	11.80	18.67	30.47	\$ 9,341,805.00

The firm deemed as being the best in overall value, is Tolar Manufacturing Company, Inc. They have been in the business for 32 years and specialize in transit shelter amenities. Tolar has worked with Capital Metro in Austin, Trinity Metro in Fort Worth, Dallas Area Rapid Transit, and numerous other transit agencies throughout the U.S.

CCRTA has previously purchased shelters from Tolar, and the customer service and quality of equipment has been satisfactory.

Board Priority

The Board Priority for this item is Facilities and Public Image.

Disadvantaged Business Enterprise (DBE)

The CCRTA established an eleven percent (11%) DBE participation goal for this contract.

Financial Impact

The estimated total cost for the one-year option cost is \$1,098,085, and is federally funded.

Recommendation

Staff requests the Operations & Capital Projects Committee recommend the Board of Directors Authorize the Chief Executive Officer (CEO) or Designee to award the Option Year to Tolar Manufacturing, Inc. for the Procurement of Bus Stop Shelter Amenities for \$1,098,085.

Respectfully Submitted,

Submitted and Reviewed by: Sharon Montez
Managing Director of Capital Programs and Customer Services

Final Approval by: 
Derrick Majchszak
Chief Executive Officer