

Susquehanna Area Regional Airport Authority DBE Program

POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

The Susquehanna Area Regional Airport Authority (operator of the Harrisburg International Airport, Capital City Airport, Gettysburg Regional Airport, and Franklin County Regional Airport) 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 Susquehanna Area Regional Airport Authority has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Susquehanna Area Regional Airport Authority has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Susquehanna Area Regional Airport Authority to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
2. To create a level playing field on which DBEs 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;
7. To assist the development of firms that can compete successfully in the market place outside the DBE Program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

The Executive Director has been delegated as the DBE Liaison Officer (DBELO). In that capacity, the Executive Director is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Susquehanna Area Regional Airport Authority in its financial assistance agreements with the Department of Transportation.

The Susquehanna Area Regional Airport Authority has disseminated this policy statement to all Authority members and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. This has been disseminated to the public by publishing it on our web site.

James Helsel, Jr., Chairman
Susquehanna Area Regional Airport Authority

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 Susquehanna Area Regional Airport Authority is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, et seq.

Section 26.5 Definitions

The Susquehanna Area Regional Airport Authority will use terms in this program that have the meaning defined in Section 26.5.

Section 26.7 Non-discrimination Requirements

The Susquehanna Area Regional Airport Authority will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the Susquehanna Area Regional Airport Authority 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

The Susquehanna Area Regional Airport Authority will report DBE participation to DOT/FAA as follows:

We will transmit to FAA annually on December 1st, the “Uniform Report of DBE Awards or Commitments and Payments” form electronically via the FAA Civil Rights Connect System (<https://faa.civilrightsconnect.com/FAA/login.asp>). We will also report the DBE Contractor firms contact information either on the FAA DBE Contractor’s Form or other similar format.

Bidders List: 26.11(c)

The Susquehanna Area Regional Airport Authority will create and maintain a bidders list. The purpose of the list is to provide as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on our DOT-assisted contracts for use in helping to set our overall goals. The bidders list will include the name, address, DBE and non-DBE status, age of firm, and annual gross receipts of firms.

We will collect this information in the following way: We will collect the data from all bidders, before or after the bid due date. See Attachment 3 for a sample form.

Section 26.13 Federal Financial Assistance Agreement

The Susquehanna Area Regional Airport Authority has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a)

Each financial assistance agreement the Susquehanna Area Regional Airport Authority signs with a DOT operating administration (or a primary recipient) will include the following assurance:

The Susquehanna Area Regional Airport Authority shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Susquehanna Area Regional Airport Authority shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The Susquehanna Area Regional Airport Authority's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Susquehanna Area Regional Airport Authority of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

Contract Assurance: 26.13b

The Susquehanna Area Regional Airport Authority will ensure that the following clause is included in each contract we sign with a contractor and each subcontract the prime contractor signs with a subcontractor:

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 Susquehanna Area Regional Airport Authority deems appropriate, which may include, but is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages; and/or (4) Disqualifying the contractor from future bidding as non-responsible.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

The Susquehanna Area Regional Airport Authority will receive grant(s) for airport planning or development totaling \$250,000 in a Federal Fiscal Year. The Susquehanna Area Regional Airport Authority is not eligible to receive DOT financial assistance unless DOT has approved our DBE Program and we are in compliance with it and this part. We will continue to carry out this DBE Program until all funds from DOT financial assistance have been expended. We will submit an updated goal covering a three-year federal fiscal year period if we anticipate that we will award prime contracts exceeding \$250,000 in FAA funds in any of those three (3) Federal Fiscal Years (FFY).

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer (DBELO)

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

Name	Timothy J. Edwards, A.A.E.
Title	Executive Director
Address	One Terminal Drive, Suite 300, Middletown, PA 17057
Telephone Number	(717)-948-3900
Fax Number	(717)-948-3870
E-mail Address	TEdwards@saraa.org

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Susquehanna Area Regional Airport Authority complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Airport Authority's Chairman concerning DBE program matters. An Organizational Chart displaying the DBELO's position in the organization is found in **Attachment 2** to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has staff from both the Finance & Administration and Engineering & Planning Departments, as well as an independent consultant, to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results.
6. Analyzes the Susquehanna Area Regional Airport Authority's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the CEO\governing body on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Determine contractor compliance with good faith efforts.
11. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plans and participates in DBE training seminars.
13. Acts as liaison to the Uniform Certification Process.
14. Provides outreach to DBEs and community organizations to advise them of opportunities.

Section 26.27 DBE Financial Institutions

It is the policy of the Susquehanna Area Regional Airport Authority to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

We have made the following efforts to identify and use such institutions: N/A

To date we have identified the following such institutions: N/A

To date we have not identified any socially or economically disadvantaged financial institutions in which to work with. However, we will continue to pursue these and will work with them on a regular basis if the opportunity presents itself.

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

Section 26.29 Prompt Payment Mechanisms

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

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

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

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

The Susquehanna Area Regional Airport Authority will provide appropriate means to enforce the requirements of this section. These means include:

1. Withholding of progress payments to Prime Contractors and direct payment to DBE Subcontractors,
2. Issuance of Stop Work Orders to the Prime Contractor until payment to the DBE Subcontractor is made without any consideration of delay claims by the Prime Contractor, and
3. Any legal action the Susquehanna Area Regional Airport Authority deems appropriate.

The Susquehanna Area Regional Airport Authority will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from the Susquehanna Area Regional Airport Authority. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced timeframe may occur only for good cause following written approval of the Susquehanna Area Regional Airport Authority. This clause applies to both DBE and non-DBE subcontractors.

Monitoring Payments to DBEs

We will require prime 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 the Susquehanna Area Regional Airport Authority or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We 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.

Section 26.31 Directory

The Susquehanna Area Regional Airport Authority is a qualified (contributing) member of the Pennsylvania Unified Certification Program (UCP), therefore the Authority will utilize this directory to the fullest extent for identifying all firms eligible to be certified as DBE's. This directory list the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. The UCP Directory routinely update their lists (more than once a year). The website directory is available as follows:

Pennsylvania UCP web site: <http://www.paucp.com>

Section 26.33 Over-concentration

The Susquehanna Area Regional Airport Authority has not identified that over-concentration exists in the types of work that DBEs perform.

Section 26.35 Business Development Programs

The Susquehanna Area Regional Airport Authority has not established a business development program.

Section 26.37 Monitoring and Enforcement Mechanisms

The Susquehanna Area Regional Airport Authority will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.107.
2. We will implement similar action under our own legal authorities, including responsibility determinations in future contracts. **Attachment 1** lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our DBE Program.
3. We will implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award or subsequently (i.e., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed.
4. We will implement a monitoring and enforcement mechanism that will include written certification that we have reviewed contracting records and monitored work sites for this purpose. For most projects, our engineering consultant(s) provides on-site construction inspection. They will be familiar with our DBE goals and accomplishment reporting requirements.

They will confirm the participation of DBE's on the project and accumulate the DBE information on a monthly or quarterly basis.

5. We will implement a mechanism that will provide for a running tally of actual DBE attainments (e.g., payment actually made to DBE firms), including a means of comparing these attainments to commitments. In our reports of DBE participation to DOT, we will show both commitments and attainments, as required by the DOT uniform reporting form. The Susquehanna Area Regional Airport Authority has a series of forms that are included in all AIP contracts and are required to be filled out on a routine basis to accumulate, evaluate and monitor the DBE attainment process. They are also listed in **Attachment 3**.

Section 26.39 Fostering small business participation.

The Susquehanna Area Regional Airport Authority has established a Small Business element to facilitate competition by small business concerns. The DBE program includes an element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

The Susquehanna Area Regional Airport Authority small business program element is incorporated as **Attachment 10** to this DBE Program. We will actively implement the program elements to foster small business participation; doing so is a requirement of good faith implementation of our DBE program.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

The Susquehanna Area Regional Airport Authority does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

The Susquehanna Area Regional Airport Authority will establish an overall DBE goal covering typically a three-year federal fiscal year period if we anticipate awarding FAA funded prime contracts the cumulative total value of which exceeds \$250,000 during any one or more of the reporting fiscal years within the goal period. In accordance with Section 26.45(f) the Susquehanna Area Regional Airport Authority, owner of the Harrisburg International Airport designated as a Small Hub, will submit its overall DBE Goal to FAA by August 1st as required by the established schedule below.

Airport Type	Region	Date Due (Goal Period)	Next Goal Due (Goal Period)
Small Hub Primary	Eastern	August 1, 2017 (2018/2019/2020)	August 1, 2019 (2020/2021/2022)

The DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45. If the Susquehanna Area Regional Airport Authority does not anticipate awarding FAA funded prime contracts the cumulative total value of which exceeds \$250,000 during any of the years within the three-year reporting period, we will not develop an overall goal; however, this DBE Program will remain in effect and the Susquehanna Area Regional Airport Authority will seek to fulfill the objectives outlined in 49 CFR Part 26.1.

Section 26.45(c) Step 1

The first step is to determine the relative availability of DBEs in the market area, “base figure”. We will use DBE Directories and Census Bureau Data as a method to determine our base figure. The second step is to adjust the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry to past competitiveness of DBEs on Contracts.

Section 26.45(d) Step 2

Once we have calculated a base figure, we will examine all of the evidence available in our jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at our overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

Section 26.45(g)(1) Consultation

In establishing the overall goal, the Susquehanna Area Regional Airport Authority will review information available on the certifying organization’s website, PA UCP at <http://www.paucp.com>, and consult with minority, women’s and general contractor groups, community organizations, and other officials or organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Susquehanna Area Regional Airport Authority efforts to establish a level playing field for the participation of DBEs. The consultation will include a scheduled,

direct, interactive exchange (e.g., a face-to-face meeting, video conference, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the Susquehanna Area Regional Airport Authority's goal setting process, and it will occur before we are required to submit our goal methodology to the operating administration for review pursuant to paragraph (f) of this section. We will document in our goal submission the consultation process that we engaged in. Notwithstanding paragraph (f)(4) of this section, we will not implement our proposed goal until we have complied with this requirement.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the Authority's office located at One Terminal Drive, Suite 300, Middletown, Pennsylvania for thirty (30) days following the date of the notice, and informing the public that the Susquehanna Area Regional Airport Authority and DOT / FAA will accept comments on the goals for forty-five (45) days from the date of the notice. This notice will be published on the airport's web site at <http://flyhia.com/>. Additional public notices may be used on occasion depending on the airport location and the complexity of the project. Normally, we will issue this notice by June 1st of the reporting period of the goal. The notice will include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

Our overall DBE Goal submission to DOT/FAA will include a summary of information and comments received, if any, during this public participation process and our responses. If the proposed goal changes following review by the operating administration, the revised goal will be posted on the airport's website.

We will begin using our overall goal on October 1st of the reporting period, unless we have received other instructions from DOT.

Section 26.45 (e) - Project Goals

If permitted or required by the FAA Administrator, we will express our overall goals as a percentage of funds for a particular grant or project or group of grants and/or projects, including entire projects. Like other overall goals, a project goal may be adjusted to reflect changed circumstances, with the concurrence of the appropriate operating administration. A project goal is an overall goal, and must meet all the substantive and procedural requirements of this Section pertaining to overall goals. A project goal covers the entire length of the project to which it applies. The project goal should include a projection of the DBE participation anticipated to be obtained during each fiscal year covered by the project goal. The funds for the project to which the project goal pertains are separated from the base from which our regular overall goal, applicable to contracts not part of the project covered by a project goal, is calculated.

If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

Section 26.45(f) - Prior Operating Administration Concurrent

The Susquehanna Area Regional Airport Authority understands that we are not required to obtain prior operating administration concurrence with our overall goal. However, if the operating administration's review suggests that our overall goal has not been correctly calculated or that our method for calculating goals is inadequate, the operating administration may, after consulting with us, adjust our overall goal or require that we do so. The adjusted overall goal is binding. In evaluating the adequacy or soundness of the methodology used to derive the overall goal, the U.S. DOT operating administration will be guided by the goal setting principles and best practices identified by the Department in guidance issued pursuant to § 26.9.

A description of the methodology to calculate the overall goal and the goal calculations can be found in **Attachment 5** to this program.

Section 26.47 Failure to meet overall goals.

The Susquehanna Area Regional Airport Authority will maintain an approved DBE Program and overall DBE goal, if applicable as well as administer our DBE Program in good faith to be considered to be in compliance with this part.

If the Susquehanna Area Regional Airport Authority awards and commitments shown on our Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, we will do the following in order to be regarded by the Department as implementing our DBE Program in good faith:

1. Analyze in detail the reasons for the difference between the overall goal and our awards and commitments in that fiscal year;
2. Establish specific steps and milestones to correct the problems we have identified in our analysis and to enable us to meet fully our goal for the new fiscal year.
3. Retain copy of analysis and corrective actions in records for a minimum of three years, and will make it available to FAA upon request.

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

The breakout of estimated race-neutral and race-conscious participation, if available, can be found in **Attachment 5** to this program.

Section 26.51(d-g) Contract Goals

The Susquehanna Area Regional Airport Authority will arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBE's and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39.

If our approved projection under paragraph (c) of this section estimates that we can meet our entire overall goal for a given year through race-neutral means, we will implement our program without setting contract goals during that year, unless it becomes necessary in order meet our overall goal.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work).

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

Section 26.53 Good Faith Efforts Procedures

Demonstration of good faith efforts (26.53(a) & (c))

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

Timothy J. Edwards, A.A.E., Executive Director and DBELO, or his duly designated representative, is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

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

Information to be submitted (26.53(b))

The Susquehanna Area Regional Airport Authority treats bidder / offeror compliance with good faith efforts' requirements as a matter of responsiveness – all bidders submit DBE information at the time of bid.

Each solicitation for which a contract goal has been established will require all bidders/offeror's to submit the following information at the time of bid:

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;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and,
6. If the contract goal is not met, evidence of good faith efforts. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

Administrative reconsideration (26.53(d))

Within seven (7) business days of being informed by the Susquehanna Area Regional Airport Authority that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Name	James Helsel, Jr.
Title	Chairman
Address	One Terminal Drive, Suite 300, Middletown, PA 17057
Telephone Number	(717) 979-1493
Fax Number	(717) 948-3870
E-mail Address	jimhelsel@comcast.net

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts procedures in situations when there are contract goals (26.53(f)(g))

The Susquehanna Area Regional Airport Authority will include in each prime contract a provision stating:

1. The contractor shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains your written consent as provided in this paragraph 26.53(f); and

2. That, unless our consent is provided under this paragraph 26.53(f), the contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

The Susquehanna Area Regional Airport Authority will require the contractor that is awarded the contract to make available upon request a copy of all DBE subcontracts. The subcontractor shall ensure that all subcontracts or an agreement with DBEs to supply labor or materials require that the subcontract and all lower tier subcontractors be performed in accordance with this part's provisions.

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

We will require that a prime contractor not terminate a DBE subcontractor listed in response to paragraph (b)(2) of this section (or an approved substitute DBE firm) without our prior written consent. This includes, but not limited to, instances in which a prime 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.

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

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

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

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

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

We will include in each prime contract the contract clause required by § 26.13(b) stating that failure by the contractor to carry out the requirements of this part is a material breach of the contract and may result in the termination of the contract or such other remedies set forth in that section that we deem appropriate if the prime contractor fails to comply with the requirements of this section.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the Susquehanna Area Regional Airport Authority to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders / offerors, including those who qualify as a DBE. A DBE contract goal of __ percent has been established for this contract. The bidder / offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (**Attachment 1**), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm 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 the contract goal; (5) Written confirmation from each DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment; and (6) if the contract goal is not met, evidence of good faith efforts.

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. We will not count the participation of a DBE subcontract toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

If the firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, we will not count the firm's participation toward any DBE goals, except as provided for in 26.87(j).

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

The Susquehanna Area Regional Airport Authority is a non-certifying member of a Unified Certification Program (UCP) administrated by the Commonwealth of Pennsylvania. Therefore, Sections 26.61 through 26.73 are not relevant.

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

The Susquehanna Area Regional Airport Authority is a non-certifying member of a Unified Certification Program (UCP) administrated by the Commonwealth of Pennsylvania. Therefore, Sections 26.81 through 26.89 are not relevant.

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation and Intimidation or Retaliation

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

Notwithstanding any provision of Federal or state law, we will not release any information that may reasonably be construed as confidential business information to any third party without the written consent of the firm that submitted the information. This includes applications for DBE certification and supporting information. However, we will transmit this information to DOT in any certification appeal proceeding under § 26.89 of this part or to any other state to which the individual's firm has applied for certification under § 26.85 of this part.

All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

The Susquehanna Area Regional Airport Authority, contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. If we violate this prohibition, we are in noncompliance with this part.

ATTACHMENTS

Attachment 1	Regulations: 49 CFR Part 26 website link
Attachment 2	Organizational Chart
Attachment 3	Bidder's List Collection Form
Attachment 4	DBE Directory
Attachment 5	Overall Goal Calculations
Attachment 6	EEO Form and DBE Contact/Solicitation & Commitment Statement
Attachment 7	DBE Monitoring and Enforcement Mechanisms
Attachment 8	DBE Certification Application Form
Attachment 9	State's UCP Agreement
Attachment 10	Small Business Element Program

Attachment 1

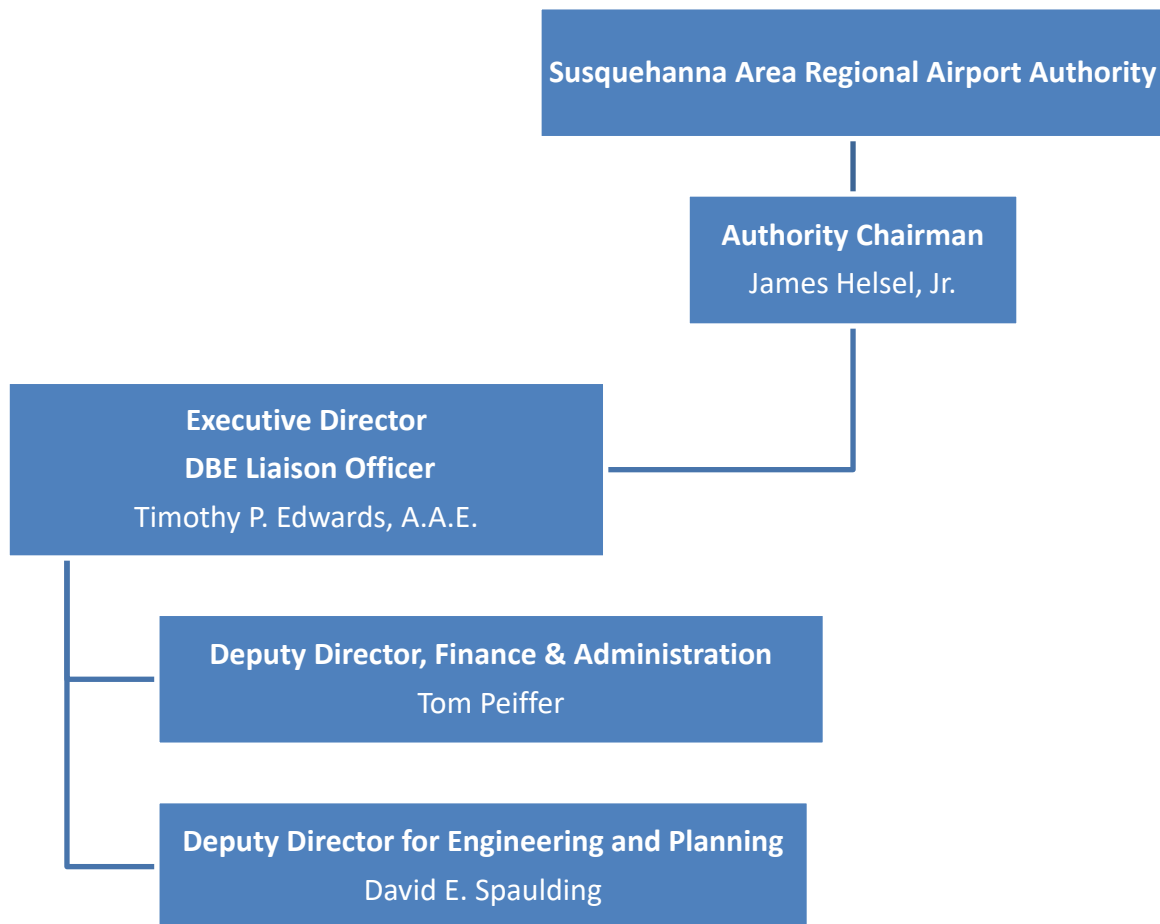
Regulations: 49 CFR Part 26

To conserve paper, Title 49: Transportation PART 26—Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs is available online for review at the following website:

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=5fe7cba7ba99c48672ad69166a299c75&ty=HTML&h=L&n=49y1.0.1.1.20&r=PART>

Attachment 2

Organizational Chart



ATTACHMENT 3

Bidder's List Collection Form

Prime Contractor: _____ Address: _____ _____ Contact Person: _____ Telephone Number: _____ E-Mail Address: _____ _____ FAX Number: _____	SUSQUEHANNA AREA REGIONAL AIRPORT AUTHORITY (SARAA) GETTYSBURG REGIONAL AIRPORT (GRA) DBE SUBCONTRACTOR AND SUPPLIER Solicitation Record Failure to submit this form and other the required information on DBE Participation within 24 hours of the bid will result in rejection of the bid as being non-responsive.	BID AMOUNT: Project Name & NO:
--	---	---

List only firms certified as DBE's in accordance with FEDERAL REGULATIONS to perform subcontracting work or to supply materials. No exceptions.

DBE Firm Name, Address, Telephone No., Contact Person	DBE Certification Number/ Certified By	Date Contacted Phone/Mail	Description of work	Agreement Amount
				Agreement \$
				Agreement \$
				Agreement \$

Contractor's contact with the solicited subcontractors and suppliers shall be at least 5 days prior to the bid date to ensure that the solicited firms have sufficient time to adequately prepare their bid.	Please supply other information that may positively impact on the determination of your firm as a responsive, responsible bidder on additional sheets.
--	--

If the contract's goal is not achieved through a combination of subcontractor and supplier activity identified above, you must supply sufficient information with the DBE Subcontractor and Supplier Solicitation Sheet for a determination to be made that your firm is a responsive, responsible bidder.

SARAA USE ONLY: Approved Conditional Approval

Condition(s): _____

BY: _____ DATE: _____

ATTACHMENT 4

DBE Directory

The Directory can be obtained from the Pennsylvania's Unified Certification Program website and can be accessed at <http://www.paucp.com>.

ATTACHMENT 5

Overall Goal Calculations

Section 26.45: Overall DBE Three-Year Goal Methodology

Name of Recipient: Susquehanna Area Regional Airport Authority

Goal Period: FY-2017-2018-2019-2020 – October 1, 2016 through September 30, 2020

DOT-assisted contract amount:

Table 1 – Anticipated DOT/FAA Contract Amounts

Federal Fiscal Year	Estimated Dollar Value (\$)				
	Total	Capital City (CXY)	Franklin County (N68)	Gettysburg Regional (W05)	Harrisburg Intl. (MDT)
2017	\$15,681,000.00	\$250,000.00	\$0.00	\$425,000.00	\$15,006,000.00
2018	\$5,980,000.00	\$800,000.00	\$900,000.00	\$280,000.00	\$4,000,000.00
2019	\$26,948,890.00	\$800,000.00	\$900,000.00	\$750,000.00	\$24,498,890.00
2020	\$9,400,000.00	\$300,000.00	\$150,000.00	\$750,000.00	\$8,200,000.00
Total	\$58,009,890.00	\$2,150,000.00	\$1,950,000.00	\$2,205,000.00	\$51,704,890.00

Overall Goal: 9.90%, to be accomplished through 9.20% RC and 0.70% RN

Total dollar amount to be expended on DBE's: \$8,650,853.23

Describe the Number and Type of Projects that the airport anticipates awarding:

Table 2 – Anticipated DOT/FAA Assisted Projects

Project Description/Category Description	Estimated Project Amount (\$)
Federal Fiscal Year 2017	\$15,681,000.00
1. Professional Services: CXY - Rehab Runway 12-30, Phase I (Pavement Evaluation)	\$50,000.00
2. Professional Services: CXY - Remove Obstruction, Phase II (Final Design)	\$200,000.00
3. Professional Services: W05 – Perimeter Fence	\$425,000.00
4. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase IV (Constr.)	\$15,006,000.00
Federal Fiscal Year 2018	\$5,980,000.00
1. Professional Services/Construction: CXY - Remove Obstruction, Phase III (Constr.)	\$800,000.00

Project Description/Category Description	Estimated Project Amount (\$)
2. Professional Services/Construction: N68 – Construct Parallel Taxiway Ext., Phase II (Constr.)	\$900,000.00
3. Professional Services: W05 – Remove Obstructions, Phase I (Study)	\$80,000.00
4. Professional Services: W05 – Construct South Aircraft Parking Apron, Phase III (Permitting & Bidding)	\$200,000.00
5. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase V (Constr.)	\$4,000,000.00
Federal Fiscal Year 2019	\$26,948,890.00
1. Professional Services/Construction: CXY - Remove Obstruction, Phase IV (Constr.)	\$800,000.00
2. Professional Services/Construction: N68 - Construct Parallel Taxiway Ext., Phase III (Constr.)	\$900,000.00
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase IV (Constr.)	\$750,000.00
4. Professional Services: MDT - Construct Cargo Apron, Phase III (Permit & Bidding)	\$300,000.00
5. Professional Services/Equipment: MDT - Replace ARFF Vehicle (1998) - 1500	\$900,000.00
6. Professional Services/Equipment: MDT - Acquire SRE – 2 Trucks & 2 Tow-Behind Brooms	\$800,000.00
7. Professional Services/Construction: MDT - Improve Drainage (Rehabilitate Flood Dike)	\$22,498,890.00
Federal Fiscal Year 2020	\$9,400,000.00
1. Professional Services/Equipment: CXY - Acquire SRE Truck with Plow and Spreader (1968)	\$300,000.00
2. Professional Services/Construction: N68 - Construct SRE Building, Phase I (Design)	\$150,000.00
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase V (Constr.)	\$750,000.00
4. Professional Services/Construction: MDT - Construct Cargo Apron, Phase III (Const)	\$8,200,000.00

Market Area

Based on discussions with Airport Staff, Contractors and reviewing recent project accomplishments bid at the Airport, the normal market area for the Airport consists of the following counties in south central and eastern Pennsylvania and various bordering Maryland Counties.

Table 3 – Counties in the Airport’s Local Market Area

SARAA Airports	Location County	Bordering Counties
Capital City (CXY)	York County, PA	PA: Adams, Cumberland, Dauphin, Lancaster MD: Baltimore, Carroll, Harford
Franklin County Regional (N68)	Franklin County, PA	PA: Adams, Cumberland, Fulton, Huntingdon, Perry MD: Washington
Gettysburg Regional (W05)	Adams County, PA	PA: Cumberland, Franklin, York MD: Carroll, Frederick
Harrisburg International (MDT)	Dauphin County, PA	PA: Cumberland, Lancaster Lebanon, Northumberland, Perry, Schuylkill, York

Project Description/Category Description	NAICS Code
All Other Specialty Trade Contractors	238990
Construction Material Wholesalers	423390
4. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase IV (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
Highway, Street, and Bridge Construction	237310
Electrical Contractors	238210
Asphalt Paving Mixture and Block Manufacturing	324121
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
Federal Fiscal Year 2018	
1. Professional Services/Construction: CXY - Remove Obstruction, Phase III (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Landscaping Services	561730
2. Professional Services/Construction: N68 – Construct Parallel Taxiway Ext., Phase II (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Highway, Street, and Bridge Construction	237310
Asphalt Paving Mixture and Block Manufacturing	324121
Electrical Contractors	238210
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
3. Professional Services: W05 – Remove Obstructions, Phase I (Study)	
Engineering Services	541330
Land Surveying Services	541370
4. Professional Services: W05 – Construct South Aircraft Parking Apron, Phase III (Permitting & Bidding)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
5. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase V (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
Highway, Street, and Bridge Construction	237310
Electrical Contractors	238210
Asphalt Paving Mixture and Block Manufacturing	324121

Project Description/Category Description	NAICS Code
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
Federal Fiscal Year 2019	
1. Professional Services/Construction: CXY - Remove Obstruction, Phase IV (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Landscaping Services	561730
2. Professional Services/Construction: N68 - Construct Parallel Taxiway Ext., Phase III (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Highway, Street, and Bridge Construction	237310
Asphalt Paving Mixture and Block Manufacturing	324121
Electrical Contractors	238210
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase IV (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Highway, Street, and Bridge Construction	237310
Asphalt Paving Mixture and Block Manufacturing	324121
Electrical Contractors	238210
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
4. Professional Services: MDT - Construct Cargo Apron, Phase III (Permit & Bidding)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
5. Professional Services/Equipment: MDT - Replace ARFF Vehicle (1998) - 1500	
Engineering Services	541330
6. Professional Services/Equipment: MDT - Acquire SRE – 2 Trucks & 2 Tow-Behind Brooms	
Engineering Services	541330
7. Professional Services/Construction: MDT - Improve Drainage (Rehabilitate Flood Dike)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
Highway, Street, and Bridge Construction	237310
Asphalt Paving Mixture and Block Manufacturing	324121
Construction Material Wholesalers	423390

Project Description/Category Description	NAICS Code
Federal Fiscal Year 2020	
1. Professional Services/Equipment: CXY - Acquire SRE Truck with Plow and Spreader (1968)	
Engineering Services	541330
2. Professional Services/Construction: N68 - Construct SRE Building, Phase I (Design)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase V (Constr.)	
Engineering Services	541330
Land Surveying Services	541370
Highway, Street, and Bridge Construction	237310
Asphalt Paving Mixture and Block Manufacturing	324121
Electrical Contractors	238210
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610
4. Professional Services/Construction: MDT - Construct Cargo Apron, Phase III (Const)	
Engineering Services	541330
Land Surveying Services	541370
Geotechnical Testing Services	541380
Highway, Street, and Bridge Construction	237310
Poured Concrete Foundation and Structure Contractors	238110
Electrical Contractors	238210
Construction Material Wholesalers	423390
Electrical Equipment Wholesalers	423610

Determination of Relative Availability of DBEs in Market Area compared to All Firms

Availability of DBEs, for the NAICS Codes anticipated, was obtained from the Pennsylvania Unified Certification Programs and the Maryland Department of Transportation of Certified MBE, DBE, ACDBE Firms at the following websites: <https://www.dotsbe.pa.gov/PAUCPWeb/paucp/viewHome.do> and <http://mbe.mdot.state.md.us/directory>.

Determine the Step 1 DBE Base Figure

The method used to calculate the relative availability of DBE's is in accordance with 26.45(c) (1) utilizing DBE Directories and Census Bureau Data to calculate the ratio of Ready, Willing and Able (RWA) DBE's in the market to all RWA CBP enterprises in the market produces the base figures. An examination of the anticipated projects for each fiscal year, the availability of the DBE firms by trade classification and the volume of work performed by DBE firms over previous years. Using the NAICS code methodology the DBE Base Figures are as follows:

Table 5 – Available DBEs and CBPs by Anticipated NAICS Codes

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs ₁	DBEs ₂	DBE (%)	DBE (\$)
Federal Fiscal Year 2017		\$15,681,000.00	2455	292	11.78%	\$1,846,740.29
1. Professional Services: CXY - Rehab Runway 12-30, Phase I (Pavement Evaluation)						
Engineering Services	541330	\$35,000.00	495	66	13.33%	\$4,666.67
Land Surveying Services	541370	\$10,000.00	47	20	42.55%	\$4,255.32
Geotechnical Testing Services	541380	\$5,000.00	66	14	21.21%	\$1,060.61
Subtotal Project		\$50,000.00	608	100	19.97%	\$9,982.59
2. Professional Services: CXY - Remove Obstruction, Phase II (Final Design)						
Engineering Services	541330	\$170,000.00	495	66	13.33%	\$22,666.67
Land Surveying Services	541370	\$30,000.00	47	20	42.55%	\$12,765.96
Subtotal Project		\$200,000.00	542	86	17.72%	\$35,432.62
3. Professional Services/Construction: W05 – Perimeter Fence						
Engineering Services	541330	\$90,000.00	275	17	6.18%	\$5,563.64
Land Surveying Services	541370	\$10,000.00	35	8	22.86%	\$2,285.71
Geotechnical Testing Services	541380	\$5,000.00	38	6	15.79%	\$789.47
Highway, Street, and Bridge Construction	237310	\$20,000.00	45	17	37.78%	\$7,555.56
All Other Specialty Trade Contractors	238990	\$285,000.00	139	11	7.91%	\$22,553.96
Construction Material Wholesalers (60%)	423390	\$15,000.00	12	5	41.67%	\$3,750.00
Subtotal Project		\$425,000.00	544	64	10.00%	\$42,498.34
4. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase IV (Constr.)						
Engineering Services	541330	\$1,500,600.00	238	9	3.78%	\$56,745.38
Land Surveying Services	541370	\$150,060.00	32	9	28.13%	\$42,204.38
Geotechnical Testing Services	541380	\$225,090.00	35	3	8.57%	\$19,293.43
Highway, Street, and Bridge Construction	237310	\$6,227,490.00	45	11	24.44%	\$1,522,275.33
Electrical Contractors	238210	\$1,500,600.00	314	7	2.23%	\$33,452.87
Asphalt Paving Mixture and Block Manufacturing	324121	\$3,751,500.00	23	0	0.00%	\$0.00

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs 1	DBEs 2	DBE (%)	DBE (\$)
Construction Material Wholesalers (60%)	423390	\$1,200,480.00	18	2	11.11%	\$80,032.00
Electrical Equipment Wholesalers (60%)	423610	\$450,180.00	56	1	1.79%	\$4,823.36
Subtotal Project		\$15,006,000.00	761	42	80.05%	\$1,758,826.74
Federal Fiscal Year 2018		\$5,980,000.00	3166	256	19.90%	\$1,189,935.32
1. Professional Services/Construction: CXY - Remove Obstruction, Phase III (Constr.)						
Engineering Services	541330	\$100,000.00	495	66	13.33%	\$13,333.33
Land Surveying Services	541370	20,000.00	47	20	42.55%	\$8,510.64
Landscaping Services	561730	680,000.00	919	39	4.24%	\$28,857.45
Subtotal Project		\$800,000.00	1461	125	6.34%	\$50,701.43
2. Professional Services/Construction: N68 – Construct Parallel Taxiway Ext., Phase II (Constr.)						
Engineering Services	541330	\$100,000.00	103	5	4.85%	\$4,854.37
Land Surveying Services	541370	\$20,000.00	17	5	29.41%	\$5,882.35
Highway, Street, and Bridge Construction	237310	\$490,000.00	18	13	72.22%	\$353,888.89
Asphalt Paving Mixture and Block Manufacturing	324121	\$40,000.00	8	0	0.00%	\$0.00
Electrical Contractors	238210	\$100,000.00	119	6	5.04%	\$5,042.02
Construction Material Wholesalers (60%)	423390	\$100,000.00	5	3	60.00%	\$36,000.00
Electrical Equipment Wholesalers (60%)	423610	\$50,000.00	16	1	6.25%	\$1,875.00
Subtotal Project		\$900,000.00	286	33	45.28%	\$407,542.63
3. Professional Services: W05 – Remove Obstructions, Phase I (Study)						
Engineering Services	541330	\$65,000.00	275	17	6.18%	\$4,018.18
Land Surveying Services	541370	\$15,000.00	35	8	22.86%	\$3,428.57
Subtotal Project		\$80,000.00	310	25	9.31%	\$7,446.75
4. Professional Services: W05 – Construct South Aircraft Parking Apron, Phase III (Permitting & Bidding)						
Engineering Services	541330	\$190,000.00	275	17	6.18%	\$11,745.45
Land Surveying Services	541370	\$5,000.00	35	8	22.86%	\$1,142.86
Geotechnical Testing Services	541380	\$5,000.00	38	6	15.79%	\$789.47

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs 1	DBEs 2	DBE (%)	DBE (\$)
Subtotal Project		\$200,000.00	348	31	6.84%	\$13,677.79
5. Professional Services/Construction: MDT – Rehab Runway 13-31, Phase V (Constr.)						
Engineering Services	541330	\$250,000.00	238	9	3.78%	\$9,453.78
Land Surveying Services	541370	\$15,000.00	32	9	28.13%	\$4,218.75
Geotechnical Testing Services	541380	\$10,000.00	35	3	8.57%	\$857.14
Highway, Street, and Bridge Construction	237310	\$2,750,000.00	45	11	24.44%	\$672,222.22
Electrical Contractors	238210	\$75,000.00	314	7	2.23%	\$1,671.97
Asphalt Paving Mixture and Block Manufacturing	324121	\$400,000.00	23	0	0.00%	\$0.00
Construction Material Wholesalers (60%)	423390	\$300,000.00	18	2	11.11%	\$20,000.00
Electrical Equipment Wholesalers (60%)	423610	\$200,000.00	56	1	1.79%	\$2,142.86
Subtotal Project		\$4,000,000.00	761	42	17.76%	\$710,566.73
Federal Fiscal Year 2019		\$25,298,890.00	3741	317	21.21%	\$5,366,630.62
1. Professional Services/Construction: CXY - Remove Obstruction, Phase IV (Constr.)						
Engineering Services	541330	\$150,000.00	495	66	13.33%	\$20,000.00
Land Surveying Services	541370	\$20,000.00	47	20	42.55%	\$8,510.64
Landscaping Services	561730	\$630,000.00	919	39	4.24%	\$26,735.58
Subtotal Project		\$800,000.00	1461	125	6.91%	\$55,246.22
2. Professional Services/Construction: N68 - Construct Parallel Taxiway Ext., Phase III (Constr.)						
Engineering Services	541330	\$200,000.00	103	5	4.85%	\$9,708.74
Land Surveying Services	541370	\$10,000.00	17	5	29.41%	\$2,941.18
Highway, Street, and Bridge Construction	237310	\$400,000.00	18	13	72.22%	\$288,888.89
Asphalt Paving Mixture and Block Manufacturing	324121	\$40,000.00	8	0	0.00%	\$0.00
Electrical Contractors	238210	\$100,000.00	119	6	5.04%	\$5,042.02
Construction Material Wholesalers (60%)	423390	\$100,000.00	5	3	60.00%	\$36,000.00
Electrical Equipment Wholesalers (60%)	423610	\$50,000.00	16	1	6.25%	\$1,875.00
Subtotal Project		\$900,000.00	286	33	38.27%	\$344,455.82

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs 1	DBEs 2	DBE (%)	DBE (\$)
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase IV (Constr.)						
Engineering Services	541330	\$112,500.00	275	17	6.18%	\$6,954.55
Land Surveying Services	541370	\$15,000.00	35	8	22.86%	\$3,428.57
Geotechnical Testing Services	541380	\$22,500.00	38	6	15.79%	\$3,552.63
Highway, Street, and Bridge Construction	237310	\$311,250.00	45	17	37.78%	\$117,583.33
Asphalt Paving Mixture and Block Manufacturing	324121	\$75,000.00	15	0	0.00%	\$0.00
Electrical Contractors	238210	\$131,250.00	324	10	3.09%	\$4,050.93
Construction Material Wholesalers (60%)	423390	\$60,000.00	12	5	41.67%	\$15,000.00
Electrical Equipment Wholesalers (60%)	423610	\$22,500.00	49	4	8.16%	\$1,102.04
Subtotal Project		\$750,000.00	793	67	20.22%	\$151,672.05
4. Professional Services: MDT - Construct Cargo Apron, Phase III (Permit & Bidding)						
Engineering Services	541330	\$280,000.00	238	9	3.78%	\$10,588.24
Land Surveying Services	541370	\$10,000.00	32	9	28.13%	\$2,812.50
Geotechnical Testing Services	541380	\$10,000.00	35	3	8.57%	\$857.14
Subtotal Project		\$300,000.00	305	21	4.75%	\$14,257.88
5. Professional Services/Construction: MDT - Replace ARFF Vehicle (1998) - 1500						
Engineering Services	541330	\$25,000.00	238	9	3.78%	\$945.38
Subtotal Project		\$25,000.00	238	9	3.78%	\$945.38
6. Professional Services/Construction: MDT - Acquire SRE – 2 Trucks & 2 Tow-Behind Brooms						
Engineering Services	541330	\$25,000.00	238	9	3.78%	\$945.38
Subtotal Project		\$25,000.00	238	9	3.78%	\$945.38
7. Professional Services/Construction: MDT - Improve Drainage (Rehabilitate Flood Dike)						
Engineering Services	541330	\$2,249,889.00	275	17	6.18%	\$139,084.05
Land Surveying Services	541370	\$112,494.45	35	8	22.86%	\$25,713.02
Geotechnical Testing Services	541380	\$337,483.35	38	6	15.79%	\$53,286.84
Highway, Street, and Bridge Construction	237310	\$8,999,556.00	45	17	37.78%	\$3,399,832.27

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs 1	DBEs 2	DBE (%)	DBE (\$)
Asphalt Paving Mixture and Block Manufacturing	324121	\$6,074,700.30	15	0	0.00%	\$0.00
Construction Material Wholesalers (60%)	423390	\$4,724,766.90	12	5	41.67%	\$1,181,191.73
Subtotal Project		\$22,498,890.00	420	53	21.33%	\$4,799,107.90
Federal Fiscal Year 2020		\$9,125,000.00	2215	183	2.71%	\$247,547.00
1. Professional Services/Equipment: CXY - Acquire SRE Truck with Plow and Spreader (1968)						
Engineering Services	541330	\$25,000.00	495	66	13.33%	\$3,333.33
Subtotal Project		\$25,000.00	495	66	13.33%	\$3,333.33
2. Professional Services/Construction: N68 - Construct SRE Building, Phase I (Design)						
Engineering Services	541330	\$115,000.00	103	5	4.85%	\$5,582.52
Land Surveying Services	541370	\$10,000.00	17	5	29.41%	\$2,941.18
Geotechnical Testing Services	541380	\$25,000.00	9	1	11.11%	\$2,777.78
Subtotal Project		\$150,000.00	129	11	7.53%	\$11,301.48
3. Professional Services/Construction: W05 – Construct South Aircraft Parking Apron, Phase V (Constr.)						
Engineering Services	541330	\$150,000.00	275	17	6.18%	\$9,272.73
Land Surveying Services	541370	\$15,000.00	35	8	22.86%	\$3,428.57
Highway, Street, and Bridge Construction	237310	\$300,000.00	45	17	37.78%	\$113,333.33
Asphalt Paving Mixture and Block Manufacturing	324121	\$10,000.00	15	0	0.00%	\$0.00
Electrical Contractors	238210	\$75,000.00	324	10	3.09%	\$2,314.81
Construction Material Wholesalers (60%)	423390	\$150,000.00	12	5	41.67%	\$37,500.00
Electrical Equipment Wholesalers (60%)	423610	\$50,000.00	49	4	8.16%	\$2,448.98
Subtotal Project		\$750,000.00	755	61	22.44%	\$168,298.43
4. Professional Services: MDT - Construct Cargo Apron, Phase III (Const)						
Engineering Services	541330	\$820,000.00	238	9	3.78%	\$31,008.40
Land Surveying Services	541370	\$82,000.00	32	9	28.13%	\$23,062.50
Geotechnical Testing Services	541380	\$123,000.00	35	3	8.57%	\$10,542.86
Highway, Street, and Bridge Construction	237310	\$3,403,000.00	45	11	24.44%	\$831,844.44

Project Description/Category Description	NAICS Code	Trade (\$)	CBPs ₁	DBEs ₂	DBE (%)	DBE (\$)
Electrical Contractors	238210	\$820,000.00	314	7	2.23%	\$18,280.25
Poured Concrete Foundation and Structure Contractors	238110	\$2,050,000.00	98	3	3.06%	\$62,755.10
Construction Material Wholesalers (60%)	423390	\$656,000.00	18	2	11.11%	\$43,733.33
Electrical Equipment Wholesalers (60%)	423610	\$246,000.00	56	1	1.79%	\$2,635.71
Subtotal Project		\$8,200,000.00	836	45	0.79%	\$64,613.76

¹ CBPs in NAICS Code from U.S. Census Bureau 2015 County Business Patterns for identified Counties obtained from Census Bureau website on 09/06/17.

² DBEs in description of services from Pennsylvania UCP and MDOT Directory as obtained from website on 09/13/17.

Step 2. Analysis: Adjustments to Step 1 base figure. (Part 26.45(d))

After the Step 1 DBE Base Figures have been developed, the regulations (49 CFR Part 26(d)) require that additional evidence in the jurisdiction of the Airport be examined to determine what adjustment, if any, is needed to the base figure in order to arrive at the overall goal.

The next step in our goal setting process is intended to adjust the participation the recipient would expect in the absence of discrimination. Our history of DBE achievements was based on information for the six (6) years prior to the current fiscal year. The DBE participation accomplishment during this period is presented below and represents the total for all SARAA airports based on actual completed grant close-outs during the fiscal period noted.

Table 6 – Previous Six (6) Years Accomplishments

Report Period	Approved DBE Goal	Total DBE % Achieved	Achieved Over/Under
2011	5.20%	0.17%	-5.03%
2012	5.20%	5.90%	0.70%
2013	5.20%	6.20%	1.00%
2014	11.11%	14.02%	2.91%
2015*	N/A	N/A	N/A
2016	11.11%	3.97%	-7.14%
Median	5.20%	5.90%	0.70%

*N/A = No AIP Grants awarded in FFY.

Adjusted Goal (Average of Base Figure with three-year accomplishment median):

Arranging the historical data from high to low, the Median of previous six (6) years accomplishments is as follows:

$$14.02\%, 6.20\%, 5.90\%, 3.97\%, 0.17\% = 5.90\%$$

The adjusted proposed DBE Goals by fiscal year are as follows:

$$\text{FFY 2017 Adj. Goal.} = \frac{11.78+5.90}{2} = 8.84\%$$

$$\text{FFY 2018 Adj. Goal.} = \frac{19.90+5.90}{2} = 12.90\%$$

$$\text{FFY 2019 Adj. Goal.} = \frac{21.21+5.90}{2} = 13.56\%$$

$$\text{FFY 2020 Adj. Goal.} = \frac{2.71+5.90}{2} = 4.31\%$$

$$\text{Our proposed Overall four year goal will be reflected as } \frac{8.84+12.90+13.56+4.31}{4} = \mathbf{9.90\%}$$

To arrive at an overall goal, we added our Step 1 base figure with our Step 2 adjustment figure and then averaged the total arriving at an overall goal of 9.90%. We feel this adjusted goal figure will accurately reflect DBE participation that can be achieved for the type of project work being awarded during this three-year period.

Breakout of Estimated “Race and Gender -Neutral” (RN) and “Race and Gender -Conscious” (RC) Participation. (26.51(b) (1-9))

The Susquehanna Area Regional Airport Authority will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The Airport Authority will use a combination of the following Race Neutral (RN)-means to increase DBE participation:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
2. Disseminating information on contracting procedures and specific contract opportunities by including DBE organizations, such as Southeastern Pennsylvania Transportation Authority (SEPTA) and the City of Philadelphia’s DBE Program Office, on the mailing lists for bidders to increase their awareness of upcoming contracting opportunities at the Airport.
3. Ensuring distribution of the PA UCP DBE directory, through electronic means, to the widest feasible universe of potential prime contractors.

The Susquehanna Area Regional Airport Authority estimates that, in meeting the overall goal of 9.90% we will obtain 0.70% from race-neutral participation and 9.20% through race-conscious measures.

The following is a summary of the basis of our estimated breakout for race-neutral and race-conscious DBE participation:

The Susquehanna Area Regional Airport Authority proposes the race-neutral and race-conscious split based on historical information regarding the ability to meet the established goals. As presented in Table 6, the median annual DBE participation for FAA-AIP funded projects between FFY 2011 and 2016 was 5.90% versus a median goal of 5.20%. This suggests that 0.70% was achieved through race-neutral means.

The Susquehanna Area Regional Airport Authority will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

Consultation and Public Participation: Section 26.45(g)(1)

The Susquehanna Area Regional Airport Authority submits its overall goal to DOT on August 1st of each reporting period as required by the FAA, except in cases where the FTA or FAA recipient submits a project goal.

Before establishing the overall goal each reporting period, the Airport will consult with state and local organization representing various contractors, minority contractors and women contractors that are interested in the DBE program to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBE's, and the Airport's efforts to establish a level playing field for the participation of DBE's. A meeting was scheduled for October 25, 2017 at 10:00 AM held at the Harrisburg International Airport, David C. McIntosh Boardroom, One Terminal Drive, Middletown, Pennsylvania, 17057 and the following minority serving groups were invited:

Organization

American Civil Liberties Union (ACLU) of Pennsylvania

Southcentral PA (Harrisburg) Chapter
P.O. Box 11761
Harrisburg, PA 17108-1761
(717) 238-2258
hbqinfo@aclupa.org

The Harrisburg Regional Chamber & CREDC

Business Diversity Advisory Council

3211 North Front Street, Suite 201

Harrisburg, PA 17110-1342

Lindsey Holtzman, Director of Events Marketing

Main: (717) 232-4099

lholtzman@hbgrc.org

<http://www.harrisburgregionalchamber.org/membership-resources/business-diversity/>

NAACP

<http://pastatenaacp.org/g-h-i/>

Harrisburg (Greater) NAACP #2263

PO Box 2757 Harrisburg, PA 17105

Phone: 717-710-3109

Franklin E. Allen, President

preachallenpreach@yahoo.com

Shirley Yates, Secretary

ryates1006@comcast.net

York Branch Unit #2294

PO BOX 184

York, PA 17405

Phone: 717-577-4436

Organization

Kathleen Lucas

klucasyork@comcast.net

Greater Gettysburg Area Unit #2384

P.O. BOX 4775

Gettysburg, PA 71325

717-420-0031

gettysburgnaacp2384@live.com

Sara Gondwe, President

Dr. Bettye F. Baker, Vice President

PA-NJ-DE Minority Supplier Development Council

Rodin Place

2000 Hamilton Street, Suite 308

Philadelphia, PA 19130

Phone: 215-569-1005

info@emsdc.org

<http://emsdc.org/>

Pennsylvania Department of Transportation

Bureau of Equal Opportunity

P.O. Box 3251

Harrisburg, PA 17105-3251

Mr. Khan Mitchell

DBE / Title VI Division Chief

Main: (717) 787-5891

dhobaugh@pa.gov

<http://www.dot.state.pa.us>

As part of the outreach effort, an e-mail was sent out in October 2017 to these organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the impacts, if any, of discrimination on opportunities for DBEs and the Airport Sponsor's continuing efforts to establish a level playing field for the participation of DBEs. A copy of this e-mail follows. Note that the anticipated projects from Tables 1 and 2 above were also provided but not referenced below.
Copy of Outreach Email:

The Susquehanna Area Regional Airport Authority (SARAA) hereby announces its Federal Fiscal Year (FFY) 2017 through 2020 goal of 9.11% for Disadvantaged Business Enterprise (DBE) airport construction projects. The proposed goal and rationale are available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at the Susquehanna Area Regional Airport Authority Office, One Terminal Drive, Suite 300, Middletown, PA 17057 and online at www.flyhia.com.

Anticipated DBE participation is required for DOT funded projects equal to or greater than \$250,000 in accordance to 49 CFR Part 26, "Participation by Disadvantaged Business Enterprise in DOT Programs", current edition located at <http://www.ecfr.gov>. Thus, based upon planned projects and the type of work anticipated (engineering, construction, materials supply, etc.), an overall disadvantaged business goal of 9.11 percent was determined. Comparing this to the Statewide goal, the Pennsylvania Department of Transportation currently has an overall DBE goal for fiscal years 2017-2019 of 9.44 percent (1.88 percent of which will be obtained by race-conscious means and 7.56 percent by race-neutral means) for all FAA Sub-recipients, and the national aspirational goal for DOT funded projects is 10 percent.

In accordance with Section 26.45(g)(1) SARAA will be conducting a DBE Program Public Participation meeting on October 25, 2017 at 10:00 AM in the Harrisburg International Airport, David C. McIntosh Boardroom, One Terminal Drive, Middletown, Pennsylvania, 17057 to review the DBE Program. At this meeting SARAA will seek comments from the Public regarding any documentation of existing social or economic barriers which may be currently preventing minorities and/or women from applying for and winning engineering and construction related services; documentation of existing social or economic barriers which may be currently preventing minorities and/or women from applying for and winning engineering and construction related services; and any impediments which have or may impact minorities and/or women from effectively competing on transportation related projects.

SARAA welcomes you to attend this meeting and/or appreciates your replying with any information you would be willing to offer. Any and all information provided will be incorporated into the Airport's DBE goal report and submitted to the Federal Aviation Administration as required by federal regulations (49 CFR Part 26) no later than October 30, 2017. Comments on the DBE goal will be accepted until the conclusion of the meeting. If you are unable to attend the meeting your comments can be sent to the following and will be accepted until the meeting date:

Name	Timothy J. Edwards, A.A.E.
Title	Executive Director
Address	Susquehanna Area Regional Airport Authority One Terminal Drive, Suite 300, Middletown, PA 17057
Telephone Number	(717)-948-3900
Fax Number	(717)-948-3870
E-mail Address	TEdwards@saraa.org

Prior to the Public Meeting, we have published on the SARAA website at www.flyhia.com, a notice of the proposed overall goal informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the office of the Executive Director for thirty (30) days following the date of the notice, and informing the public that the Airport and DOT will accept comments on the goals for (45) days from the date of notice. Normally, we will issue this notice by June 1st of the reporting period.

The Sponsor received comments from these individuals or organizations:

No comments received.

Summaries of these comments and responses, if required, are as follows:

No comments received.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses.

The Authority will begin using our overall goal on October 1st of the reporting period, unless we have received other instructions

from DOT.

The Airport is unaware of any disparity studies relative to our market area. Nor have we identified any other evidence relating to discrimination specific to our market area. We are continuing to monitor and investigate information that is related to goal setting and barriers confronting DBE's. This market area is based upon the fact that the substantial majority of bidders come from this area (75%) and the substantial majority of contracting dollars (75%) have been expended with firms from this area.

Prior to letting construction and non-construction contracts, the Airport will conduct Pre-Bid/Pre-Proposal Meetings that will identify the DBE requirements for participating in AIP Funded Projects. These meetings will include dates, times, and locations of the meetings, as well as meeting descriptions.

All advertisement for construction and non-construction projects will be listed on our website (<http://flyhia.com/>) and/or in a geographically appropriate local newspaper such as:

- Harrisburg Patriot-News (<http://www.pennlive.com/>)
- Chambersburg Public Opinion (<http://www.publicopiniononline.com/>)
- Gettysburg Times (<http://www.gettysburgtimes.com/>)
- York Daily Record (<http://www.ydr.com/>)

Contract Goals (Part 26.51)

The Susquehanna Area Regional Airport Authority will use contract goals to meet any portion of the overall goal that the recipient does not project being able to meet using RN 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 the recipient's overall goal that is not projected to be met through the use of RN means.

The Susquehanna Area Regional Airport Authority will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. It need not establish a contract goal on every such contract, and the size of the contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work and availability of DBE's to perform the particular type of work).

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

PUBLIC NOTICE

The Susquehanna Area Regional Airport Authority (SARAA) hereby announces its Federal Fiscal Year (FFY) 2017 through 2020 goal of 9.90% for Disadvantaged Business Enterprise (DBE) airport construction projects. The proposed goal and rationale are available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at the Susquehanna Area Regional Airport Authority Office, One Terminal Drive, Suite 300, Middletown, PA 17057 and online at www.flyhia.com.

Anticipated DBE participation is required for DOT funded projects equal to or greater than \$250,000 in accordance to 49 CFR Part 26, "Participation by Disadvantaged Business Enterprise in DOT Programs", current edition located at <http://www.ecfr.gov>. Thus, based upon planned projects and the type of work anticipated (engineering, construction, materials supply, etc.), an overall disadvantaged business goal of 9.90 percent was determined. Comparing this to the Statewide goal, the Pennsylvania Department of Transportation currently has an overall DBE goal for fiscal years 2017-2019 of 9.44 percent (1.88 percent of which will be obtained by race-conscious means and 7.56 percent by race-neutral means) for all FAA Sub-recipients, and the national aspirational goal for DOT funded projects is 10 percent.

In accordance with Section 26.45(g)(1) SARAA will be conducting a DBE Program Public Participation meeting on October 25, 2017 at 10:00 AM in the Harrisburg International Airport, David C. McIntosh Boardroom, One Terminal Drive, Middletown, Pennsylvania, 17057 to review the DBE Program. At this meeting SARAA will seek comments from the Public regarding any documentation of existing social or economic barriers which may be currently preventing minorities and/or women from applying for and winning engineering and construction related services; documentation of existing social or economic barriers which may be currently preventing minorities and/or women from applying for and winning engineering and construction related services; and any impediments which have or may impact minorities and/or women from effectively competing on transportation related projects.

SARAA welcomes you to attend this meeting and/or appreciates your replying with any information you would be willing to offer. Any and all information provided will be incorporated into the Airport's DBE goal report and submitted to the Federal Aviation Administration as required by federal regulations (49 CFR Part 26) no later than October 30, 2017.

Comments on the DBE goal will be accepted until the conclusion of the meeting. If you are unable to attend the meeting your comments can be sent to the following and will be accepted until the meeting date:

Name	Timothy J. Edwards, A.A.E.
Title	Executive Director
Address	Susquehanna Area Regional Airport Authority One Terminal Drive, Suite 300, Middletown, PA 17057
Telephone Number	(717)-948-3900
Fax Number	(717)-948-3870
E-mail Address	TEdwards@saraa.org

ATTACHMENT 6

Demonstration of Good Faith Efforts - Forms

The attached Forms are provided as part of the AIP Funded solicitation documents.

FORM 1: CONTRACTOR MONTHLY STATUS REPORT of Form A & B

CONTRACTOR MONTHLY STATUS REPORT of Form A & B

Reporting Month - _____

Project Name:

Project No.:

List the status of each approved sub-contractor/firm for the project listed above and the corresponding month.

Firm Name	Total Amount of Contract	Form B Attached	Sub or Supplier (S or SC)	Anticipated Start Date	Anticipated Completion Date	No Work Performed (Explain)
(Prime)						

(S) = List DBE Suppliers Only

(SC) = Subcontractor

FORM 2: FORM "A" DBE MONTHLY UTILIZATION REPORT

Name and Address of Prime:					FORM "A" DBE MONTHLY UTILIZATION REPORT			Project Name:		
								Project No.		
Telephone # Period Covered: From: / / To: / /					_ AIRPORT SARAA			Dollar Amt. \$		
								\$		
At Bid Time (See Note 2)					Work Progress					
SubContractor's Name and Address / Brief Scope of Work	Type of DBE (See Note 2)	Type of Contract (See Note 4)	Contract Amount	% of Total Bid Amount	Date of Award	Actual Start Date	Estimated / Final Completion Date	% Comple te	Date, Check # & Amount Paid this Month	Total Amount Paid to Date To DBE
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
<p>NOTES:</p> <p>1. Form "A" must be submitted monthly to the Construction Manager attached to each invoice.</p> <p>2. Type of DBE - (B)=Black, (H) =Hispanic, (N)=Native, (S)=Subcontinental, (AA)=Asian American, (AP)= Asian Pacific, (NMW)= Non-Minority Women, (O)=Other</p> <p>3. Type of Contract: LS = Lump Sum, TM = Time and Material</p>										
Print Name:					Signature :			Date:		

FORM 3: FORM "C" DBE MONTHLY PAYMENT REPORT

Name and Address of Prime: Telephone # Period Covered: From: / / To: / /	FORM "C" DBE MONTHLY PAYMENT REPORT <hr/> AIRPORT SARAA	Project Name: Project No. Dollar Amt. \$
---	--	--

Work Progress									
DBE SubContractor's Name & Address / Brief Scope of Work	Type of DBE & NAICS code <small>(See Note 2)</small>	Type of Contract <small>(See Note 3)</small>	Contract Amount	Date of Award	Actual Start Date	Estimated / Final Completion Date	% Complete	Date, Check # & Amount Received this Month	Total Amount Paid / Received to Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Invoices	Invoice Date	Invoice Number	Number of Days Past Due	Amount

NOTES:

1. Form "C" must be submitted monthly to the Prime Contractor, along with certified payroll and Form "B".
2. Type of DBE - (B)=Black, (H) =Hispanic, (N)=Native, (S)=Subcontinental, (AA)=Asian American, (AP)= Asian Pacific, (NMW)= Non-Minority Women, (O)=Other
3. Type of Contract: S = Supplier, LS = Lump Sum, TM = Time and Material

Print Name: _____ **Signature:** _____ **Date:** _____

ATTACHMENT 7

DBE Monitoring and Enforcement Mechanisms

The Susquehanna Area Regional Airport Authority has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract;
2. Breach of contract action, pursuant to Pa. Procurement Code, 62 Pa.C.S. § 101, et seq.

In addition, the Federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

ATTACHMENT 8

DBE Certification Application Form

The Susquehanna Area Regional Airport Authority does not directly certify DBE Firms. The Authority obtains DBE information from the Pennsylvania UCP. Application forms for certification can be accessed at the following link: <http://www.paucp.com/>

ATTACHMENT 9

State's UCP Agreement

All U.S. DOT recipients who receive funds from the FAA, FHWA, and FTA and who have over \$250,000 in federally assisted contracting opportunities must comply with the 49 CFR Part 26 requirements. Based on funding, entities may or may not participate from year to year. The PA UCP Agreement outlines how Pennsylvania's UCP will operate and function. A copy of the UCP Agreement may be obtained by contacting Myneca Ojo, Director, PA Turnpike, Office of Diversity and Inclusion, 717-939-9551 or mojo@paturnpike.com

ATTACHMENT 10

Small Business Element Program

Section 26.39 Fostering Small Business Participation

The Susquehanna Area Regional Airport Authority (Authority) has created an element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors. For clarification purposes, 49 CFR Part 26.5 states, "Small business concern means, with respect to firms seeking to participate as DBEs in DOT -assisted contracts, a small business concern as defined pursuant to Section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b)." 13 CFR 121.402 defines "What size standards are applicable to Federal Government Contracting programs?"

Recognizing that the DBE Program goals should be met through a mixture of race conscious and race neutral methods and, that by definition, DBE firms are small businesses, the Authority seeks to implement a small business element into its current DBE policy in accordance with applicable law. The Authority is including this element to facilitate competition by and expand opportunities for small businesses. The Authority is committed to taking all reasonable steps to eliminate obstacles to small businesses that may preclude their participation in procurements as prime contractors or subcontractors. The Authority will meet its objectives using a combination of the following methods and strategies:

1. Set asides: Where feasible, the Authority will establish a percentage of the total value of all prime contract and subcontract awards to be set aside for participation by small businesses on FAA assisted contracts. A "set-aside" is the reserving of a contract or a portion of a contract exclusively for participation by small businesses. This requires that the Authority and its prime contractors/ consultants set aside a portion of the value of each contract for participation by small businesses. A small business set-aside is open to all small businesses regardless of the owner's gender, race or geographic location. The project manager and DBELO will review FAA-assisted purchases and contracts to assess the small business opportunities, giving consideration to the size and scope of each purchase or contract to establish the set aside percentage. This set aside is in addition to the DBE contract goals which may be required pursuant to applicable law or policy. In the event that a set-aside is not established on an FAA assisted contract, the project manager and small business officer will document why a small business set-aside is inappropriate.
2. Unbundling: The Authority, where feasible, may "unbundle" projects or separate large contracts into smaller contracts which may be more suitable for small business participation. The Authority will conduct contract reviews on each FAA-assisted contract to determine whether portions of the project could be "unbundled" or bid separately. Similarly, the Authority will encourage its prime contractors or prime consultants to unbundle contracts to facilitate participation by small businesses.

Definitions

1. Small Business: A small business is a business that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period. Small businesses must meet the definitions specified in Section 3 of the Small Business Act and the Small Business Administration regulations implementing it (13 CFR Part 121).
2. Disadvantaged Business Enterprise: A for-profit small business (as defined by the Small Business Administration)
 - That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals;

- Whose socially and economically disadvantaged owners do not exceed the personal net worth (PNW) does not exceed the described in 49 CFR Part 26. The current PNW cap is \$1.32 million.
- Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it; and
- Has been certified as a DBE by one of the Pennsylvania Unified Certification Program (PA UCP) certifying agencies in accordance with 49 CFR 26.

For the purposes of the small business element of the Authority's DBE Program, small businesses which are also owned and controlled by socially disadvantaged individuals will be encouraged to seek DBE certification. Only DBE certified firms will be counted towards DBE race-neutral participation on FAA-assisted contracts.

Certification and Verification Procedures

The Authority will accept the following certifications for participation in the small business element of the Authority's DBE Program with applicable stipulations:

1. (State) DOT DBE Certification (through the Unified Certification Program) - DBE Certification by the (State) DOT which stipulates that a firm has been determined to meet all the requirements in accordance with 49 CFR Part 26. All certification determinations are evidenced by a letter of DBE certification issued by the (State) DOT. (Website: <http://www.paucp.com/>)
2. (State) DOT Small Business Enterprise (SBE) - Will require completion and submittal of a Small Business Enterprise Certification Application to the Pennsylvania Department of Transportation, Bureau of Equal Opportunity . (Website: <https://www.dotsbe.pa.gov>)
3. SBA 8(a) Business Development Certification (as described in 13 CFR Parts 121 and 124) – will require submittal of three years of business tax returns. (Website: <http://www.sba.gov/content/8a-business-development/>)
- 4.

Implementation Schedule

The Authority will implement this small business element within nine months of the FAA's approval of this document describing the element. In order to actively implement the Authority's program elements to foster small business participation and to comply with the requirement of good faith implementation of our DBE program, the Authority will require that the Prime Contractor(s) for Construction Work Items and for Professional Services Work Items complete the form entitled, SBE Contact/Solicitation and Commitment Statement (sample attached). The Special Conditions of the Contract will indicate the amount of small business participation as determined by the Authority.

Assurances

The Authority makes the following assurances:

1. The DBE Program, including its small business element is not prohibited by state law;
2. Certified DBEs that meet the size criteria established under the DBE Program are presumptively eligible to participate in the small business element of the DBE Program;
3. There are no geographic or local preferences or limitations imposed on FAA-assisted contracts and the DBE Program is open to small businesses regardless of their location;
4. There are no limits on the number of contracts awarded to firms participating in the DBE Program;
5. Reasonable effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
6. Aggressive steps will be taken to encourage those minority and women owned firms participating in the small business element of the DBE Program that are eligible for DBE certification to become certified.

SBE CONTACT/SOLICITATION AND COMMITMENT STATEMENT

(1) BIDDER'S FIRM NAME	(2) PROJECT NAME
ADDRESS	BID OPENING DATE
TELEPHONE NUMBER	CONTACT PERSON

(8) NOTE: List those certified small and/or disadvantaged businesses from which you solicited quotes or which contacted you and gave you quotes in regard to this invitation for bid. Bidder's contact with subcontractors and suppliers should be prior to the bid opening date.

(3) COMPANY NAME, PERSON CONTACTED & TELEPHONE NUMBER	(4)		(4A) CERTIFIED SBE/DBE NUMBER	(5) TYPE OF WORK TO BE PERFORMED AND/OR MATERIAL TO BE SUPPLIED	(6) TOTAL DOLLAR AMOUNT OF QUOTE RECEIVED	(7) TOTAL COMMITMENT DOLLAR AMOUNT
	SBE (✓)	DBE (✓)				

**(9) NOTE: Minimum Participation Levels; ____% SBE
A presumption of responsibility may be made if the dollar commitment to SBE's reflects these minimum participation levels.**

PREPARED BY:	TITLE/PHONE NUMBER
--------------	--------------------