

ATTACHMENT 5

Overall DBE Three-Year Goal Methodology

Name of Recipient: Stillwater County and the City of Columbus

Goal Period: FY 2021, 2022, 2023 – October 1, 2020 through September 30, 2023

DOT-assisted contract amount:	FY-2021	<u>\$150,000</u>
	FY-2022	<u>\$0</u>
	FY-2023	<u>\$160,000</u>
	Total	<u>\$310,000</u>

Overall Three-Year Goal: 5.26%, to be accomplished through 0% RC and 5.26% RN

Total dollar amount to be expended on DBEs: \$16,316

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

Contracts Fiscal Year 2021

1. Rehabilitate Runway 10/28 - \$150,000

Contracts Fiscal Year 2022

No projects anticipated.

Contracts Fiscal Year 2023

1. Conduct Environmental Study for Land Acquisition - \$160,000

Market Area: State of Montana

Step 1. Actual relative availability of DBEs

Method: Used MT DBE Directory: <https://app.mdt.mt.gov/dbe/dbe/search> and 2017 Census Bureau Data from <https://data.census.gov/cedsci/>

Step 1 of the overall goal determination is computed by determining the number of ready, willing, and able DBEs performing the types of work noted above as listed in the current DBE Directory prepared and maintained by the Montana Department of Transportation against the number of ready, willing, and able businesses available in the same NAICS code. The total number of businesses was obtained from the Census Bureau's Business Pattern database. The latest information currently available from this site is from 2017.

Finally, by applying the ratio of ready, willing, and able DBE firms and the total number of ready, willing, and able firms from the census data to the estimated percentage of total project costs, the Step 1 goal is determined.

The Step 1 goal was determined for each project anticipated for the **Columbus Airport**. A summary of the Step 1 goal determinations is summarized for each project below.

Weighted Availability of DBE firms:

Fiscal Year #1

For FY 2021 award of the following is anticipated:

<i>Contract Name</i>	<i>Trade Description</i>	<i>NAICS Description</i>	<i>NAICS</i>	<i>Trade (\$)</i>	<i>Census</i>	<i>Directory</i>	<i>DBE (%)</i>	<i>DBE (\$) (= Trade \$ x DBE %)</i>
Contract #1 Runway 10/28 Rehabilitation	Engineering Services (design and construction management)	Engineering Services	541330	\$30,000	300	10	3.33%	\$990
	Crack Seal, Seal Coat, and Striping	Highway, Street, Bridge Construction	237310	\$120,000	84	7	8.33%	\$9,996
Total Contract #2				\$150,000				\$7,340 (7.32% of \$100,000)
Total FY 2021				\$150,000				\$10,986 (7.32% of \$150,000)

Fiscal Year #2

For FY 2022 award of the following is anticipated:

NO PROJECTS ANTICIPATED.

Fiscal Year #3

For FY 2023 award of the following is anticipated:

<i>Contract Name</i>	<i>Trade Description</i>	<i>NAICS Description</i>	<i>NAICS</i>	<i>Trade (\$)</i>	<i>Census</i>	<i>Directory</i>	<i>DBE (%)</i>	<i>DBE (\$) (= Trade \$ x DBE %)</i>
Contract #1 Environmental Assessment for Land Acquisition	Engineering Services (design)	Engineering Services	541330	\$160,000	300	10	3.33%	\$5,330
Total Contract #1				\$160,000				\$5,330 (3.33% of \$160,000)
Total FY 2023				\$160,000				\$5,330 (3.33% of \$160,000)

The base goal projection after weighting is as follows:

- Total Weighted DBE Availability: \$16,316
- Total for All Trades: \$310,000

Dividing the weighted DBE totals by the total estimate for all trades gives a base DBE availability figure for the projects anticipated during the goal-setting period. This figure is expressed as a percentage and serves as the basis for the three-year overall goal.

Base of DBE Goal: 5.26%

Step 2: Adjustments to Step 1 base figure

After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what, if any, adjustment to the base figure was needed in order to arrive at the overall goal.

Past History Participation

Not enough historical data on DBE participation is available to reference to make an adjustment to the Step 1 base figure; therefore, Stillwater County and the City of Columbus are adopting the Step 1 base figure as the overall goal for this three-year goal period.

Furthermore, there are no applicable disparity studies for the local market area or recent legal case information from the relevant jurisdictions to show evidence of barriers to entry or competitiveness of DBEs in the market area that is sufficient to warrant making an adjustment to the base goal.

For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following:

- DBE participation through a prime contract
- 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
- DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

The State of Montana, Department of Transportation acts as a lead organization for the development and solicitation of minority and women owned firms. They provide a web site distribution of a bid distribution form, which was sent to all DBE firms in the State. The State of Montana has also developed a Referral Resource list of organizations that also assist minority and women owned businesses. MDT conducted a statewide disparity study with respect to highway construction. The 2016 Disparity Study Update is the last full disparity and availability study conducted. Provided is a link to the DBE program's Disparity & Availability Studies webpage.

<https://www.mdt.mt.gov/business/contracting/civil/programinfo.shtml>

MDT engaged a consultant (Keen Independent) to conduct an Availability and Disparity Study, which focused on participation of minority and women owned firms in MDT's contracts from October 2009 through September 2014. This Study was completed in 2016 and did not examine contracts using Federal Aviation Administration (FAA) funds; MDT and other agencies might review information in the report regarding DBE availability as they relate to operating the Program for FAA-funded contracts. Since contractors that participated on MDT contracts during the Study period are in most cases the same contractors that are awarded FAA-funded contracts.

The other factors examined in the 2016 MDT Disparity Study were related to success of minority- and women-owned firms relative to majority-owned businesses in the Montana marketplace. The Study noted quantitative evidence that minority- and women-owned firms are less successful than majority-owned firms and face greater barriers in the marketplace. There

was also qualitative information that suggests discrimination on the basis of race, ethnicity and gender affects minority- and women-owned firms in the Montana transportation contracting industry. Although the analysis indicates an upward adjustment could be made to address these barriers, the impact of those factors could not be quantified (*2016 MDT Disparity Study, Chapter 9, page 9*).

An adjustment to the base figure for barriers related to other factors was not made in the determination of the current because the MDT Disparity study indicated the impact of the barriers related to this category could not be quantified.

Stillwater County and the City of Columbus will utilize the findings of the Montana Department of Transportation's disparity study to determine the existence of discrimination or its effects in the market.

Breakout of Estimated “Race and Gender Neutral” (RN) and “Race and Gender Conscious” (RC) Participation.

Stillwater County and the City of Columbus will meet the maximum feasible portion of the overall goal by using RN means of facilitating DBE participation.

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitates DBE, and other small businesses, participation;
2. Providing technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
4. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;

Stillwater County and the City of Columbus estimates that in meeting the established overall goal of **5.26%**, it will obtain **5.26%** from RN participation and **0%** through RC measures.

This breakout is based on:

Stillwater County and the City of Columbus do not have a history of DBE participation or over-achievement of goals to reference and expects to obtain its DBE participation through the use of DBE contract goals or a good-faith effort to obtain DBE participation. Therefore, the entire goal of **5.26%** is to be obtained through race-neutral participation.

Stillwater County and the City of Columbus will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation (Section §26.51(f)) and track and report RN and RC participation separately. For reporting purposes, RN DBE participation includes, but is not necessarily limited to the following: DBE participation through a prime contract obtained 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.

PUBLIC PARTICIPATION

Consultation:

In establishing the overall goal, Stillwater County and the City of Columbus provided for consultation and publication. This process included consultation with minority, women's, and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Stillwater County and the City of Columbus's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process and was conducted before the goal methodology was submitted to the operating administration for review. Details of the consultation are as follows.

The consultation engaged in was [*describe nature of consultation, e.g., face-to-face meeting, teleconference, video conference*], which was held at [*location, time, and date*].

The following comments were received during the course of the consultation:
[*If no comments were received, so state*]

A notice of the proposed goal was published on the Stillwater County and the City of Columbus official before the methodology was submitted to the FAA.

[*The following statement reflects an optional additional step, but is no longer required*]
Following the consultation, a notice was published in the [name of publication] regarding the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the [Recipient] offices for 30 days following the date of the notice, and informing the public that the Stillwater County and the City of Columbus will accept comments on the goals for 30 days from the date of the notice.
[*End of optional portion*]

If the proposed goal changes following review by the FAA, the revised goal will be posted on Stillwater County and the City of Columbus official website.

Notwithstanding paragraph (f)(4) of §26.45, Stillwater County and the City of Columbus proposed goals will not be implemented until this requirement has been met.

PUBLIC NOTICE

Stillwater County and the City of Columbus hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of **5.26%** for FAA/DOT-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2021 through 2023. A *[meeting/teleconference/etc.]* will be held on *[date, time, location/contact instructions]* for the purpose of consulting with stakeholders to obtain information relevant to the goal-setting process.

[Optional wording for use when publishing goal information in a periodical]

The proposed goal and its attendant methodology are available for inspection between *[8:00 a.m.]* and *[5:00 p.m.]* Monday through Friday at *[location's name and address]* for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

Mr. Rich Cowger, Chairman, Columbus Airport Board c/o Stillwater Planning Department,
Stephanie Ray (406) 322-8056, 17 N. 4th Street, Columbus, MT 59109,
sray@stillwatercountymt.gov.

AND

Federal Aviation Administration, Office of Civil Rights Staff, Sonia Cruz, Compliance Specialist,
Northwest Mountain Region, Federal Aviation Administration, Office of Civil Rights, P.O. Box
92007, Los Angeles, California 90009-2007, (310) 725-3940, Sonia.Cruz@faa.gov.