



CLEVELAND™
AIRPORT SYSTEM



AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM

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PURPOSE/SCOPE

The Cleveland Airport System (hereafter referred to as "CAS") is committed to diversity and ensuring that all persons have an equal opportunity to receive and participate in Airport contracts. The CAS is comprised of Cleveland Hopkins International Airport and Burke Lakefront Airport. The CAS demonstrates its commitment to diversity in leveling the playing field for all businesses interested in contracting opportunities with the CAS through the implementation and operation of its Disadvantaged Business Enterprise (DBE) and Airport Disadvantaged Business Enterprise (ACDBE) Program. CAS is committed to nondiscrimination in its contracting process, continually increasing the number of certified DBE firms with the Ohio Unified Certification Program (UCP) and encouraging the participation of DBE firms in prime contracting and subcontracting opportunities. The CAS also provides information and programs that will assist DBE firms in being able to achieve the goal of successfully competing and functioning outside of the parameters of the CAS's DBE Program.

The CAS receives federal assistance from the United States Department of Transportation (DOT). The DOT requires all Federal Aviation Administration (FAA) recipients who will award prime contracts exceeding \$250,000 in FAA funds in a Federal Fiscal Year to have a DBE program that meets the requirements of 49 CFR Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.

This revision of the DBE/ACDBE Program manual incorporates significant changes made to the Cleveland Airport System prior to the approved DBE/ACDBE program.

POLICY STATEMENT

Section 23.1, 23.3 Objectives /Policy Statement

The CAS established an Airport Concession Disadvantaged Business Enterprise (ACDBE) program in accordance with the regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 23. The CAS is a primary airport and has received federal funds authorized for airport development after January 1988 (authorized under Title 49 of the United States Code). As a condition, the CAS has signed an assurance that will comply with 49 CFR Part 23 (hereafter referred to as "Part 23").

It is the policy of the CAS to ensure that ACDBEs defined in Part 23 to have an equal opportunity to receive and participate in concession opportunities and to engage in the following actions on a continuing basis:


1. To ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance;
2. To create a level playing field on which ACDBEs can compete fairly for opportunities for concessions;
3. To ensure that our ACDBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as ACDBEs at our airport(s);
5. To help remove barriers to the participation of ACDBEs in opportunities for concessions at our airport(s); and
6. To provide appropriate flexibility to our airport(s) in establishing and providing opportunities for ACDBEs.

The CAS designated Ms. Rosita Turner, Manager of the Office of Compliance and Inclusion (OCI), as the ACDBE Liaison Officer (ACDBELO). In that capacity, Ms. Turner is responsible for implementing all aspects of the ACDBE program, accorded the same priority as compliance with all other legal obligations incurred by the CAS in its financial assistance agreements with the Department of Transportation.

This policy statement has been disseminated to all components of the CAS organization. This policy statement was also distributed to ACDBE and non - ACDBE business communities that perform work for the CAS. The distribution is accomplished via email and by the inclusion of the CAS DBE Policy Statement in all U.S. DOT-assisted solicitations.



Bryant L. Francis, C.M. Director of Port Control



Date

SUBPART A - GENERAL REQUIREMENTS

Section 23.1 Objectives

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

Section 23.3 Definitions

The CAS will use terms in this program that have the meaning defined in Section 23.3 and Part 26 Section 26.5 where applicable.

Section 23.5 Applicability

The CAS is a primary airport and the sponsor of federal airport funds authorized for airport development after January 1988 that was authorized under Title 49 of the United States Code.

Section 23.9 Non-Discrimination Requirements

The CAS will never exclude any person from participation in, deny and person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any concession agreement, management contract or subcontract, purchase or lease agreement or other agreement covered by 49 CFR Part 23 on the basis of race, color, sex, or national origin.

In administering its ACDBE program, the CAS 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 ACDBE program with respect to individuals of a particular race, color, sex, or national origin.

The CAS acknowledges these representations are also in accordance with obligations contained in its Civil Rights, DBE and ACDBE Airport grant assurances and the following assurances will be included in all concession agreements and management contracts it executes with any firm:

(1) *"This agreement is subject to the requirements of the U.S Department of Transportation's regulations, 49 CFR Part 23. The concessionaire or contractor agrees that it will not*

discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23."

(2) *"The concessionaire or contractor agrees to include the above statements in any subsequent concession agreement or contract covered by 49 CFR Part 23, that it enters and causes those businesses to similarly include the statements in further agreements."*

Section 23.11 Compliance and Enforcement

The CAS will comply with and is subject to the provisions of 49 CFR Part 26 - 26.101, 26.105, 26.107 and 2 CFR Parts 180 and 1200 or be subject to formal enforcement action under 26.105

or appropriate program sanctions, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include actions consistent with 49 USC 47106(d), 47111(d), and 47122.

The 2 CFR Part 180, Government-wide Debarment and Suspension (Non-procurement), effective November 15, 2006, adopted and supplemented by DOT at 2 CFR Part 1200, effective June 2, 2008, provides Office of Management and Budget (OMB) guidance for Federal agencies on the government-wide debarment and suspension system for non-procurement transactions, program and activities, 2 CFR Part 1200 adopts the OMB guidance in subparts A through I of 2 CFR Part 180, as supplemented by Part 1200, as the Department of Transportation policies and procedures for non-procurement suspension and debarment.

The CAS compliance is enforced through the procedures of Title 49 of the United States Code, including 49 USC 47106(d), 47111(d), 47122, and regulations implementing them. The following enforcement actions apply to firms participating in the CAS' ACDBE program:

- (a) For a firm that does not meet the eligibility criteria of subpart D of this part and that attempts to participate as an ACDBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, the Department of Transportation (DOT) or the Federal Aviation Administration (FAA) may initiate suspension or debarment proceedings against the firm under 2 CFR Parts 180 and 1200.
- (b) For a firm that in order to meet ACDBE goals or other AC/DBE program requirements, uses or attempts to use, on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of Subpart D of this part, DOT or FAA may initiate suspension or debarment proceedings against the firm under 2 CFR Parts 180 and 1200.
- (b) DOT may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the ACDBE program whose conduct is subject to such action under 49 CFR Part 31.
- (d) DOT may refer to Department of Justice, for prosecution under 18 USC 1001 or other applicable provisions of law in the ACDBE program whose conduct is subject to such action under 49 CFR Part 31.

Compliance reviews

The FAA may review the CAS's compliance with this part at any time, including but not limited to, reviews of paperwork, on-site reviews, and review of the airport sponsor's monitoring and enforcement mechanism, as appropriate. The FAA Office of Civil rights may initiate a compliance review based on complaints received.

Any person who knows of a violation of this part by CAS may file a complaint under 14 CFR Part 16 with the Federal Aviation Administration Office of Chief Counsel.

SUBPART B - ACDBE PROGRAM

Section 23.21 ACDBE Program Updates

The CAS is a medium hub primary airport required to have an ACDBE program.

As a condition of eligibility of FAA financial assistance, the CAS will submit its ACDBE program and overall goals to FAA according to 23.45(a) of this section.

Until the CAS's new ACDBE program is submitted and approved, the CAS will continue to implement its ACDBE program that was in effect previously, except with respect to any provision that is contrary to 49 CFR Part 23. This ACDBE program will be implemented at Cleveland Hopkins International (CLE) and Burke Lake Front (BKL) Airports.

Although this program document applies to all the above Airports, as required by 23.21(c), the CAS has established one ACDBE goal for the Cleveland Airport System. (**Attachment B**)

When the CAS makes significant changes to its ACDBE program, an amended program will be provided to the FAA for approval prior to implementing the changes.

Section 23.23 Administrative Provisions

Policy Statement: CAS is committed to operating its ACDBE program in a nondiscriminatory manner.

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

The CAS has designated a ACDBE Liaison Officer (ACDBELO):

Ms. Rosita Turner
Manager, Office of Compliance and Inclusion
Cleveland Airport System
5300 Riverside Drive
PO Box 18009
Cleveland, Ohio 44181-0009
(Office) 1 216 265 6606 / (Mobile) 216-857-6875 / rturner@clevelandairport.com

In that capacity, the ACDBELO is responsible for implementing all aspects of the ACDBE program and ensuring that the CAS complies with all provisions of 49 CFR Part 23. The ACDBELO has direct and independent access to the Director of Port Control Bryant Francis concerning ACDBE program matters. An organizational chart displaying the ACDBELO's position in the organization is found in **Attachment B**.

The ACDBELO is responsible for developing, implementing, and monitoring the ACDBE program in accordance with the regulations of 49 CFR Part 23. The ACDBELO has a direct

reporting staff of three (3) and other support staff in CAS Procurement, Finance, Air Development Planning & Engineering, Finance, Marketing and Advertising and Legal to assist in the administration of the ACDBE program.

- 1) Airport Compliance and Inclusion Coordinator – is responsible for monitoring, compliance and reporting of all DBE Program public improvements and professional services contracts, and the application of the regulations of the Davis Bacon and Related Acts; conducts random onsite project site visits on active prime contracts to ensure commercially useful functions and to determine compliance with subcontractor payments for both DBEs and non-DBEs; random audits of the required prevailing wage rates used.
- 2) Airport Compliance and Inclusion Coordinator – responsible for the monitoring, compliance, and reporting of the ACDBE Program projects, concessions contracts, leases, and joint ventures for the CAS' terminal and car rental concessions; conducts random on-site visits and audits on active prime concessions to determine compliance with subcontractor/sub-concessions payments of ACDBE and non-ACDBE payments.
- 3) Airport Compliance and Inclusion Coordinator - is responsible for monitoring, compliance and reporting of all City and Locally funded public improvements and professional services contracts, and the application of the Ohio Revised Code 4115 regulations; conducts random onsite project site visits on active prime contracts to ensure commercially useful functions and to determine compliance with subcontractor payments for both locally certified and non-minority business owners; random audits of the required prevailing wage rates used.

Other duties and responsibilities performed by the ACDBELO, and the CAS ACDBE program staff include the following:

1. Gathers and reports statistical data and other information as required by FAA or 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 ACDBEs in a timely manner.
5. Identifies contracts and procurements so that ACDBE goals for inclusions in solicitations (both race-neutral methods and contract specific goals).
6. Analyzes the CAS's progress towards attainment and identifies ways to improve progress.
7. Participates in pre-bid, pre-qualification (RFQ) and request for proposal (RFP) meetings.
8. Advises the Director on ACDBE matters and achievements.
9. Chairs the ACDBE Advisory Committee.
10. Provides ACDBEs with information and assistance in preparing bids, obtaining bonding, finance, and insurance.
11. Plans and participates in ACDBE training seminars.
12. Acts as liaison to the Unified Certification Program (UCP) in Ohio.
13. Provides outreach to ACDBEs and community organizations to advise them of opportunities.

Directory: The CAS, through the State of Ohio Unified Certification Program (OUCP) maintains a directory identifying all firms that are eligible to participate as DBEs and ACDBEs. This Directory lists firm's name, address, phone number, date of the most recent certification, and types of work for which a firm is eligible to be certified by using the most specific NAICS Code available to describe each type of work. The OUCP makes changes and or revisions to the current directory on a continuous basis (as firms are added) necessary to meet the requirements of the paragraph. The CAS makes the Directory available as follows:

Website: <https://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/DBE-Directory.aspx>

Section 23.25 Ensuring Nondiscriminatory Participation of ACDBEs

The CAS will take the following measures to ensure nondiscriminatory participation of ACDBEs in concessions and other covered activities per 49 CFR § 23.25(a).

The CAS is firmly committed to assisting ACDBE firms through its contracting activities, and the CAS intends to contract with Concessionaires that share that commitment. Concessionaires shall make every effort to use ACDBEs where available and practical.

Please be aware that ACDBE participation listed in your Statement will be monitored by the Department's OCI office throughout the duration of the contract. The selected Concessionaire will be responsible for providing the Department's OCI office with any and all information necessary to facilitate this monitoring, including sub-concession agreements and other necessary information. Selected Concessionaires will have monthly reporting requirements through the OCI office. The selected Concessionaire will be required to provide sub-concessionaire agreements to the Office Compliance and Inclusion.

If at any time during review or audit of the selected Concessionaire and its ACDBE sub-concessionaires the CAS determines that the selected Concessionaire and its ACDBE sub-concessionaires are not functioning in good faith, the selected Concessionaire must submit a corrective action plan within ten (10) calendar days of the written findings. The CAS will then review the corrective action plan and, if acceptable, will provide written approval of the plan. If the selected Concessionaire does not meet the provisions of the corrective action plan, and the CAS continues to find the selected Concessionaire and its ACDBE subcontractors are not functioning in good faith or in non-compliance with the nondiscrimination provisions of the contract, the CAS shall impose such sanctions as it may determine to be appropriate, including but not limited to (i) cancellation, termination, or suspension of the contract or (ii) suspension from participation in future CAS contracts.

The CAS will seek ACDBE participation in all types of concession activities rather than concentrating participation in one category or a few categories to the exclusion of others. (§23.25 (c)).

The overall goal methodology and a description of the race-neutral measures it will use to meet the goals are described in **Section 23.25** and **Attachment B** of this plan. The goals are set consistent with the requirements of Subpart D (§23.25(b), (d)). If the CAS' projects that are

race-neutral measures alone are not sufficient to meet an overall goal, it will use race-conscious measures as described in Section 23(e) (1-2).

Businesses will be required and be subjected to ACDBE goals at the airport, and car rental companies if there is opportunity, to make good faith efforts to explore all available options to meet goals to the maximum extent practicable, through direct ownership arrangements with ACDBEs (§23.25(f)).

CAS will not use set-asides or quotas as a means of obtaining ACDBE participation (§23.25(g)).

Good Faith Efforts on Concession Specific Goals (§23.25(e)(I)(iii) and (iv))

To be eligible to be awarded a concession that has a concession specific goal; bidders/offeror must make good faith efforts to meet the goal. A bidder/offer may do so either by obtaining enough ACDBE participation to meet the goal or by documenting that it made sufficient good faith efforts to do so (§23.25(e)(I)(iv)). Examples of good faith efforts are found in Appendix A to 49 CFR Part 26. The procedures applicable to 49 CFR Sections 26.51 and 26.53, regarding contract goals apply to the CAS' concession specific goals.

Section 23.27 Reporting

The CAS will retain sufficient basic information about our ACDBE program implementation ACDBE certification and the award and performance of agreements and contracts to enable the FAA to determine our compliance with Part 23. This data will be retained for a minimum of 3 years following the end concession agreement or other covered contract.

Beginning March 1, 2006, we will submit to the FAA Regional Civil Rights Office an annual ACDBE report on the form in Appendix A of Part 23.

Section 23.29 Compliance and Enforcement Procedures

The CAS will take the following monitoring and enforcement mechanism to ensure compliance with 49 CFR Part 23.

This agreement is in accordance with the regulations of the United States Department of Transportation, 49 CFR, Part 23, the City of Cleveland Department of Port Control has implemented an Airport Concessions Disadvantaged Business Enterprise Program ("ACDBE"). This program applies to all recipients that received a grant for airport development at any time after January 1988 that was authorized under Title 49 of the United States Code. The objectives of the ACDBE program are to ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance; to create a level playing field on which ACDBEs can compete fairly for opportunities for concessions; to ensure that the Department's ACDBE program is narrowly tailored in accordance with applicable law; to ensure that only firms that fully meet this part's eligibility standards are permitted to participate as ACDBEs; to help remove barriers

to the participation of ACDBEs in opportunities for concessions at airports receiving DOT financial assistance; and to provide appropriate flexibility to airports receiving DOT financial assistance in establishing and providing opportunities for ACDBEs.

ACBDE firms listed in the Contractors/Concessionaires Statement will be monitored by the Department's Office of Compliance and Inclusion (OCI) throughout the duration of this contract. Prime Concessionaires will be required to provide sub-concessionaire/contractor agreements to the OCI office. OCI will issue a signed "Notice to Proceed" (NTP) to the contracting department once all sub-agreements, ACDBE participation schedules and/or joint venture agreements have been reviewed and approved. The contractual agreement cannot proceed without the signed NTP issued by OCI. The NTP will be signed by the Airport Concessions Disadvantaged Business Enterprise Liaison (ACDBELO) or their designees. Contractor/Concessionaire is responsible for providing the Department's OCI office with any and all information necessary to facilitate monitoring and compliance, including sub-concession agreements and other necessary information. Contractors/Concessionaires and subcontractors/concessionaires are required to complete monthly payment compliance reports that must be signed by the Contractor/Concessionaire and subcontractor/concessionaire prior to being submitted to the OCI office for compliance review.

If at any time during review or audit of the selected Concessionaire and its ACDBE sub-concessionaires the City determines that the selected Concessionaire and its ACDBE sub-concessionaires are not functioning in good faith, the selected Concessionaire must submit a corrective action plan within ten (10) calendar days of the written findings. The City will then review the corrective action plan and, if acceptable, will provide written approval of the

plan. If the selected Concessionaire does not meet the provisions of the corrective action plan and the City continues to find the selected Concessionaire and its ACDBE subcontractors/concessionaires not functioning in good faith or in non-compliance with

any of the nondiscrimination provisions of this contract the City shall impose such sanctions as it may determine to be appropriate, including but not limited to:

- (i) cancellation, termination, or suspension of the contract or*
- (ii) suspension from participation in future Department contracts.*

It is the City's objective that the ACDBE performs a commercially useful function. An ACDBE is considered to perform a commercially useful function when it is independently responsible for the execution of a distinct element of the work of a contract and carries out its responsibilities by actually performing, managing, and supervising the work involved. In light of industry practices and other relevant considerations, the ACDBE must have a necessary and useful role in the transaction of a kind for which there is a market outside the context of the ACDBE program. In the event sub-concessionaires' performance is in the form of a joint venture partnership, Contractor/Concessionaire will adhere to the guidelines provided in Airport Concessions Disadvantaged Business Enterprise Joint Venture Guidance.

Contract Assurance

This agreement is subject to the requirements of the US. Department of Transportation's regulations, 49 CFR Part 23. The concessionaire or contractor agrees that it will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23.

The concessionaire or contractor agrees to include the above statement in any subsequent concession agreement or contract covered by 49 CFR Part 23, that it enters and causes those businesses to similarly include the statements in further agreements.

Prompt Payment

The prime concessionaire or contractor agrees to pay each sub concessionaire or subcontractor under this prime contract for satisfactory performance of its contract or delivery of goods and services no later than 10 days after completion of work or receipt of delivery and services. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the prime concessionaire or contractor. This clause applies to both ACDBE and non - ACDBE sub concessionaires/subcontractors. Failure to comply with these prompt payment requirements is a breach of the Contract, which may lead to any remedies permitted under law, including, but not limited to, Concessionaire/Contractor debarment.

The enforcement mechanism provided above is extended to the following:

1. The CAS will bring to the attention of the USDOT any false fraudulent or dishonest conduct in connection with the program, so that USDOT can take the steps (e.g., referral to the
2. 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. Consideration of similar action under the CAS' own legal authorities, including responsibility determinations in future contracts with inclusion and listed the regulations, provisions, and contract remedies available to us in the event of non-compliance with the ACDBE regulations by a participant in our procurement activities (26.37).

SUBPART C - CERTIFICATION STANDARDS

Section 23.31 What certification standards and procedures do recipients use to certify ACDBEs?

The CAS is currently a non-certifying member of the Ohio Unified Certification Program (OUCP) that is administered by the State of Ohio. The OUCP uses the certification standards

of Subpart D of Part 26 to determine eligibility of firms, except as provided in §23.31, for ACDBE certifications to participate in our concessions program, which such standards are incorporated herein. The OUCP's directory of eligible ACDBEs specifies whether a firm is certified as a DBE under Part 26 and ACDBEs under Part 23 or both.

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

The Ohio Unified Certification Program (ODOT)
Office of Small Business and Disadvantaged Business Enterprise
1980 W. Broad Street, MS 3270
Columbus, OH 43223
Phone: (614) 466-3957 / Fax: (614) 728-2078
www.dot.sdbe@dot.ohio.gov

The OUCP form and documentation requirements are found in **Attachment C** to this program.

Section 23.35 What measures must recipients include in their ACDBE programs to ensure nondiscriminatory participation of ACDBEs in concessions?

The CAS acknowledges that a prime contractor includes a firm holding with an airport concessionaire to provide goods or services to the concessionaire or a firm holding a prime concession agreement with a recipient. The eligibility will be recognized of Alaska Native Corporations (ANC) owned firms for purposes of Part 23 is governed by Part 26 Section 26.73(h), (23.39(c)(d)).

In instances when the eligibility of a concessionaire removed after the concessionaire has entered into a concession agreement because the firm exceeded the standard size, or the owner has exceeded the PNW standard and the firm in all other respects remains an eligible ACDBE, the ACDBE concessionaire's participation may be counted towards the ACDBE goals during the remainder of the current concession agreement.

The CAS will not count the concessionaire's participation toward ACDBE goals beyond the termination date for the concession agreement in effect at the time of the decertification (23.39(e)).

SUBPART D - GOALS, GOOD FAITH EFFORTS AND COUNTING

Section 23.41 Basic Overall Goal Requirement

The CAS will establish two (2) separate overall ACDBE goals; one for car rentals and another for concessions other than care rentals. The overall goals will cover a three (3) year period and the sponsor will review the goals annually to make sure the goal continues to for the sponsor's circumstances. Any significant change to the overall goal adjustments will be reported to the FAA.

If the average annual concessions revenues for car rentals over the preceding 3 years do not exceed two hundred thousand (\$200,000) dollars, we need not submit an overall goal for car rentals. Likewise, if the average annual concession revenues other than care rentals over the preceding three (3) years do not exceed two hundred thousand (\$200,000) dollars, the CAS need not submit an overall goal for concessions other than car rentals. We understand that "revenue" means total revenue generated by concessions, not the fees received by the airport from the concessionaires.

The CAS's overall goals will provide for participation by all certified ACDBEs and will not be subdivided into group-specific goals.

Section 23.43 Consultation in Goal Setting

The CAS consults with stakeholders before submitting the overall goals to the FAA.

Stakeholders will include, but not limited to, minority and women's business groups, community organizations, trade associations representing concessionaires currently located at the airport, as well as existing concessionaires themselves, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged businesses, the effects of discrimination on opportunities for ACDBEs and the sponsors efforts to increase participation of ACDBEs.

When submitting our overall goals, we will identify the stakeholder that we consulted with and provide a summary of the information obtained from the stakeholders.

Section 23.45 Overall Goals

The CAS is a medium hub primary airport. As a condition of eligibility for FAA financial assistance, overall goals are submitted according to the following schedule:

Primary Airport Size	Region	Date Due	Period Covered	Next Goal Due
Large/Medium Hubs	All regions	October 1, 2026	2024/2025/2026	October 1, 2026 (2027/2028/2029)

If a new concession opportunity arises at a time that falls between the normal submission dates above and the estimated average of annual gross revenues are anticipated to be two hundred thousand (\$200,000) dollars or greater, the CAS will submit an appropriate adjustment to our overall goal to FAA for approval no later than 90 days before issuing the solicitation for the new concession opportunity (If a new concession opportunity arises at a time that falls between the normal submission dates above and the estimated average of annual gross revenues are anticipated to be two hundred thousand (\$200,000) dollars or greater, the CAS will submit an appropriate adjustment to our overall goal to FAA for approval

no later than 90 days before issuing the solicitation for the new concession opportunity (§23.45(i)).

The CAS will establish overall goals in accordance with the 2-step process as specified in section 23.51. After determining the total gross receipts for the concession activity, the first step is to determine the relative availability of ACDBEs in the market area, "base figure". The second step is to examine all relevant evidence reasonably available in the CAS' jurisdiction to determine if an adjustment to the step 1 base figure is necessary so that the goal reflects as accurately as possible the ACDBE participation the sponsor would expect the absence of discrimination. Evidence may include, but is limited to past participation by ACDBEs, a disparity study, evidence from related fields that affect ACDBE opportunities to form, grow, and compete (such as statistical disparities in ability to get required financing, bonding, insurance, or data on employment, self-employment, education, training, and union apprenticeship).

The CAS will arrange solicitations, times for presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by ACDBEs and other small businesses and by making contracts more accessible to small businesses by means such as those provided under (§26.39) of this part.

A description of the methodology to calculate the overall goal for concessions other than car rentals, the goal calculations, and the data we relied on can be found in **Attachment A** to this program.

Projection of Estimated Race-Neutral & Race Conscious Participation (23.45(f), 23.25(d-e))

The CAS will use concession specific goals to meet any portion of the overall goals it does not project being able to meet using race neutral means. Concession specific goals are established so that over the period to which the overall goals apply, there will be a cumulative result in meeting any portion of our overall goal that is not projected to be met using race-neutral means.

Concession specific goals are established only on those concessions that have direct ownership arrangements (except car rentals), sublease or subcontracting possibilities; businesses will be required and subject to ACDBE goals at the airport (except car rental companies) to make efforts to explore all available options to meet goals, to the maximum extent practicable, through direct ownership arrangements with DBEs (§23.25(f)). Car rental firms are not required to change their corporate structure to provide direct ownership arrangements. In case of a car rental goal, where it appears that all or most of the goal is likely to be met through the purchases by car rental companies of vehicles or other goods or services from ACDBEs, one permissible alternative is to structure the goal entirely in terms of purchases of goods and services.

The CAS establishes a concession specific goal on every such concession or where it is applicable, and the size of concession specific goals will be adapted to the circumstances of each such concession (ex. type and location of concession, availability of ACDBEs.). If the objective of a specific concession goal is to obtain ACDBE participation through direct

ownership with an ACDBE, the CAS will calculate the goal as a percentage of the total estimated annual gross receipts from the concession (§23.25(e)(l)(i)). If the concession specific goal applies to purchases and/or leases of goods and services, the CAS will calculate the goal by dividing the estimated dollar value of such purchases and/or leases from ACDBEs by the total estimated dollar value of purchases and/or leases from ACDBEs by the total estimated dollar value of all purchases to be made by the concessionaire (23.25(e)(1)(ii)).

Section 26.53 Good Faith Efforts Procedures

Demonstration of good Faith efforts (26.25(a) & (c))

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

The CAS' Office of Compliance and Inclusion (OCI) is responsible for determining whether or a bidder or offeror has met the contract goal and has documented good faith efforts to be regarded as responsiveness. OCI 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.

Good Faith Efforts when an ACDBE is replaced on a concession (26.53(f))

The CAS will require a concessionaire to make good faith efforts to replace an ACDBE that is terminated or has otherwise failed to complete its concession agreement, lease, or subcontract with another certified ACDBE, to the extent needed to meet the concession specific goal. This will require the concessionaire to notify the ACDBELO immediately of the ACDBE's inability or unwillingness to perform and provide reasonable documentation. In this situation, the concessionaire will be required to obtain our prior approval of the substitute ACDBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

The CAS will provide such written consent only in agreement, for reasons stated in the concurrence document that the prime concession has good cause includes the following circumstances:

- (1) The listed ACDBE sub-concession fails or refuses to execute a written contract.
- (2) The listed ACDBE sub-concession fails or refuses to perform the work of its sub-concession in a way consistent with normal industry standards. Provided however that good cause does not exist if the failure or refusal of the ACDBE sub-concession to perform its work on the sub-concession results from the bad faith or discriminatory action of the prime contractor.
- (3) The listed ACDBE sub-concession fails or refuses to meet the prime concession's reasonable, non-discriminatory bond requirements.
- (4) The listed ACDBE sub-concession becomes bankrupt, insolvent, or exhibits credit unworthiness.
- (5) The listed ACDBE sub-concession is ineligible to work on public works projects because

of suspension and debarment proceedings pursuant to 2 CFR Parts 180, 215 and 1200 or applicable state law.

- (6) The CAS has determined that the listed ACDBE subcontractor is not responsible.
- (7) The listed ACDBE sub-concession voluntarily withdrew from the project and provided us with written notice of its withdrawal.
- (8) The listed ACDBE is ineligible to receive ACDBE credit for the type of work required; (9) An ACDBE owner dies or becomes disabled with the result that the listed ACDBE concession is unable to complete its work on the contract.
- (10) Other documented good cause that we have determined compels the termination of the ACDBE sub-concession. Provided that good cause does not exist if the prime concession seeks to terminate an ACDBE it relied upon for which the ACDBE concession was engaged or so that the prime contractor can substitute another ACDBE or non-ACDBE concession after contract award.

Termination and or Substitution of ACDBE Sub-Concession

Prior to termination and/or substantiation of an ACDBE sub- concession, the CAS will obligate the prime concessionaire to provide a termination notice in writing to the ACDBE sub-concession ascertaining the intent and reason of the termination and giving the ACDBE **five (5) days** to respond to this notice.

The CAS will require the prime concessionaire to submit a request to terminate or a substitute an existing ACDBE sub-concessionaire to the CAS justifying the determination, with a copy of the termination notice given to the ACDBE sub-concessionaire and response from the ACDBE sub-concessionaire. The prime concessionaire will be given **five (5) days** to submit additional documentation, which may be extended for an additional five (5) days, if necessary, at the request of the prime concessionaire. The CAS shall provide a written determination to the prime concessionaire stating whether good faith efforts have been demonstrated and satisfactory.

The CAS will require the prime concessionaire to make good faith efforts to replace an ACDBE that is terminated or has otherwise failed to complete its work on a concession with another certified ACDBE. These good faith efforts shall be directed at finding another ACDBE to perform at least the same amount of work under the concession contract as the ACDBE that was terminated, to the extent needed to meet the efforts and it shall be documented by the concessionaire.

Information to be Submitted (§26.53(b))

In the solicitations for concessions contracts for which a contract goal has been established, the CAS will require the following:

- (1) The award of the contract will be conditioned on meeting the requirements of this section.
- (2) All bidders or offerors will be required to submit the following information to the

recipient, at the time provided in paragraph (b)(3) of this section:

- a. The names and addresses of ACDBE firms that will participate in the contract.
- b. A description of the work that each ACDBE will perform. To count toward meeting a goal, each ACDBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract.
- c. The dollar amount of the participation of each ACDBE firm participating.
- d. Written documentation of the bidder/offeror's commitment to use an ACDBE sub-concession whose participation it submits to meet a contract goal; and
- e. Written confirmation from each listed ACDBE firm that it is participating in the contract in the kind and amount of work provided in the prime concessionaire's commitment.
- f. If the contract goal is not met, evidence of good faith efforts (see Appendix A of this part). The documentation of good faith efforts must include copies of each ACDBE, and non-ACDBE sub-concession quote submitted to the bidder when a non-ACDBE for work on the contract; and
- g. The CAS will require that the bidder/offeror present the information required by paragraph (b) (2) of this selection: *"under sealed bid procedures, as a matter of responsiveness, or with initial proposals, under contract negotiation procedures"*. Provided that, in a negotiated procurement, including a design-build procurement, the bidder/offeror may make a contractually binding commitment to meet the goal at the time of bid submission or the presentation of initial proposals but provided the information required by paragraph (b)(2) of this section before the final selection for the contract is made by the recipient.

The CAS will include in each prime concession contract the contract clause the requirement of

49 CFR Part 26.13(b) stating that failure by the concessionaire to carry out the requirements of this part is a material breach of the contract and may result in the termination of the concession contract or such other remedies set forth in that section that we deem appropriate if the prime concessionaire fails to comply with the requirements of this section.

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

Sample Proposal/Bid Specification:

In accordance with the regulations of the United States Department of Transportation, 49 CFR, Part 23, the City of Cleveland, Department of Port Control has implemented an Airport Concessions Disadvantaged Business Enterprise Program ("ACDBE"). This program applies to all recipients that received a grant for airport development at any time after January 1988 that was authorized under Title 49 of the United States Code. The objectives of the ACDBE program are to ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance; to create a level playing field on

which ACDBEs can compete fairly for opportunities for concessions; to ensure that the Department's ACDBE program is narrowly tailored in accordance with applicable law; to ensure that only firms that fully meet this part's eligibility standards are permitted to participate as ACDBEs; to help remove barriers to the participation of ACDBEs in opportunities for concessions at airports receiving DOT financial assistance; and to provide appropriate flexibility to airports receiving DOT financial assistance in establishing and providing opportunities for ACDBEs.

An ACDBE Goal of ____ has been established for this Concession. ACDBE participation may be in the form of one or more joint ventures, partnerships, subcontracts, or other legal arrangements meeting the eligibility standards in 49 CFR Part 26.

The selected Concessionaire will be required to submit information concerning the ACDBE firm(s) that will participate in this Concession including the name and address of each Concessionaire and Sub-concessionaire, the estimated annual gross receipts to be earned by each named Concessionaire, a description of the legal arrangements to be utilized and the total overall estimated annual gross receipts to be earned.

If a Concessionaire is unable to achieve the ACDBE goals stated herein it will be required to provide documentation in its proposal demonstrating that it took all necessary and reasonable steps in attempting do so, or that it is not economically feasible at this time to enter into either a joint venture, partnership, subcontract, or other eligible arrangement with an ACDBE firm.

The selected Consultant will be required to comply with the Department's ACDBE Program for the entire term of the contract.

ACDBE certified firms can be located in updated Ohio Unified Certification Program ("OUCP"), at its website at: <https://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/DBE-Directory.aspx>

All proposed sub-concessionaires listed in your Statement must receive written Board of Control and Consultant Review Committee (CRC) approval in advance. The sub-concessionaires you propose will be considered the sub-concessionaires that you will use in the contract is awarded to you. After award if the Concessionaire seeks termination or substitution of a sub-concessionaire, the request must be submitted in writing to the

Department of Port Control's Office of Compliance and Inclusion (OCI). Additionally, see Exhibit "____" regarding the City's Sub-contractor Addition and Substitution Policy and Procedure (This policy includes concession substitutions and additions). The City reserves the right to approve an award, but not approve a proposed sub-concessionaire.

In addition, the City of Cleveland is firmly committed to assisting ACDBE firms through its contracting activities, and the City intends to contract with Concessionaires that share that commitment. Concessionaires shall make every effort to use ACDBEs where available and practical.

Please be aware that the participation of ACBDE firms listed in your Statement will be

monitored by the Department's OCI office throughout the duration of the contract. The selected Concessionaire will be responsible for providing the Department's OCI office with any and all information necessary to facilitate this monitoring, including sub-concession agreements and other necessary information. Selected Concessionaires will have monthly reporting requirements through the OCI office. The selected Concessionaire will be required to provide sub-concessionaire agreements to the Office of Compliance and Inclusion.

If at any time during review or audit of the selected Concessionaire and its ACDBE sub-concessionaires the City determines that the selected Concessionaire and its ACDBE sub-concessionaires are not functioning in good faith, the selected Concessionaire must submit a corrective action plan within ten (10) calendar days of the written findings. The City will then review the corrective action plan and, if acceptable, will provide written approval of the plan. If the selected Concessionaire does not meet the provisions of the corrective action plan and the City continues to find the selected Concessionaire and its ACDBE subcontractors not to be functioning in good faith or in non-compliance with the nondiscrimination provisions of the contract the City shall impose such sanctions as it may determine to be appropriate, including but not limited to (i) cancellation, termination or suspension of the contract or (ii) suspension from participation in future Department contracts.

It is the City's objective that the ACDBE performs a commercially useful function. An ACDBE is considered to perform a commercially useful function when it is independently responsible for the execution of a distinct element of the work of a contract and carries out its responsibilities by actually performing, managing, and supervising the work involved. In light of industry practices and other relevant considerations, the ACDBE must have a necessary and useful role in the transaction of a kind for which there is a market outside the context of the ACDBE program. In the event sub-concessionaires' performance is in the form of a joint venture partnership, OCI will adhere to the guidelines provided in Airport Concessions Disadvantaged Business Enterprise Joint Venture Guidance.

If you have any questions regarding either the Department's Office of Compliance and Inclusion requirements and/or its other ACDBE goals, please contact ACDBELO at (216) 265-6606.

Administrative Reconsideration (§26.53(d))

Within **five (5) business days** of being informed by the CAS that it is not responsive because it has not documented sufficient good-faith efforts, a bidder/ offer may request administrative reconsideration. Bidder/offers should make this request in writing to the following reconsideration official:

Jonathan Stone McGory, C.M.
Assistant Director of Law
City of Cleveland
Department of Port Control
5300 Riverside Drive
Cleveland, Ohio 44181-0009
(Office) (216) 265-6071 / jmcgory@clevelandairport.com

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 effort to do so. The bidder/offeror will have the opportunity to meet in person with the reconsideration, explaining the basis for finding that the bidder/offeror did or did not meet the goal or make adequate good faith efforts to do so. The results of the reconsideration process are **not administratively appealable** to the Department of Transportation.

Section 23.53 Counting ACDBE Participation for Car Rental Goals

The CAS will Count ACDBE participation toward overall goals other than car rental as provided in 49 CFR 23.53.

Section 23.55 Counting ACDBE Participation for Concessions Other than Car Rentals

The CAS will count ACDBE participation toward overall goals other than car rental as provided in 49 CFR 23.55.

Section 23.57 (b) Goal Shortfall Accountability

If the awards and commitments on the CAS' Uniform Report of ACDBE Participation (found in Appendix A to this Part) at the end of any fiscal year are less than the overall goal applicable to

the fiscal year, the following will be followed:

- (1) Analyze in detail the reasons for the difference between the overall goal, awards, and commitments in that fiscal year.

- (2) Establish specific steps and milestones to correct the problems we have identified in the CAS' analysis to enable us to fully meet our goal for the new fiscal year.

Section 23.61 Quotas or Set-aside

The CAS will not use quotas or set-aside as a means of obtaining ACDBE participation.

SUBPART E - OTHER PROVISIONS

Section 23.71 Existing Agreements

The CAS will assess potential for ACDBE participation when an extension or option to renew

an existing agreement is exercised, or when a material amendment is made. Authorized by Part 23, any means will be used to obtain a modified amount of ACDBE participation in the renewed or amended agreement.

Section 23.73 Privately-Owned of Leased Terminal Buildings (currently not applicable. CAS will use these provisions if becomes applicable)

The CAS will pass through applicable provisions of Part 23 to private terminal owner or lessee via our agreement with the owner or lessee (identify other means) and ensures that the owner or lessee complies with Part 23. The goals and other elements of the ACDBE program that are required under Part 23 will be obtained from the owner or lessee and it is incorporated herein and submitted as an attachment.

Section 23.75 Long-Term Exclusive Agreements

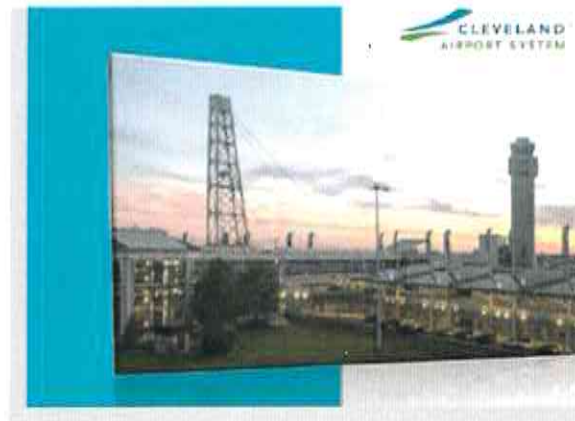
The CAS will not enter into a long-term and exclusive agreement for concessions without prior approval of the FAA Regional Civil Right Office. A "long-term" agreement is one having a term of longer than 5 years; an "exclusive" agreement is one in which an entire category of a particular business opportunity is limited to a single business entity. If special, local circumstances exist that make it important to enter into a long-term and exclusive agreement, we will submit detailed information to the FAA Regional Civil Rights Office for review and approval.

Section 23.79 Geographic Preferences

The CAS will not use a "local geographic preference", i.e., any requirement that gives an ACDBE located in one place an advantage over ACDBEs from other places in obtaining business as, or with, a concession at your airport.

ATTACHMENT A

ACDBE Overall Goal



AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM

NON-CAR RENTAL AND CAR RENTAL TRIENNIAL GOAL SETTING METHODOLOGY

for

FFY 2024 – FFY 2025 – FFY 2026

City of Cleveland
Department of Port Control
Cleveland Airport System (CAS)
ACDBE Triennial Setting Goal Methodology
FFY 2024 – FFY 2025 - FFY 2026

Non-Car Rental Triennial Goal Calculation

Introduction

The Overall Goal for Non-Car Rental ACDBE Concessions for periods beginning October 1, 2024, and ending September 30, 2026, is **10.79%** of the total gross receipts on non-car rental concession operations at City of Cleveland, Cleveland Airport System. In accordance with the federal regulations, the Airport will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating ACDBE participations. The race-neutral portion of the goal is **9.28%** and the race-conscious portion of the goal is **1.51%**.

Methodology

The Airport has determined that the geographical market area in which a substantial number of firms seeking to do business with the airport non-car rental concessions are in the State of Ohio and surrounding states.

The concession opportunities anticipated during this goal period include but are not limited to the following:

1. Electronics Stores
2. Vending Machine Operators
3. Luggage and Leather Goods Stores
4. Baked Goods
5. All Other Specialty Food Stores
6. Beer, Wine, Liquor Stores
7. News Dealers and Newsstands
8. Gift, Novelty and Souvenirs
9. All Other General Merchandise
10. Cosmetics, Beauty Supplies and Perfume
11. Food Service Contractors
12. Catering
13. Full-service Restaurants
14. Barber Shops
15. Beauty Salons and Nail Salons
16. Other Personal Care

Base Goal

To calculate the base of the goal, the CAS considered the previous three (3) years of gross receipts and the projected potential three years in the future.

DPE ACDBE TRIENNIAL GOAL FFY2024 FFY2026

Federal Fiscal Year	Gross Receipts (Non-Car Rental)	Increase / FFY
2020	\$66,951,092	
2021	\$77,001,354	13.05%
2022	\$136,944,460	43.77%
Average Yearly Growth (13.05%+43.77% / 2)		28.41%

The CAS estimates that the gross receipts will grow by 28.41% each year over the next three (3) years due to recovery from the pandemic:

Federal Fiscal Year	Calculation of Yearly Increase	Increase / FFY
2024	\$ 66,951,092.00 + (66,951,092 x 28.41%)	\$ 85,971,897
2025	\$ 85,971,897.00 + (85,971,897 x 28.41%)	110,396,513
2026	\$ 110,396,513.00 + (110,396,513 x 28.41%)	141,760,162
The CAS' Base of the Goal for Non-Car Rental Concessions:		\$338,128,573

Data Sources

The data source used to derive the numerator is from the State of Ohio UCP database as well as local Greater Cleveland area minority business directories. The data source for the denominator was gathered from the United States Census Bureau for the geographic market are for the entire State of Ohio. The base figure was derived by dividing the numerator by the denominator. The base figure was determined to be .08%. The steps for determining the base figure are outlined below:

Step 1: Base Figure Calculation

Numerator Source: <https://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/DBE-Directory.aspx>

The number of ACDBEs came from the Ohio Unified Certification Program directory:

NAICS CODE	DESCRIPTION	Ohio Unified Uniform Program Directory ACDBE Firms
443142	Electronics Stores	1
445132	Vending Machine Operators	2
448320	Luggage and Leather Goods Stores	0
445291	Baked Goods	1
445299	All Other Specialty Food Service	1
445310	Beer, Wine, and Liquor Store	1
451212	News Dealers and Newsstands	5
453222	Gifts, Novelty and Souvenirs Stores	4
454210	Vending Machine Operators	2
455219	All Other General Merchandise	4
456120	Cosmetics, Beauty Supplies and Perfume	2
722310	Food Service Contractors	14
722320	Caterers	6

722410	Drinking Places (Alcoholic Beverages)	4
722511	Full-Service Restaurants	12
812111	Barber Shops	1
812112	Beauty Salons	2
812199	Other Personal care	2
812990	All Other Personal Services	2
Total	All Services	68

Denominator Source: <https://data.census.gov/table?n=44-45&tid=CBP2021.CB2100CBP>

The denominator was calculated based on the NAICS codes of non-ACDBEs gathered from the United States Census Bureau: *CB2100CBP All Sectors: County Business Patterns, including ZIP Code Business Patterns, by Legal Form of Organization and Employment Size Class for the U.S., States, and Selected Geographies: 2021.*

2 Digits NAICS Codes	US Census All Establishments
44-45	34,090
72	24,819
81	26,992
TOTAL	85,901

The Base Figure was calculated as follows:

Base Figure = Ready, Willing and Able Non-Car Rental ACDBEs in the Market Area
 All ready, Willing, and Able Non-Car Rental Concession Firms in the Market Area
 = 68 / 85,901
 = 0.08%

The Airport will adjust the Base Figure upward to 1%.

Step 2: Adjustment to the Base Goal

After calculating a base figure of the relative availability of ACDBEs, we examined previous participation to determine what adjustment was needed to the base to arrive at the overall goal. To accurately reflect potential participation, we adjusted the base figure. The adjustments were made based on percent ACDBE participation for FFY 2020, FFY2021 and FFY2022. The methodology for the adjustment is as follows:

Past Three FFY	Non-Car Rental Achievements
2020	20.58%
2021	21.22%
2022	16.97%
Median Past Participation Percentage	20.58%

DPC ACDBE TRIENNIAL GOAL FFY2024-FFY2026

Adjustment to Step 1:

$$\begin{aligned} \text{Adjusted Participation} &= \frac{\text{Step 1} + \text{Step 2}}{2} \\ &= \frac{1\% + 20.58\%}{2} \\ &= 10.79\% \end{aligned}$$

The CAS' adjusted Over-all Non-Car Rental Goal for FFY2024-FFY2026 is 10.79%.

Breakdown of Race-Neutral (RN) and Race Conscious (RC) Participation

The CAS has exceeded its non-car rental participation for the past three (3) years. However, the CAS will continuously make the effort to meet most of its Overall Non-Car rental goal through race-neutral means. Calculations of Race Neutral and Race-Conscious participations are as follows:

a) Median Race Neutral (RN) Participation

FFY	Non-Car Rental Goal	Non-Car Rental Achievements	(Shortfall) Excess
2020	10.00%	20.58%	10.58%
2021	11.94%	21.22%	9.28%
2022	11.94%	16.97%	5.03%

Median Race Neutral Participation 9.28%

b) Race Conscious (RC) Participation

Adjusted Base Percentage 10.79%
 Less: Median Race Neutral Participation 9.28%
Race Conscious Participation 1.51%

Due to the breakout of the COVID-19, the CAS only recovered in promoting the ACDBE program in FFY 2021 and 2022. The CAS partnered approximately 8 outreach events and the effort was to meet maximum feasible portion of its overall goal by:

1. Using RN means of facilitating and increasing ACDBE participations.
2. Providing advance notifications of opportunities and information of the importance of the Program at all pre-solicitation meetings.
3. Encouraging joint venture partnerships and providing all potential concessionaires with a listing of potential ACDBE partners.

In addition, the CAS is collaborating with the CAS consultant not only to energize the airport concessions, but also to help new eligible concessionaires to get ACDBE certified. The CAS also planned to continue collaborating with different agencies in promoting the Program. The CAS also revived the pop-up shops as part of the new concessions program that will tag for the ACDBEs and a kiosk concessions program.

The CAS will use the following race conscious measures to meet the other portion of the overall goal by:

1. Establishing concession-specific goals for concession opportunities.
2. Negotiating with potential concessionaires to include ACDBE participation through direct ownership arrangements or measures in the operation of the concessions.
3. Locate and identify ACDBEs and other small business who may be interested in participating in concessions under 49 CFR Part 23.
4. Notify ACDBEs of concession opportunities and encourage them to compete when appropriate.
5. Provide information concerning the availability of ACDBE firms to competitors to assist them in obtaining ACDBE participation.

For reporting purposes, Race-Neutral ACDBE participation includes but is not necessarily limited to the following:

1. ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures.
2. ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal.
3. ACDBE participation on a prime contract exceeding a concession specific goal.
4. ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

To ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination, if we use concession specific goals, we will adjust the estimated breakout of RN and RC participations as needed to reflect actual ACDBE participation and we will track and report RN and RC participation separately.

Consultation with Stakeholders: Section 23:43

1. *Airport Rental Car Supplier Diversity (ARCSD)* - <http://www.slcairport.com/business-services/disadvantaged-business-enterprise/>
The Airport Rental Car Supplier Diversity (ARCSD) spearheaded by Salt Lake City Department of Airports, Salt Lake City, Utah via conference calls will assist CAS in the planning of a rental car ACDBE focused outreach event. Also, the CAS has joined ARCSD Committee that is chaired by a Rental Car Industry professional network and gain additional access to ACDBEs and information to assist with increasing CAS participation.
2. *Greater Cleveland Regional Transit Authority (GCRTA)* - <https://www.riderta.com/>
CAS met with GCRTA and agreed to collaborate on outreach events to assist in increasing CAS's certified pool of firms.
3. *Black Page of Ohio* - <https://blackpagesohio.com/>
Collaborating with Black Page of Ohio to meet with minority business firms through a Matchmaker event to assist in increasing CAS's certified pool of firms. and has

permanently joined the committee. The committee meets quarterly to discuss diversity and inclusion in procurements and CAS has used it as means to discuss its program and needs, and access firms that can be potential AC/DBEs and provide services.

4. *Greater Cleveland Partnership/COSE* - <https://greatercle.com/>
CAS communicated with GCP/COSE by phone and email to participate in outreach event to identify firms that would be able to be certified as ACDBEs to provide good and services to the rental car operations.
5. *Ohio University Local Business Resources* - <https://inclusionmarketplace.com/neobusinessgrowthcompass>
CAS participated in a webinar outreach with inclusion and procurement professionals with Ohio University on Business Opportunities in Transportation Related Contracting.
6. *The National Association of Women in Construction* - <https://www.nawiccleveland.org/>
CAS collaborated with the organization to educate members a great opportunity how to participate in and be a part in industry-related programs in CAS.

In accordance with public participation regulatory requirement of 49 CFR 23.43, “minority and women’s business groups, community organizations, trade associations representing concessionaires currently located at the airport, as well as existing concessionaires themselves, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged businesses, the effects of discrimination on opportunities for ACDBEs, and the recipient’s efforts to increase participation of ACDBEs” and community organizations within the market area are to be consulted and provided an opportunity to provide comments on the proposed ACDBE goal and methodology and triennial goal analysis.

Car Rental Triennial Goal Calculation

Introduction

The overall rental car goal for the Cleveland Airport System is calculated at 1.00% for the periods beginning October 1, 2024, and ending September 30, 2026.

Methodology

The State of Ohio is the market area that the CAS employed.

Goods and Services

The CAS determined the goal shall be based on outreach for the purchases of goods and services from certified ACDBE or potential ACDBE firms. This basis is in lieu of a goal based upon a percentage of total gross receipts of car rental operations at the airport. We will continue to consult with airports in or region and other publications to find prospects. We will work with our car rental agencies and outreach to ACDBEs for car rental goods and services.

We have the following car rentals operating at the CAS:

1. Avis Car A Rental Car System, LLC
 - a. Avis Car A Rental
 - b. Budget Rent A Car System, Inc.
2. The Hertz Corporation
 - a. Dollar Thrifty
 - b. DTG Operations, Inc.
3. CLERAC
 - a. Enterprise
 - b. Rent-a-Car

Due to the non-exclusive nature of our lease agreements, we entertain interest from other car rental agencies that are interested in establishing an airport operation provided we have space in the Rental Car Facility and parking spots available for their rental inventory.

We encourage each car rental agency to purchase goods and services from certified ACDBE firms nationally. The car rental managers will assist the Airport to encourage ACDBE firms to become certified with the OHIO Unified Certification Program (UCP). We will outreach to out-of-state ACDBE firms and encourage their participation and certification in Ohio.

The concession opportunities anticipated during this goal period include but are not limited to keys – hardware, oil change services, insurance, office supplies, janitorial services, tires, auto repair services, auto part supplies, security services, upholstery, payroll services, towing services, car wash, landscaping services and freight transportation.

Base Goal

With the regression of the Covid – 19, car rentals slowly recuperated from providing services and the CAS anticipates that they will continue to grow during the goal period FFY 2024 - FFY2026. To calculate the base of the goal, the previous three fiscal years of purchases and the projected potential purchases three years into the future were used.

Federal Fiscal Year	Purchases (Car Rental)	Increase/FFY
2020	\$40,597,562	-----
2021	\$51,906,239	21.79%
2022	\$72,026,808	27.93%
Average Yearly Growth $(21.79\% + 27.93\% / 2)$		24.86%

The CAS estimates that purchases will grow by 24.86% each year over the next three (3) years:

Federal Fiscal Year	Calculation of Yearly Increase	Increase/FFY
2024	\$ 40,597,562 + (40,597,562 x 24.86%)	\$ 50,690,116
2025	\$ 50,690,116 + (50,690,116 x 24.86%)	63,291,679
2026	\$ 63,291,679 + (63,291,679 x 24.86%)	79,025,990
The CAS' Base of the Goal for Car Rental Concessions		\$193,007,785

DPP ACDBE TRIENNIAL GOAL FFY2024 - FFY2026	A
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Step 1: Relative Availability

To determine the base figure, the CAS use the geographic data from the United States Census for all firms in the market as the denominator source

<https://data.census.gov/deeplinks?url=https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> and the Ohio Unified Certification Program Directory as the numerator source
<https://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/DBE-Directory.aspx>

Base Figure = Ready, Willing and Able Car Rental ACDBEs in the Market
All Ready, Willing and Able Firms in the Market Area

NAICS Code	Description	Ohio Unified Uniform Program Directory ACDBE Firms	US Bureau Data All Firms in Ohio Market Area	Percentage of ACDBE Firms that Maybe Available
441110	Fleet	0	873	0%
336360	Motor Vehicle Seating and Interior Trim Manufacturing	0	40	0%
811111	General Automotive Repair	0	2902	0%
811191	Automotive Oil Change/Lubrication	0	292	0%
811198	Auto Repair and Maintenance	0	96	0%
423710	Keys – Hardware Merchant	1	256	0.39%
811192	Car Wash	3	600	0.50%
561620	Security Services	0	234	0%
561730	Landscaping Services	0	4163	0%
561720	Janitorial Services	12	1931	0.62%
524210	Insurance Agencies	1	4573	0.02%
488410	Motor Vehicle Towing	0	329	0%
488510	Freight Transportation	1	590	0.17%
453210	Office Supplies and Stationery	0	150	0%
441320	Tire Dealers	0	794	0%
441310	Automotive Parts and Accessories	0	1518	0%
		<u>18</u>	<u>19,341</u>	<u>0.09%</u>

The CAS divided the numerator by the denominator as follows to arrive at the base figure:

$$\text{Relative Availability} = 18 / 19,341 = \underline{0.09\%}$$

Step 2: Adjustment

After calculating the base figure of the relative availability of ACDBE's, the evidence was examined to determine what adjustment was needed to the base figure to arrive at the overall goal. To reflect accurately as possible, the ACDBE participation the CAS would expect in the absence of discrimination, the base number is adjusted.

Past History Participation

If the past three fiscal years' participation were to be used, the overall car rental goal would decrease. The median of the past achievements as shown below is 0.07%. Since the past

achievements are about the same as our Step 1 figure, the CAS is not using past achievements to adjust the goal. However, the CAS is adjusting the goal upward to 1.0% based on potential outreach efforts to certified ACDBEs. Therefore, the CAS' Car Rental Overall Goal for this 3-year goal period is 1.0%.

FFY	Car Rental Achievement in Percentage
2020	0.03%
2021	0.07%
2022	2.12%
Median of Car Rental Past Achievements	0.07%

Disparity Study

No applicable disparity study to use to adjust the goal currently. The CAS will continue to evaluate the need and possibility of participating in a disparity study.

Consultation with Stakeholders: Section 23:43

1. Airport Rental Car Supplier Diversity (ARCSD)
The Airport Rental Car Supplier Diversity (ARCSD) spearheaded by Salt Lake City Department of Airports, Salt Lake City, Utah via conference calls will assist CAS in the planning of a rental car ACDBE focused outreach event. Also, the CAS has joined ARCSD Committee that is chaired by a Rental Car Industry professional network and gain additional access to ACDBEs and information to assist with increasing CAS participation.
2. Greater Cleveland Regional Transit Authority (GCRTA) – <https://www.riderta.com/>
CAS met with GCRTA and agreed to collaborate on outreach events to assist in increasing CAS's certified pool of firms.
3. Black Page of Ohio - <https://blackpagesohio.com/>
Collaborating with Black Page of Ohio to meet with minority business firms through a Matchmaker event to assist in increasing CAS's certified pool of firms. and has permanently joined the committee. The committee meets quarterly to discuss diversity and inclusion in procurements and CAS has used it to discuss its program and needs, and access firms that can be potential AC/DBEs and provide services.
4. Greater Cleveland Partnership/COSE - <https://greatercle.com/>
CAS communicated with GCP/COSE by phone and email to participate in outreach event to identify firms that would be able to be certified as ACDBEs to provide good and services to the rental car operations.

Breakout of Estimated Race-Neutral and Race-Conscious Participation

The calculated 1.0% Car Rental Overall Goal will be achieved by Race-Conscious means and 0.0% through Race-Neutral measures.

CAS will make every reasonable effort to meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating ACDBE participation. CAS will use the following race-neutral measures to increase ACDBE participation:

1. Locate and identify ACDBEs and other small business who may be interested in participating las concessions under 49 CFR Part 23.
2. Notify ACDBEs of concession opportunities and encourage them to compete when appropriate.
3. Provide information concerning the availability of ACDBE firms to competitors to assist them in obtaining ACDBE participation.

To ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination and if concession specific goals are used, CAS will adjust the estimated breakout of race-neutral and race-conscious participation as needed. This is to reflect actual ACDBE participation and race-neutral and race-conscious participation will be tracked separately.

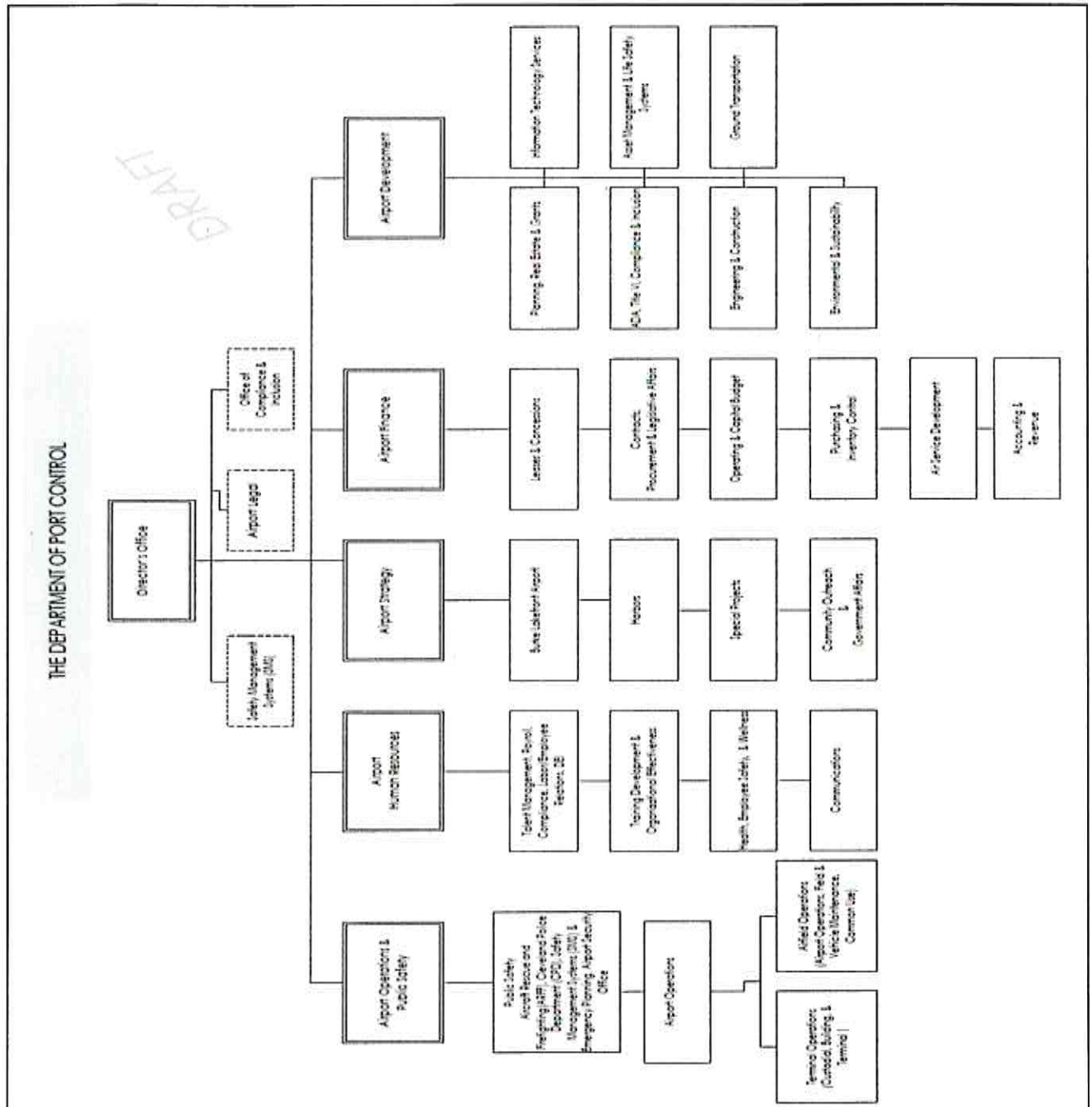
For reporting purposes, Race-Neutral ACDBE participation includes but is not necessarily limited to the following:

1. ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures.
2. ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal.
3. ACDBE participation on a prime contract exceeding a concession specific goal.
4. ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

The CAS will maintain data separately on ACDBE achievements in those contracts with and without concession specific goals respectively. Annual reports from car rent companies will be evaluated to track their progress toward meeting these goals, to document their good faith effort if they do not meet these goals and to work with the car rental companies and AC/DBEs to see what can be done to attain these goals.

ATTACHMENT B

Department of Port Control Organizational Chart



ATTACHMENT C

Ohio Unified Certification Program (OUCP)



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

Appendix F

UNIFORM CERTIFICATION APPLICATION
DISADVANTAGED BUSINESS ENTERPRISE (DBE) /
AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE)
49 C.F.R. Parts 23 and 26

Roadmap for Applicants

1. Should I apply?

You may be eligible to participate in the DBE/ACDBE program if:

- The firm is a for-profit business that performs or seeks to perform transportation related work (or a concession activity) for a recipient of Federal Transit Administration, Federal Highway Administration, or Federal Aviation Administration funds.
- The firm is at least 51% owned by a socially and economically disadvantaged individual(s) who also controls it.
- The firm's disadvantaged owners are U.S. citizens or lawfully admitted permanent residents of the U.S.
- The firm meets the Small Business Administration's size standard and DBE/ACDBE size standards—
<https://www.transportation.gov/DBEsizestandards>

2. How do I apply?

First time applicants for DBE certification must complete and submit this certification application and related material to the certifying agency in your home state and participate in an on-site interview conducted by that agency. The attached document checklist can help you locate the items you need to submit to the agency with your completed application. If you fail to submit the required documents, your application may be delayed and/or denied. Firms already certified as a DBE do not have to complete this form, but may be asked by certifying agencies outside of your home state to provide a copy of your initial application form, supporting documents, and any other information you submitted to your home state to obtain certification or to any other state related to your certification.

3. Where can I send my application? Follow the application instructions at www.ohioucp.org

4. Who will contact me about my application and what are the eligibility standards? A transportation agency in your state that performs certification functions will contact you. The agency is a member of a statewide Unified Certification Program (UCP), which is required by the U.S. Department of Transportation. The UCP is a one-stop certification program that eliminates the need for your firm to obtain certification from multiple certifying agencies within your state. The UCP is responsible for certifying firms and maintaining a database of certified DBEs and ACDBEs, pursuant to the eligibility standards found in 49 C.F.R. Parts 23 and 26.

5. Where can I find more information?

U.S. DOT—<https://www.transportation.gov/civil-rights> (This site provides useful links to the rules and regulations governing the DBE/ACDBE program, questions and answers, and other pertinent information)

SBA—Small Business Size Standards matched to the North American Industry Classification System (NAICS):
<http://www.census.gov/eos/www/naics/> and <http://www.sba.gov/content/table-small-business-size-standards>.

In collecting the information requested by this form, the Department of Transportation (Department) complies with the provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). The Privacy Act provides comprehensive protections for your personal information. This includes how information is collected, used, disclosed, stored, and discarded. Your information will not be disclosed to third parties without your consent. The information collected will be used solely to determine your firm's eligibility to participate in the Department's Disadvantaged Business Enterprise Program as defined in 49 C.F.R. §26.5 and the Airport Concession Disadvantaged Business Enterprise Program as defined in 49 C.F.R. §23.3. You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477).

Under 49 C.F.R. §26.107, dated February 2, 1999 and January 28, 2011, if at any time, the Department or a recipient has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, the Department may initiate suspension or debarment proceedings against the person or firm under 2 C.F.R. Parts 180 and 1200, No procurement Suspension and Department, take enforcement action under 49 C.F.R. Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice for criminal prosecution under 18 U.S.C. 1001, which prohibits false statements in Federal programs.



**INSTRUCTIONS FOR COMPLETING THE
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE)
UNIFORM CERTIFICATION APPLICATION**

NOTE: All participating firms must be for-profit enterprises. If your firm is not for profit, then you do NOT qualify for the DBE/ACDBE program and should not complete this application. If you require additional space for any question in this application, please attach additional sheets or copies as needed, taking care to indicate on each attached sheet/copy the section and number of this application to which it refers.

Section 1: CERTIFICATION INFORMATION

A. Basic Contact Information

- (1) Enter the contact name and title of the person completing this application and the person who will serve as your firm's contact for this application.
- (2) Enter the legal name of your firm, as indicated in your firm's Articles of Incorporation or charter.
- (3) Enter the primary phone number of your firm.
- (4) Enter a secondary phone number, if any.
- (5) Enter your firm's fax number, if any.
- (6) Enter the contact person's email address.
- (7) Enter your firm's website addresses, if any.
- (8) Enter the street address of the firm where its offices are physically located (not a P.O. Box).
- (9) Enter the mailing address of your firm, if it is different from your firm's street address.

B. Prior/Other Certifications and Applications

- (10) Check the appropriate box indicating whether your firm is currently certified in the DBE/ACDBE programs, and provide the name of the certifying agency that certified your firm. List the dates of any site visits conducted by your home state and any other states or UCP members. Also provide the names of state/UCP members that conducted the review.
- (11) Indicate whether your firm or any firms owned by the persons listed has ever been denied certification as a DBE/ACDBE, 8(a), or Small Disadvantaged Business (SDB) firm, or state and local MBE/WBE firm. Indicate if the firm has ever been decertified from one of these programs. Indicate if the application was withdrawn or whether the firm was debarred, suspended, or otherwise had its bidding privileges denied or restricted by any state or local agency, or Federal entity. If your answer is yes, identify the name of the agency, and explain fully the nature of the action in the space provided. Indicate if you have ever appealed this decision to the Department and if so, attach a copy of USDOT's final agency decision(s).

Section 2: GENERAL INFORMATION

A. Business profile:

- (1) Give a concise description of the firm's primary activities, the product(s) or services the company provides, or type of construction. If your company offers more than one product/service, list primary product or service first (attach additional sheets if necessary). This description may be used in our UCP online directory if you are certified as a DBE.

- (2) If you know the appropriate NAICS Code for the line(s) of work you identified in your business profile, enter the codes in the space provided.
- (3) State the date on which your firm was established as stated in your firm's Articles of Incorporation or charter.
- (4) State the date each person became a firm owner.
- (5) Check the appropriate box describing the manner in which you and each other owner acquired ownership of your firm. If you checked "Other," explain in the space provided.
- (6) Check the appropriate box that indicates whether your firm is "for profit." **If you checked "No," then you do NOT qualify for the DBE/ACDBE program and should not complete this application.** All participating firms must be for-profit enterprises. Provide the Federal Tax ID number as stated on your firm's Federal tax return.
- (7) Check the appropriate box that describes the type of legal business structure of your firm, as indicated in your firm's Articles of Incorporation or similar document. If you checked "Other," briefly explain in the space provided.
- (8) Indicate in the spaces provided how many employees your firm has, specifying the number of employees who work on a full-time, part-time, and seasonal basis. Attach a list of employees, their job titles, and dates of employment, to your application.
- (9) Specify the firm's gross receipts for each of the past three years, as stated in your firm's filed Federal tax returns. You must submit complete copies of the firm's Federal tax returns for each year. If there are any affiliates or subsidiaries of the applicant firm or owners, you must provide these firms' gross receipts and submit complete copies of these firm(s) Federal tax returns. Affiliation is defined in 49 C.F.R. §26.5 and 13 C.F.R. Part 121.

B. Relationships and Dealings with Other Businesses

- (1) Check the appropriate box that indicates whether your firm is co-located at any of its business locations, or whether your firm shares a telephone number(s), a post office box, any office space, a yard, warehouse, other facilities, any equipment, financing, or any office staff and/or employees with any other business, organization or entity of any kind. If you answered "Yes," then specify the name of the other firm(s) and fully explain the nature of your relationship with these other businesses by identifying the business or person with whom you have any formal, informal, written, or oral



agreement. Provide an explanation of any items shared with other firms in the space provided.

- (2) Check the appropriate box indicating whether any other firm: currently has or had an ownership interest in your firm at present or at any time in the past. If you checked yes, please explain.
- (3) Check the appropriate box that indicates whether at present or at any time in the past your firm:
 - (a) ever existed under different ownership, a different type of ownership, or a different name;
 - (b) existed as a subsidiary of any other firm;
 - (c) existed as a partnership in which one or more of the partners are/were other firms;
 - (d) owned any percentage of any other firm; and
 - (e) had any subsidiaries of its own.
 - (f) served as a subcontractor with another firm constituting more than 25% of your firm's receipts.

If you answered "Yes" to any of the questions in (3)(b-f), you may be asked to explain the arrangement in detail.

Section 3: MAJORITY OWNER INFORMATION

Identify all individuals or holding companies with any ownership interest in your firm, providing the information requested below (if your firm has more than one owner, provide completed copies of this section for each owner):

A. Identify the majority owner of the firm holding 51% or more ownership interest

- (1) Enter the full name of the owner.
- (2) Enter his/her title or position within your firm.
- (3) Give his/her home phone number.
- (4) Enter his/her home (street) address.
- (5) Indicate this owner's gender.
- (6) Indicate the owner's ethnic group membership. If you checked "Other," specify this owner's ethnic group/identity not otherwise listed.
- (7) Check the appropriate box to indicate whether this owner is a U.S. citizen or a lawfully admitted permanent resident. If this owner is neither a U.S. citizen nor a lawfully admitted permanent resident of the U.S., then this owner is NOT eligible for certification as a DBE owner.
- (8) Enter the number of years during which this owner has been an owner of your firm.
- (9) Indicate the percentage of the total ownership this person holds and the date acquired, including (if appropriate), the class of stock owned.
- (10) Indicate the dollar value of this owner's initial investment to acquire an ownership interest in your firm, broken down by cash, real estate, equipment, and/or other investment. Describe how you acquired your business and attach documentation substantiating this investment.

B. Additional Owner Information

- (1) Describe the familial relationship of this owner to each other owner of your firm and employees.
- (2) Indicate whether this owner performs a management or supervisory function for any other business. If you checked "Yes," state the name of the other business and this owner's function/title held in that business.

- (3) (a) Check the appropriate box that indicates whether this owner owns or works for any other firm(s) that has any relationship with your firm. If you checked "Yes," identify the name of the other business, the nature of the business relationship, and the owner's function at the firm.
 - (b) If the owner works for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week, please identify this activity.
- (4) (a) Provide the personal net worth of the owner applying for certification in the space provided. Complete and attach the accompanying "Personal Net Worth Statement for DBE/ACDBE Program Eligibility" with your application. Note, complete this section and accompanying statement only for each owner applying for DBE qualification (i.e., for each owner claiming to be socially and economically disadvantaged).
 - (b) Check the appropriate box that indicates whether any trust has been created for the benefit of the disadvantaged owner(s). If you answered "Yes," you may be asked to provide a copy of the trust instrument.
- (5) Check the appropriate to indicate whether any of your immediate family members, managers, or employees, own, manage, or are associated with another company. Immediate family member is defined in 49 C.F.R. §26.5. If you answered "Yes," provide the name of each person, your relationship to them, the name of the company, the type of business, and whether they own or manage the company.

Section 4: CONTROL

A. Identify the firm's Officers and Board of Directors

- (1) In the space provided, state the name, title, date of appointment, ethnicity, and gender of each officer.
- (2) In the space provided, state the name, title, date of appointment, ethnicity, and gender of each individual serving on your firm's Board of Directors.
- (3) Check the appropriate box to indicate whether any of your firm's officers and/or directors listed above performs a management or supervisory function for any other business. If you answered "Yes," identify each person by name, his/her title, the name of the other business in which s/he is involved, and his/her function performed in that other business.
- (4) Check the appropriate box that indicates whether any of your firm's officers and/or directors listed above own or work for any other firm(s) that has a relationship with your firm. (e.g., ownership interest, shared office space, financial investments, equipment leases, personnel sharing, etc.) If you answered "Yes," identify the name of the firm, the individual's name, and the nature of his/her business relationship with that other firm.

B. Duties of Owners, Officers, Directors, Managers and Key Personnel

- (1), (2) Specify the roles of the majority and minority owners, directors, officers, and managers, and key personnel who are responsible for the functions listed for the firm. Submit résumés for each owner and non-owner identified below. State the name of the individual, title, race



and gender and percentage ownership if any. Circle the frequency of each person's involvement as follows: "always, frequently, seldom, or never" in each area.

Indicate whether any of the persons listed in this section perform a management or supervisory function for any other business. Identify the person, business, and their title/function. Identify if any of the persons listed above own or work for any other firm(s) that has a relationship with this firm (e.g. ownership interest, shared office space, financial investment, equipment, leases, personnel sharing, etc.) If you answered "Yes," describe the nature of his/her business relationship with that other firm.

C. Inventory: Indicate firm inventory in these categories:

(1) Equipment and Vehicles

State the make and model, and current dollar value of each piece of equipment and motor vehicle held and/or used by your firm. Indicate whether each piece is either owned or leased by your firm or owner, whether it is used as collateral, and where this item is stored.

(2) Office Space

State the street address of each office space held and/or used by your firm. Indicate whether your firm or owner owns or leases the office space and the current dollar value of that property or its lease.

(3) Storage Space

State the street address of each storage space held and/or used by your firm. Indicate whether your firm or owner owns or leases the storage space and the current dollar value of that property or its lease. Provide a signed lease agreement for each property.

D. Does your firm rely on any other firm for management functions or employee payroll?

Check the appropriate box that indicates whether your firm relies on any other firm for management functions or for employee payroll. If you answered "Yes," you may be asked to explain the nature of that reliance and the extent to which the other firm carries out such functions.

E. Financial / Banking Information

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

Bonding Information. State your firm's bonding limits both aggregate and project limits.

F. Sources, amounts, and purposes of money loaned to your firm, including the names of persons or firms guaranteeing the loan.

State the name and address of each source, the name of person securing the loan, original dollar amount and the current balance of each loan, and the purpose for which each

loan was made to your firm. Provide copies of signed loan agreements and security agreements

G. Contributions or transfers of assets to/from your firm and to/from any of its owners or another individual over the past two years:

Indicate in the spaces provided, the type of contribution or asset that was transferred, its current dollar value, the person or firm from whom it was transferred, the person or firm to whom it was transferred, the relationship between the two persons and/or firms, and the date of the transfer.

H. Current licenses/permits held by any owner or employee of your firm.

List the name of each person in your firm who holds a professional license or permit, the type of permit or license, the expiration date of the permit or license, and issuing State of the license or permit. Attach copies of licenses, license renewal forms, permits, and haul authority forms.

I. Largest contracts completed by your firm in the past three years, if any.

List the name of each owner or contractor for each contract, the name and location of the projects under each contract, the type of work performed on each contract, and the dollar value of each contract.

J. Largest active jobs on which your firm is currently working.

For each active job listed, state the name of the prime contractor and the project number, the location, the type of work performed, the project start date, the anticipated completion date, and the dollar value of the contract.

Section 5: AIRPORT CONCESSION (ACDBE) APPLICANTS

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

AFFIDAVIT & SIGNATURE

The Affidavit of Certification must accompany your application. Carefully read the attached affidavit in its entirety. Fill in the required information for each blank space, and sign and date the affidavit in the presence of a Notary Public, who must then notarize the form.



Section 1: CERTIFICATION INFORMATION

A. Basic Contact Information

I am applying for certification as DBE ACDBE

(1) Contact person and Title: _____

(2) Legal name of firm: _____

(3) Phone #: (____) _____ - _____ (4) Other Phone #: (____) _____ - _____ (5) Fax #: (____) _____ - _____

(6) E-mail: _____ (7) Firm Websites: _____

(8) Street address of firm (No P.O. Box): _____ City: _____ County/Parish: _____ State: _____ Zip: _____

(9) Mailing address of firm (if different): _____ City: _____ County/Parish: _____ State: _____ Zip: _____

B. Prior/Other Certifications and Applications

(10) Is your firm currently certified for any of the following U.S. DOT programs?

DBE ACDBE Names of certifying agencies: _____

⊗ If you are certified in your home state as a DBE/ACDBE, you do not have to complete this application for other states. Ask your state UCP about the interstate certification process.

List the dates of any site visits conducted by your home state and any other states or UCP members:

Date ___/___/___ State/UCP Member: _____ Date ___/___/___ State/UCP Member: _____

(11) Indicate whether the firm or any persons listed in this application have ever been:

- (a) Denied certification or decertified as a DBE, ACDBE, 8(a), SDB, MBE/WBE firm? Yes No
- (b) Withdrawn an application for these programs, or debarred or suspended or otherwise had bidding privileges denied or restricted by any state or local agency, or Federal entity? Yes No

If yes, explain the nature of the action. (If you appealed the decision to DOT or another agency, attach a copy of the decision)

Section 2: GENERAL INFORMATION

A. Business Profile: (1) Give a concise description of the firm's primary activities and the product(s) or service(s) it provides. If your company offers more than one product/service, list the primary product or service first. Please use additional paper if necessary. This description may be used in our database and the UCP online directory if you are certified as a DBE or ACDBE.

(2) Applicable NAICS Codes for this line of work include: _____

(3) This firm was established on ___/___/___ (4) I/We have owned this firm since: ___/___/___



(5) Method of acquisition (Check all that apply):

- Started new business Bought existing business Inherited business Gifted
 Merger or consolidation Other (explain) _____

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

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

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

- Sole Proprietorship
 Limited Liability Partnership
 Partnership Corporation
 Limited Liability Company Other, Describe _____

(8) Number of employees: Full-time _____ Part-time _____ Seasonal _____ Total _____
 (Provide a list of employees, their job titles, and dates of employment, to your application).

(9) Specify the firm's gross receipts for the last 3 years. (Submit complete copies of the firm's Federal tax returns for each year. If there are affiliates or subsidiaries of the applicant firm or owners, you must submit complete copies of these firms' Federal tax returns).

Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____
Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____
Year _____	Gross Receipts of Applicant Firm \$ _____	Gross Receipts of Affiliate Firms \$ _____

B. Relationships and Dealines with Other Businesses

(1) Is your firm co-located at any of its business locations, or does it share a telephone number, P.O. Box, office or storage space, yard, warehouse, facilities, equipment, inventory, financing, office staff, and/or employees with any other business, organization, or entity? Yes No

If Yes, explain the nature of your relationship with these other businesses by identifying the business or person with whom you have any formal, informal, written, or oral agreement. Also detail the items shared

(2) Has any other firm had an ownership interest in your firm at present or at any time in the past?

Yes No If Yes, explain _____

(3) At present, or at any time in the past, has your firm:

(a) Ever existed under different ownership, a different type of ownership, or a different name? Yes No

(b) Existed as a subsidiary of any other firm? Yes No

(c) Existed as a partnership in which one or more of the partners are/were other firms? Yes No

(d) Owned any percentage of any other firm? Yes No

(e) Had any subsidiaries? Yes No

(f) Served as a subcontractor with another firm constituting more than 25% of your firm's receipts? Yes No

(If you answered "Yes" to any of the questions in (2) and/or (3)(a)-(f), you may be asked to provide further details and explain whether the arrangement continues).

Section 3: MAJORITY OWNER INFORMATION



A. Identify the majority owner of the firm holding 51% or more ownership interest.

(1) Full Name: _____ (2) Title: _____ (3) Home Phone #: _____
 () _____ - _____

(4) Home Address (Street and Number): _____ City: _____ State: _____ Zip: _____

(5) Gender: Male Female

(6) Ethnic group membership (Check all that apply):

Black
 Hispanic
 Asian Pacific
 Native American
 Subcontinent Asian
 Other (specify) _____

(7) U.S. Citizenship: U.S. Citizen
 Lawfully Admitted Permanent Resident

(8) Number of years as owner: _____

(9) Percentage owned: _____ %
 Class of stock owned: _____ Date acquired _____

(10) Initial investment to acquire ownership interest in firm:	Type	Dollar Value
	Cash	\$ _____
	Real Estate	\$ _____
	Equipment	\$ _____
	Other	\$ _____

Describe how you acquired your business:
 Started business myself.
 It was a gift from: _____
 I bought it from: _____
 I inherited it from: _____
 Other _____
 (Attach documentation substantiating your investment)

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

(2) Does this owner perform a management or supervisory function for any other business? Yes No
 If Yes, identify: Name of Business: _____ Function/Title: _____

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) Yes No
 Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or engage in any other activity more than 10 hours per week? If yes, identify this activity: _____

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification? \$ _____

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? Yes No
 (If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? Yes No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage the company: (Please attach extra sheets, if needed): _____



Section 3: OWNER INFORMATION, Cont'd.

A. Identify all individuals, firms, or holding companies that hold LESS THAN 51% ownership interest in the firm (Attach separate sheets for each additional owner)

(1) Full Name: _____	(2) Title: _____	(3) Home Phone #: _____ () - _____
(4) Home Address (Street and Number): _____	City: _____	State: _____ Zip: _____

(5) Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female (6) Ethnic group membership (Check all that apply) <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Native American <input type="checkbox"/> Subcontinent Asian <input type="checkbox"/> Other (specify) _____ (7) U.S. Citizenship: <input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Lawfully Admitted Permanent Resident	(8) Number of years as owner: _____ (9) Percentage owned: _____ % Class of stock owned: _____ Date acquired _____ (10) Initial investment to acquire ownership interest in firm: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Type</th> <th style="text-align: left; border-bottom: 1px solid black;">Dollar Value</th> </tr> </thead> <tbody> <tr> <td>Cash</td> <td>\$ _____</td> </tr> <tr> <td>Real Estate</td> <td>\$ _____</td> </tr> <tr> <td>Equipment</td> <td>\$ _____</td> </tr> <tr> <td>Other</td> <td>\$ _____</td> </tr> </tbody> </table> Describe how you acquired your business: <input type="checkbox"/> Started business myself. <input type="checkbox"/> It was a gift from: _____ <input type="checkbox"/> I bought it from: _____ <input type="checkbox"/> I inherited it from: _____ <input type="checkbox"/> Other _____ <i>(Attach documentation substantiating your investment)</i>	Type	Dollar Value	Cash	\$ _____	Real Estate	\$ _____	Equipment	\$ _____	Other	\$ _____
Type	Dollar Value										
Cash	\$ _____										
Real Estate	\$ _____										
Equipment	\$ _____										
Other	\$ _____										

B. Additional Owner Information

(1) Describe familial relationship to other owners and employees:

(2) Does this owner perform a management or supervisory function for any other business? Yes No
 If Yes, identify: Name of Business: _____ Function/Title: _____

(3)(a) Does this owner own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) Yes No
 Identify the name of the business, and the nature of the relationship, and the owner's function at the firm:

(b) Does this owner work for any other firm, non-profit organization, or is engaged in any other activity more than 10 hours per week? If yes, identify this activity: _____

(4)(a) What is the personal net worth of this disadvantaged owner applying for certification? \$ _____

(b) Has any trust been created for the benefit of this disadvantaged owner(s)? Yes No
(If Yes, you may be asked to provide a copy of the trust instrument).

(5) Do any of your immediate family members, managers, or employees own, manage, or are associated with another company? Yes No If Yes, provide their name, relationship, company, type of business, and indicate whether they own or manage: (Please attach extra sheets, if needed): _____

Section 4: CONTROL



A. Identify your firm's Officers and Board of Directors (If additional space is required, attach a separate sheet):

	Name	Title	Date Appointed	Ethnicity	Gender
(1) Officers of the Company	(a)				
	(b)				
	(c)				
	(d)				
(2) Board of Directors	(a)				
	(b)				
	(c)				
	(d)				

(3) Do any of the persons listed above perform a management or supervisory function for any other business?

Yes No If Yes, identify for each:

Person: _____ Title: _____
Business: _____ Function: _____

Person: _____ Title: _____
Business: _____ Function: _____

(4) Do any of the persons listed in section A above own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.)

Yes No

If Yes, identify for each:

Firm Name: _____ Person: _____
Nature of Business Relationship: _____

B. Duties of Owners, Officers, Directors, Managers, and Key Personnel

I. Complete for all Owners who are responsible for the following functions of the firm (Attach separate sheets as needed).

A = Always F = Frequently	S = Seldom N = Never	Majority Owner (51% or more)				Minority Owner (49% or less)			
		Name: _____ Title: _____ Percent Owned: _____				Name: _____ Title: _____ Percent Owned: _____			
Sets policy for company direction/scope of operations		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Bidding and estimating		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Major purchasing decisions		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Marketing and sales		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Supervises field operations		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Attend bid opening and lettings		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Perform office management (billing, accounts receivable/payable, etc.)		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hires and fires management staff		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hire and fire field staff or crew		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Designates profits spending or investment		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Obligates business by contract/credit		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Purchase equipment		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Signs business checks		A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>



2. Complete for all Officers, Directors, Managers, and Key Personnel who are responsible for the following functions of the firm. (Attach separate sheets as needed).

A= Always S = Seldom F = Frequently N = Never	Officer/Director/Manager/Key Personnel				Officer/Director/Manager/ Key Personnel			
	Name: _____				Name: _____			
	Title: _____				Title: _____			
	Race and Gender: _____				Race and Gender: _____			
	Percent Owned: _____				Percent Owned: _____			
Sets policy for company direction/scope of operations	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Bidding and estimating	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Major purchasing decisions	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Marketing and sales	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Supervises field operations	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Attend bid opening and lettings	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Perform office management (billing, accounts receivable/payable, etc.)	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hires and fires management staff	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Hire and fire field staff or crew	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Designates profits spending or investment	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Obligates business by contract/credit	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Purchase equipment	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>
Signs business checks	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>	A <input type="checkbox"/>	F <input type="checkbox"/>	S <input type="checkbox"/>	N <input type="checkbox"/>

Do any of the persons listed in B1 or B2 perform a management or supervisory function for any other business? If Yes, identify the person, the business, and their title/function:

Do any of the persons listed above own or work for any other firm(s) that has a relationship with this firm? (e.g., ownership interest, shared office space, financial investments, equipment, leases, personnel sharing, etc.) If Yes, describe the nature of the business relationship:

C. Inventory: Indicate your firm's inventory in the following categories (Please attach additional sheets if needed):=

1. Equipment and Vehicles

Make and Model	Current Value	Owned or Leased by Firm or Owner?	Used as collateral?	Where is item stored?
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				

2. Office Space

Street Address Owned or Leased by Firm or Owner? Current Value of Property or Lease

3. Storage Space *(Provide signed lease agreements for the properties listed)*



Street Address	Owned or Leased by Firm or Owner?	Current Value of Property or Lease
----------------	--------------------------------------	------------------------------------

D. Does your firm rely on any other firm for management functions or employee payroll? Yes No

E. Financial/Banking Information *(Provide bank authorization and signature cards)*

Name of bank: _____ City and State: _____
 The following individuals are able to sign checks on this account: _____

Name of bank: _____ City and State: _____
 The following individuals are able to sign checks on this account: _____

Bonding Information: If you have bonding capacity, identify the firm's bonding aggregate and project limits:
 Aggregate limit \$ _____ Project limit \$ _____

F. Identify all sources, amounts, and purposes of money loaned to your firm including from financial institutions. Identify whether you the owner and any other person or firm loaned money to the applicant DBE/ACDBE. Include the names of any persons or firms guaranteeing the loan, if other than the listed owner.
(Provide copies of signed loan agreements and security agreements).

Name of Source	Address of Source	Name of Person Guaranteeing the Loan	Original Amount	Current Balance	Purpose of Loan
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____

G. List all contributions or transfers of assets to/from your firm and to/from any of its owners or another individual over the past two years *(Attach additional sheets if needed):*

Contribution/Asset	Dollar Value	From Whom Transferred	To Whom Transferred	Relationship	Date of Transfer
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____

H. List current licenses/permits held by any owner and/or employee of your firm
(e.g. contractor, engineer, architect, etc.) (Attach additional sheets if needed):

Name of License/Permit Holder	Type of License/Permit	Expiration Date	State
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____



I. List the three largest contracts completed by your firm in the past three years, if any:

Name of Owner/Contractor	Name/Location of Project	Type of Work Performed	Dollar Value of Contract
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

J. List the three largest active jobs on which your firm is currently working:

Name of Prime Contractor and Project Number	Location of Project	Type of Work	Project Start Date	Anticipated Completion Date	Dollar Value of Contract
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____

Additional Information:



SECTION 5 - AIRPORT CONCESSION
(ACDBE APPLICANTS ONLY)

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

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

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

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

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

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

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

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

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



AFFIDAVIT OF CERTIFICATION

This form must be signed and notarized for each owner upon which disadvantaged status is relied.

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I _____ (full name printed),
swear or affirm under penalty of law that I am

_____ (title) of the applicant firm
_____ and that I

have read and understood all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information. The responses include all material information necessary to fully and accurately identify and explain the operations, capabilities and pertinent history of the named firm as well as the ownership, control, and affiliations thereof.

I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named firm's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named firm and its affiliates, inspection of its places(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial of certification.

If awarded a contract, subcontract, concession lease or sublease, I agree to promptly and directly provide the prime contractor, if any, and the Department, recipient agency, or federal funding agency on an ongoing basis, current, complete and accurate information regarding (1) work performed on the project; (2) payments; and (3) proposed changes, if any, to the foregoing arrangements.

I agree to provide written notice to the recipient agency or Unified Certification Program of any material change in the information contained in the original application within 30 calendar days of such change (e.g., ownership changes, address/telephone number, personal net worth exceeding \$1.32 million, etc.).

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I certify that I am a socially and economically disadvantaged individual who is an owner of the above-referenced firm seeking certification as a Disadvantaged Business Enterprise or Airport Concession Disadvantaged Business Enterprise. In support of my application, I certify that I am a member of one or more of the following groups, and that I have held myself out as a member of the group(s): (Check all that apply):

- Female Black American Hispanic American
 Native American Asian-Pacific American
 Subcontinent Asian American Other (specify)

I certify that I am socially disadvantaged because I have been subjected to racial or ethnic prejudice or cultural bias, or have suffered the effects of discrimination, because of my identity as a member of one or more of the groups identified above, without regard to my individual qualities.

I further certify that my personal net worth does not exceed \$1.32 million, and that I am economically disadvantaged because my ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially and economically disadvantaged.

I declare under penalty of perjury that the information provided in this application and supporting documents is true and correct.

Signature _____ (Date) _____
 (DBE/ACDBE Applicant)

NOTARY CERTIFICATE



UNIFORM CERTIFICATION APPLICATION SUPPORTING DOCUMENTS CHECKLIST

In order to complete your application for DBE or ACDBE certification, you must attach copies of all of the following REQUIRED documents. A failure to supply any information requested by the UCP may result in your firm denied DBE/ACDBE certification.

Required Documents for All Applicants

- Résumés (that include places of employment with corresponding dates), for all owners, officers, and key personnel of the applicant firm
- Personal Net Worth Statement for each socially and economically disadvantaged owners who the applicant firm relies upon to satisfy the Regulation's 51% ownership requirement.
- Personal Federal tax returns for the past 3 years, if applicable, for each disadvantaged owner
- Federal tax returns (and requests for extensions) filed by the firm and its affiliates with related schedules, for the past 3 years.
- Documented proof of contributions used to acquire ownership for each owner (e.g., both sides of cancelled checks)
- Signed loan and security agreements, and bonding forms
- List of equipment and/or vehicles owned and leased including VIN numbers, copy of titles, proof of ownership, insurance cards for each vehicle.
- Title(s), registration certificate(s), and U.S. DOT numbers for each truck owned or operated by your firm
- Licenses, license renewal forms, permits, and haul authority forms
- Descriptions of all real estate (including office/storage space, etc.) owned/leased by your firm and documented proof of ownership/signed leases
- Documented proof of any transfers of assets to/from your firm and/or to/from any of its owners over the past 2 years
- DBE/ACDBE and SBA 8(a), SDB, MBE/WBE certifications, denials, and/or decertification's, if applicable; and any U.S. DOT appeal decisions on these actions.
- Bank authorization and signatory cards
- Schedule of salaries (or other remuneration) paid to all officers, managers, owners, and/or directors of the firm
- List of all employees, job titles, and dates of employment.
- Proof of warehouse/storage facility ownership or lease arrangements

Partnership or Joint Venture

- Original and any amended Partnership or Joint Venture Agreements

Corporation or LLC

- Official Articles of Incorporation (signed by the state official)
- Both sides of all corporate stock certificates and your firm's stock transfer ledger
- Shareholders' Agreement(s)
- Minutes of all stockholders and board of director's meetings

- Corporate by-laws and any amendments
- Corporate bank resolution and bank signature cards
- Official Certificate of Formation and Operating Agreement with any amendments (for LLCs)

Optional Documents to Be Provided on Request

The certifying agency to which you are applying may require the submission of the following documents. If requested to provide these document, you must supply them with your application or at the on-site visit.

- Proof of citizenship
- Insurance agreements for each truck owned or operated by your firm
- Audited financial statements (if available)
- Trust agreements held by any owner claiming disadvantaged status
- Year-end balance sheets and income statements for the past 3 years (or life of firm, if less than three years)

Suppliers

- List of product lines carried and list of distribution equipment owned and/or leased

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