

**PUBLIC NOTICE**

**WRAY MUNICIPAL AIRPORT**

**DRAFT 2016 - 2018 DBE Program Update**

**WRAY, COLORADO**

The City of Wray has established a Draft Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26.

The City of Wray has established an overall goal of 1.59% of the Federal financial assistance it will receive for improvements to the Wray Municipal Airport. The City of Wray estimates it will meet this goal entirely through race-conscious measures.

The rationale used in developing the goal are available for review at: City of Wray City Hall, 245 West 4<sup>th</sup> Street, Wray, Colorado 80758. The program and rationale will be available for review for 30 days following the date of this publication. The City of Wray and FAA Civil Rights Office will take comments on the program and rationale for 45 days following the date of this publication. Comments should be sent to The City of Wray at the address listed above or to: FAA Civil Rights Office, AWP-9, P.O. Box 92007, Los Angeles, CA 90009-2007.

## **Attachment 1**

### **Section 26.45: Three-Year Goal Methodology**

DRAFT

## **Section 26.45: Three-Year Goal Methodology**

### **Wray Municipal Airport**

#### **Amount of Goal**

The Sponsor's overall three-year goal for the time period October 1, 2015 to September 30, 2018 is the following: 1.59% of the Federal financial assistance the Sponsor will expend in DOT-assisted contracts.

Given the amount of DOT-assisted contracts the Sponsor expects to let during this period, which is:

<b>Fiscal Year</b>	<b>Project</b>	<b>Total Amount</b>	<b>FAA Amount</b>	<b>Total DBE Amount</b>	<b>FAA DBE Amount</b>
2016	PAPI and RSA Improvements	\$280,000.00	\$252,000.00	\$4,438.98	\$3,995.08
2017	NA	\$0.00	\$0.00	\$0.00	\$0.00
2018	NA	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>		<b>\$280,000.00</b>	<b>\$252,000.00</b>	<b>\$4,438.98</b>	<b>\$3,995.08</b>

This means that the Sponsor has set a goal of expending \$3,995.08 FAA (\$4,438.98 total) with DBEs during this period. The goals have been established for the **PAPI and RSA Improvements** project.

#### **Methodology used to Calculate Overall Goal**

##### **Step 1: 26.45(c)**

To calculate the base figure for the goals, the Sponsor will determine the number of contractors in the State of Colorado, in the following NAICS codes found in the Census Bureau's CBP database. The Sponsor has found that a substantial majority of contractors and subcontractors that perform work for them are located within the State, and the Sponsor spends a substantial amount of their contracting dollars in the State.

For the Fiscal year 2017 PAPI and RSA Improvements project, the Sponsor anticipates awarding the following:

Type of Work	NAICS Code	(Denominator) Number of Firms from Census Data	(Numerator) Number of Firms from DBE Directory	(Weighted Value) Estimated Cost / % of Total Cost
Highway Contractor	238910	811	24	\$80,000 / 28.57
Electrical	238210	1,717	1	\$100,000 / 35.71
Trucking	484110	403	1	\$30,000 / 10.71
Engineering	541330	2,297	61	\$30,000 / 10.71
Construction Survey	541370	255	13	\$15,000 / 5.36
Landscaping	561730	1,987	30	\$25,000 / 8.93

To arrive at the base figure, these calculated values for each type of work are then weighted based upon the estimated cost of each type of work compared to the total value of the work. The following is the formula used to calculate this base goal:

$$((0.2857 \times (24/811)) + (0.3571 \times (1/1,717)) + (0.1071 \times (1/403)) + (0.1071 \times (61/2,297)) + (0.0536 \times (13/255)) + (0.0893 \times (30/1,987))) = 1.59\%$$

**Step 2: 26.45(d)**

Following the calculation of this base figure, the Sponsor will adjust the base figure because of disparity studies in the area, the capacity of DBE's to perform the types of work the Sponsor has available, and other factors that may affect the number of DBE's available for the project.

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

There have not been similar projects at the Wray Municipal Airport in the past five years.

Since there is no past participation to average in, the average over the three fiscal years of Step 1 is **1.59%**.

Further, there are no applicable disparity studies for the local market area or recent legal case information available for the State of Colorado to show any evidence of barriers to entry or competitiveness of DBEs, therefore the Sponsor found no reason to adjust the figure for this area. However, the Sponsor will continue to contact state and local agencies to determine when a disparity study or legal case information becomes available.

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

The Sponsor will meet the maximum feasible portion of the overall goal by using RN means of facilitating DBE participation. The Sponsor uses the following race-neutral means to increase DBE participation:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
4. Ensuring distribution of the State DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors.

The Sponsor estimates that, in meeting the overall goal of 1.59% the Sponsor will obtain 1.59% from race-conscious participation and 0.00% through race-neutral measures.

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

The Sponsor will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

## PUBLIC PARTICIPATION

### **Consultation:** Section 26.45(g)(1).

In establishing the overall goal, the Sponsor will provide for consultation and publication. This includes consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Sponsor's efforts to establish a level playing field for the participation of DBEs. The consultation will include a scheduled, direct, interactive exchange with as many interested stakeholders as possible focused on obtaining information relevant to the Sponsor's goal setting process, and it will occur before we are required to submit our goal methodology to the operating administration for review pursuant to paragraph (f) of this section. We will document in our goal submission the consultation process that we engaged in. Notwithstanding paragraph (f)(4) of this section, we will not implement our proposed goal until we have complied with this requirement.

Before establishing the overall goal, a consultation meeting was held for National Association of Women in Construction, Colorado Small Business Development Center, AGC of Colorado, and the Hispanic Chamber of Commerce without limiting consultation to these persons or groups, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Sponsor efforts to establish a level playing field for the participation of DBEs. The consultation meeting was held May 18, 2016.

The following comments were received:

*No comments have been received. Attached are the meeting sign-in sheet and the consultation letter that was sent to the above-noted groups.*

A public notice was also published on May 25th, 2016 to the City of Wray's website, <http://www.wrayco.net/> and the Wray Gazette of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at City Hall for 30 days following the date of the notice, and informing the public that the Sponsor and DOT will accept comments on the goals for 30 days from the date of the notice.



May 5, 2016

National Association of Women in Construction  
P.O. Box 7455  
Colorado Springs, Colorado 80933

Subject: DBE Program and Goal Setting

Dear National Association of Women in Construction:

We are assisting the following Colorado airport with the task of developing a DBE Program and setting goals for upcoming projects, meeting the requirements of Federal Law, 49 CFR Part 26.

- Wray Municipal Airport

We are sending you this letter as part of the consultation requirements. If you have any input for our use in preparing the program or developing goals, please provide it to us at your earliest convenience. We will be hosting a consultation teleconference on May 18, 2016 at 10:00 am. The conference call number is (605) 475-3220, participant access code: 1071027#. If you know of other organizations that might wish to comment or provide input to us, please provide that information as well.

Sincerely,  
**ARMSTRONG CONSULTANTS, INC.**

A handwritten signature in blue ink, appearing to read "Colin Sterns", followed by a long horizontal flourish.

Colin Sterns, PE  
Airport Engineer

CS/clc

Distribution: AGC of Colorado  
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1802 Colorado Avenue  
La Junta, Colorado 81050

Hispanic Chamber of Commerce  
924 West Colfax Avenue, Suite 201  
Denver, Colorado 80204