



## **DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**

**August 1, 2018**

Submitted in fulfillment of:  
Title 49 Code of Federal Regulations Part 26

**ANTELOPE VALLEY TRANSIT AUTHORITY  
DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**



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## **I. POLICY STATEMENT AND PROGRAM OBJECTIVES**

### **A. Policy Statement (§26.3)**

ANTELOPE VALLEY TRANSIT AUTHORITY (AVTA) has continued its Disadvantaged Business Enterprise (DBE) program and DBE Goal Methodology for the three-year Federal Fiscal Year (FFY) goal period of 2019-2021 (October 1, 2018 through September 30, 2021), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." AVTA receives Federal financial assistance from the U.S. Department of Transportation (U.S. DOT) and as a condition of receiving this assistance AVTA has provided an assurance that it will comply with Title 49 CFR Part 26. The DBE Program applies to all AVTA's U.S. DOT-assisted projects.

It is the policy of AVTA to ensure that DBEs, as defined in Part 26, have equitable opportunities to compete for and participate in the performance of all AVTA's U.S. DOT-assisted contracts and subcontracts.

### **B. Objectives (§26.1)**

Pursuant to the intent of these Regulations, the AVTA policy objectives are to:

- 1) Ensure non-discrimination in the award and administration of U.S. DOT assisted contracts;
- 2) Create a level playing field on which DBEs can fairly compete for AVTA's U.S. DOT-assisted contracts;
- 3) Ensure the program is tailored in accordance with applicable laws;
- 4) Ensure that only firms that fully meet Title 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs in the AVTA DBE Program;
- 5) Help remove barriers which impede the participation of DBEs in AVTA's U.S. DOT-assisted contracts; and
- 6) Assist in the development of DBE firms that can compete successfully in the market place outside the DBE Program.

The Procurement and Contracts Officer has been designated as the DBE Liaison Officer (DBELO). In this capacity, the Procurement and Contracts Officer is responsible for implementing all aspects of the DBE Program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by AVTA in its financial assistance agreements with the U.S. DOT. It is the expectation of the Executive Director/CEO that all AVTA personnel shall adhere to the full spirit and the intent of the DBE Program and carry out all DBE requirements accordingly. AVTA has disseminated this policy statement to AVTA's Board of Directors and all components of our organization. AVTA will also distribute this policy statement to DBE and non-DBE business communities that perform work on AVTA's U.S. DOT-assisted contracts through AVTA's contracts and procurement solicitation process.

### **C. Non-Discrimination (§26.7)**

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

In administering its DBE program, AVTA will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or





substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Through such efforts, AVTA will ensure contracting and procurement related processes that promote equity in access, consideration and opportunity for DBE's in response to requirements set forth under Title 49 CFR, Part 26: Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.

A handwritten signature in blue ink, appearing to read 'Macy Neshati', is written over a horizontal line.

Macy Neshati  
Executive Director/CEO

A handwritten date '7/25/18' in blue ink is written over a horizontal line.

Date

## II. APPLICABILITY (§26.3)

AVTA is a recipient of federal funds from the U.S. Department of Transportation (U.S. DOT), and Federal Transportation Administration (FTA), and as a condition of funding assistance, and in accordance with federal regulations published at 49 CFR Part 26 (refer to a link shown on Attachment 2 –Code of Federal Regulations: 49 CFR, Subtitle A, Part 26), AVTA is required to submit for approval a Disadvantaged Business Enterprise Program, to which it agrees to adhere. This Program sets forth the policies and procedures to be implemented by AVTA to ensure that DBEs have equitable opportunity to participate in AVTA DOT-assisted contracting opportunities.

In direct response to legislative requirements, AVTA hereby establishes a DBE Program that will:

- 1) Comply with federal regulations and financial assistance agreements;
- 2) Meet legal standards for unique and narrow program tailoring;
- 3) Ensure non-discrimination in the awarding of DOT-assisted contracts; and
- 4) Reaffirm commitment to fairness and the principles of equal opportunity.

In the event of any conflicts or inconsistencies between the Federal Regulations and AVTA's DBE Program with respect to DOT-assisted contracts, the Federal Regulations shall prevail.

### A. DBE Program Updates (§26.21)

AVTA will continue to carry out this program until all funds from U.S. DOT financial assistance have been expended. AVTA will provide to DOT updates representing significant changes in the program. AVTA will also submit an overall triennial goal and corresponding goal setting methodology to each DOT Operating Administration, in accordance with regulatory requirements.

### B. Design Build Contracts (§26.53)

AVTA recognizes that certain modifications are necessary to adapt its DBE Program for use in connection with Design-Build contracts and will, therefore, follow and implement all changes, updates and prescribed requirements set forth in the Federal Register, 49 CFR, Part 26 and specifically 49 CFR Part 26.53.

## III. DEFINITION OF TERMS (§26.5)

Any terms used in this Program that are defined in 49 CFR, Part 26 or elsewhere in the Regulations shall have the meaning set forth in the Regulations. Some of the most common terms are defined below, for additional and more in depth detail, refer to Title 49 CFR, Part 26.5.

**Bidders List:** A list of all contractors, DBE and Non-DBE, which have expressed an interest in bidding on prime contracts and subcontracts on the AVTA's DOT assisted projects.

**Commercially Useful Function:** Work performed by a DBE firm in a particular transaction that, in light of industry practices and other relevant considerations, has a necessary and useful role in the transaction, i.e., the firm's role is not a superfluous step added in an attempt to obtain credit toward goals. If, in AVTA's judgment, the firm (even though an eligible DBE) does not perform a commercially useful function in the transaction, no credit toward the goal may be awarded.

**Compliance:** A contractor has correctly implemented the requirements of the DBE Program.

**Contract:** A legally binding relationship obligating a seller to furnish supplies or services (including, but not limited to construction and professional services) and the buyer to pay for them.

**Contractor:** One who participates, through a contract or subcontract (at any tier), in a DOT-assisted program.

**DBE Directory:** List of certified firms, which is used by AVTA and its contractors to identify DBE potential prime contractors and subcontractors and suppliers.

**DBELO:** Disadvantaged Business Enterprise Liaison Officer. The DBELO shall be responsible for implementing all aspects of AVTA's DBE program.

**Department or DOT:** The U.S. Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).

**Disadvantaged Business Enterprise or DBE:** A for-profit small business concern:

- that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals;
- whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it; and,
- has been certified as Disadvantaged in accordance with Title 49, CFR 26.

**DBE Certification:** A certification issued to a firm by a certifying member agency of the California Unified Certification Program (CUCP), which has been determined to meet all the requirements in accordance with Title 49 CFR, Part 26. All certification determinations are evidenced by a letter of DBE certification issued by the certifying CUCP member.

**DOT-Assisted Contract:** A contract between a recipient and a contractor (at any tier) funded in whole or in part with DOT financial assistance, including letters of credit or loan guarantees, except a contract solely for the purchase of land or improved real property.

**Goal:** A numerically expressed objective, which AVTA or its contractors are required to make Good Faith Efforts to achieve.

**Good Faith Efforts:** Efforts to achieve a DBE goal or other requirement of this part, which, by their scope, intensity, and other appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

**Joint Venture:** An association between a DBE firm and one or more other firms to carry out a single, for profit business enterprise, for which the parties combine property, capital, efforts, skills and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks and profits of the joint venture are commensurate with its ownership interest.

**Manufacturer:** A firm that operates or maintains a factory or establishment that produces, on the premises, the material, supplies, articles, or equipment required under the contract and of the general character described by specifications.

**North American Industry Classification System (NAICS):** The five to six-digit classification number which best describes the primary business of a firm. The basis for industry classification changed from the 1987 Standard Industrial Classification System (SIC) to the 2002 NAICS.

**Noncompliance:** A contractor has not correctly implemented the requirements of the DBE program.

**Personal Net Worth:** The net values of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include the individual's ownership interest in an applicant or participative DBE firm or the individual's equity in their primary place of residence. An individual's personal net worth includes only their own share of assets held jointly as a community property with the individual's spouse.

**Program:** Any undertaking on AVTA's part to use DOT financial assistance authorized by laws to which the DBE Program applies.

**Race-Conscious Measure or Program:** A program or portion thereof that focuses specifically on assisting only DBEs, including women-owned DBEs, by the development and inclusion of participation goals or best effort activities.

**Race-Neutral Measure or Program:** A program or portion thereof that assists all small businesses regardless of ownership through community outreach and awareness programs to participate successfully in AVTA's procurement program. For the purposes of the DBE Program, "race neutral" includes gender neutrality.

**Regular Dealer:** A firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. Any supplementing of regular dealers own distribution equipment shall be by a long-term lease agreement and not on an ad-hoc or contract-by-contract basis.

**Set-Aside:** A contracting practice restricting eligibility for the competitive award of a contract solely to DBE firms or on some other basis not related to qualifications or pricing.

**Small Business Administration or SBA:** The federal United States Small Business Administration.

**Small Business Concern:** With respect to firms seeking to participate as DBEs in DOT- assisted contracts, a business that meets the definition contained in Section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR, Part 121) that also does not exceed the cap on average annual gross receipts specified in Part 26.65 (b).

**Socially and Economically Disadvantaged Individual:** Any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is:

- 1) Found by AVTA to be socially and economically disadvantaged on a case by case basis by a certifying agency pursuant to the standards of the U.S. DOT Title 49 CFR, Part 26.
- 2) A member of any one or more of the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
  - i. "Black Americans" which includes persons having origins in any of the Black racial groups of Africa;
  - ii. "Hispanic Americans" which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;



- iii. "Native Americans" which includes persons who are American Indians, Eskimos, Aleuts or Native Hawaiians;
- iv. "Asian Pacific Americans" which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia or Hong Kong;
- v. "Subcontinent Asians Americans" which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;
- vi. Women; and
- vii. Any additional group whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

**Subrecipients:** Any entity that receives DOT financial assistance through a primary recipient.

**Transit Vehicle:** A vehicle used by AVTA, e.g. bus or van, for the primary program purpose of public mass transportation; this definition does not include locomotives or ferry boats.

**Transit Vehicle Manufacturer or TVM:** A manufacturer of vehicles used by AVTA for the primary program purpose of public mass transportations (e.g. railcars, buses, and vans). The term does not apply to firms, which rehabilitate old vehicles, or to manufacturers or dealers in transit vehicles with respect to the requirements of Part 26.49 of the Regulation.

**Unified Certification Program (UCP):** One-stop certification clearinghouse, enabling applicants to apply once for DBE certification, which will be honored by all DOT recipients in the state.

## IV. RESPONSIBILITIES FOR DBE PROGRAM IMPLEMENTATION

### A. DBE Liaison Officer (§26.25)

AVTA has designated the following individual as the Disadvantaged Business Enterprise Liaison Officer (DBELO):

Norm Hickling, Director of Development/ DBE Liaison Officer  
ANTELOPE VALLEY TRANSIT AUTHORITY  
42210 6<sup>th</sup> Street West  
Lancaster, CA 93534  
Phone (661) 729-2290 Fax (661) 726-2615  
Email: [NHickling@avta.com](mailto:NHickling@avta.com)

In this capacity, the DBELO is responsible for implementing all aspects of the DBE Program and ensuring that AVTA complies with all provisions of Title 49 CFR, Part 26. The DBELO will have direct, independent access to AVTA's Executive Director/CEO concerning program matters (refer to Attachment 1 - Organization Chart). The DBELO has sufficient support personnel who devote a portion of their time to administer the Program. The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials.

The DBELOs and/or designee's duties include, but are not limited to the following activities:

- 1) Gathers and reports statistical data and other information as required.

- 2) Reviews third party contracts and purchase requisitions for compliance with this program.
- 3) Works with all departments to set triennial goals.
- 4) Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
- 5) Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract-specific goals) and monitors results.
- 6) Analyzes AVTA's progress toward goal attainment and identifies ways to improve progress.
- 7) Participates in pre-bid or pre-proposal meetings.
- 8) Advises the Executive Director/CEO and governing body on DBE matters and achievements.
- 9) Determines contractor compliance with Good Faith Efforts provisions and conducts contract DBE goal responsiveness reviews.
- 10) Provides DBEs with information and assistance in preparing bids or proposals, obtaining bonding and insurance.
- 11) Plans and participates in DBE training seminars.
- 12) Provides outreach to DBEs and community organizations to advise them of AVTA's DOT-assisted contracting opportunities.

**B. Reconsideration Official (§26.53 (d) (2))**

In instances where contract DBE goals are established and the Bidder/Proposer fails to satisfy the requirements for meeting the contract goal, or documenting sufficient Good Faith Efforts to do so, in accordance with section VI. G. (2), AVTA will provide the Bidder/Proposer prior to award of the contract, an opportunity for administrative reconsideration of AVTA's determination of non-responsiveness. The administrative reconsideration process will be facilitated by AVTA's Reconsideration Official (RO), Judy Fry, Director of Finance and Administration.

To ensure integrity in the process, the RO will not have played any role in the original determination that the Bidder/Proposer did not meet the established DBE goal, or document sufficient Good Faith Efforts of the subject procurement to be deemed non-responsive.

Within five (5) days of being informed by AVTA that the Bidder/Proposer is deemed non-responsive due to its failure to document and provide sufficient and adequate Good Faith Efforts of subject procurement, a Bidder/Proposer may request administrative reconsideration. Bidder/ Proposers should make this request in writing to the following RO:

Judy Fry, Director of Finance and Administration  
ANTELOPE VALLEY TRANSIT AUTHORITY  
42210 6<sup>th</sup> Street West  
Lancaster, CA 93534  
E-mail: [JFry@avta.com](mailto:JFry@avta.com)

As part of this reconsideration process, the Bidder/Proposer will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate Good Faith Efforts to do so. The Bidder/Proposer will have the opportunity to meet in person with the RO to discuss the issue of whether it met the goal or made adequate Good Faith Efforts to do so. AVTA will send the Bidder/ Proposer a written decision on reconsideration, explaining the basis for finding that the Bidder/Proposer did or did not meet the goal or made

adequate Good Faith Efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Oversight of this process shall be performed by AVTA's Director of Administrative Services, who has been designated as the Reconsideration Official, and shall:

- Ensure that all DBE administrative reconsideration procedural actions are consistent with Title 49 CFR, Parts 26.53 and 26.87 requirements and standards, and that program integrity is maintained at all times.
- Review Bidder/Proposer written documentation or argument concerning the issue of whether it met the goal or made adequate Good Faith Efforts to do so.
- Upon review by AVTA's RO, send the Bidder/Proposer a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so.
- Maintain verbatim records of hearings conducted.
- Provide determinations in writing to AVTA's DBELO and Executive Director/CEO.

## V. ADMINISTRATIVE REQUIREMENTS

### A. Federal Financial Assistance Agreement Assurance (§26.13 (a))

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

### B. DBE Financial Institutions (§26.27)

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

Information on the availability of such institutions can be obtained from AVTA's DBELO.

### C. DBE Directory (§26.31)

AVTA will refer interested persons to the DBE Directory available from the Caltrans Disadvantaged Business Enterprise Program California Unified Certification Program (CUCP) website at [www.dot.ca.gov/hq/bep/](http://www.dot.ca.gov/hq/bep/) to assist in identifying certified DBEs.

### D. Over Concentration (§ 26.33)

AVTA has developed policies and procedures to address over concentration of DBE utilization in certain types of work. This is to be accomplished through regular tracking of contract awards and compliance monitoring. AVTA will identify and directly respond to identified over concentration



within specific trades or specialty areas, by modifying contract goals until such time as DBE availability exceeds utilization. Currently, AVTA has not identified any types of work that have a burdensome over concentration of DBE participation.

**E. Business Development Programs (§26.35; Appendix C & Appendix D)**

AVTA acknowledges the role of Business Development and Mentor-Protégé Programs in its DBE Program designed to facilitate meeting the objectives of the U.S. DOT DBE Program. AVTA may consider enacting such programs in the future to assist DBEs in enhancing their firms' skills and abilities within their respective industries and to successfully compete for service provider contracts.

**VI. DETERMINING, MEETING AND COUNTING OVERALL DBE GOAL (§26.45; §26.51)**

**A. Methodology (§26.45)**

The DBELO shall establish an overall goal on a triennial basis for the participation of DBEs in all budgeted contracts utilizing U.S. DOT federal financial assistance. Overall goals shall be expressed as a percentage of the total amount of U.S. DOT funds AVTA anticipates expending in the triennial period. AVTA's triennial goals represent the amount of ready, willing and able DBEs that are available to participate in contracting opportunities and are reflective of the number of DBEs that are available to participate in contracting opportunities and are reflective of the amount of DBE participation. The market area shall include: Los Angeles and San Bernardino counties. Previously Kern and San Bernardino counties were included in the market area, but they have since been eliminated from being included due to lack of participation in those regions. AVTA's goal reflects the agency's determination to meet the level of DBE participation one would expect, absent any effects of discrimination. AVTA intends to meet those goals to the maximum extent feasible through the race-neutral measures described herein. Where race-neutral measures are inadequate to meet the overall goals, AVTA will establish specific contract goals with prior approval from US DOT for particular projects with subcontracting opportunities.

In conjunction with the preparation and adoption of the budget for each fiscal year, the DBELO, in consultation with the appropriate departments responsible for contracting activities, will conduct a thorough analysis of the projected number, types of work and dollar amounts of contracting opportunities that will be funded, in whole or in part, by U.S. DOT federal financial assistance for that year.

AVTA's triennial DBE goals will be submitted to each DOT Operating Administration. AVTA anticipates receiving federal financial assistance in excess of the established threshold requirements as follows:

- U.S. DOT FTA – The DBELO will submit its overall goal to FTA by October 1 based on the approved three (3) year schedule.

**Step 1: Base Figure**

Once AVTA defines its DOT-assisted contracting programs for the triennial period, AVTA will establish a Base Figure of ready, willing, and able DBEs to participate on AVTA's DOT-assisted contracts, following one of the federally prescribed goal setting methodologies, in accordance with Title 49 CFR, Part 26.45.

AVTA may survey the relative availability of DBEs by:

- Utilizing the most current data available from DBE directories, the California UCP Database and the U.S. Census Bureau's County Business Pattern database to determine the number of ready, willing and able DBEs in the designated market area and the number of ready willing and able businesses that perform work in the same NAICS work codes.
- Dividing the number of ready, willing and able DBEs by the number of all ready, willing and able businesses to derive a base figure for the relative availability of DBEs in AVTA designated market area.
- Weighting the resultant figure based on the amount of federal funds AVTA is projected to award and/ or expend on various industries.
- Utilizing a Bidders List.
- Utilizing data from a disparity study, if available.
- Utilizing another U.S. DOT-recipient's DBE Goal in the same, or substantially similar market.
- Utilizing methodologies that are based on demonstrable evidence of local market conditions and that are designed to ultimately attain a goal that is rationally related to the relative availability of DBEs in AVTA's market area.

### **Step 2: Adjusting the Base Figure**

As a mandatory second step, AVTA will examine all of the evidence available in AVTA's jurisdiction to determine what adjustment, if any, is needed to the base figure in order to arrive at AVTA's overall goal, which may include, but not limited to:

- demonstrated evidence of DBE capacity to perform work in AVTA's DOT-assisted contracting program;
- real market conditions;
- disparity studies conducted within the jurisdiction; and
- other relevant factors, including:
  1. The number, types and dollar value of contracting opportunities projected to be financed with federal funds and to be awarded during the fiscal year.
  2. The number of ready, willing and able DBEs available to compete for such contracts.
  3. Other recipients' goal results in similar contracting opportunities and markets, and the reasons for the level of those results.
  4. The methods used by AVTA to increase DBE participation in federally assisted contracts.
  5. The demographics and business activity of the market area in which AVTA will solicit bids or proposals.
  6. The data from statistical disparities in the ability of DBE's to obtain financing, bonding and insurance requirements to participate in AVTA's DBE program.
  7. The data on employment and self-employment, education and training programs, to the extent AVTA can relate it to the opportunities for DBEs to perform in AVTA's DBE program.

AVTA's breakout of estimated race-neutral and race-conscious participation can be found in Attachment 5 to this program.

### **Step 3. Public Participation & Outreach Efforts (§26.45; §26.51)**

#### **1) Publication of Proposed Overall Triennial Goals**

Prior to submission to U.S. Department of Transportation Operating Administration(s), AVTA will publish the proposed triennial goal on AVTA's website. Said publication shall include:

- A statement that the methodology and proposed triennial goal for DBE participation in AVTA's DOT-assisted contracts are available for public inspection for a period of 30 days from the date of publication.
- Notification that AVTA will accept public comments on the proposed goal and rationale for a period of 45 days from the date of publication and provide instructions for the submission of comments.
- The address of AVTA to which comments may be sent.

Upon receipt, AVTA's DBELO will analyze the public comments, summarize the results and formulate modifications to the proposed overall DBE goal or methodology as deemed necessary and forward suggested changes to the Executive Director/CEO.

#### **2) Outreach and DBE Program Consultation**

In addition to the provision of public notice regarding the triennial DBE goal, AVTA will undertake specific efforts to foster public participation, to consult with, and solicit input from a variety of constituent groups representing minorities, women, general contractors, community groups, officials and other organizations reasonably expected to possess information regarding the availability of disadvantaged and non-disadvantaged businesses, the impacts and effects of discrimination on opportunities for DBE, and AVTA's efforts to promote fair competition for DBEs.

#### **3) Small Business Element**

AVTA has established a Small Business Element as a supplement to the existing DBE Program, to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors in direct response to regulatory requirements, 49 CFR Part 26.39 "Fostering Small Business Participation" (Federal Register/ Vol. 76, No. 19/ Friday, January 28, 2011/ Rules and Regulations).

The AVTA has incorporated the following race neutral nondiscriminatory element into its DBE Program, in order to facilitate competition on DOT-assisted public works projects for small business concerns (both DBEs and non-DBE small businesses). The AVTA's Small Business Enterprise Elements are an integral part of our DBE Program for federally-assisted contracts.

To meet the requirements of §26.39, the following elements are designed to increase the participation of small business concerns in the AVTA contracting activities:

##### **i. Acquisition of Supplies or Services**

On an annual basis at least 10% of acquisition of supplies or services that has an anticipated dollar value exceeding \$3,000 but not over \$75,000 shall automatically be reserved exclusively for small business concerns and shall be set aside for small

business unless the Procurement and Contracts Officer and/or Project Manager determines there is not a reasonable expectation of obtaining offers from two or more responsible small business concerns that are competitive in terms of market prices, quality, and delivery.

- Unrestricted Acquisition Documentation Requirement

If the Procurement and Contracts Officer and/or Project Manager do not proceed with the small business set-aside and purchases on an unrestricted basis, the Procurement and Contracts Officer and/or Project Manager shall include in the contract file the reason for this unrestricted purchase.

- Response to Set-aside Solicitation

If the Procurement and Contracts Officer and/or Project Manager receives only one acceptable offer from a responsible small business concern in response to a set-aside, the Procurement and Contracts Officer and/or Project Manager should make an award to that firm using Sole Source/Respondent Justification Procurement.

If the Procurement and Contracts Officer and/or Project Manager receives no acceptable offers from responsible small business concerns, the set-aside shall be withdrawn and if the requirements are still valid, shall be re-solicited on an unrestricted basis.

- ii. Small Business Concern Eligibility Requirements

In accordance with 49 CFR, Part 26.5, the AVTA will utilize the definition as defined for a small business concern pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b).

- iii. Provide Small Business Development Training for SBEs

To further foster the growth and development of SBEs that AVTA will provide following race-neutral activities:

- Conduct Outreach to SBEs: AVTA will publicize its current and new SBE Elements through the use of its website; press contacts; social media; networking events and small business groups;
- Quarterly: “How to Do Business with AVTA” Workshops, designed to help SBE firms understand how to do business with AVTA. The orientation covers the requirements a business must meet in order to do business with the AVTA; the certifications that are required for certain programs or types of projects; the types of contracts the AVTA typically performs; where to find solicitations; and how to obtain other information about AVTA;
- Attendance at Vendor Fairs/Business Networking Events: AVTA representatives attend vendor fairs of other agencies to provide information on how to do business with AVTA and information on upcoming contracting opportunities;
- Host Annual AVTA Vendor Outreach Event: On an annual basis, the AVTA host a Vendor Fair, provides an orientation on how to do business with the AVTA and shares upcoming contracting opportunities.



- Memberships in Contracting Organizations: The AVTA is a member of various contracting organizations and attends membership meetings and membership events to provide information on how to register as an AVTA vendor; and
- Provide training for AVTA personnel and contractors on the SBE Elements.

iv. Small Business Verification

In order to be considered for participation in the AVTA's Small Business Set-Aside Element, a small business must be certified by another entity such as the State of California's Office of Small Business & DVBE Services [OSDS]. The AVTA is a "Local Government Reciprocity Partner with the OSDS. AVTA also participates as a "Non-certifying Unified Certification Program (UCP) Member Agency." For listing of certifying member agencies, see page 35 of the AVTA's DBE Program. Proof of eligibility must be provided to the AVTA along with "Statement of Penalty of Perjury Declaration."

v. Small Business Tracking Requirements

The AVTA will collect data on the firms participating in the Small Business Set-Aside Element to facilitate evaluation of whether the new element is helping achieve the objectives of the circular.

vi. Sub-Recipient Requirements

The AVTA's Small Business Set-Aside Element shall be applicable to sub-recipients unless the sub-recipient has its own DBE program.

**B. Transit Vehicle Manufacturers (TVM) Certifications (26.49)**

AVTA shall require Transit Vehicle Manufacturers to certify that they have fully complied with this section and have established an Overall Triennial Goal by identifying general dollar volume of work; by designated category, (i.e. construction, professional services, maintenance and supplies and equipment).

**C. Race-Neutral Measures**

AVTA will consider the following factors to project levels of DBE participation to be met through race-conscious measures in order to determine its Triennial Goal by identifying general dollar volume of work; by designated category, (i.e. construction, professional services, maintenance and supplies and equipment).

AVTA intends to use race and gender neutral methods to the maximum extent feasible to achieve its triennial DBE goal. DBE participation that is obtained on contracts that have no specific DBE goal, or where prime contractors use a strictly competitive bidding process or do not consider the DBE's status as a DBE in awarding a subcontract shall be considered race-neutral and gender-neutral DBE participation. In addition, AVTA will use the following measures as appropriate:

- 1) Configuring large contracts into smaller contracts when feasible, which would make contracts more accessible to small business, and would not impose significant additional cost, delay or risk to AVTA;
- 2) Identifying components of the work, which represents subcontracting opportunities and identifying the availability of DBE subcontractors to participate in proportion to total available subcontractors. Contractors will be encouraged to consider subcontractors for

components of the work for which there is a known supply of ready, willing, and able subcontractors, including DBE subcontractors, in preparing their bids;

- 3) Assisting in overcoming limitations in bonding and financing;
- 4) Providing technical assistance in orienting small businesses to public contracting procedures, use of the Internet, and facilitating introductions to AVTA and other U.S. DOT recipients' contracting activities;
- 5) Providing outreach and communications programs on contract procedures and contract opportunities to ensure the inclusion of DBEs;
- 6) Ensuring the distribution of the DBE Directory to the widest feasible universe of potential prime contractors; and
- 7) Providing business development assistance.

#### **D. Race-Conscious Measures**

AVTA will consider the following factors to project levels of DBE participation to be met through race-conscious measures in order to determine its Triennial Goal by identifying general dollar volume of work; by designated category, (i.e. construction, professional services, maintenance and supplies and equipment).

In accordance with Title 49 CFR, Part 26, AVTA will project how much of the overall goal can be achieved through race and gender-neutral measures, and, will use race-conscious measures such as contract-specific goals, only to meet that portion of the overall goal which is not likely to be met utilizing race-neutral and race-conscious methods as required in accordance with 49 CFR, Part 26.51 (f).

#### **E. Methodology for Setting Contract- Specific Goals (§26.51)**

The DBELO shall establish contract-specific DBE participation goals to meet any portion of the overall goal that AVTA does not project being able to meet using race-neutral means with prior approval from US DOT.

AVTA will establish contract-specific goals only on those DOT-assisted contracts for which subcontracting opportunities have been identified. AVTA will not establish a contract goal on every DOT-assisted contract, and the number of contract goals will be adapted to the individual circumstances of each contract (e.g. type and location of work, subcontracting opportunities, and availability of DBEs to perform).

The DBELO will receive an advance notification form for all project/contract needs with cost estimates and detailed scope of work from the department managing the project.

#### **F. Procedures to Evaluate Award of Contract**

Where applicable, AVTA shall award contracts to the apparent successful Bidder/Proposer as required by the California Public Contract Code. However, for such contracts, as well as for contracts awarded pursuant to a competitive negotiation (RFP or RFQ) procedure, a Bidder/Proposer that fails to demonstrate that it made adequate Good Faith Efforts to do so, in accordance with Section VI.G.2, shall be deemed "non-responsive" and shall be ineligible for award of the contract.

**1) Evaluation of Bids or Proposals**

After the bid opening, or submission deadline for proposals, the DBELO shall review all information for completeness, accuracy and evaluate all bids/proposals to determine whether the Bidders/Proposers submitted all of the information required by 49 CFR, Part 26.53 (b). The apparent successful Bidder/Proposer with the lowest apparent bid price, or the most highly ranked Bidder/ Proposer, who also meets the contract-specific DBE goal or demonstrates adequate good faith efforts, shall be recommended for contract award. In the event the Bidder/Proposer with the lowest monetary bid price fails to meet the contract-specific goal or fails to demonstrate adequate good faith efforts, or is otherwise unresponsive or not responsible, the DBELO shall then evaluate the Bidder/Proposer with the next lowest bid price.

Should the DBELO determine that additional information is needed to evaluate a Bidder's/Proposer's submission with regard to the DBE requirements, the DBELO shall request the Bidder/Proposer to submit the required information, or may contact the listed DBE(s) directly.

**2) Evaluation of DBE Certification Status**

The DBELO shall require that the DBEs listed by bidder/proposers for participation in contracts with goals, be certified as eligible DBEs at time of bid/proposal submission, in order for their participation to be counted towards meeting the established contract-specific DBE goal.

While AVTA is not a certifying agency, it will accept certification from the California Unified Certification Program, which certifies eligibility of DBEs in accordance with 49 CFR, Part 26, Sub-part E: Certification Procedures. (See Section VIII: DBE Certification Standards, for a list of certifying agencies within the State of California).

**3) Recommendation for Award**

Following the determination of the Bidders/Proposer's responsiveness and responsibility to DBE requirements set forth in the solicitation, the DBELO shall prepare a report relative to contract-specific DBE requirements, to be submitted for presentation to the Board of Directors at the time the contract award is considered. The decision of the Board of Directors on the award of contract shall be final and binding on all parties, subject to compliance with AVTA's bid protest procedures.

**4) Bidder's/Proposer's Right to Administrative Reconsideration**

In the event that the DBELO determines that an apparently successful Bidder/Proposer has not met the contract-specific goal and has not demonstrated adequate good faith efforts, the DBELO will notify the Bidder/Proposer in writing. The notification shall include the reasons for the determination and the Bidder / Proposer has the right to submit written documentation and/or appear before the RO for reconsideration prior to the time that a recommendation for award of contract is presented to the Board of Directors. The RO shall provide the Bidder/Proposer with a written decision on reconsideration, explaining the basis for its determination.

In the event that the RO finds that the Bidder/Proposer has not met the contract-specific goal or demonstrated adequate and substantive good faith efforts, the DBELO will deem said bidder non-responsive and evaluate the Bidder/Proposer submitting the next most qualified bid/proposal.



The result of the reconsideration process is not administratively appealable to the Department of Transportation. (Refer to IV.B: Reconsideration Official)

#### **G. Meeting Established Goals and Evidence of Good Faith Efforts (§26.53)**

The DBELO shall review the Good Faith Effort documentation submitted by the Bidder/Proposer to determine responsiveness. The DBELO shall determine whether the Bidder/Proposer has performed the quality, quantity, and intensity of efforts that demonstrates a reasonably active and aggressive attempt to meet the contract-specific goals as outlined herein.

The following sections outline the requirements of firms competing for Agency contracts to comply with documenting adequate Good Faith Efforts to do so. Failure for a Bidder/Proposer to demonstrate that sufficient Good Faith Efforts were made, will be deemed as non-responsive.

##### **1) Meeting Established Goals**

For each solicitation that a DBE goal has been established, AVTA will require bidder/proposers to submit the following information to AVTA at the time of proposal or bid submission:

- The names and addresses of DBE firms that will participate in the contract;
- A description of the work that each DBE will perform;
- The dollar amount of the participation of each DBE firm participating;
- Written and signed documentation of the Bidder's/Proposer's commitment to use DBE subcontractors whose participation meets a contract goal, utilizing AVTA's Proposed DBE Responsive Requirement-List of Proposed DBE Subcontractors, Joint Venture/Partner, and Suppliers Form (Appendix C)
- Written and signed confirmation from the DBE firm that it is participating in the contract as provided in the prime contractor's commitment.

##### **2) Demonstration of Good Faith Efforts (§26.53)**

AVTA will require (Bidder/Proposer) to comply with Good Faith Effort requirements as a matter of responsiveness. The obligation of the Bidder/Proposer is to make Good Faith Efforts towards meeting the established contract specific DBE goals. The Bidder/Proposer can demonstrate that it has done so either by meeting the contract goal or documenting corresponding Good Faith Efforts undertaken prior to submitting its bid/proposal.

If the Bidder/Proposer's Good Faith Efforts to meet the established goal result in partial or no DBE participation, all Bidders/Proposers must document and submit adequate Good Faith Efforts documentation with the bid/proposal or within 48 hours of AVTA's request, unless otherwise specified in the solicitation document. In this instance, the Bidder/Proposer must demonstrate that it took all necessary and reasonable steps to achieve the established DBE goal, which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if the Bidder/Proposer was not fully successful. Mere pro forma efforts are not Good Faith Efforts to meet the DBE requirements.

The DBELO will be responsible for determining whether a Bidder/Proposer who has not met the established contract DBE goal has documented sufficient Good Faith Efforts to be regarded as responsive.

The standards delineated below represent the level of effort necessary to demonstrate Bidder/Proposer's compliance with the Good Faith Effort requirements. It is not intended

to be an all-inclusive or exhaustive list of all Good Faith Efforts that can be taken to meet the objectives of this part. Each factor will be evaluated on a “pass or fail” basis (for example, literal compliance in meeting factor 1 will result in 5 attainable points or zero (0) points for non-literal compliance). For Bidder/Proposer to attain the maximum allocated points within each standard, Bidder/Proposer must literally comply with documenting the full level of effort prescribed. **Bidder/Proposer’s must achieve a minimum of seventy-five (75) points out of a total of one hundred points (100) for the bid/proposal to be considered responsive.**

**I. ATTENDANCE AT PRE-BID OR PRE-PROPOSAL CONFERENCE/ JOB WALK THROUGH 15 POINTS**

**Effort:** Attendance at pre-bid or pre-proposal conference and job walk through, if held by Agency, to solicit the interest of certified DBEs who have the capability to perform the work of the contract.

**Evidence:** Name, title and date of person(s) attending, to be verified by conference attendance sign-in sheet.

**II. IDENTIFICATION OF SCOPE OF WORK FOR SUBCONTRACTING 5 POINTS**

**Effort:** Selecting portions of the work that can be subcontracted to DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the Prime contractor might otherwise prefer to perform these work items with its own forces.

**Evidence:** Identifying scope of work the Bidder/Proposer intends to perform with its own workforce and for subcontracting to DBE sufficient to meet the established DBE goal.

**III. ADVERTISEMENT OF SUBCONTRACTING OPPORTUNITIES 15 POINTS**

**Effort:** Advertisement in one general circulation publication and one or more trade and /or disadvantaged/minority and women’s business focus media outlets. Advertisements must identify specific subcontracting opportunities being solicited, project name and location, Bidder/Proposer’s contact information, including name, address, phone, fax, e-mail and bid solicitation submittal due date. Advertisements should appear a minimum of 10-14 days prior to Bid due date.

**Evidence:** As verification of publication, Bidder/Proposer must provide a listing of all advertisements placed including copies of advertisement tear sheets and/or proof of publication.

**IV. WRITTEN REQUESTS FOR PROPOSALS 10 POINTS**

**Effort:** Provision of written notice to a number of DBEs soliciting interest in the identified subcontracting areas. There should be sufficient numbers of written invitations to DBE firms for each subcontracting opportunity identified. Notices should be issued at least 10 days prior to submittal due date

**Evidence:** Copy of the solicitation letters, a list of recipients grouped by each identified subcontracting area, including name, address, and phone number, and date contacted for all DBE firms for each subcontracting area identified, and identification of mode of communication (letter or fax), including corresponding copies of letters and/or fax confirmations.

#### **V. SOLICITATION FOLLOW-UP**

**15 POINTS**

**Effort:** Subsequent efforts to solicit DBEs within all available subcontracting areas.

**Evidence:** Bidders/Proposers must determine with certainty if the DBEs are interested by taking appropriate steps to follow up on initial solicitations. Documentation should include:

- (a) Names, addresses and telephone numbers of DBEs contacted by each subcontracting area identified/solicited;
- (b) Description of information timely provided to DBEs regarding plans and specifications for portions of the scope of work to assist DBEs in responding to the solicitation; and
- (c) Statement of justification re: unsuccessful solicitation of DBEs.

#### **VI. NEGOTIATION IN GOOD FAITH**

**30 POINTS**

**Effort:** Negotiating in good faith with interested DBEs, to facilitate DBE participation. Utilization of a sound basis of selection and/or rejection of DBEs bids/proposals.

**Evidence:** Evidence of such negotiation includes the names, addresses, and phone numbers of all subcontractors (DBEs and non-DBEs) who submitted bids; copies of bids for each portion of work solicited; and stated reasons for choice of subcontractor. Barring lack of qualifications to perform work, only significant price differences of 10% (an applicable regulatory guideline) between the selected firm and rejected DBE firms' proposed costs would be considered as valid cause for rejecting bids.

#### **VII. PROVISION OF ASSISTANCE TO DBES TO OBTAIN BONDING LINES OF CREDIT AND/OR INSURANCE**

**5 POINTS**

**Effort:** Provision of assistance to interested DBEs in obtaining bonding, lines of credit, and/or insurance required by the Contractor.

**Evidence:** Brief description of the type of assistance provided by the Bidder/Proposer to interested DBEs in obtaining bonding, lines of credit and/or insurance.

#### **VIII. UTILIZATION OF COMMUNITY OUTREACH SERVICES**

**5 POINTS**

**Effort:** Utilization of outreach services available within the DBE community, including Contractor groups, local, state and federal DBE offices and other organizations that provide assistance in the recruitment and placement of DBEs.

**Evidence:** Copies of emails, faxes, letters, telephone logs, etc., used to contact organizations, which include the names of organizations/groups, dates, names of contacts, email addresses and telephone numbers; and copies of correspondence received from these entities acknowledging contact. The Bidder/Proposer must document outreach to a minimum of five (5) organizations/groups.

As a matter of responsiveness, **only** those with Good Faith Efforts made prior to bid or proposal submission will be considered in the Good Faith Efforts evaluation. Failure to submit the required Good Faith Effort documentation by the time specified will be grounds for finding the bid/proposal non-responsive.

#### **H. Termination of Subcontractor (26.53 (f)(1)(2))**

AVTA will require that the prime contractor may not:

- 1) Terminate for convenience an approved DBE subcontractor (or an approved substituted DBE firm).
- 2) Terminate a subcontractor and perform the work of the terminated subcontract with its own resources or those of an affiliate without AVTA's prior written consent.
- 3) If the DBE subcontractor is terminated, or fails to complete the work specified in the contract for any reason, the prime contractor must make Good Faith Efforts to find another DBE subcontractor to substitute for the original DBE. These Good Faith Efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal established for the procurement.

#### **I. Use of Set Asides or Quotas (26.43)**

AVTA **shall not permit** the use of quotas for DBEs on DOT-assisted contracts, in accordance with 49 CFR, Part 26.43. Further, AVTA shall not set aside contracts for DBEs, except in limited and extreme circumstances, where no other method could reasonably be expected to redress egregious instances of discrimination.

#### **J. Counting DBE Participation (§26.55)**

AVTA will count DBE participation toward overall and contract specific goals as provided in the solicitation and contract specifications for the prime contractor, subcontractor, and joint venture partner with prime or subcontractor, vendor of material or supplies.

This section will address how DBE participation is counted toward AVTA's DBE goals, once a DBE is determined to be certified and eligible to participate in AVTA's Program. The following guidelines apply in calculating DBE participation toward meeting established goals in accordance with Title 49CFR, Part 26.55:

- 1) Only work proposed to be performed by a DBE's own work forces (including cost of supplies, materials and equipment leases) obtained by the DBE for the work of the contract, except supplies and equipment the subcontractor purchases and/or leases from the prime contractor or its affiliate.
- 2) When a DBE subcontracts part of its work of its contract to another firm, the value of the subcontracted work may be counted toward DBE goals only if the DBE subcontractor is itself a certified DBE. Work that a DBE subcontracts to a non-DBE firm does not count toward DBE goals. A DBE should perform at least thirty percent (30%) of the total cost of its contract with its own workforce.
- 3) In instances of joint venture, a Bidder/Proposer may only count toward its DBE goal, which meets certification, ownership and control standards.



- 4) A Bidder/Proposer may count toward its DBE goal, only expenditures to firms that are proposed to perform a commercially useful function on that contract. A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing and supervising the work involved.
- 5) A Bidder/Proposer may count toward its DBE goal sixty percent (60%) of its expenditures for materials and supplies required under the contract and obtained from a DBE regular dealer, and, one hundred (100%) percent of such expenditures to a DBE manufacturer. For purposes of this section, a manufacturer is a firm that operates or maintains a factory or establishment that produces on the premises the materials and supplies obtained by the contractor. A regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials or supplies required for performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business.
- 6) A Bidder/Proposer may count towards its DBE goal, fees and commissions paid to DBE firms that are not manufacturers or regular dealers, provided that the fees or commissions are determined to be reasonable and not excessive, as compared with fees customarily allowed for similar services.
- 7) Special Provisions for Trucking – A Bidder/Proposer may count towards its goal, all transportation services provided by DBE trucking firms, who can demonstrate control of trucking operations for which it seeks credit and it owns, insures, and operates, using drivers it employs in the performance of the contract. The DBE must itself own and operate at least one fully-licensed, insured truck for use on the contract. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract. The DBE may also lease trucks from a non-DBE firm, including an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. The DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by a DBE.
- 8) In cases where DBE certification has ceased during the performance period of the contract, although the prime contractor will continue to report to AVTA the dollar value of the work performed on the monthly form - Disadvantaged Business Enterprise (DBE) Good Faith Efforts Documentation (GFE) Form. AVTA will not count the participation towards its overall agency goal.
- 9) Do not count the participation of DBE subcontractors toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE subcontractors.

## VII. REQUIRED CONTRACT PROVISIONS

### A. Contractor's Assurance Clause Regarding Non-Discrimination (§26.13)

AVTA will include the following clause in all U.S. DOT assisted contracts and subcontracts:

*"The contractor or subcontractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements*

*of 49 CFR, Part 26 in the award and administration of U.S. DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as AVTA deems appropriate."*

## **B. Prompt Payment Provisions (§26.29)**

The AVTA has, by a contract clause pursuant to 49 CFR Part 26, 26.29, "Prompt Payment Mechanisms for Recipients," included a prompt payment provision on all DOT-assisted contracts, to facilitate timely payment to all subcontractors. This provision, governing the payment to subcontractors (DBEs and non-DBEs), requires a prime contractor to issue payment to all subcontractors for satisfactory work performed, no later than ten (10) days from the prime contractor's receipt of payment from AVTA. A provision shall also apply to the disbursement of retention proceeds withheld by the prime, requiring the prompt return of retainage payments from the prime contractor to the subcontractor within 30 days of subcontractor's satisfactory completion of the accepted work. These prompt payment provisions are required to be incorporated in all subcontract agreements issued by the prime contractor.

The prime contractor shall also incorporate in all subcontract agreements, "a contract clause providing that the prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors are promptly paid for the work they have performed."

Failure to comply with this provision or delay in payment without prior written approval from AVTA will constitute noncompliance, which will result in appropriate administrative sanctions including, but not limited to, a penalty of 2% of the amount due per month for every month that payment is not made.

Prior to AVTA's issuance of progress payments, commencing with the second invoice, the prime Contractor shall provide AVTA with evidence that the Prime Contractor has paid all subcontractors all amounts due for work that the subcontractor has performed.

## **C. Contractor Reporting Requirements and Agency's Compliance Monitoring and Enforcement (§26.55)**

### **1) Notification of Reporting Responsibilities**

Prior to execution of all contracts containing DBE goals, the prime contractor shall be directed to the contract specification for AVTA's specific DBE reporting and record keeping requirements.

### **2) DBE Activity Reporting Forms**

All prime contractors shall submit monthly progress reports on DBE utilization to AVTA on **Attachment 3 – Monthly Disadvantage Subcontractors Paid Report Summary**. Failure to submit these reports in a timely manner may result in a penalty of \$10 per day, per report. The last DBE Utilization Report Form report shall be clearly marked "Final."

### **3) Contractor Good Faith Efforts and Reporting Obligations**

During the term of the contract, the contractor shall continue to make good faith efforts to ensure that DBEs have an opportunity to successfully perform in the contract, and that the contractor meets its DBE goal. These efforts shall include, but not be limited to the following:

- i. Negotiating in good faith to attempt to finalize and execute a subcontract agreement with the DBEs committed to in the proposal.
- ii. Efforts that can be documented to seek out and utilize additional DBE suppliers and DBE subcontractors when necessary and authorized by AVTA.
- iii. Continuing to provide assistance to DBE subcontractors or suppliers in obtaining bonding, lines of credit, etc., if required by the contractor.
- iv. Notifying a DBE in writing of any potential problem and attempting to resolve the problem prior to formally requesting AVTA's approval to substitute the DBE.
- v. As with all subcontractors, ensuring the timely payment of all monies due and owing to DBE subcontractors and suppliers.
- vi. The prime contractor/consultant is advised not to count the participation of DBE subcontractors towards the prime contractor/consultant's DBE achievements until the amount being counted toward the goal has been paid to the DBE.
- vii. Alerting AVTA in a timely manner of any problems anticipated in attaining the DBE participation goal committed to in the proposal.
- viii. The prime contractor may not terminate an approved DBE subcontractor for convenience and perform the work of the terminated DBE subcontractor with its own resources or those of an affiliate without the prior written consent from AVTA.
- ix. When a DBE subcontractor is terminated, or fails to complete its designated scope of work on the contract for any reason, the prime contract must make good faith efforts to find another DBE subcontractor to substitute for the original DBE.
- x. Substitutions or additions of an approved DBE subcontractor or change in any scope of work to be performed by the approved DBE subcontractor must be requested in writing by the prime contractor and approved by AVTA.
- xi. Contract Compliance Reporting Requirements – The contractor shall submit monthly progress reports to AVTA, in conformance with the currently approved contract performance schedule reflecting its DBE participation. Failure to submit this report in a timely manner shall result in the imposition of administrative remedies pursuant to AVTA's DBE Policy and U.S. Department of Transportation regulations (49 CFR 26).
- xii. Change in Contract Amount - The dollar amount of Change Orders or another contract modifications that increase or decrease the work area in which DBE's participation has been committed to in the proposal, shall be commensurately added to or subtracted from the total contract base figure used to compute actual dollars paid to DBEs. Revised total contract dollar values shall be reflected in the monthly progress report submitted to AVTA.
- xiii. A review of the contractor's monthly progress reports to determine whether the utilization of DBE firms is consistent with the commitment of the contractor as stated in its bid or proposal.



**D. Administrative Remedies for Non-Compliance by Contractors**

All contractors deemed to be in non-compliance shall be informed in writing, by certified mail, by the DBELO or Designee, that administrative remedies shall be imposed for failure to meet DBE utilization goals and/or submit documentation of good faith efforts. The contractor shall be given five (5) working days from the date of the notice to file a written appeal to the Executive Director/CEO. Failure to respond within the five (5) day period shall constitute a waiver of appeal. The notice shall state the specific administrative remedy to be imposed.

The Executive Director/CEO, at their sole discretion, may schedule a hearing to gather additional facts and evidence and shall issue a final determination on the matter within five (5) working days of receipt of the written appeal. The written decision of the Executive Director/CEO or designee is final and there is no further appeal.

In the event that the Contractor is unable to meet the DBE goal, AVTA reserves the right to initiate Administrative Remedies, which shall include but are not limited to:

- 1) Withholding of payments due equivalent to the difference between the actual DBE attainment and the contract DBE goal;
- 2) Suspension of payment to the Contractor of any other monies held by the Agency;
- 3) Termination of the contract in part or in whole.

The Administrative Remedies shall not apply if the Contractor is able to demonstrate to the satisfaction of AVTA that it exercised good faith efforts in an attempt to meet the Contract DBE goal.

AVTA will bring to the attention of the FTA through the Civil Rights Officer, any false, fraudulent, or dishonest conduct in connection with the program, so that the FTA can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in Part 26.109. AVTA will also consider similar action under its own legal authority, including responsibility determinations in future contracts.

Complaints relative to AVTA's "DBE" Program protests, questions or other individual complaints may be forwarded to AVTA's DBELO at:

Judy Fry, Director of Finance and Administration  
ANTELOPE VALLEY TRANSIT AUTHORITY  
42210 6<sup>th</sup> Street West  
Lancaster, CA 93534  
E-mail: JFry@avta.com

Or the U.S. DOT at:

U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Attn: Office of Civil Rights

## VIII. CERTIFICATION STANDARDS

### Unified Certification Program (UCP) (§26.81)

AVTA requires all DBEs listed by Bidder/Proposers for participation to be certified as eligible DBEs at the time of bid/proposal submission. Only participation by DBEs certified under 49 CFR, Part 26 may be counted toward meeting the established contract-specific DBE goal. It is the responsibility of the Bidder/Proposers to verify DBE certification status of all listed DBEs.

AVTA is participating as a Non-Certifying Unified Certification Program (UCP) Member Agency. AVTA will accept DBE Certifications from Certifying Member Agencies, which certify the eligibility of DBEs in accordance with 49 CFR Part 26, under the State of California UCP.

## IX. RECORDKEEPING AND MONITORING (§26.11 and 26.37)

AVTA has developed a recordkeeping system as a mechanism for monitoring and tracking DBE contract awards and prime contractors' progress in attaining DBE goals by verifying actual payments made to committed DBEs throughout the performance of the contract.

Areas of identified non-compliance will be subject to administrative sanctions outlined in Section VII C.

Altogether, these records will document the following:

- 1) Procedures adopted by AVTA to comply with the U.S. DOT regulations.
- 2) Background documentation used to compile U.S. DOT reports, which includes the following data for each contract and subcontract award to a DBE:
  - i. Type of contract;
  - ii. Name and address of each DBE;
  - iii. The dollar amount of each contract and subcontract; and
  - iv. Reports from prime contractors and supplier with an accounting of actual expenditures to DBEs and the progress to date in meeting their DBE participation commitment.
- 3) Efforts made by AVTA to locate and make available contracting opportunities to DBEs and demonstrate good faith efforts to ensure fair participation of DBEs in all Agency contract opportunities, including the following:
  - i. Technical Assistance efforts and referrals made by the Agency on behalf of the DBE firms attempting to do business with AVTA.
  - ii. Outreach program efforts, including seminars, for DBEs.
  - iii. A file for each contract in which AVTA established DBE goals, outreached to DBEs, evaluated the successful competitor's compliance with the DBE goal, and monitored the contractor's performance to meet the DBE goal.

The standards of counting both race neutral and race conscious DBE participation toward a DBE goal imposed on competitors will also apply to AVTA when compiling the DBE reports for U.S. DOT and the Board of Directors.

A DBE may enter into subcontracts whose value may be counted towards its DBE goal. Where, however, a DBE subcontracts a significantly greater portion of the work than is usual according to industry practices, it is presumed not to be performing a commercially useful function and neither the value of

the DBE contract nor lower tier subcontracts may be counted. The DBE may present evidence to AVTA to rebut this presumption.

**A. Bidders List (§26.11)**

AVTA has developed a mechanism to establish and maintain a bidders list consisting of all firms bidding on prime contracts, and bidding or quoting subcontracts on DOT assisted projects. The following information will be included in the bidders list:

- 1) Firm Name;
- 2) Address;
- 3) Years in Business;
- 4) Status as a DBE or non-DBE;
- 5) Type of Work; and
- 6) Annual Range of Gross Receipts

**B. Monitoring Payments to DBEs (§26.37)**

AVTA shall monitor and enforce the prime contractor's compliance with the prompt payment provisions to ensure all contract terms and conditions are fully adhered to. Evidence of payment made to subcontractors must be provided at AVTA's request to verify compliance. Credit toward overall or contract goals will only be given upon satisfactory evidence that payments were actually made to DBEs. Failure to comply with these provisions or delay in payment without prior written approval from AVTA will constitute noncompliance, which will result in appropriate administrative sanctions, up to and including withholding of payment to the prime contractor.

It is the contractor's responsibility to maintain records and documents upon completion of the contract. These records will be made available for inspection upon request by any authorized representative of AVTA or U.S. DOT Operating Administration. This reporting requirement is also extended to any certified DBE subcontractor.

AVTA may perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the report of proposed DBE participation.

**C. Reporting to DOT (§26.11)**

AVTA will submit to the applicable DOT Operating Administration the "Uniform Report of DBE Awards or Commitments and Payments" (Appendix B) semi-annually on June 1 and December 1 of each year. The June 1 report will include DBE activity from April 1 through September 30. This report presents a summary of DOT-assisted Prime Contracts and Subcontracts awarded or committed to as well as actual payments for contracts completed and the associated dollar value during this reporting period.

Upon request, AVTA will compile and submit ad hoc DBE contract award and progress reports for DOT-assisted projects. AVTA shall also periodically submit DBE progress reports to the Board of Directors.

Furthermore, AVTA will continue to provide reports about AVTA's DBE Program, as directed. These reports will provide DBE participation information on AVTA's race-neutral and gender-neutral

contracts; race-conscious contracts; and the combined DBE participation on all DOT-assisted procurement activities.

**D. On-Site Performance Monitoring**

During the course of the contract containing a DBE goal, AVTA will conduct on-site monitoring to ensure that work committed to DBEs is actually being performed by the DBEs. This monitoring effort is fully incorporated into AVTA' DBE On-site Labor Compliance Program provider field observation process. This observed work will be reconciled against the DBE subcontractor agreement(s) and Prime Contractor Monthly DBE Reporting Form.

**E. Written Certification**

To further ensure the integrity of the DBE Program's intent, AVTA will monitor every contract with a DBE goal, on paper and in the field and will include a written certification that this compliance monitoring effort took place in accordance with AVTA' DBE Compliance Close-Out Report Process

**XI. ATTACHMENTS**

**Attachments:**

Attachment 1: Organizational Chart

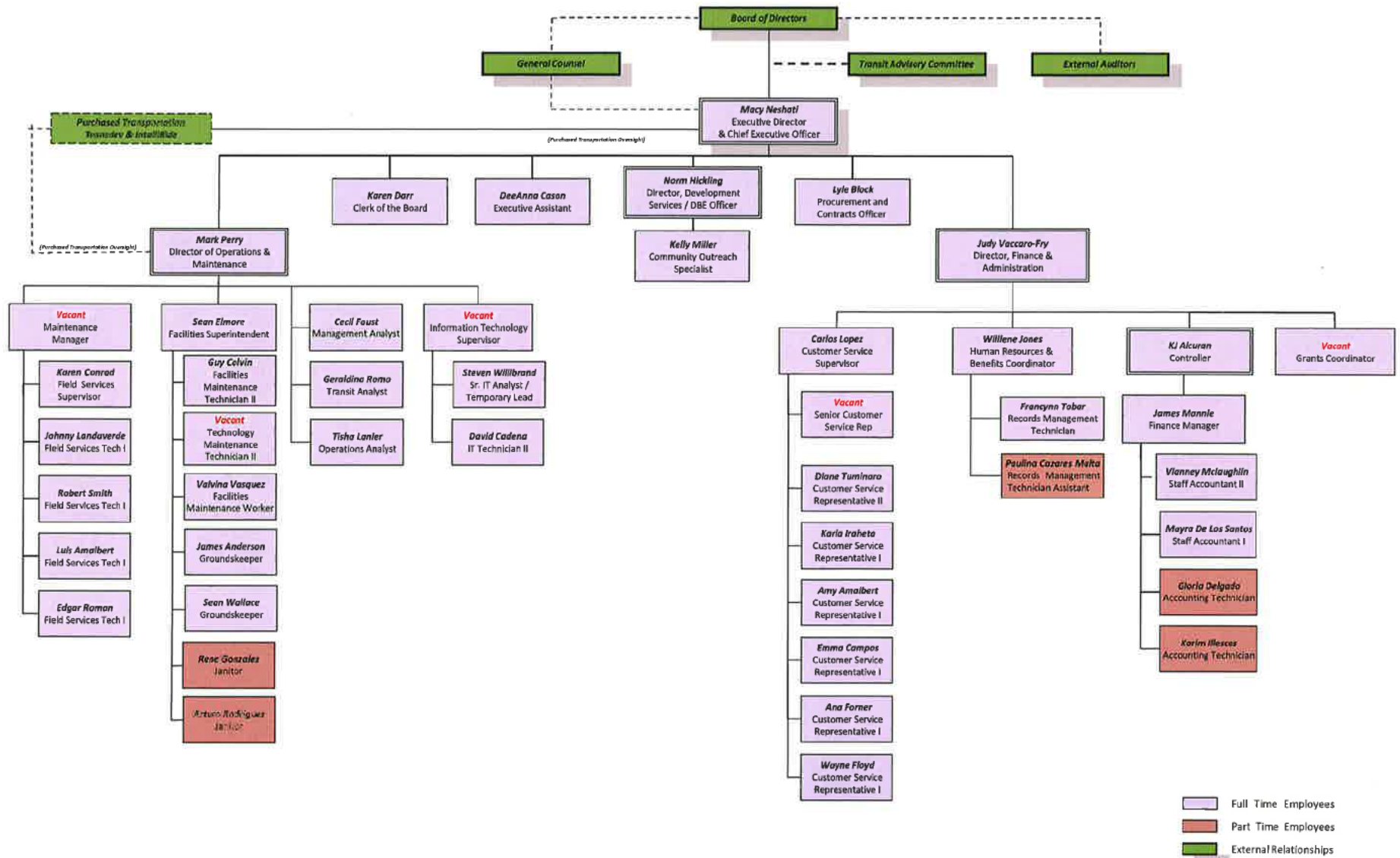
Attachment 2: 49 CFR, Part 26

Attachment 3: Monthly DBE Subcontractors Paid Report Summary

Attachment 4: DBE Final Utilization Report

Attachment 5: Overall Goal Calculation and Race-Neutral / Race-Conscious Projections

ATTACHMENT 1 : FY19 Organizational Chart



**Attachment 2: Code of Federal Regulations: 49 CFR, Subtitle A, Part 26**

See the complete federal regulations through the following link:

[http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl)





### Attachment 3: Monthly DBE Subcontractors Paid Report Summary



<b>Reporting Period (Month/Year)</b>	<b>Report Number</b>	<b>Date Prepared</b>
--------------------------------------	----------------------	----------------------

1) Project Name		2) Project Location	
3) Contract Number	4) Original Contract Award Amount	5) Contract Award Date	
6) Current Contract Value	7) AVTA Payment to Prime This Month	8) Total Amount Paid to Prime to Date	
9) Date of Last Payment Received from AVTA	10) Percent of Project Complete	11) DBE Goal % (committed)	
12) Prime Contractor	13) Contact Person		
14) Street Address	15) City/State/Zip		
16) Area Code/Phone No.	17) Email Address		

18) SUBCONTRACTOR/SUPPLIER	Dollars Paid This Month	Dollar Amount Paid to Date	Schedule Activity ID (Construction only)	Type of Work Performed	Original Dollar Amount Committed	Dollar +/- resulting from Change Order Activity
<b>Subcontractor/Supplier #1</b>	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						
<b>Subcontractor/Supplier #2</b>	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						
<b>Subcontractor/Supplier #3</b>	↓	↓	↓	↓	↓	↓
Name						
Address						
Area Code/Phone						
Contact Person						





<b>Reporting Period (Month/Year)</b>	<b>Report Number</b>	<b>Date Prepared</b>
--------------------------------------	----------------------	----------------------

<b>Subcontractor/Supplier #4</b>							
Name							
Address							
Area Code/Phone							
Contact Person							
<b>Subcontractor/Supplier #5</b>							
Name							
Address							
Area Code/Phone							
Contact Person							
<b>Subcontractor/Supplier #6</b>							
Name							
Address							
Area Code/Phone							
Contact Person							

**INSTRUCTIONS**  
 The Prime shall make prompt payment of all monies due and owed to DBE and non-DBE firms within 10 business days upon receipt of payment from Riverside County Transportation Commission (RCTC) as per Contract Agreement. Payment of retention shall be made to all DBE and non-DBE subcontractors within 10 days after satisfactory completion of the subcontracted work.  
 This form is due to RCTC by the 15<sup>th</sup> of each month and should reflect all payments made to subs through the last day of the previous month.  
 The Prime must report monthly, even if the sub(s) did not perform any work for the previous month. Please forward signed original documents by email and/or fax.

**Completed By:**

--	--	--

**Name**

**Signature**

**Date**



## **Instructions – Summary of Monthly DBE Payments Information**

### **SUCCESSFUL BIDDER:**

This form requires specific information regarding the disadvantaged business enterprise subcontractors paid on this construction contract.

The form must be completed for all DBEs. The form requires that the Reporting Period (month/year) be included. A Report Number should also be completed. This field should include a sequential number with the first form having number “1”. The date prepared should also be included.

**IMPORTANT:** Identify **all** DBE firms that were paid during the reporting period for the project, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed should be consistent, where applicable, with the names and items of work in the "List of Subcontractors" submitted with your bid.

There is a column for the “Dollars Paid This Month”. Enter the Total amount paid for each DBE firm for the reporting period. Also include the total amount paid to date, which shall include the amount paid for the current reporting period.

Include the Schedule Activity ID for construction contracts. Include a brief description for the type of work performed. The original dollar amount committed to the DBE firm should be included in the appropriate Column and any increase or decrease in the subcontract amount resulting from a change order shall be included in the “Dollar +/- resulting from Change Order Activity” column.

This form must be signed and dated by the prime contractor’s representative that is responsible for reporting DBE compliance matters. The form must be submitted no later than the 15<sup>th</sup> day of each month.



**ATTACHMENT 4: DBE FINAL UTILIZATION REPORT FORM**

CONTRACT NUMBER:		Invoice Number:	Task Order Number: (if applicable)	Administering Department:		Start Date:	Completion Date:				
Prime Contractor's Name (print)  Prime Contractor's Authorized Representative Name (print)				Business Address:		Total Contract Amount: \$					
						<b>Contract and Procurement and Contracts Officer Completes Section:</b> Total Federal Share Amount: \$                      or                      %					
Item No.	Description of Work Performed and Material Provided	Company Name and Business Address	DBE/CUCP Certification Number	Gender	Ownership Code(s)	Contract Payments		Date Work Complete	Payment Date		
						DBE	Non-DBE				
						\$	\$				
						\$	\$				
						\$	\$				
						\$	\$				
						\$	\$				
						\$	\$				
						\$	\$				
Original Commitment		Ownership Codes: 1 = Black American 2 = Hispanic American 3 = Native American 4 = Asian Pacific American 5 = Subcontinent Asian American  6 = Caucasian 7 = Woman 8 = Other 9 = Not Applicable			TOTAL	\$	\$				
\$	or %				Comments						
\$	or %										
Non-DBE											
List all Disadvantaged Business Enterprises (DBEs) and Subcontractors regardless of tier, whether or not the firms were originally listed for DBE goal credit. If actual DBE utilization (or item of work) was different than that approved at the time of award, provide comments. List actual amount paid to each firm/entity.											
<b>I CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND CORRECT</b>											
Contractor Authorized Representative's Signature					Business Phone Number			Date			
<b>TO THE BEST OF MY INFORMATION AND BELIEF, THE ABOVE INFORMATION IS COMPLETE AND CORRECT</b>											
AVTA's Project Manager's Signature					Business Phone Number			Date			



Copy Distribution (Required): (1) Original: Procurement and Contracts Officer  
(2) Copy: Prime Contractor.  
ATTACHMENT 4 - DISADVANTAGED BUSINESS ENTERPRISES (DBE) UTILIZATION REPORT FORM

(Page 2 of 2)

**Contractor Instructions:**

The Disadvantaged Business Enterprises Utilization Report must be completed and submitted to the AVTA's Procurement and Contracts Officer with each invoice. Enter the Contract Number, Invoice Number, Task Order Number (if applicable), Start Date, Completion Date (Expiration Date), Prime Contractor Name, Prime Contractor Business Address, Total Contract Amount (as written on the Contract/Task Work Order).

This form has two columns for entering the dollar value for the item(s) of work performed or provided by the firm. The DBE column is used to enter the dollar value of work performed by subcontracting firms who are Certified DBE. The Non-DBE column is used to enter the dollar value of work performed only by Non-DBE firms.

DBE Prime Contractors are required to show the corresponding dollar value of work performed by their own forces.

To confirm the certification status of a DBE, access CalTrans DBE / California Unified Certification Program (CUCP) website at [http://www.dot.ca.gov/hq/bep/find\\_certified.htm](http://www.dot.ca.gov/hq/bep/find_certified.htm) or call them at 916-324-1700.

If a Contractor performing work as a DBE and becomes decertified and still performs work after the decertification date, enter the total value performed by this Contractor in the DBE column for the certification period and the remaining work or services (after decertification) in the Non-DBE column. If a Subcontractor performing work as a non-DBE on the project becomes certified as a DBE, enter the dollar value of all work performed after certification as a DBE in the appropriate column.

**Date work complete** column: Enter the date the Work and/or Task Order was completed for the respective pay period.

**Date of Payment** column: Enter the date when the Prime Contractor made the payment to the firm for the portion of work listed as being completed. DBE Prime Contractors are required to show the date of work performed by their own forces.

**Contractor's signature:** Contractor certifies that the information on the form is complete and correct.

**Contract and Procurement and Contracts Officer's Instructions:**

Review the form as submitted by the Contractor to ensure the form is complete and accurate. Once you receive the form from the Contractor, enter the total (or percent) of **Federal (only) dollars** (being used in the Agreement) on the form, then sign, date and report the totals to FTA twice a year, mid-April for October 1 through March 30 or each year and mid-October for April 1 through September 30 of each year.

**Attachment 5: Overall Triennial Goal Calculation Methodology**



**42210 6<sup>TH</sup> STREET WEST  
LANCASTER, CA 93534**

**Federal Transit Administration (FTA)  
Overall Disadvantage Business Enterprise (DBE)  
Goal-Setting Methodology**

**Fiscal Federal Years (FFY) 2019-2021  
Goal Period**

**August 1, 2018**

**Submitted in fulfillment of:  
Title 49 Code of Federal Regulations Part 26**



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# DBE GOAL METHODOLOGY

## I. INTRODUCTION

Antelope Valley Transit Authority (AVTA) herein sets forth its Overall Disadvantaged Business Enterprise (DBE) Goal and corresponding federally prescribed goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2019-2021 (October 1, 2018 through September 30, 2021), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26 “Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs.” The purpose of the DBE goal-setting process is to level the playing field so that DBEs can compete fairly for Department of Transportation-assisted contracts, however, the program must be narrowly tailored in accordance with applicable law.

## II. BACKGROUND

AVTA is a recipient of U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA), funding. As a condition of receiving this assistance, AVTA signed an assurance that it will comply with FTA’s DBE requirements. In accordance with Title 49 CFR Part 26 provisions: Participation by DBEs in USDOT Programs, AVTA is required to develop and submit a Triennial Overall DBE Goal for its FTA-assisted projects.

AVTA herein presents its Overall DBE Goal Methodology for FFY 2019-2021.

## III. FTA-ASSISTED CONTRACTING PROGRAM FOR FFY 2019-2021

Table 1 represents AVTA’s FTA-assisted contracting program, which consists of projects considered in preparing this goal methodology. The projects, which include Construction, Professional Services and Materials/Supplies contracting opportunities, are anticipated to be awarded during the triennial period:

**Table 1**

Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
<b>Capital Projects FFY 2019</b>			
Stake Bed Service Trucks with Stake Bed (2)	\$87,500	\$70,000	80.0%
BSIP (Pick-up) Truck (1)	\$62,500	\$50,000	80.0%
Major Bus Components (Engines and Transmissions)	\$62,500	\$50,000	80.0%
Secondary Chargers (WAVE Inductive Receivers for buses)	\$704,906	\$563,925	80.0%
Southeast Valley Transit Center (Bus Stop, Shelter, trash can, concrete, asphalt and inductive electrical charger	\$462,791	\$370,233	80.0%





Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
FY19 Regional Partnership Projects (10 – New Bus Stop (Shelter, Bench and Trash Cans)	\$625,000	\$500,000	80.0%
Fuel Level Cars (software to send fuel gauge levels)	\$82,500	\$66,000	80.0%
Fuel Management Card System (software to manage fuel authorization cards)	\$2,750	\$2,200	80.0%
Fire Suppression Panels (Replace electronic fire suppression system)	\$13,750	\$11,000	80.0%
Cordless Bus Lifts (Bus Jacks Battery Operated)	\$31,250	\$25,000	80.0%
Annual Workstation Replacement Plan (Computer Workstation Replacement)	\$50,000	\$40,000	80.0%
Veeder Root Communication Upgrade (Phone Line to Ethernet Connection)	\$4,375	\$3,500	80.0%
Avail Modem Upgrade (3G to 4G Modems on buses)	\$235,000	\$188,000	80.0%
Brightside Lobby (Monitors to Display Current Locations of AVTA Buses) (3)	\$4,500	\$3,600	80.0%
Modem Upgrade - HAM / ELMS (3G to 4G Modems)	\$187,500	\$150,000	80.0%
Transit Asset Management (TAM) Software (Software Required by FTA to track assets)	\$125,000	\$100,000	80.0%
Surface Pro + Case (30) (Computers for Staff)	\$37,500	\$30,000	80.0%
POS Card Readers - Customer Service (Credit Card Machines)	\$6,250	\$5,000	80.0%
Elerts Emergency Alert Program Software (Disaster notification software to alert employees)	\$5,268	\$4,214	80.0%
Facility Access Upgrade - Rekey Facility (Missing Keys)	\$7,500	\$6,000	80.0%
Fall Protection System (Bus Scaffolding HVAC Systems Repair)	\$37,500	\$30,000	80.0%
JARC Voucher Program (Work transportation for qualified patrons)	\$156,000	\$156,000	100.0%
JARC Commuter Expansion (Payments to institute additional services)	\$135,000	\$135,000	100.0%
<b>Capital Projects FFY 2020</b>			
Farebox Replacement Project - 1st 1/2 of project	\$537,500	\$430,000	80.0%
Support Vehicles (Driver relief cars)	\$212,500	\$170,000	80.0%
Major Bus Components (Engines and Transmissions)	\$25,000	\$20,000	80.0%
Lancaster Metrolink Transit Center Renovation (Bus Shelter, Bench, Trash Can and Inductive Charger)	\$625,000	\$500,000	80.0%



Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
Palmdale/25th E. Transit Center (Bus Shelter, Bench, Trash Can and Inductive Charger)	\$625,000	\$500,000	80.0%
Lake Los Angeles Transit Center (Bus Shelter, Bench, Trash Can and Inductive Charger)	\$625,000	\$500,000	80.0%
Antelope Valley College Transit Center Renovation (Bus Shelter, Bench, Trash Can and Inductive Charger)	\$625,000	\$500,000	80.0%
Ave P. / Sierra Hwy (Bus Shelter, Bench, Trash Can)	\$75,000	\$60,000	80.0%
Bus Wash (Replace Bus Wash System)	\$1,250,000	\$1,000,000	80.0%
Roll-up Shop Doors (Replace Overhead Garage Doors) (16 ft wide)	\$137,500	\$110,000	80.0%
Customer Service / Maintenance / Admin Equipment (Copiers, printer, projectors, monitors replacement)	\$125,000	\$100,000	80.0%
Secure Facility Access (Replace door access hardware and software) - Lenel Security Card Reader	\$187,500	\$150,000	80.0%
Annual Workstation Replacement Plan (Computer desktop replacement)	\$50,000	\$40,000	80.0%
Communication Upgrade Equipment (Wireless Access Points AVTA Facility)	\$62,500	\$50,000	80.0%
Tyler Software Upgrade (Upgrade Accounting Software)	\$62,500	\$50,000	80.0%
VoIP Communications Installation (Replace phone system)	\$450,000	\$360,000	80.0%
JARC Voucher Program (Work transportation for qualified patrons)	\$150,000	\$150,000	100.0%
<b>Capital Projects FFY 2021</b>			
Support Vehicles (Replace Vans)	\$91,250	\$73,000	80.0%
Major Bus Components (Engines and Transmissions)	\$62,500	\$50,000	80.0%
Regional Partnership Projects ADA Upgrade 12 Bus Stops (Shelter, Bench and Trash Can)	\$625,000	\$500,000	80.0%
Major Facility / Shop Equipment (Air conditioning Equipment Replacement)	\$125,000	\$100,000	80.0%
Customer Service / Maintenance / Admin Equipment (Copiers, printer, projectors, monitors replacement)	\$137,500	\$110,000	80.0%
Annual Workstation Replacement Plan (Computer desktop replacement)	\$50,000	\$40,000	80.0%
Communications Upgrade Equipment (VOIP Switch Replacement)	\$62,500	\$50,000	80.0%
Access Point Software Upgrade	\$62,500	\$50,000	80.0%



Project Name and Description	Total Estimated Project Cost	Estimated FTA Dollar Share	Estimated FTA % Share
JARC Voucher Program (Work transportation for qualified patrons)	\$150,000	\$150,000	100.0%
<b>TOTAL</b>	<b>\$10,465,840</b>	<b>\$8,372,672</b>	<b>81.1%</b>

AVTA does not pass any FTA funds to any subrecipients.

Table 2 provides a summary of the categories of work with estimated cost breakdown for each. Categories of work are groups utilizing comparable North American Industry Classification System (NAICS) codes for purposes of weighting the categories of work based on the staff estimates.

**Table 2**

NAICS Code	Category of Work	Estimated FTA Dollars by NAICS	Estimated FTA % by NAICS
237310	Highway, street, and bridge construction	\$186,703	2.2%
238110	Poured concrete foundation and structure contractors	\$485,832	5.8%
238140	Masonry contractors	\$672,856	8.0%
238210	Electrical contractors and other wiring installation contractors	\$271,758	3.2%
238220	Plumbing, heating, and air-conditioning contractors	\$57,559	0.7%
238350	Finish carpentry contractors	\$45,000	0.5%
332321	Metal window and door manufacturing	\$65,000	0.8%
333415	Air-conditioning and warm air heating equipment and commercial and industrial refrigeration equipment manufacturing	\$80,000	1.0%
334111	Electronic computer manufacturing	\$270,000	3.2%
334118	Computer terminal and other computer peripheral equipment manufacturing	\$480,433	5.7%
335311	Power, distribution, and specialty transformer manufacturing	\$833,298	10.0%
335312	Motor and generator manufacturing	\$120,000	1.4%
336111	Automobile manufacturing	\$170,000	2.0%
336112	Light truck and utility vehicle manufacturing	\$173,000	2.1%
336211	Motor vehicle body manufacturing	\$20,000	0.2%
423390	Other construction material merchant wholesalers	\$1,221,475	14.6%
423420	Office equipment merchant wholesalers	\$60,000	0.7%
423430	Computer and computer peripheral equipment and software merchant wholesalers	\$360,000	4.3%
423490	Other professional equipment and supplies merchant wholesalers	\$5,000	0.1%
423830	Industrial machinery and equipment merchant wholesalers	\$55,000	0.7%
423850	Service establishment equipment and supplies merchant wholesalers	\$412,000	4.9%
424120	Stationery and office supplies merchant wholesalers	\$40,000	0.5%
454111	Electronic shopping	\$234,414	2.8%



NAICS Code	Category of Work	Estimated FTA Dollars by NAICS	Estimated FTA % by NAICS
485991	Special needs transportation	\$591,000	7.1%
541310	Architectural services	\$558,974	6.7%
541611	Administrative management and general management consulting services	\$240,094	2.9%
561622	Locksmiths	\$6,000	0.1%
811192	Car washes	\$657,277	2.2%
<b>TOTAL</b>		<b>\$8,372,672</b>	<b>100.0%</b>

#### IV. GOAL METHODOLOGY

##### A. Step 1: Determination of a Base Figure (26.45)<sup>1</sup>

To establish AVTA’s Base Figure of the relative availability of DBEs relative to all comparable firms (DBE and Non-DBE) available to bid or submit proposals on AVTA’s FTA-assisted contracting opportunities projected to be solicited during the triennial goal period, AVTA followed the prescribed federal methodology to determine relative availability. This was accomplished by assessing the *California Unified Certification Program (CUCP) DBE Database of Certified Firms* and the 2016 *U.S. Census Bureau County Business Patterns Database* within AVTA’s market area, defined as Los Angeles and Kern counties for each of the categories of work defined in Table 2.

The Federal DBE program requires agencies to implement the DBE program based on information from the relevant geographic market area—the area in which the agency spends the substantial majority of its contracting dollars.

AVTA’s local market for contracts consists of a geographic area that:

- is where a large majority of contracting dollars is expended, and
- is where a substantial number of contractors and subcontractors are located and available to submit bids or quotes.

The AVTA bidder’s list was reviewed, and it confirms this market area.

In accordance with the formula listed below, the Base Figure is derived by:

- dividing the number of ready, willing and able DBE firms identified for each NAICS work category by the number of all firms identified within AVTA’s market area for each corresponding work category (*relative availability*),
- weighting the relative availability for each work category by the corresponding work category weight from Table 2 (*weighted ratio*), and
- adding the weighted ratio figures together.

<sup>1</sup> 26.45 represents Title 49 CFR Part 26 regulatory goal setting methodology reference.





$$\text{Base Figure} = \sum \frac{(\text{Number of Ready,Willing and Able DBEs})}{(\text{Number of All Ready,Willing and Able Firms})} \times \text{weighted ratio}$$

⇒ For the numerator: CUCP DBE Database of Certified Firms

⇒ For the denominator: 2016 U.S. Census Bureau County Business Patterns Database

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

The result of the Base Figure calculation is shown in Table 3 as follows:

**Table 3**

NAICS Code	Category of Work	Estimated FTA % by NAICS	DBEs <sup>2</sup>	All Firms <sup>3</sup>	Weighted Ratio
237310	Highway, street, and bridge construction	5.8%	73	96	4.4%
238110	Poured concrete foundation and structure contractors	8.0%	39	289	1.1%
238140	Masonry contractors	3.2%	12	221	0.2%
238210	Electrical contractors and other wiring installation contractors	0.7%	54	2,011	0.0%
238220	Plumbing, heating, and air-conditioning contractors	0.5%	22	2,447	0.0%
238350	Finish carpentry contractors	0.8%	7	445	0.0%
332321	Metal window and door manufacturing	1.0%	0	45	0.0%
333415	Air-conditioning and warm air heating equipment and commercial and industrial refrigeration equipment manufacturing	3.2%	0	33	0.0%
334111	Electronic computer manufacturing	5.7%	0	14	0.0%
334118	Computer terminal and other computer peripheral equipment manufacturing	10.0%	0	30	0.0%
335311	Power, distribution, and specialty transformer manufacturing	1.4%	1	6	0.2%
335312	Motor and generator manufacturing	2.0%	0	21	0.0%
336111	Automobile manufacturing	2.1%	0	5	0.0%
336112	Light truck and utility vehicle manufacturing	0.2%	0	4	0.0%

<sup>2</sup> From the CUCP DBE Database of Certified Firms

<sup>3</sup> From the 2016 U.S. Census Bureau County Business Patterns Database



NAICS Code	Category of Work	Estimated FTA % by NAICS	DBEs <sup>2</sup>	All Firms <sup>3</sup>	Weighted Ratio
336211	Motor vehicle body manufacturing	14.6%	0	23	0.0%
423390	Other construction material merchant wholesalers	0.7%	5	94	0.0%
423420	Office equipment merchant wholesalers	4.3%	2	233	0.0%
423430	Computer and computer peripheral equipment and software merchant wholesalers	0.1%	6	426	0.0%
423490	Other professional equipment and supplies merchant wholesalers	0.7%	4	63	0.0%
423830	Industrial machinery and equipment merchant wholesalers	4.9%	6	884	0.0%
423850	Service establishment equipment and supplies merchant wholesalers	0.5%	6	164	0.0%
424120	Stationery and office supplies merchant wholesalers	2.8%	6	251	0.1%
454111	Electronic shopping	7.1%	2	2,294	0.0%
485991	Special needs transportation	6.7%	2	119	0.1%
541310	Architectural services	2.9%	43	1,046	0.1%
541611	Administrative management and general management consulting services	0.1%	233	2,801	0.0%
561622	Locksmiths	7.9%	0	135	0.0%
811192	Car washes	0.0%	2	657	0.0%
<b>BASE FIGURE</b> (i.e., Sum of Weighted Ratios for all Work Categories)					
<b>6.4%</b>					

**B. Step 2: Adjusting the Base Figure**

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

Evidence considered in making adjustments to the Base Figure included Past DBE Goal Attainments and Other Evidence, as follows:

**1) Past DBE Goal Attainments**

Historical DBE participation attainments provide demonstrable evidence of DBE availability and capacity to perform on MTS projects. The projects anticipated to



be awarded during the triennial period are substantially similar to those awarded in the recent past. AVTA proceeded to calculate past DBE participation attainments for the three (3) federal fiscal years, for which DBE attainment data is available. The table below reflects the demonstrated capacity of DBEs (measured by actual historical DBE participation attainments) on FTA-assisted contracts awarded by AVTA within the last three (3) federal fiscal years.

**Table 4**

FEDERAL FISCAL YEAR (FFY)	FTA DBE GOAL ATTAINMENT %
2016/2017	2.2%
2015/2016	3.2%
2014/2015	0.1%
<b>Median DBE Attainment Within the Last Three (3) Years</b>	<b>2.2%</b>

The median established for the past three years was derived from limited participation of DBEs in the most northerly part of Los Angeles County and the most southeastern part of Kern County, it is significantly lower than the Base Figure derived from Step 1. Therefore, an adjustment to the Base Figure based on AVTA’s past DBE goal attainments has been made. The adjustment is calculated by averaging the Base Figure with the median DBE Past Attainment, as shown below.

Base Figure (A)	6.4%
Median DBE Attainment (B)	2.2%
<b>Adjusted Base Figure [(A+B)/2]</b>	<b>4.3%</b>

**2) AVTA Bidder’s List**

AVTA will continue to capture Bidders List information for the identification and potential use in meeting future DBE goal determinations.

**3) Disparity Study**

AVTA has reviewed both of the recent Caltrans and Los Angeles Metro disparity studies. After careful consideration, AVTA has determined that the scopes of work are substantially different than what AVTA provides. Therefore, AVTA has not adjusted the based figure due to a local disparity stud.

AVTA uses a strictly race-neutral DBE program since the Westerns States decision. If AVTA fails to reach its goal for one more complete federal fiscal year, AVTA will we re-evaluate its DBE program to determine whether contract goals are



necessary to achieve the overall goal. If after re-evaluation AVTA believes a race-conscious program is necessary, as required by Western States, AVTA will gather evidence to determine if discrimination in the transportation contracting industry is present. AVTA will make a determination at that time what type of evidence gathering is appropriate, based on DOT regulations and case law.

#### 4) Other Available Evidence

AVTA is not in possession of other information that would have an impact on the DBE goal assessment.

### V. PROPOSED OVERALL DBE GOAL

The Final Proposed Overall DBE Goal for FFY 2019-2021 for AVTA's FTA-assisted contracts is 4%<sup>4</sup>. The DBE Goal based on the federal share is a Race Neutral goal and AVTA will implement race neutral measures to achieve this goal, as generally described in the following section. As a part of the prescribed goal-setting methodology, AVTA must project the percentage of its Proposed Overall DBE Goal that can be met utilizing race-neutral and race-conscious measures.

#### Race-Conscious & Race-Neutral Projection

AVTA intends to continue to use race-neutral methods to meet the overall DBE goal of 4% for FFY 2019-2021 in accordance with Title 49 CFR Part 26.51.

<b>RACE/GENDER-CONSCIOUS &amp; RACE/GENDER-NEUTRAL PROJECTIONS</b>	
Overall DBE Goal	4%
Race/Gender-Conscious Component	0%
Race/Gender-Neutral Component	4%

### VI. RACE-NEUTRAL IMPLEMENTATION MEASURES

AVTA is currently implementing a number of race- and gender-neutral remedies to outreach and promote the participation of DBEs and small businesses in AVTA's FTA-assisted contracting program. AVTA plans to continue or implement the following race-neutral measures for FFY 2019-2021 and will continue to explore other options for consideration based on AVTA's success in meeting its overall DBE goals based on these efforts:

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<sup>4</sup> Rounded to a whole number.

- AVTA will encourage DBE and other small business contracting community to register and receive solicitation notices through its new on-line procurement website: <https://www.planetbids.com/portal/portal.cfm?CompanyID=25014> .
- AVTA will host and participate in workshops for the DBE and small business contracting community. AVTA will attend and participate in vendor fairs hosted by unrepresented groups and other public agencies.
- AVTA will unbundle solicitations, provide pre-bid/pre-proposal conferences to afford networking opportunities for primes and subcontractors. AVTA will promote and encourage teaming opportunities between prospective prime contractors and the DBE and small business contracting community. Arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
- Structure solicitations to remove barriers such as the inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing).
- AVTA will solicit DBEs and other small businesses participation by carrying out information programs through use of advertisement and other communication methods on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate).
- As a supportive service to help develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses, AVTA will actively promote the small business conferences, programs, and support services offered by other agencies that have established DBE and other small business programs. AVTA will also begin conducting “How to do Business with AVTA” and DBE workshops.
- AVTA will advise its contracting community of the online directory of certified DBEs, found at the California Unified Certification Program website: [http://www.dot.ca.gov/hq/bep/find\\_certified.htm](http://www.dot.ca.gov/hq/bep/find_certified.htm).
- AVTA will also advise the contracting community of the available small businesses certified by the California Department of General Services (DGS) and found at: <http://www.dgs.ca.gov/pd/Programs/eprocure.aspx> .
- AVTA will advise the DBE and small business community to participate in Caltrans’ related bidding/proposal opportunities at <http://www.dot.ca.gov/hq/esc/oe/>. AVTA will also encourage DBEs and small businesses to seek the assistance and training through the U.S. Small Business Administration at [www.sba.gov](http://www.sba.gov) .

### **Fostering Small Business Participation<sup>5</sup>**

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<sup>5</sup> See Title 49 CFR Part 26 Section 26.39 “Fostering Small Business Participation.”



AVTA has implemented several strategies to foster small business participation in its contracting process. These include the following:

- Advertise and push out solicitation notifications thru AVTA's new procurement system website.
- Conducting "How to do Business with AVTA" and DBE workshops.
- On larger prime contracts requiring the prime contractor to consider subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
- Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.
- Ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.
- Provide outreach to current AVTA contractors or past AVTA contractors who may qualify for DBE-certification by encouraging them to seek and obtain DBE-certification.

## **VII. PUBLIC PARTICIPATION AND FACILITATION**

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26, minority, women, local business associations, and community organizations within the AVTA market area were consulted and provided an opportunity to review the triennial goal analysis and provide input.

AVTA issued a Public Notice on AVTA's website (Attachment 1) publishing the AVTA Draft Proposed FTA Overall DBE Goal-Setting Methodology for FFY 2019-FFY 2021. The notice informed the public that the proposed goal and rationale were available for inspection at AVTA' principal office during normal business hours and that AVTA would accept comments on the goal analysis for 45 days from the date of the Public Notice.

AVTA reached out to a total of 12 local minority, women, and community business organizations to provide them information on the AVTA DBE program and specifically the Draft Proposed FTA Overall DBE Goal-Setting Methodology for FFY 2019-2021. Each organization was contacted multiple times by telephone and email. A summary of all contact made in an attempt to receive input as a part of this process can be found in Attachment 2.

AVTA placed notices in the Antelope Valley Press and Our Weekly publications (Attachment 3) and conducted outreach meetings (Attachment 4) to provide opportunities public comment.

No comments were received.

## Attachment 1: Website notification



The screenshot shows the AVTA website with the following elements:

- Header:** AVTA logo, "Antelope Valley Transit Authority", and navigation links: "En Español Calendar | E-News | Contact Us |" with social media icons for Facebook, Twitter, and YouTube.
- Navigation Bar:** HOME, SERVICES, MAPS & SCHEDULES, FARES, ABOUT AVTA (highlighted), WHAT'S NEW, HOW DO I...? A search bar is also present.
- Left Sidebar:** A vertical list of menu items: Hours of Operation, Contact Us, Stuff-a-Bus - Holiday Toy Drive, Employment Opportunities, Board of Directors/Transit Advisory Committee (TAC) Meetings, Board of Directors, Procurement and Contract Information, Finance Reports, AVTA History, Planning and Development, About Our Fleet, Customer Code of Conduct, Community Outreach Efforts, AVTA Videos - Check Us Out!, Perfect Ride Check Results, Dump the Pump, Information Technology.
- Main Content Area:**
  - Dropdown Menu:** A menu is open under "ABOUT AVTA" listing: Hours of Operation, Contact Us, Stuff-a-Bus - Holiday Toy Drive, Employment Opportunities, Board of Directors/Transit Advisory Committee (TAC) Meetings, Board of Directors, Procurement and Contract Information, Finance Reports, AVTA History, Planning and Development, About Our Fleet, Customer Code of Conduct, Community Outreach Efforts, AVTA Videos - Check Us Out!, Perfect Ride Check Results, Dump the Pump, Information Technology.
  - Public Notice:** A yellow box contains the text: "NEW PUBLIC NOTICE: Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021".
  - Text:** "About AVTA" section begins with "The Antelope Valley Transit Authority... well as the unincorporated... bounded by the Kern County... to the east, the Angeles National Forest... West. The fixed route service... miles." It continues with "AVTA contracts with Trans... function and contracts with... effective January 1, 2012." and "AVTA operates a network of 13 local transit, four commuter... supplemental school route during the week. Local bus service... weekdays from 5:00 a.m. to 12:45 p.m. Saturday service is operated from 6:00 a.m. to 11:45 p.m. and Sunday service operates from 6:30 a.m. to 8:45 p.m. Commuter routes operate Monday through Friday from 3:45 a.m. to 7:40 p.m. AVTA also operates a midday service, known as the TRANSPORTER, that connects the Antelope Valley with the Santa Clarita Valley on week days. This service begins operating at 8:00 a.m. and continues until 5:50 in the evening. AVTA also provides urban and rural Dial-a-Ride service. Service within the urban zone and rural zone 1 is available to elderly persons and persons with disabilities. Service within rural zone 2 is open to the general public. Buses operate weekdays 6:00 a.m. to 7:30 p.m. and weekends 8:00 a.m. to 6:00 p.m."
  - Image:** A photograph of a person sitting on a bus seat.
  - Text:** "AVTA's basic adult cash fare for fixed-route service is \$1.50. Seniors (65 plus) and persons with disabilities pay a discounted half-price fare. Free transit service is offered to Medicare card holders, active military, and veterans. The fare for ADA paratransit service operated is \$3.00 for Zone 1 and \$6.00 for Zone 2."
  - Text:** "AVTA operates a fleet of 75 buses for transit service with 45 buses for local service and 30 for commuter service. The current peak requirement for local



**Antelope Valley Transit Authority**

HOME SERVICES MAPS & SCHEDULES FARES ABOUT AVTA WHAT'S NEW HOW DO I...? Search...

Hours of Operation  
Contact Us  
Stuff-a-Bus - Holiday Toy Drive  
Employment Opportunities  
Board of Directors/Transit Advisory Committee (TAC) Meetings  
Board of Directors  
Procurement and Contract Information  
NEW PUBLIC NOTICE: Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021  
NEW PUBLIC NOTICE OF OUTREACH MEETINGS: New Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021  
Vendor Registration  
Current Procurement and Contracting Opportunities  
CURRENT: Disadvantaged Business Enterprise (DBE) Program and Goal for Federal Fiscal Year (FFY) 2016 through 2018  
Finance Reports  
AVTA History  
Planning and Development  
About Our Fleet  
Customer Code of Conduct  
Community Outreach Efforts  
AVTA Videos - Check Us Out!  
Perfect Ride Check Results  
Dump the Pump  
Information Technology

About AVTA » Procurement and Contract Information

# NEW PUBLIC NOTICE: Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021

Font Size: - + + Share & Bookmark [+ ] Feedback Print

**NEW PUBLIC NOTICE:**

## ANTELOPE VALLEY TRANSIT AUTHORITY DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL METHODOLOGY FEDERAL FISCAL YEAR (FFY) 2019 THROUGH 2021

Please follow the internet links provided below to view AVTA's DBE program and proposed goal and its rationale:

[AVTA - FTA DBE - FFY 2019-2021 Program Document File](#)

[AVTA - FTA DBE - FFY 2019-2021 Goal and Methodology Document File](#)

This announcement will serve as Public Notice of the Antelope Valley Transit Authority's (AVTA) Disadvantaged Business Enterprise (DBE) Overall Goal for Federal Transit Administration (FTA) – assisted contracts. The overall goal is for a three-year period beginning October 1, 2018 to September 30, 2021 (FFY 2019-FFY 2021).

The Antelope Valley Transit Authority (AVTA) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26.

The Antelope Valley Transit Authority intends to adopt its Overall Disadvantaged Business Enterprise (DBE) Goal of 4% on July 24, 2018. The methodology used to determine the proposed goal, rationale and how it was established are available for public inspection and viewing for thirty (30) days from the date of this notice, in-person Monday through Thursday from 8:00 a.m. to 5:00 p.m., at AVTA's Administration Offices or through the internet as follows:

Antelope Valley Transit Authority  
42210 6th Street West  
Lancaster, California 93534

AVTA's website: [www.avta.com](http://www.avta.com)

The U.S. DOT and AVTA will accept comments on this proposed goal for 45 days from the date of this notice, wherein the public is invited to submit comments on the goal in writing.

Written comments to the AVTA DBE Liaison Officer, Lyle Block may be sent to the address above and/or emailed to [LBlock@avta.com](mailto:LBlock@avta.com) or [DBE@AVTA.com](mailto:DBE@AVTA.com). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, 200 W. Adams Street, Suite 320, Chicago, IL 60606. Written comments at both locations will be accepted until June 29, 2018.





## Attachment 2: Consultative Process Summary

Organization	Contact Notes
<p>Antelope Valley African American Chamber of Commerce                      1543 East Palmdale Blvd.                      Palmdale, CA 93550                      Chairman of the Board: Cedric White                      Vice Chairman: Rich Poston                      Director: Latrice Allen-Richard                      Org Phone #: (661) 272-5807                      info@avaacc.org</p>	<p>5/25 - Left voicemail.                      5/29 - Sent email via website link to Latrice Allen-Richard (Director) with link to AVTA goal methodology. Website portal for submitting questions is inactive.                      5/31 - Spoke with receptionist and provided contact information for follow-up call. Spoke to Latrice about goal methodology and received updated email to provide link.                      6/5 - Sent email with link to AVTA goal methodology. Received bounceback from email provided.                      6/7 - Spoke with Vernita and provided contact information for follow-up.                      6/12 - Sent email to Vernita with link to AVTA goal methodology.                      6/14 - Left voicemail.                      6/19 - Received response from Vernita regarding completion of a survey. Requested clarification on comment from Vernita.                      6/21 - Spoke to Vernita and she will remind Cedric to follow-up with review of goal methodology.                      6/25 - Sent follow-up email with link to AVTA goal methodology.</p>
<p>Antelope Valley Hispanic Chamber of Commerce                      819 E. Avenue, Q-9                      Palmdale, CA 93550                      President: Jorge Ventura                      Org Phone #: (661) 538-0607                      Cell Phone #: (661)-236-3707                      Office #: (661)-412-2737                      Email:                      avhispanicchamber@gmail.com</p>	<p>5/25 - Left voicemail.                      5/29 - Sent email with link to AVTA goal methodology.                      5/31 - Spoke to Carmen and obtained Jorge's cell phone number. Left voicemail on Jorge's cell.                      6/5 - Sent email with link to AVTA goal methodology.                      6/7 - Spoke to Carmen and obtained Jorge's office number. Spoke Rafael and provided contact information for follow-up.                      6/12 - Sent email with link to AVTA goal methodology.                      6/14 - Spoke to Jorge and he had not yet reviewed the goal methodology. Informed him that we will be following up next week.                      6/19 - Sent follow-up email to Jorge with link to AVTA goal methodology.                      6/21 - Left voicemail.                      6/25 - Sent follow-up email to Jorge with link to AVTA goal methodology.</p>
<p>Kern County Hispanic Chamber of Commerce                      1601 H Street, Suite 201A                      Bakersfield, CA 93301                      Chair: Adam Alvidrez</p>	<p>5/25 - Spoke with receptionist and provided outreach and contact information.                      5/29 - Sent email to Jay Tamsi (President/CEO) with link to AVTA goal methodology.                      5/31 - Spoke with Matt and obtained email address for distributing goal methodology to the correct personnel.                      6/5 - Sent email to Jay with link to AVTA goal methodology.</p>



Organization	Contact Notes
<p>Org Phone #: (661) 633-5495                      Email: mmunoz@kchcc.org                      jtamsi@kchcc.org</p>	<p>6/7 - Spoke to Arcelli and provided contact information for follow-up.                      6/12 - Sent email to Jay with link to AVTA goal methodology.                      6/14 - Spoke to Fran and provided message to give to Jay since he was in a meeting.                      6/19 - Sent follow-up email with link to AVTA goal methodology.                      6/21 - Left voicemail.                      6/25 - Sent follow-up email with link to AVTA goal methodology.</p>
<p>African American Network of Kern County                      PO Box 1215                      Bakersfield, CA 93302                      Chair: Ithena Beed                      Vice Chair: Ellis Porter                      Org Phone #: (661) 817 -4183                      aankc2@gmail.com</p>	<p>5/25 - Left voicemail.                      5/29 - Sent email with link to AVTA goal methodology.                      5/31 - Left voicemail.                      6/5 - Sent email with link to AVTA goal methodology.                      6/7 - Left voicemail.                      6/12 - Sent email with link to AVTA goal methodology. Received voicemail from Misti confirming that they have received the voicemails as well as the emails regarding the AVTA goal methodology. She will forward to personnel for review.                      6/14 - Sent follow-up email with link to AVTA goal methodology.                      6/21 - Left voicemail.                      6/25 - Sent follow-up email with link to AVTA goal methodology.</p>
<p>Kern County Minority Contractors Association                      1330 E Truxtun Avenue                      Bakersfield, CA 93305                      Org Phone #: (661) 324 - 7535</p>	<p>*phone number is no longer active.                      *could not find contact email since website is under construction (5/29)</p>
<p>Asian American Engineers/Architects Association                      645 W. 9th Street, Unit 110-175,                      Los Angeles CA 90015                      President: Keith Kajiya, AECOM                      Vice President: Steve Hirai, Parsons                      Keith: (213) 996 - 2598                      Cell: (310) 663 - 0427                      Keith.Kajiya@aecom.com                      Steve: (626) 440-3918</p>	<p>5/25 - Left voicemail for Keith. Spoke to Steve and he stated that he does not have any comments.                      5/29 - Sent email to Keith with link to AVTA goal methodology.                      5/31 - Left voicemail for Keith.                      6/5 - Sent email to Keith with link to AVTA goal methodology.                      6/7 - Left voicemail for Keith.                      6/12 - Sent email to Keith with link to AVTA goal methodology.                      6/14 - Left voicemail for Keith.                      6/19 - Sent follow-up email to Keith with link to AVTA goal methodology.                      6/21 - Left voicemail.                      6/25 - Sent follow-up email to Keith with link to AVTA goal methodology.</p>





Organization	Contact Notes
<p>Cell: (213) 221 - 5022 Steve.Hirai@parsons.com</p>	
<p>Los Angeles Latino Chamber of Commerce 333 South Grand Ave, Suite 3310, Los Angeles, CA 90071 Gilbert R. Vasquez Org. Phone #: (213) 347-0008 info@lalcc.org</p>	<p>5/25 - Spoke with Marabell and provided link to Triennial Goal Methodology online. 5/29 - Sent email with link to AVTA goal methodology. 5/31 - Spoke with receptionist and she informed AVTA that the goal methodology that was sent was forwarded to Gil for review. 6/5 - Sent email with link to AVTA goal methodology. 6/7 - Left voicemail. 6/12 - Sent email with link to AVTA goal methodology. 6/14 - Spoke with Rosario and gave background information on the triennial goal methodology. 6/19 - Sent follow-up email with link to AVTA goal methodology. 6/21 - Spoke with receptionist and provided her date of email when goal methodology was sent. 6/25 - Sent follow-up email with link to AVTA goal methodology.</p>
<p>Women's Business Enterprise Council West 6601 Center Dr. Suite 500 Los Angeles CA 90045 Chairman of the Board: Karen Blackwell Org. Phone #: (213) 265-5398 pamela@wbec-west.org</p>	<p>5/25 - Left voicemail. 5/29 - Sent email to Pamela Williamson (Present/CEO) with link to AVTA goal methodology. 5/31 - Left voicemail. 6/5 - Sent email to Pamela with link to AVTA goal methodology. 6/7 - Left voicemail. 6/12 - Sent email to Pamela with link to AVTA goal methodology. 6/14 - Left voicemail. 6/19 - Sent follow-up email to Pamela with link to AVTA goal methodology. 6/25 - Sent email to Pamela with link to AVTA goal methodology.</p>
<p>American Indian Chamber of Commerce of California 633 West Fifth Street 26th Floor Los Angeles, CA 90071 President: Tracy Stanhoff Tracy's Number: 714-898-6364 tracy@adproweb.com</p>	<p>5/25 - Spoke with Tracy and provided link to Triennial Goal Methodology online. Provided background information on goal methodology. 5/29 - Sent email to Tracy with link to AVTA goal methodology. 5/31 - Spoke with Carol and provided contact information for follow-up call. 6/5 - Sent follow-up email to Tracy with link to AVTA goal methodology. 6/7 - Left voicemail. 6/12 - Sent email to Tracy with link to AVTA goal methodology. 6/14 - Spoke to Tracy and she informed us that she has not had a chance to review the documents but will provide her feedback once she does. 6/19 - Sent follow-up email to Tracy with link to AVTA goal methodology. 6/25 - Sent follow-up email to Tracy with link to AVTA goal methodology.</p>



Organization	Contact Notes
<p>National Association of Women in Construction</p> <p>President: Priscilla Chavez                      Vice president: Shilo Losino                      Priscilla's Number: (213) 800-4100                      Email: pnchavez@pcl.com                      Shilo's Number: 818-667-7656                      Email:                      shilo.losino@contractorsbestins.com</p>	<p>5/25 - Spoke with Priscilla and provided link to Triennial Goal Methodology online.                      5/29 - Sent email to Priscilla and Shilo with link to AVTA goal methodology.                      5/31 - Left voicemail for Priscilla. Spoke with Shilo and provided her background information on the DBE program and the objective of the Triennial Goal Methodology. She has not had a chance to review the methodology but will let us know if she has any questions or comments after her review.                      6/5 - Sent email to Priscilla and Shilo with link to AVTA goal methodology.</p>
<p>Greater Los Angeles African American Chamber of Commerce                      5100 W. Goldleaf Circle, Suite 203                      Los Angeles, California 90056                      President: Angela Gibson                      Org. Number: (323) 292-1297                      angela@glaaacc.org                      naomi@glaaacc.org</p>	<p>5/25 - Spoke with Angela and provided background about how the triennial goal methodology is developed. AVTA provided online link to goal methodology draft for review.                      5/29 - Sent email to Angela with link to AVTA goal methodology.                      5/31 - Spoke to Angela. She has not had a chance to review the document. She said she can review it by June 12th.                      6/5 - Sent follow-up email to Angela with link to goal methodology.                      6/7 - Spoke to Naomi and sent link to naomi@glaaacc.org to print out for Angela's review.                      6/12 - Sent email to Angela and Naomi with link to goal methodology.                      6/14 - Spoke with the receptionist and provided contact information for any questions or comments they may regarding the goal methodology.                      6/19 - Sent follow-up email to Angela and Naomi with link to goal methodology.                      6/25 - Sent follow-up email to Angela and Naomi with link to goal methodology.</p>



## Attachment 3: Publication

### Public Notice

TO: Attn: Legal Ad Section

Date: May 14, 2018

Legal Advertising Coordinator  
Valley Press  
44939 10th St. West  
Lancaster, CA 93534

Email to: [legals@avpress.com](mailto:legals@avpress.com)  
Ph: (661) 940-1000  
Fax: (661) 949-3593

Please run the following Public Notice advertisement, as indicated below,

### NOTICE OF PUBLIC CONSULTATION

#### ANTELOPE VALLEY TRANSIT AUTHORITY

#### FEDERAL TRANIST ADMINISTRATION DBE GOAL

#### FEDERAL FISCAL YEARS (FFY 2019 THROUGH FFY 2021)

This announcement will serve as Public Notice of the Antelope Valley Transit Authority's (AVTA) Disadvantaged Business Enterprise (DBE) Goal. The overall goal is for a three-year period beginning October 1, 2018 to September 30, 2021 (FFY2019-FFY2021).

In accordance with 49 CFR Part 26.45(g), AVTA, as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) project overall project goal of 4% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on AVTA's FTA-assisted projects during each federal fiscal year of the project period.

The methodology used to determine the proposed goal will be available for public inspection for thirty (30) days from the date of this notice, in-person Monday through Thursday from 8:00 a.m. to 5:00 p.m., at AVTA's Administration Offices or through the internet as follows:

Antelope Valley Transit Authority  
42210 6<sup>th</sup> Street West  
Lancaster, California 93534

AVTA's website: [www.AVTA.com](http://www.AVTA.com)

The U.S. DOT and AVTA will accept comments on this proposed goal for 45 days from the date of this notice, wherein the public is invited to submit comments on the goal in writing.

Written comments to the AVTA DBE Liaison Officer, Lyle Block may be sent to the address above and/or emailed to [lblock@avta.com](mailto:lblock@avta.com) or [DBE@AVTA.com](mailto:DBE@AVTA.com). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, 200 W. Adams Street, Suite 320, Chicago, IL 60606. Written comments at both locations will be accepted until **June 29, 2018**.

#### FINANCE DEPARTMENT

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VALLEY PRESS / OUR WEEKLY - DO NOT PUBLISH INFORMATION BELOW THIS LINE.

**\*Publish: May 18<sup>th</sup>, 2018, and June 15<sup>th</sup>, 2018**

**Please furnish Proof of Publication.**

**\*\*Bill to: Antelope Valley Transit Authority, Finance Department, Accounts Payable, 42210 6<sup>th</sup> Street West, Lancaster, California, 93534 or email copies to: [INVOICES@AVTA.COM](mailto:INVOICES@AVTA.COM)**



Ad ID 32459761

Date 05/15/2018

Time 10:08 AM

**NOTICE OF PUBLIC CONSULTATION**  
**ANTELOPE VALLEY TRANSIT AUTHORITY**  
**FEDERAL TRANSIT ADMINISTRATION DBE GOAL**  
**FEDERAL FISCAL YEARS (FFY 2019 THROUGH FFY 2021)**

This announcement will serve as Public Notice of the Antelope Valley Transit Authority's (AVTA) Disadvantaged Business Enterprise (DBE) Goal. The overall goal is for a three-year period beginning October 1, 2018 to September 30, 2021 (FFY2019-FFY2021).

In accordance with 49 CFR Part 26.45(g), AVTA, as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) project overall project goal of 4% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on AVTA's FTA-assisted projects during each federal fiscal year of the project period.

The methodology used to determine the proposed goal will be available for public inspection for thirty (30) days from the date of this notice, in-person Monday through Thursday from 8:00 a.m. to 5:00 p.m., at AVTA's Administration Offices or through the internet as follows:

Antelope Valley Transit Authority  
42210 6th Street West  
Lancaster, California 93534

AVTA's website: [www.AVTA.com](http://www.AVTA.com)

The U.S. DOT and AVTA will accept comments on this proposed goal for 45 days from the date of this notice, wherein the public is invited to submit comments on the goal in writing.

Written comments to the AVTA DBE Liaison Officer, Lyle Block may be sent to the address above and/or emailed to [lblock@avta.com](mailto:lblock@avta.com) or [DBE@AVTA.com](mailto:DBE@AVTA.com). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, 200 W. Adams Street, Suite 320, Chicago, IL 60606. Written comments at both locations will be accepted until **June 29, 2018**.

FINANCE DEPARTMENT  
Publish: May 18th, 2018, and June 15th, 2018

Ad shown is not actual print size

**From:** [Lyle Block](#)  
**To:** ["Paula Drake"](#)  
**Subject:** Public Notice of Federal Transit Administration DBE Goal for Federal Fiscal Years (FFY 2019 through FFY 2021)  
**Date:** Monday, May 14, 2018 2:20:03 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Hi Paula:  
Please run the following add on the dates listed below:

May 18<sup>th</sup>, 2018  
June 1<sup>st</sup>, 2018  
June 22<sup>nd</sup>, 2018

## PUBLIC NOTICE

### ANTELOPE VALLEY TRANSIT AUTHORITY

#### FEDERAL TRANIST ADMINISTRATION DBE GOAL

#### FEDERAL FISCAL YEARS (FFY 2019 THROUGH FFY 2021)

This announcement will serve as Public Notice of the Antelope Valley Transit Authority's (AVTA) Disadvantaged Business Enterprise (DBE) Goal. The overall goal is for a three-year period beginning October 1, 2018 to September 30, 2021 (FFY2019-FFY2021).

In accordance with 49 CFR Part 26.45(g), AVTA, as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) project overall project goal of 4% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on AVTA's FTA-assisted projects during each federal fiscal year of the project period.

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Antelope Valley Transit Authority  
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**DO NOT PRINT BELOW THIS LINE.**

If you have any comments, concerns or questions, please let me know.

Thank you.



**Lyle A. Block, CPPB**

*Procurement and Contracts Officer &  
Disadvantaged Business Enterprise (DBE) Liaison*

661.729.2288 desk | 661.726-2615 fax | [LBlock@avta.com](mailto:LBlock@avta.com) email | [avta.com](http://avta.com)  
42210 6th Street West | Lancaster, CA 93534







## **OUR WEEKLY PROOF**

### **PUBLIC NOTICE**

#### **ANTELOPE VALLEY TRANSIT AUTHORITY**

#### **FEDERAL TRANIST ADMINISTRATION DBE GOAL**

#### **FEDERAL FISCAL YEARS (FFY 2019 THROUGH FFY 2021)**

This announcement will serve as Public Notice of the Antelope Valley Transit Authority's (AVTA) Disadvantaged Business Enterprise (DBE) Goal. The overall goal is for a three-year period beginning October 1, 2018 to September 30, 2021 (FFY2019-FFY2021).

In accordance with 49 CFR Part 26.45(g), AVTA, as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) project overall project goal of 4% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on AVTA's FTA-assisted projects during each federal fiscal year of the project period.

The methodology used to determine the proposed goal will be available for public inspection for thirty (30) days from the date of this notice, in-person Monday through Thursday from 8:00 a.m. to 5:00 p.m., at AVTA's Administration Offices or through the internet as follows:

**Antelope Valley Transit Authority  
42210 6th Street West  
Lancaster, California 93534**

**AVTA's website: [www.AVTA.com](http://www.AVTA.com)**

The U.S. DOT and AVTA will accept comments on this proposed goal for 45 days from the date of this notice, wherein the public is invited to submit comments on the goal in writing.

Written comments to the AVTA DBE Liaison Officer, Lyle Block may be sent to the address above and/or emailed to [lblock@avta.com](mailto:lblock@avta.com) or [DBE@AVTA.com](mailto:DBE@AVTA.com). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, [200 W. Adams Street, Suite 320, Chicago, IL 60606](#). Written comments at both locations will be accepted until June 29, 2018.

FINANCE DEPARTMENT

## Attachment 3: Outreach Meeting



**Antelope Valley Transit Authority**

HOME SERVICES MAPS & SCHEDULES FARES ABOUT AVTA WHAT'S NEW HOW DO I...? Search...

Hours of Operation  
Contact Us  
Stuff-a-Bus - Holiday Toy Drive  
Employment Opportunities  
Board of Directors/Transit Advisory Committee (TAC) Meetings  
Board of Directors  
Procurement and Contract Information  
NEW PUBLIC NOTICE: Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021  
NEW PUBLIC NOTICE OF OUTREACH MEETINGS: New Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021  
Vendor Registration  
Current Procurement and Contracting Opportunities  
CURRENT: Disadvantaged Business Enterprise (DBE) Program and Goal for Federal Fiscal Year (FFY) 2016 through 2018  
Finance Reports  
AVTA History  
Planning and Development  
About Our Fleet  
Customer Code of Conduct  
Community Outreach Efforts  
AVTA Videos - Check Us Out!  
Perfect Ride Check Results  
Dump the Pump  
Information Technology

About AVTA » Procurement and Contract Information

# NEW PUBLIC NOTICE OF OUTREACH MEETINGS: New Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021

Font Size: [+] [-] Share & Bookmark [+] Feedback Print

## NEW PUBLIC NOTICE OF OUTREACH MEETINGS

### NEW DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS FEDERAL FISCAL YEARS (FFY) 2019 THROUGH 2021

#### SAVE THE DATES!

Antelope Valley Transit Authority (AVTA) receives funding from FTA to provide transportation services to the general public within AVTA's service area of Los Angeles County. The outreach meetings are being held to provide the public an opportunity to view and comment on AVTA's proposed DBE Program's Goal and Methodology rationale for Federal Fiscal Years (FFY) 2019 through 2021 (three (3) years).

The public informational meetings will be held on **May 30, 2018** and **June 12, 2018**, from 5:30 p.m. to 6:30 p.m. at the following location:

AVTA's Administrative Offices  
Administration Conference Room  
42210 6th St. W  
Lancaster, CA 93534

AVTA's DBE Program and Goal-Setting Methodology, may also be viewed on-line at [www.AVTA.com](http://www.AVTA.com), click on the ABOUT AVTA tab, Procurement and Contracts Information tab, and NEW PUBLIC NOTICE: Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Year (FFY) 2019 through 2021, tab.

The U.S. DOT and AVTA will also accept written comments on this proposed goal starting on May 15th, 2018 through June 29th, 2018 (45 days).

Written comments to the AVTA DBE Liaison Officer, Lyle Block may be sent to the address above and/or emailed to [LBlock@avta.com](mailto:LBlock@avta.com) or [DBE@AVTA.com](mailto:DBE@AVTA.com). Written comments can also be sent directly to the FTA, Marisa Appleton, Civil Rights Officer, 200 W. Adams Street, Suite 320, Chicago, IL 60606. Written comments at both locations will be accepted until June 29, 2018.

Individuals requiring special accommodations at the workshops (interpreter, accessible seating, documentation in alternative formats, etc.) are requested to contact Lyle A. Block, CPPB, Procurement & Contracts Officer, and Disadvantage Business Enterprise Liaison Officer (DBELO) at (661) 729-2288 or via email at [LBlock@avta.com](mailto:LBlock@avta.com) or [DBE@avta.com](mailto:DBE@avta.com), as early as possible to the scheduled workshop.



42210 6<sup>TH</sup> STREET WEST  
LANCASTER, CA 93534

## DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS & METHODOLOGY PUBLIC MEETINGS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS

### SAVE THESE DATES!!!

Antelope Valley Transit Authority (AVTA) receives funding from FTA to provide transit to disabled, elderly, rural agencies and public agencies for planning activities. The meetings are being held for the public to provide information and the opportunity to comment on the AVTA's FTA Program's DBE Goals and Methodology for Federal Fiscal Years 2019 through 2021 (three (3) years). There will be two public informational meetings – AVTA's facilities in Lancaster, CA. The Goals and Methodology document is attached separately. Comments will be accepted from May 15<sup>th</sup>, 2018 through June 29<sup>th</sup>, 2018 (45 days).

LOCATION	DATE	TIME	ADDRESS
Administration Conference Room	Wednesday May 30, 2018	5:30 pm to 6:30 pm	AVTA Administration Offices 42210 6 <sup>th</sup> St West Lancaster, CA
Administration Conference Room	Tuesday June 12, 2018	5:30 pm to 6:30 pm	AVTA Administration Offices 42210 6 <sup>th</sup> St West Lancaster, CA

\*Individuals requiring special accommodations at the workshops (interpreter, accessible seating, documentation in alternative formats, etc.) are requested to contact Lyle A. Block, CPPB, Procurement & Contracts Officer, Disadvantage Business Enterprise Liaison Officer (DBELO) at (661) 729-2288 or via email at [LBlock@avta.com](mailto:LBlock@avta.com) or [DBE@avta.com](mailto:DBE@avta.com), as early as possible prior to the scheduled workshop.



**Public Notice**

TO: Attn: Legal Ad Section

Date: May 21, 2018

Legal Advertising Coordinator  
Valley Press  
44939 10th St. West  
Lancaster, CA 93534

Email to: [legals@avpress.com](mailto:legals@avpress.com)  
Ph: (661) 940-1000  
Fax: (661) 949-3593

Please run the following Public Notice advertisement, as indicated below,

**PUBLIC NOTICE OUTREACH MEETINGS**

**ANTELOPE VALLEY TRANSIT AUTHORITY**

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS & METHODOLOGY  
FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS  
FEDERAL FISCAL YEARS (FFY) 2019 THROUGH 2021**

**SAVE THESE DATES!!!**

Antelope Valley Transit Authority (AVTA) receives funding from FTA to provide transportation services to citizens within the AVTA's services area of the Antelope Valley. The outreach meetings are being held for the public to provide information and the opportunity to comment on the AVTA's FTA Program's DBE Goals and Methodology for Federal Fiscal Years 2019 through 2021 (three (3) years).

The public informational meetings will be held on May 30, 2018 and June 12, 2018, from 5:30 p.m. to 6:30 p.m. at AVTA's Administrative Offices, Administration Conference Room, 42210 6<sup>th</sup> St. W, Lancaster, CA 93534. To view the DBE Program and Goal-Setting Methodology, please visit [AVTA.com](http://AVTA.com) and click on the ABOUT AVTA, Contracts and Procurement tab. Comments will be accepted from May 15<sup>th</sup>, 2018 through June 29<sup>th</sup>, 2018 (45 days).

Individuals requiring special accommodations at the workshops (interpreter, accessible seating, documentation in alternative formats, etc.) are requested to contact Lyle A. Block, CPPB, Disadvantage Business Enterprise Liaison Officer (DBELO) at (661) 729-2288 or via email at [DBE@avta.com](mailto:DBE@avta.com), as early as possible prior to the scheduled informational meetings.

FINANCE DEPARTMENT

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VALLEY PRESS / OUR WEEKLY - DO NOT PUBLISH INFORMATION BELOW THIS LINE.

**\*Publish: May 22<sup>nd</sup>, 2018, and June 5<sup>th</sup>, 2018**

**Please furnish Proof of Publication.**

**\*\*Bill to: Antelope Valley Transit Authority, Finance Department, Accounts Payable, 42210 6<sup>th</sup> Street West, Lancaster, California, 93534 or email copies to: [INVOICES@AVTA.COM](mailto:INVOICES@AVTA.COM)**

Ad ID 32459751

Date 05/15/2018

Time 10:02 AM

**PUBLIC NOTICE OUTREACH MEETINGS**  
**ANTELOPE VALLEY TRANSIT AUTHORITY**  
**DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS**  
**& METHODOLOGY FEDERAL TRANSIT ADMINISTRATION**  
**(FTA) FUNDED PROGRAMS FEDERAL FISCAL YEARS (FFY)**  
**2019 THROUGH 2021**  
SAVE THESE DATES !!!

Antelope Valley Transit Authority (AVTA) receives funding from FTA to provide transportation services to citizens within the AVTA's services area of the Antelope Valley. The outreach meetings are being held for the public to provide information and the opportunity to comment on the AVTA's FTA Program's DBE Goals and Methodology for Federal Fiscal Years 2019 through 2021 (three (3) years).

The public informational meetings will be held on May 30, 2018 and June 12, 2018, from 6:30 p.m. to 6:30 p.m. at AVTA's Administrative Offices, Administration Conference Room, 42210 8th St. W, Lancaster, CA 93534. To view the DBE Program and Goal-Setting Methodology, please visit [AVTA.com](http://AVTA.com) and click on the ABOUT AVTA, Contracts and Procurement tabs. Comments will be accepted from May 15th, 2018 through June 29th, 2018 (45 days).

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FINANCE DEPARTMENT  
Publish: May 22nd, 2018, and June 5th, 2018

Ad shown is not actual print size



**From:** [Lyle Block](#)  
**To:** "Paula Drake"  
**Subject:** RE: Public Notice Outreach Meetings  
**Date:** Monday, May 14, 2018 3:52:36 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

Hi Paula:  
Please run the following add on the dates listed below:

May 25<sup>th</sup>, 2018

June 8<sup>th</sup>, 2018

## PUBLIC NOTICE OUTREACH MEETINGS

### ANTELOPE VALLEY TRANSIT AUTHORITY

#### DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS & METHODOLOGY FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS FEDERAL FISCAL YEARS (FFY) 2019 THROUGH 2021

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FINANCE DEPARTMENT

DO NOT PRINT BELOW THIS LINE.

If you have any comments, concerns or questions, please let me know.

Thank you.



**Lyle A. Block, CPPB**

*Procurement and Contracts Officer &  
Disadvantaged Business Enterprise (DBE) Liaison*

661.729.2288 desk | 661.726-2615 fax | [LBlock@avta.com](mailto:LBlock@avta.com) email | [avta.com](http://avta.com)  
42210 6th Street West | Lancaster, CA 93534





**OUR WEEKLY PROOF**

**PUBLIC NOTICE OUTREACH MEETINGS**

**ANTELOPE VALLEY TRANSIT AUTHORITY**

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS & METHODOLOGY**

**FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS**

**FEDERAL FISCAL YEARS (FFY) 2019 THROUGH 2021**

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A. Block, CPPB, Disadvantage Business Enterprise Liaison Officer (DBELO) at (661) 729-2288 or via email at DBE@avta.com, as early as possible prior to the scheduled informational meetings.

**FINANCE DEPARTMENT**



