

The Port of Benton, Washington
Prosser Airport
FY 2018-2020
Overall Goal to the
Disadvantaged Business Enterprise (DBE)
Program



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FY 2018-2020 Overall Goal Amendment

Overall Goals (\$26.45)

Amount of Goal – FY 2018-2020 Improvements

This document proposes a DBE goal for FY 2018 through FY 2020 for the Prosser Airport. The projects referred to in this report appear on the most recent Capital Improvement Plan (CIP) for the Prosser Airport.

The purpose of establishing a DBE goal is to promote the use of disadvantaged and women-owned businesses in our geographical area, and to assure FAA grant eligibility for projects at the Prosser Airport.

The amended overall goal for FY 2018-2020 is 0.17% (race neutral).

Method

Determining Types of Work

The FY 2018-2020 Capital Improvements Plan (CIP) at the Prosser Airport includes three (3) projects that are slated to utilize FAA funding. The projects and estimated costs are shown in Table 1. The FAA participation is at a 90% level. The total dollars will be shown throughout this report, as the percentages will remain the same whether shown at the full amount or the 90% level.

The 2020 project is the only project for which a goal will be calculated, as the projects in 2018 and 2019 are under the \$250,000 federal funding threshold for DBE goal requirements. The 2020 project planned creates subcontracting opportunities in one (1) discipline, shown in Table 2, below, paired with its respective NAICS code. Available civil/airport engineering and land surveying firms will not be considered, as the Airport currently has an airport engineering and land surveying firm under contract, expiring at the end of December, 2020, therefore no DBE opportunities will exist in these disciplines.

Table 1: FY 2018-2020 Capital Improvement Projects

FY 2018		FY 2019		FY 2020	
Perimeter Fence and Electronic Gate	\$150,000	Environmental Assessment – Parallel Taxiway	\$200,000	Parallel Taxiway Design	\$722,222

Table 2: Disciplines Employed in FY 2018-2020 Projects

Discipline	NAICS
Geological Engineering	541330

Determining the Geographical Area

Based on past federally funded airport projects, the prime contractors that generally bid on projects are predominately from a specific geographic region. That region is hereafter referred to as our Market Area. Using the Prosser Airport as the reference point, the Market Area includes Yakima County to the west, Walla Walla County to the east, Franklin County to the north and Benton County to the north and south. If the work on a project is large enough, the Prosser Airport will occasionally see contractors from Spokane County participate in the bid process.

After establishing the Market Area, the 2015 US Census Bureau database was used to determine the number of available contractors and subcontractors for the work anticipated on these projects. The "DBE Directory" on the FAA dbE-Connect website was used to find DBE businesses in the Market area that did the type of work called out.

Federal grant authorities prohibit recipients from using geographic preference in the evaluation of bids or proposals for DOT-assisted contracts, including contracts funded with AIP grants. The specific regulation outlining this requirement is 49 CFR, Part 18, "Uniform Administration Requirements for Grants and Cooperative Agreements to State and Local Governments."

Determining the Common Opportunities in the FY 2017-2018 Projects

Tables 3 below summarizes the total available businesses, total DBE businesses, and estimated available DBE contract dollars for each aspect of the projects planned for 2018-2020. Table 4 lists the individual DBE contractors available, per the OMWBE Directory, in the Market Area. A two-step process is conducted to determine the opportunities for DBE: (1) Analysis and (2) Adjustment.

Step 1 – Analysis

Table 3 is used to determine the percentage of the total estimated project costs which is available to DBE Contractors. The number of total contractors and the number of DBE contractors available for each relevant category of work are listed. A rough estimate of the combined project costs is tabulated along with a breakdown of costs by construction category. From these figures, a weighted percentage of contract dollars available to DBE's in the Market Area can be calculated. First, the percent of DBE firms in each category is calculated. The estimated cost of construction for each category is multiplied by this percentage to determine a reasonable amount that could be available to be paid to DBE firms in each category. Next, the reasonable amounts available for DBE firms in each category are totaled. Finally, the dollar value reasonably available to DBE firms is divided by the estimated combined project total. The result is the percentage of contract work reasonably available to DBE firms. For the FY 2020 project, that percentage for work, referred to as the base figure percentage, on the Prosser Airport projects is 0.17%.

Table 3: Determination of DBE Opportunities

NAICS Code	Classification	Total Businesses	Total DBE Businesses	% DBE Business	Contract Dollars	Contract Dollars DBE
541330	Engineering	1	0	0.0%	\$686,110.90	\$0.00
541370	Land Surveying	1	0	0.0%	\$14,444.44	\$0.00
541330	Geological Engineering	18	1	5.6%	\$21,666.66	\$1,203.70
	Total:				\$722,222.00	\$1,203.70
Contract Work Available to DBE Firms						0.17%

Table 4 lists the DBE firms in the Market Area that are available for the types of services required in the construction of the FY 2020 project. This table was updated to include the firms that currently appear in the OMWBE Directory and will be used for the updating of the goal calculation.

Table 4: Disadvantaged Business Enterprises in the Market Area (2018-2020 Projects)

	Business Name	Type of Work
1	GN Northern, Inc. (Yakima)	Geological Engineering (541330)

Step 2 – Adjustment

The regulations allow for an adjustment to the base figure percentage (derived above) for circumstances or issues that might impact the availability.

Step 2(a) – Past Participation

The need for an adjustment to the base figure can be determined through an evaluation of past DBE goals and participation. Table 5 shows there have been no DBE contractors that participated in the airport contracts recently. Consequently, no adjustment of the goal is made for past participation.

Table 5: Actual Historical DBE Participation

Year	Work Description	Total \$ Awarded	Actual \$ to DBE	% DBE
2012	Install Weather Reporting Equipment < \$250,000	\$0	\$0	0.00%
2013	No Project	\$0	\$0	0.00%
2014	Apron and Runway Rehabilitation	\$544,412	\$0	0.00%
2015	Update Airport Master Plan	\$266,537	\$0	0.00%
		\$810,949	\$0	0.00%

Step 2(b) – Disparity Studies

WSDOT conducted a disparity study that became available in 2012. This study focused mainly on state highway construction projects. The aviation projects were not included in this study due to the low number of projects available for analysis. The Port of Benton will continue to monitor available media for Disparity Studies in preparation of future amendments to the DBE Program. The Washington State Department of Transportation Aviation division is beginning a new disparity study for airports in the state. It is estimated to be completed in 2018.

Step 2(c) – Consultation

The FAA dbE-Connect website has a DBE Directory which was used to determine DBEs in the area that may bid on the above projects.

Prior to finalizing the goal, a teleconference call was held to allow businesses in the Market Area to provide input on the methodology used in this goal calculation.

A teleconference call was held on July 26, 2017 from 10:30 am to 11:30 am to allow businesses in the Market Area to provide input on the draft DBE goals. Notice of this meeting was sent to the Tri City Regional Chamber of Commerce for distribution to its membership. DBE businesses shown in Table 3 were also contacted when possible regarding the teleconference. Veronica Montez from the Port of Benton and Kim Silvester from J-U-B Engineers were on the call, but no businesses participated.

Based on the limited number of DBE companies available with adequate prior experience to do airport work in the market area, and the type of work expected at the Airport, no adjustment to the goal is needed on the basis of Consultation.

Step 2(d) – Adjusted DBE Goal

After consideration of these factors, the overall DBE Goal is set 0.17%.

Breakout of Race Neutral and Race Conscious Participation

Considerations for Race Neutral

The Port of Benton will meet the maximum feasible portion of its overall goal by using race/gender neutral, with no race/gender component. The Port of Benton uses the following race-neutral means to increase DBE participation:

- Contracts will be unbundled to include pricing for separate items thus encouraging DBE participation;
- Notice of Invitation for Bids will be sent to the local newspaper to make minority, women, and/or small businesses aware of the project;
- Plans and specifications will be available on an ftp site so the DBEs may view the plans.

Through the bid and award process of past projects there appears to be no prejudices shown towards those DBE Contractors wishing to participate.

Considerations for Race Conscious

The State of Washington falls within the jurisdiction of the United States Court of Appeals for the Ninth Circuit. This court has ruled that race conscious goals are not to be set for DBE participation, therefore race conscious goals have not been considered.

The Prosser Airport estimates that in meeting its overall goal 0.17%, it will obtain 0.17% from Race Neutral participation and 0% through Race Conscious measures.

Process

The Port of Benton will submit this DBE goal to the FAA prior to issuance of the 2018 grants, and will maintain goals based on the established three year cycle. Before establishing the overall goal each term, the Port of Benton will consult with the WSDOT OMWBE Directory and local DBE firms, trade associations, DBE Economic development groups, and DBE contractor associations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Port of Benton's efforts to establish a level playing field for the participation of DBEs.

Public Notice

The Port of Benton will publish a notice of the proposed overall goal on their website (portofbenton.com) informing the public that the proposed goal and its rationale are available for inspection and comment during normal business hours at the Port's principal office for 30 days following the date of the notice. We will accept comments on the goals for 45 days from the date of notice.

Our overall goal submission to the FAA will include a summary of information and comments received and the Port's responses during the public participation process.

We will begin applying our overall goal effective October 1st of each year, if possible. In all cases the overall goal will be effective prior to the publication of the Invitation for Bids of the construction projects.

Sample Public Notice Language:

PUBLIC NOTICE

The Port of Benton hereby announces its FY 2018-2020 Disadvantaged Business Enterprise (DBE) Race-Neutral goal of 0.17% for airport construction projects. The proposed goal and rationale are available for inspection between 7:30 a.m. and 4:00 p.m., Monday through Friday at the Port of Benton Office, 3250 Port of Benton Blvd, Richland, WA for 30 days from the date of this publication.

Comments on the DBE overall goal may be sent to:

Port of Benton
3250 Port of Benton Blvd
Attn: John Haakenson,
Director of Airports & Operations
Richland, WA 99354

or

Federal Aviation Administration
Civil Rights Staff, ASW-9
PO Box 92007
Los Angeles CA 90009