



FAA AIRPORT IMPROVEMENT PROGRAM (AIP)
DISADVANTAGED BUSINESS ENTERPRISE (DBE) PLAN
IN ACCORDANCE WITH 49 CFR PART 26

for

BRADLEY INTERNATIONAL AIRPORT
WINDSOR LOCKS, CONNECTICUT



DATE

July 17, 2019

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OBJECTIVES / POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

The Connecticut Airport Authority (CAA) operates Bradley International Airport and five general aviation airports (Brainard, Danielson, Groton/New London, Waterbury/Oxford, and Windham).

CAA has established a Disadvantaged Business Enterprise (DBE) program for Bradley International Airport in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The CAA has received Federal financial assistance from the Department of Transportation for airport projects through the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP), and as a condition of receiving this assistance, the CAA has signed an assurance that it will comply with 49 CFR Part 26.

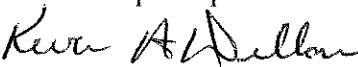
It is the policy of the CAA to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts; and
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Manager of Grants, Procurement and Insurance Programs at the CAA has been delegated as the DBE Liaison Officer. In that capacity, the Manager of Grants, Procurement and Insurance Programs is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with other legal obligations incurred by the CAA in its financial assistance agreements with the DOT. The DBE Liaison Officer is:

Laurie A. Sirois
Manager of Grants, Procurement and Insurance Programs
Connecticut Airport Authority
Bradley International Airport
Administration Office
Terminal A, 3rd Floor
Windsor Locks, CT 06096
lsirois@ctairports.org
(860) 292-2043 (direct)

The CAA will disseminate this policy statement to the CAA Board of Directors and all of the components of our organization. The CAA will distribute this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts through a legal notice announcement and by publishing notice of DBE participation in all legal notices for letting of contracts for federally funded projects.



Kevin A. Dillon, AAE
Executive Director
Connecticut Airport Authority

7/22/19
Date

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

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

Section 26.3 Applicability

The CAA is the recipient of Federal airport funds authorized by 49 U.S.C. 47101.

Section 26.5 Definitions

The CAA will use terms in this program that have the meaning defined in 49 CFR Part 26.5.

Section 26.7 Non-discrimination Requirements

The CAA 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 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the CAA 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.

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(a)

The CAA will submit annually the Uniform Report of DBE Awards or Commitments and Payment Form, as modified for use by FAA recipients.

Bidders List: 26.11(c)

The CAA will create and maintain a bidders list. The purpose of the list is to provide as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on Bradley International Airport DOT-assisted contracts for use in helping to set our overall goals. The bidders list will include the name, address, DBE and non-DBE status, age of firm, and annual gross receipts. Annual gross receipts data will be collected by asking the firm to indicate into what gross receipts bracket it fits (e.g., less than \$500,000; \$500,000-\$1 million; \$1-2 million; \$2-5 million; etc.) rather than requesting an exact figure from the firm.

Section 26.13 Federal Financial Assistance Agreement

The CAA has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a) – Each financial assistance agreement the CAA signs with a DOT operating administration (or a primary recipient) shall include the following assurance:

“The CAA 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. The CAA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The CAA’s DBE Program, as required by 49 CFR Part 26 and as approved by DOT, 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 the CAA of its failure to carry out its approved program, the Department may impose sanctions as provided for under 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.).”

This language appears in the Airport Sponsors (grant) Assurances.

Contract Assurance: 26.13b

The CAA will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

“The contractor, sub-recipient, 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 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 the CAA deems appropriate, which may include, but is not limited to: (1) Withholding monthly progress payments; (2) Assessing sanctions; (3) Liquidated damages, and/or (4) Disqualifying the contractor from future bidding as non-responsible.”

End of SUBPART A

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

The CAA is required to have a DBE program meeting the requirements of this part as it will receive grants for airport planning, acquisition or development and will award prime contracts, cumulative total value of which exceeds \$250,000 in FAA funds in a federal fiscal year. The CAA is not eligible to receive DOT financial assistance unless DOT has approved CAA's DBE program and the CAA is in compliance with it and this part. The CAA will continue to carry out its program until all funds from DOT financial assistance have been expended. The CAA will not have to submit regular updates of our program, if it remains in compliance. However, the CAA will submit significant changes in the program for approval. In addition, the CAA will submit an updated goal every three years prior to August 1 if the Airport plans to award contracts exceeding \$250,000 in FAA funds in the next 3-year period.

Section 26.23 Policy Statement

The Policy Statement is provided in Section 26.1 of this DBE Program.

Section 26.25 DBE Liaison Officer (DBELO)

The CAA has designated the individual designated in the Section 26.1, 26.23 - Objectives/Policy Statement of this plan as our DBELO.

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that CAA complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the Executive Director concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 2.

The responsibility for overseeing the DBE Plan is fulfilled by the DBELO.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials and representatives of the Airport. Duties and responsibilities of the DBELO include the following:

1. Statistical data and other information that may be required by USDOT, FAA, or the State is compiled and reported;
2. Third party contracts and purchase requisitions are reviewed for compliance with this Program;
3. Departments work together to set annual DBE goals;
4. Ensures that bid notices and requests for proposals are made available to DBEs in a timely manner;
5. Identifies contracts and procurements to ensure DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and identifies ways to improve progress;
6. CAA's progress toward goal attainment is analyzed, and if necessary, ways to improve progress are identified;
7. Participates in pre-bid meetings;

8. Advises the Executive Director on DBE matters and achievements;
9. Contractor compliance with good faith efforts is reviewed with appropriate management (i.e. legal counsel, project manager, etc.), as needed;
10. Participates in DBE training and seminars, as required;
11. Outreach to DBEs and community organizations is provided to advise them of opportunities, as needed; and
12. Compliance with the DBE Program is monitored.

Section 26.27 DBE Financial Institutions

The CAA will thoroughly investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community and will make reasonable efforts to use the institutions. The CAA will encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Section 26.29 Prompt Payment Mechanisms

The CAA has established, as part of its DBE Program, a contract clause to require prime contractors to pay subcontractors for satisfactory performance on their contracts no later than 30 days from receipt of each payment made to the prime contractor.

The CAA will ensure prompt and full payment or retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. The CAA will hold retainage from prime contractors and provide for prompt and regular incremental acceptances of portions of the prime contract, pay retainage to prime contractors based on these acceptances, and require a contract clause obligating the prime contractor to pay all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after payment to the prime contractor.

The CAA will consider a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the CAA. When the CAA has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

The CAA is responsible for tracking and reporting to the FAA the number of complaints, if any, received annually from subcontractors regarding alleged non-compliance with prompt payment requirements, including the timely return of retainage by prime contractors. Best efforts will be made to enforce prompt payment requirements.

The CAA will include the following clause in each DOT-assisted prime contract:

“The contractor, sub-recipient, 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 USDOT-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 the recipient deems appropriate.”

Section 26.31 Directory

The CAA utilizes the State of Connecticut Department of Transportation DBE directory, maintained by the State. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. The DBE Directory is available online at http://www.biznet.ct.gov/dot_dbe/dbesearch.aspx , or upon written request to the CAA DBELO.

In addition, the State of Connecticut Department of Transportation provides support services through their DBE Supportive Service Program. More information is available online at <http://www.ct.gov/dot/cwp/view.asp?a=2288&q=307380>

Section 26.33 Over-concentration

The CAA has not identified an over-concentration of DBEs pursuant to 49 CFR Section 26.33 in any type of work that would unduly burden the opportunity of non-DBE firms to participate in that type of work.

Section 26.35 Business Development Programs

The CAA works with DBE's through the State of Connecticut Department of Transportation Supportive Services Program.

Section 26.37 Monitoring and Enforcement Mechanisms

The CAA will take the following monitoring and enforcement actions to ensure compliance with 49 CFR Part 26.

1. CAA will bring to the attention of the DOT any false, fraudulent, or dishonest conduct in connection with the program, so that DOT 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 of Program Fraud and Civil Penalties rules) provided in Part 26.109.
2. CAA will also consider similar action under its own legal authorities, including responsibility determinations in future contracts. Attachment 7 lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in the CAA DBE Program.
3. CAA will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by the following mechanisms:
 - a. Random on-site visits by CAA representatives;
 - b. Prime contractor's sworn statements included in monthly invoicing.
 - c. The CAA may perform interim audits of the contractor's payments to DBE's to ensure the actual amount paid to DBE subcontractors equals the amount reported.
4. CAA will maintain a running tally of actual DBE attainments (payments actually made to DBE firms for work committed to them at the time of contract award), including a means of comparing these attainments to commitments.

The CAA requires prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. The prime contractor shall make available these records for inspection by any authorized representative of CAA or DOT upon request. This reporting requirement also extends to any certified DBE subcontractor.

Section 26.39 Fostering Small Business Participation

The CAA has created a Small Business element to structure contracting requirements 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.

The CAA's small business program element is incorporated as Attachment 10 to this DBE Program. The CAA actively implement the program elements to foster small business participation as a requirement of good faith implementation of our DBE program.

End of SUBPART B

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

The CAA does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

The CAA will establish an overall DBE goal covering a three-year federal fiscal year period if we anticipate awarding FAA funded prime contracts exceeding \$250,000 during any one or more of the reporting fiscal years within the three-year goal period. In accordance with Section 26.45(f) the CAA will submit its Overall Three-year DBE Goal to FAA on or about August 1 prior to the 3-year goal period (i.e. Aug 1, 2019 for FY 2020 – 2022; Aug 1, 2022 for FY 2023-2025, and so on.)

DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45.

The first step is to determine the relative availability of DBEs in the market area, “base figure”. The second step is to adjust the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry to past competitiveness of DBEs on projects.

Our Overall Three-Year DBE Goal submission to DOT/FAA will include a summary of information and comments received, if any, during this public participation process and our responses.

We will begin using our overall goal on October 1 of the reporting period, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 5 to this program.

Section 26.47 Failure to meet overall goals

The CAA will maintain an approved DBE Program and overall DBE goal, if applicable, as well as administer our DBE Program in good faith to be held in compliance with this part.

If the CAA awards and commitments shown on our Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, CAA will do the following to be regarded by the Department as implementing our DBE Program in good faith:

1. Analyze in detail the reasons for the difference between the overall goal and our awards and commitments in that fiscal year;
2. Establish specific steps and milestones to correct the problems we have identified in our analysis and to enable us to meet fully our goal for the new fiscal year.

Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-Conscious Participation

The CAA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. The nature of the projects does not lend themselves toward a DBE winning

as a prime contractor. The most effective means to attain DBE participation is to include DBE goals in the solicitations for the prime contractors to hire DBE subcontractors and suppliers.

Section 26.51(d-g) Contract Goals

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

If our approved projection under paragraph (c) of this section estimates that we can meet our entire overall goal for a given year through race-neutral means, the CAA will implement our program without setting contract goals during that year, unless it becomes necessary in order meet our overall goal.

The CAA will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. The CAA need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the work).

We will express our contract goals as a percentage of the Federal share of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures

Demonstration of good faith efforts (26.53(a) & (c))

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in Appendix A to 49 CFR Part 26.

The DBE Liaison Officer, or her representative, is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsible.

The CAA will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

Information to be submitted (26.53(b))

In CAA's solicitations for DOT/FAA-assisted contracts for which a contract goal has been established, CAA requires the following:

1. Award of the contract will be conditioned on meeting the requirements of this section;
2. All bidders or offerors will be required to submit the following information to the recipient, at the time provided in paragraph (b)(3) of this section:
 - a. The names and addresses of DBE firms that will participate in the contract;
 - b. A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
 - c. The dollar amount of the participation of each DBE firm participating;

- d. Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and
 - e. Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment.
 - f. If the contract goal is not met, evidence of good faith efforts. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract; and
3. We will require that the bidder/offeror present the information required by paragraph (b)(2) of this section no later than 5 days after bid opening as a matter of responsiveness.

Administrative reconsideration (26.53(d))

Within 10 days of being informed by the Airport that it is not a responsible bidder/offeror because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Mr. Kevin A. Dillon, A.A.E.
Executive Director
Connecticut Airport Authority
Bradley International Airport
Administration Office
Terminal A, 3rd Floor
Windsor Locks, CT 06096

An informational copy of this request should be sent to:

Mr. Paul Pernerewski, Jr.
General Counsel
Connecticut Airport Authority
Bradley International Airport
Administration Office
Terminal A, 3rd Floor
Windsor Locks, CT 06096

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not make document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. We will send the bidder/offeror 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. The result of the reconsideration process is not administratively appealable to the U.S. Department of Transportation.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

The CAA will provide such written consent only if we agree, for reasons stated in our concurrence document, that the prime contractor has good cause to terminate the DBE firm.

For purposes of this paragraph, good cause includes the following circumstances:

1. The listed DBE subcontractor fails or refuses to execute a written contract;
2. The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
3. The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, non-discriminatory bond requirements;
4. The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
5. The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR Parts 180, 215 and 1,200 or applicable state law;
6. We have determined that the listed DBE subcontractor is not a responsible contractor;
7. The listed DBE subcontractor voluntarily withdraws from the project and provides to us written notice of its withdrawal;
8. The listed DBE is ineligible to receive DBE credit for the type of work required;
9. A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract;
10. Other documented good cause that we have determined compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

Before transmitting to the CAA its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to the CAA, of its intent to request to terminate and/or substitute, and the reason for the request.

The prime contractor must give the DBE five days to respond to the prime contractor's notice and advise the CAA and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why the CAA should not approve the prime contractor's action. If required in a particular case as a matter of public necessity (*e.g.*, safety), the CAA may provide a response period shorter than five days.

In addition to post-award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms put forward by offerors in negotiated procurements.

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. We will not count the participation of a DBE subcontract 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.

End of SUBPART C

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

The CAA utilizes the State of Connecticut Department of Transportation Unified Certification Program (UCP) as a basis to determine certification of a DBE firm. Firms not certified by the State of Connecticut Department of Transportation may be considered by the Airport if they meet the eligibility standards of Subpart D of Part 26 or another state department of transportation UCP.

For information about the certification process or to apply for certification, firms should call, write, or e-mail to the following:

Ms. Shari Pratt
Office of Contract Compliance Manager
2800 Berlin Turnpike
Newington, CT 06111
Phone: (860) 594-2171
Email: Shari.Pratt@ct.gov
www.ct.gov/dot/cwp/view.asp?a=2288&q=307380

End of SUBPART D

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

The Airport has entered into a Memorandum of Understanding (MOU) with the Connecticut Department of Transportation and will become a signatory to the State of Connecticut Department of Transportation Unified Certification Program (UCP).

Attachment 9 provides a copy of the UPC MOU between the CAA and the Connecticut Department of Transportation.

End of SUBPART E

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

The CAA will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any provision of Federal or state law, the CAA will not release any information that may reasonably be construed as confidential business information to any third party without the written consent of the firm that submitted the information. This includes applications for DBE certification and supporting information. However, the CAA will transmit this information to DOT in any certification appeal proceeding under § 26.89 of this part or to any other state to which the individual's firm has applied for certification under § 26.85 of this part.

All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

The CAA, consultant, contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. If the CAA violates this prohibition, the CAA is in noncompliance with this part.

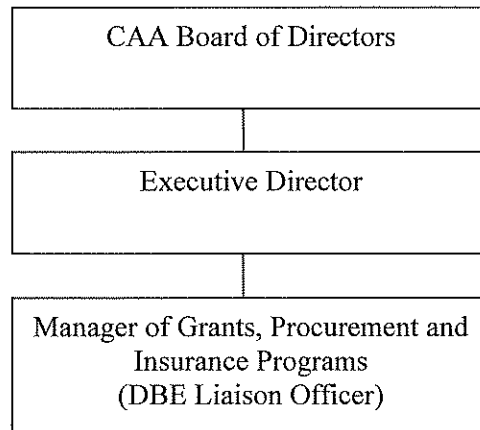
End of SUBPART F

ATTACHMENT 1 - Regulations: 49 CFR Part 26

Available online at the following website:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=b9bdc7020b23b72ea9b3205ec62edce4&mc=true&node=pt49.1.26&rgn=div5>

ATTACHMENT 2 - Organizational Chart



ATTACHMENT 3 - Bidder's List Collection Form

Project Title: _____

Bid Due Date: _____

Location: _____

Pre-Bid Meeting Date: _____

Firm	DBE or Non-DBE Status	NAICS Code(s)	Age of Firm	Annual Gross Receipts
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M
Name: Address: Phone: E-mail:			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1-3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-19 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500k <input type="checkbox"/> \$500k - \$1M <input type="checkbox"/> \$1M - \$2M <input type="checkbox"/> \$2M - \$5M <input type="checkbox"/> Greater than \$5M

ATTACHMENT 4 - Connecticut Department of Transportation DBE Directory

The State of Connecticut Department of Transportation DBE Directory is available online at the following website: www.ct.gov/dot/dbe

ATTACHMENT 5 - Overall Goal Calculations

Section 26.45: Overall DBE Three-Year Goal Methodology

Name of Recipient: Connecticut Airport Authority – Bradley International Airport

Goal Period: Federal Fiscal Years 2020, 2021, 2022 (FFY 20-22)

<u>DOT-Assisted Contract Amount:</u>	FY 2020	\$ 1,900,000
	FY 2021	\$ 8,250,000
	FY 2022	\$ <u>750,000</u>
	TOTAL:	\$ 10,900,000

Overall Three-Year Goal: 13.7% to be accomplished through 13.7% RN and 0.0% RC

Total Amount to be expended on DBE's: \$ 1,493,300 (\$10,900,000 x 13.7%)

Projects on the Capital Improvement Plan (CIP) – DOT/FAA funded portion of the projects only:

FY 2020	
• Install Airfield Guidance Signs	\$ 1,900,000
• Update NCP (Not Included)	\$ 300,000 (reimbursement)
FY 2021	
• Rehabilitate Taxiway S	\$ 8,250,000
FY 2022	
• Extend Taxiway W (EA/Permit/Design)	\$ <u>750,000</u>
TOTAL:	\$ 10,900,000

Methodology used to Calculate Overall DBE Goal

The CAA has established the overall DBE goal in accordance with the 2-Step process as specified in 49 CFR Part 26.45. The first step determined the “base figure” for the relative availability of DBEs in the market area. The second step considered an adjustment to the “base figure” percentage from Step 1 so that it reflects, as accurately as possible, the DBE participation expected in the absence of discrimination based on past participation and local data.

Market Area:

The market area is the area in which the substantial majority of the Airport’s consultant, contractor’s and subcontractor’s that seek to do business with the Airport are located, and the area in which the Airport spends most of its federal contracting dollars. Historically, the Local Market Area for Bradley International Airport has been the geographical boundaries of the State of Connecticut. The exception was the use of specialty subcontractors which reached beyond the State of Connecticut. Since the projects outlined in the current Capital Improvement Plan do not require specialty subconsultants, and the greater majority of that bid and perform on these projects are in-state firms, it is appropriate to use the geographical boundaries of the State of Connecticut to define the Local Market Area.

Step 1: Calculate DBE Base Figure 26.45(c)

Step 1A: Determine NAICS Codes

Based on a review of the FFY 20-22 projects, the program will attract professional services and construction related firms that perform work in the specific codes listed in the North American Industry Classification System (NAICS), United States, 2016.

Step 1B: Determine Total number of Firms in Market Area

Using the U.S. Census Bureau – County Business Pattern data, the total number of “ready, willing and able” businesses in the market area in the defined NAICS codes were identified.

Step 1C: Determine the Total number of DBE Firms in the Market Area

Using the State of Connecticut Department of Transportation DBE directory, the total number of “ready, willing and able” DBE firms in the market area in the same NAICS Codes were identified.

Step 1D: Determine Percentage of Available DBE firms

The percentage of “ready, willing and able” DBE firms in the NAICS Codes is the number of DBE firms divided by the number of businesses (establishments).

Steps 1A through 1D are summarized in the table below:

BUSINESS DATA FOR CONNECTICUT

2012 NAICS code	Meaning of 2012 NAICS code	Number of Establishments (1)	Number of DBE (CT and NAICS) (2)	% DBE Available
236220	Commercial and institutional building construction	352	21	6.0%
237110	Water and sewer line and related structures construction	105	14	13.3%
237310	Highway, street, and bridge construction	107	60	56.0%
238210	Electrical contractors and other wiring installation contractors	1134	23	2.0%
531320	Offices of real estate appraisers	101	1	1.0%
541310	Architectural services	252	11	4.4%
541330	Engineering services	529	89	16.8%
541370	Surveying and mapping (except geophysical) services	84	18	21.4%
541380	Testing laboratories	80	11	13.8%

Source: 1 U.S. Census Bureau - 2016 County Business Patterns (NAICS)
<https://census.gov/programs-surveys/cbp.html>

Source: 2 Connecticut Department of Transportation - DBE Program (April 2019)
https://biznet.ct.gov/DOT_DBE/dbesearch.aspx

Step 1E: Calculate the % (\$) of Work for each NAICS Code

For each project on the CIP receiving DOT/FAA funding, the applicable NAICS Codes were identified. The percentage of each NAICS Code was estimated based on past projects and industry averages, from which the dollar value for each NAICS Code was calculated. Using the % Available DBE's for each NAICS Code, the total dollar value available for DBE's was calculated.

Step 1F: Calculate the DBE participation goal for Fiscal Year

For each project, the sum of the total dollar value available for DBE's divided by the total dollars for the project returns the percentage of DBE participation for the project. For the Fiscal Year DBE participation goal, the sum dollar value available for DBE's for each project divided by the sum dollar value for each project returns the % DBE goal participation for the Fiscal Year.

Step 1G: Calculate the DBE participation for the 3-Year Period

The average of the % DBE goal for each Fiscal Year returns the DBE Goal for the 3-Year Period.

The DBE Base Figure was determined to be 23.6% (Average of FFY 20-22 projects)

Steps 1E through 1G are summarized in the table below:

DBE GOAL CALCULATION FOR FAA ASSISTED CAPITAL IMPROVEMENT PROJECTS

FFY 2020 PROJECTS						% DBE Goal	
Project Name	NAICS Code	NAICS Description	Trade (%)	Trade (\$)	Trade DBE (%)	Trade DBE (\$)	Project DBE % (weighted)
Install Airfield Guidance Signs	237310	Highway, Street, and Bridge Construction	4.0%	\$ 76,000.00	56.0%	\$ 42,560.00	
	238210	Electrical Contractors and Other Wiring Installation Contractors	80.0%	\$ 1,520,000.00	2.0%	\$ 30,400.00	
	541330	Engineering Services	12.0%	\$ 228,000.00	16.8%	\$ 38,304.00	
	541370	Surveying and Mapping (except Geophysical Services)	4.0%	\$ 76,000.00	21.4%	\$ 16,264.00	
Total			100.0%	\$ 1,900,000.00		\$ 127,528.00	
TOTAL				\$ 1,900,000.00		\$ 127,528.00	6.7%

FFY 2021 PROJECTS						% DBE Goal	
Project Name	NAICS Code	NAICS Description	Trade (%)	Trade (\$)	Trade DBE (%)	Trade DBE (\$)	Project DBE % (weighted)
Rehabilitate Taxiway S	237310	Highway, Street, and Bridge Construction	80.0%	\$ 6,600,000.00	56.0%	\$ 3,696,000.00	
	238210	Electrical Contractors and Other Wiring Installation Contractors	7.2%	\$ 594,000.00	2.0%	\$ 11,880.00	
	541330	Engineering Services	12.0%	\$ 990,000.00	16.8%	\$ 166,320.00	
	541370	Surveying and Mapping (except Geophysical Services)	0.4%	\$ 33,000.00	21.4%	\$ 7,062.00	
	541380	Testing Laboratories	0.4%	\$ 33,000.00	13.8%	\$ 4,554.00	
Total			100.0%	\$ 8,250,000.00		\$ 3,885,816.00	47.1%
TOTAL				\$ 8,250,000.00		\$ 3,885,816.00	47.1%

FFY 2022 PROJECTS						% DBE Goal	
Project Name	NAICS Code	NAICS Description	Trade (%)	Trade (\$)	Trade DBE (%)	Trade DBE (\$)	Project DBE % (weighted)
Extend Taxiway W (EA/Permit/Design)	541330	Engineering Services	85.0%	\$ 637,500.00	16.8%	\$ 107,100.00	
	541370	Surveying and Mapping (except Geophysical Services)	7.5%	\$ 56,250.00	21.4%	\$ 12,037.50	
	541380	Testing Laboratories	7.5%	\$ 56,250.00	13.8%	\$ 7,762.50	
Total			100.0%	\$ 750,000.00		\$ 126,900.00	16.9%
TOTAL				\$ 750,000.00		\$ 126,900.00	16.9%

Step 2: 26.45(d) Base Figure Adjustment

After calculating the base figure for the relative availability of DBE's, evidence was examined to determine if any adjustment to the base figure was needed to improve the accuracy of the goal. The following evidence was examined:

1. Capacity of DBE firms (ref. 26.45(d)(1)(i))

This evidence considers the current capacity of DBE firms to perform work on DOT-assisted contracting programs, as measured by the volume of work DBE's have performed in recent years.

DBE firms have had equal opportunity to perform work at Bradley International Airport. DBE goals and participation for the past three years were examined to determine if the present goal was reasonable considering actual monetary payments to DBE firms on ongoing contracts, and the awards and commitments made. A following table references the Uniform Report of DBE Commitments/Awards and Payments prepared and submitted by CAA for FFY 2017, 2018, and 2019.

Awards and Commitments						
FFY	Total Dollars	Total Number of Contracts (Prime/Sub)	Total Dollars to DBE Firms	Total Number of DBE Firms (Prime/Sub)	Percent Dollars to DBE	DBE Goal
2017	\$ 234,780	2 / 1	\$ -	0	0.0%	13.6%
2018	\$ 15,885,977	2 / 16	\$ 1,890,623	8	14.8%	13.6%
2019		Ongoing (unavailable)				
TOTAL	\$ 16,120,757		\$ 1,890,623.0		14.8%	

Payments on Ongoing Contracts						
FFY	Total Dollars	Total Number of Contracts (Prime/Sub)	Total Dollars to DBE Firms	Total Number of DBE Firms (Prime/Sub)	Percent Dollars to DBE	DBE Goal
2017	\$ 25,017	2	\$ -	0	0	13.6%
2018	\$ 933,373	20	\$ 228,288	10	24.5%	13.6%
2019		Ongoing (unavailable)				
TOTAL	\$ 958,390		\$ 228,288.00		24.5%	

Total Payment on Contracts Completed						
FFY	Total Dollars	Total Number of Contracts (Prime/Sub)	Total Dollars to DBE Firms	Race Conscious	Race Neutral	% Dollars to DBE
2017	\$ 3,484,414	6	\$ 57,329	\$ 57,329	\$ -	1.6%
2018	\$ 2,806,491	10	\$ 184,469	\$ 2,806,491	\$ -	6.6%
2019		Ongoing (unavailable)				
TOTAL	\$ 6,290,905		\$ 241,798		\$ -	8.2%

Note: Values above do not include any ConnDOT administered projects.

Note that many projects overlap between Federal Fiscal Years. The year the DBE work was completed, and the year reported influences the DBE participation percentage.

The average percentage of Awards and Commitments to DBEs in the FFY 14-18 period is 12.5%. See the FFY 17-19 DBE plan for the related awards (23.2% in FFY 14; 17.4% in FFY 15; and 7.3% in FFY 16).

Payments on Ongoing Contracts is not considered as the work is not yet completed and the final value of payments to DBE's is not calculated.

The average value of DBE percent Total Payments on Contracts Completed from FFY 14-18 is 5.3%. See the FFY 17-19 DBE plan for percent payments (0% in FFY 14 and 15; 7.7% in FFY 16).

A factor that has determined the DBE Base Figure FFY 20-22 goal of 23.6% is the increase between 2014 and 2016 in NAICS 237310 Highway, Street, and Bridge Construction firms. While the total number of NAICS 237310 firms remained relatively the same, the number of NAICS 237310 DBE qualified firms rose significantly from 17.5% to 56%. As this NAICS code is estimated to be 60% of the value of the FFY 20-22 projects and the work is likely to be awarded under prime contracts based on historical awards to non-DBE prime contractors, there lacks enough supporting historical evidence at the airport that the projects will meet the calculated goal of 23.6%.

After careful consideration of the history of work between FFY 14-18 of Awards and Commitments as well as Total Payments on Contracts completed, it is recommended that a reduction in the DBE Base Figure be made. Over the 5-year period of FFY 14-18 the DBE percent of Total Payments on Contracts Completed is approximately 42% less than the average percentage of Awards and Commitments to

DBEs (5.3%/12.5%). Therefore, based on historical data the base figure FFY 20-22 goal of 23.6% could be reduced by 42% to a revised goal of 13.7%. This revised percentage is a slight increase from the previous FFY 17-19 goal of 13.6%.

2. Disparity Studies (ref. 26.45(d)(1)(ii))

This considers evidence from disparity studies conducted anywhere within the Airport's jurisdiction. CAA contacted the Connecticut Department of Transportation DBE Coordinator regarding evidence from disparity studies. It was stated that the Connecticut Department of Transportation has not conducted disparity studies. Based on this evidence, no adjustment to the DBE Base Figure was made.

3. Statistical disparities (ref. 26.45(d)(2)(i))

This considers evidence of statistical disparities in the ability of DBE's to get financing, bonding and insurance required for participation in CAA's program. CAA contacted the Connecticut Department of Transportation DBE Coordinator regarding evidence from disparity studies. It was stated that the Connecticut Department of Transportation has not conducted disparity studies. Based on this evidence, no adjustment to the DBE Base Figure was made.

4. Employment / Education / Union Apprenticeship

This considers data on employment, self-employment, education, training and union apprenticeship programs that can be directly related to the opportunities for DBE's to perform in CAA's DBE Program. The DBE's available for CAA's projects are the same as the DBE's available for Connecticut Department of Transportation projects. The CAA's projects on the CIP do not require any unusual certification or training that would affect opportunities for DBE's. Based on this evidence, no adjustment to the DBE Base Figure was made.

Breakout of Estimated Race and Gender Neutral (RN) and Race and Gender Conscious (RC) Participation (ref. 26.51(b)(1-9))

The CAA estimates that in meeting the overall goal of 13.7%, it will seek to achieve this goal through Race Neutral means before attempting Race Conscious measures.

Consultation (ref. 26.45(g)(1))

On an annual basis, CAA may consult with minority, women's and general contractor groups, and other Southern New England community organizations, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and efforts to establish a level playing field for the participation of DBEs.

Public Participation

CAA advertises its DBE Plan in the following publications:

1. Hartford Courant
2. LaVoz
3. Inner-City News
4. Posting on the CAA and Bradley International Airport websites.

Public Notice

The Connecticut Airport Authority (CAA) hereby announces its federal fiscal years 2020-2022 49 CFR Part 26 Disadvantaged Business Enterprise (DBE) plan related to FAA-assisted contracts for professional services and construction projects for the Bradley International Airport. The proposed plan, which includes the 3-year goal and rationale, is available for inspection between 8:30 a.m. and 4:00 p.m., Monday through Friday at Bradley International Airport, Administration Office, Terminal A, 3rd Floor, Windsor Locks, CT 06096 or on CAA's website <http://www.ctairports.org>, the Bradley International Airport website <http://www.bradleyairport.com> for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 45 days from the date of availability of this notice and can be sent to the following:

Laurie A. Sirois
Manager of Grants, Procurement
and Insurance Programs
Connecticut Airport Authority
Bradley International Airport
Administration Office
Terminal A, 3rd Floor
Windsor Locks, CT 06096
lsirois@ctairports.org

Mr. Thomas Knox
DBE & ACDBE Compliance Specialist
FAA Western-Pacific Regional Office
Los Angeles, CA 90009-2007
thomas.knox@faa.gov

or

Comments from Public Review and Consultation

- Public review comments - pending

ATTACHMENT 6 - Demonstration of Good Faith Efforts

Forms 1 and 2 shall be provided as part of the solicitation documents

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

(Required for All Bids Requesting to Not Achieve the _____ % DBE Goal)

I, _____, _____, of _____
(Name) (Title) (Company)

certify that on _____, I contacted the following DBE Contractors to obtain a bid
(date)
for work items to be performed on Contract Number _____.

DBE Contractor Name and Address

Work Items Sought

_____	_____
_____	_____
_____	_____

To the best of my knowledge and belief, said DBE Contractor was unavailable (exclusive of unavailability due to lack of agreement on price) for work on this project, or unable to prepare a bid for the following reason(s):

Signature _____

Date _____

This portion to be completed by DBE Contractor:

_____ was offered an opportunity to bid or make an offer
(Name of DBE)
on the above identified work on _____ by _____
(Date) (Source)

The above statement is a true and accurate account of why I did not submit an offer/bid on this project.

(Signature of DBE)

(Title)

FORM 2: LETTER OF INTENT

To: _____
(Name of Contractor)

Project: _____

Project #: _____

The undersigned intends to perform work in connection with the above project as (check one):

_____ an individual
_____ a partnership

_____ a corporation
_____ a joint venture

The undersigned certifies the company is a Disadvantaged Business Enterprise as defined and registered by the Connecticut Department of Transportation, Bureau of Finance & Administration, Division of Contract Compliance.

The undersigned is prepared to perform the following described work in connection with the above project (specify in detail work to be performed).

Subcontractor: _____
(Name)

Contract Amount _____

Supplier: _____
(Name)

Contract Amount _____

The Bid Price agreed upon is: _____ Dated _____

The undersigned agrees that the contract conditions above are true and accurate and will be performed by the above, who will enter into a formal agreement for the above work with you, conditioned upon your execution of a contract with

Name of company, signature and title of authorized official of the company and the date must be properly executed on this document or the bid will be deemed nonresponsive.

(Date)

(Name of Disadvantaged Company)

*As determined by:

(Signature of Authorized Official)

(Title of Authorized Official)

(PRINT NAME of Authorized Official)

Submit this page for each DBE subcontractor.

ATTACHMENT 7 - DBE Monitoring and Federal Enforcement Mechanisms

The CAA monitoring and enforcement includes the following:

Each Contractor will be required to submit documentation of DBE participation as the work progresses. A **Monthly Compliance Report/DBE Participation Affidavit (Refer to Exhibit 4 of CAA Specification Section 00 0750)** and **EEO/DBE Monthly Activities Report (Refer to Exhibit 5 of CAA Specification Section 00 0750)** will be required to be submitted monthly with the Contractor's Application for Payment or by the last day of the month if the Contractor is not submitting an Application For Payment. Trade Contractor's Application for Payment will not be processed if any of the DBE monthly reports is delinquent. **(Refer CAA Specification Section 00 0750, paragraph 3.6)**

Failure to comply with the project's DBE requirements, engaging in efforts to subvert the requirements or manipulate control of the bid process, attempting to include DBE firms with a known prior record of brokering or other illegal practices or failure to complete the appropriate forms will be considered an incomplete bid failing to respond to the bid documents specifications and will be cause for rejection of the entire bid or the exclusion from receiving credit of the DBE portion in question as an eligible participant in the DBE program, whichever the CAA deems appropriate. **(Refer CAA Specification Section 00 0750, paragraph 3.0)**

In addition, the Federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

ATTACHMENT 8 - DBE Certification Application Form

ConnDOT is the certifying agency. The forms required to initiate the DBE Certification Process are available on the State of Connecticut Department of Transportation website:

www.ct.gov/dot/cwp/view.asp?a=2288&q=307380

ATTACHMENT 9 - Uniform Certification Program Agreement (MOU)

CONNECTICUT DBE UNIFIED CERTIFICATION PROGRAM MEMORANDUM OF UNDERSTANDING

As a result of the requirements set forth in 49 CFR Part 26 Subpart E, we, the undersigned agree to participate in the **CONNECTICUT DISADVANTAGED BUSINESS ENTERPRISE UNIFIED CERTIFICATION PROGRAM**, in accordance with the tenets of this Memorandum of Understanding and agree to abide by its contents.

(The DBE Liaison Officer has direct access to the head of your organization and is responsible for ensuring your agency's compliance with this MOU and all other requirements under the DBE program)

Kevin A. Dillon 5/10/17
(Signature of Executive Director) Date

Kevin A. Dillon, A.A.E.
(Print Name and Title of Executive Director)

Connecticut Airport Authority
(Agency)

Bradley International Airport • Terminal A, 3rd Floor • Windsor Locks, CT 06096
(Address)

860-292-2054 kdillon@ctairports.org
(Phone Number) (E-Mail Address)

ATTACHMENT 10 - Small Business Element Plan

1. Objective/Strategies

The CAA has created a practice to foster small business participation. This practice consists of the following strategies:

1. Structure contracts 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.
2. CAA may unbundle projects or separate large contracts into smaller contracts which may be more suitable for small business participation. CAA will review each FAA-assisted contract to determine whether portions of the project could be unbundled or bid separately. Similarly, CAA will encourage its prime contractors and prime consultants to unbundle contracts to facilitate participation by small businesses.
3. On prime contracts not having DBE contract goals, CAA will encourage prime contractors to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.

2. Definitions

Disadvantaged business enterprise or *DBE* means a for-profit small business concern:

1. 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; and
2. Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged business owners.

Small business concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined 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).

3. Verification

CAA will accept the following certifications for participation in the small business element of their DBE Program with applicable stipulations:

1. Connecticut Department of Transportation Disadvantaged Business Enterprise Program (DBE).
2. Connecticut Department of Administrative Services Small/Minority Business Enterprise Program (SBE/MBE).

3. United States Small Business Administration's Programs (8(a) program; Small Disadvantaged Business Program (SDB), HUBZone, or a recipient of a United States Small Business Administration Loan (Loan Note Documentation required.)

4. Monitoring/Record Keeping

The CAA will track contract awards to determine baseline conditions. The CAA will determine the number of small business typically participating. This will be completed by having Prime Contractor(s) for Construction Work Items and for Professional Services Work Items complete the form entitled, *Fostering Small Business Participation*, located in Attachment 6.

The *Table of Small Business Size Standards matched to North American Industry Classification Codes* as compiled by the U. S. Small Business Administration (found at www.sba.gov) will be used to implement this strategy.

5. Implementation Timeline

CAA will implement the Small Business element within 9 months of FAA's approval of this document.

6. Assurance

The CAA makes the following assurances:

1. The DBE Program, including the Small Business element, is not prohibited by state law;
2. Certified DBEs that meet the size criteria established under the program are presumptively eligible to participate in the program;
3. There are no geographic preferences or limitations imposed on any federally assisted procurement included in the program;
4. There are no limits on the number of contracts awarded to firms participating in the program but that every effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
5. Aggressive steps will be taken to encourage those minority and women owned firms that are eligible for DBE certification to become certified.

END OF DBE PROGRAM PLAN