

**Federal Transit Administration  
Disadvantaged Business Enterprise (DBE)  
Program Plan**

**For**

**NAIPTA (Northern Arizona Intergovernmental  
Public Transportation Authority)**

Updated: November, 2019

Updated: June 18, 2015

Adopted: July 16, 2015

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## POLICY

### **Objective - Policy Statement**

Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA), (DBA Mountain Line) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. NAIPTA has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, NAIPTA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of NAIPTA 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;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Purchasing Specialist has been delegated as the DBE Liaison Officer. In that capacity, the Purchasing Specialist is responsible for implementing all aspects of the Arizona DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by NAIPTA in its financial assistance agreements with the Department of Transportation.

NAIPTA has disseminated this policy statement to the NAIPTA Board of Directors and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work on DOT-assisted contracts.



Erika Mazza  
CEO and General Manager,  
NAIPTA, (DBA Mountain Line)

## **GENERAL REQUIREMENTS**

### **Applicability**

As a recipient of funds from the Federal Transit Administration (FTA) NAIPTA has established its DBE program in accordance with 49 CFR Part 26 and has committed to ensuring compliance on all FTA funded transportation projects through monitoring, reporting, and goal-setting. Where DBE goal setting is not necessary or practicable, NAIPTA will encourage race-neutral DBE participation.

Federal transit funds are authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178.

### **Definitions**

Disadvantaged Business Enterprise or DBE means 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; and
- Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own the business.
- The owner(s) must have a personal net worth (PNW) less than \$1,320,000..
- The firm must be a for-profit, already existing business with a three year gross receipts average under \$23,980,000. The firm must also not exceed the Small Business Administration (SBA) size standards in 13 CFR part 121 for the type of work it performs.

NAIPTA has adopted and uses the definitions related to the DBE program found in 49 CFR Part 26.5.

### **Non-discrimination Requirements**

NAIPTA will not 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, NAIPTA 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, sexual orientation, gender identity or expression, or national origin as required by federal, state or local regulations.

### **Record Keeping Requirements**

#### **Uniform Report of DBE Awards or Commitments and Payments:**

NAIPTA will report DBE participation to FTA using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation.

- DBE activity from October First through March 31st will be submitted by June 1<sup>ST</sup>
- DBE activity from April First through September 31st will be submitted by December 1<sup>ST</sup>
- The second report will be an accumulation of the entire Fiscal Year

If applicable, NAIPTA will include sub-recipient activity in its semi-annual reports based on project data

provided through the Local Public Agency DBE Reporting System.

### **Bidders List**

NAIPTA utilizes Arizona Department of Transportation (ADOT) bidders list.

The Arizona Department of Transportation (ADOT) will collect bidders' list information, consisting of information regarding DBE and non-DBE firms that bid or quote on DOT-assisted contracts. Bidders' list information will be used by ADOT in support of annual goal-setting calculations but will not be used exclusively to substantiate availability or the "ready, willing, and able" status of affected Arizona DBEs. Data gathered will include the name, address, DBE or non-DBE status, age, and annual gross receipts of firms.

This information will be collected via completed Bidders List Forms and Civil Rights Vendor Registration hosted by ADOT. Bidders List Forms shall be received by the ADOT Civil Rights Office at the time of bid opening or cost proposal submission. Bidders List Forms shall be submitted by all bidders. Bidders List Forms will contain name, address, and DBE or non-DBE status. Instructions for completing Bidders List Forms are contained in the ADOT DBE Specification, EPRISE. Age and annual gross receipts data will be collected via the Civil Rights Vendor Registration system.

Civil Rights Vendor Registration can be accessed via <https://adot.dbesystem.com/Default.asp>. All contractors, consultants, subcontractors, and sub-consultants, DBE and non-DBE, are required to complete the Civil Rights Vendor Registration for all NAIPTA-administered and sub-recipient federal aid projects.

### **Assurances**

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

#### **Federal Financial Assistance Agreement Assurance 26.13(a)**

NAIPTA 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 recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. NAIPTA'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 NAIPTA of its failure to carry out its approved program, NAIPTA may impose sanction 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.).

As applicable, this language will appear in financial assistance agreements with sub-recipients.

#### **Contract Assurance 26.13(b)**

NAIPTA 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, sex, sexual orientation, gender identity or expression, or national origin as required by federal, state or local regulations in the performance of this contract. The contractor shall carry

out applicable requirements of 49 CFR Part 26 in the award and administration of 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 state deems appropriate. The contractor, sub-recipient, or subcontractor shall ensure that all subcontract agreements contain this non-discrimination assurance.

## **ADMINISTRATIVE REQUIREMENTS**

### **DBE Program Updates**

NAIPTA receives funding from the FTA in excess of \$250,000 each federal fiscal year for planning capital, and or operating assistance. As a condition of receipt of funding, NAIPTA will continue to carry out the requirements defined in this Program Plan until all funds from DOT financial assistance have been expended. Further, NAIPTA will provide updates to the DOT regarding any significant changes in the program

### **DBE Liaison Officer (DBELO)**

We have designated the following individual as our DBE Liaison Officer:

Heather Higgins Purchasing and Contracts Officer  
3773 N Kaspar Dr  
Flagstaff, AZ 86004  
928.679.8907 or hhiggins@naipta.az.gov

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that NAIPTA complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the CEO and General Manager concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment A to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has access to professional and technical staff to assist in the administration of this program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with ADOT to monitor state goal updates and modify NAIPTA policy as necessary.
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 attainment) and monitors results.
6. Analyzes NAIPTA's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the General Manager and Board of Directors on DBE matters and achievement.
9. Participates with legal, construction, and contracts/specifications to determine contractor compliance with good faith efforts.
10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.

12. Provides outreach to DBEs and community organizations to advise them of opportunities.
13. Maintains NAIPTA's updated directory on certified DBEs.

### **DBE Financial Institutions**

It is the policy of NAIPTA 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 use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions.

The Arizona Department of Financial Institutions is utilized to identify such institutions. To date, socially and economically disadvantaged owned and controlled financial institutions have not been identified in Arizona.

### **Prompt Payment Mechanisms**

#### **Prompt Payment:**

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

As per the Arizona Revised Statutes Section 28-6924 Paragraph A.2 and NAIPTA specifications, the prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than seven (7) days from the receipt of each payment the prime contract receives from NAIPTA. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the NAIPTA. This clause applies to both DBE and non-DBE subcontracts require that prime contractors pay their subcontractors.

#### **Retainage:**

The prime contractor agrees to return retainage payments to each subcontractor within fourteen (14) days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the [Recipient]. This clause applies to both DBE and non-DBE subcontracts.

Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of NAIPTA. If prompt partial or prompt final payment, including any retention, is not made within the established timeframes, NAIPTA may retain two thousand dollars (\$2,000) per subcontractor, per occurrence. The amount withheld is released after the issue is resolved.

#### **Monitoring and Enforcement:**

NAIPTA has requires various reporting mechanisms, certifications, and forms to monitor and enforce that prompt payment and return of retainage is in fact occurring.

#### **Directory**

NAIPTA identifies DBE's as certified by the ADOT Unified Certification Program.

ADOT serves as the lead agency for the Arizona Unified Certification Program. In this role, ADOT maintains the statewide directory which identifies all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, fax number, email address, gender, ethnicity, certification source, NAICS codes, and the type of work the firm has been certified to perform as a DBE. The directory is available online at [www.azdbe.org](http://www.azdbe.org). Paper copies of the DBE directory are made available upon request by contacting the ADOT Civil Rights Office at (602) 712-7761 or via email at [dbesupportiveservices@azdot.gov](mailto:dbesupportiveservices@azdot.gov).

### **Overconcentration**

NAIPTA relies on ADOT's lead for identification and addressing overconcentration issues.

ADOT has not identified that overconcentration exists in the types of work that DBEs perform. However, if ADOT finds that DBE overconcentration has occurred to such an extent as to unduly burden the opportunity of non-DBE firms to participate in the design or construction program, it will develop procedures to address this. The procedures will be submitted to the appropriate operating administration for review and approval prior to implementation.

### **Business Development Programs**

NAIPTA has not established a formal business development program. We do provide outreach services, including forwarding information no less than annually to all known vendors regarding ADOT's DBE Supportive Services Provides. Additionally announcements from ADOT about educational programs and conferences are sent to all registered vendors.

The ADOT DBE Supportive Services Program provides outreach and educational programs regarding the benefits of DBE certification for minority and women owned businesses. The purpose of the program is to provide education, access, and visibility for the DBE community to aid in business development and eventual self-sufficiency. Training, conferences, and workshops are open to any interested party. Detailed information regarding the ADOT DBE Supportive Services program can be found at [www.adotdbe.com](http://www.adotdbe.com).

### **Monitoring and Enforcement Mechanisms**

NAIPTA will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation 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 or Program Fraud and Civil Penalties rules) provided in 26.109.
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. Attachment B lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.
3. We will 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 monitoring by the DBE Liaison Officer and NAIPTA Development Director.

4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

### **Small Business Participation**

NAIPTA has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted public projects by small businesses (both DBEs and non-DBE small businesses):

- Vendor searches completed at local level using grass root groups to ensure adequate advertisement of opportunity;
- Use of Small Business Center for identification of small business and advertisement opportunity;
- Continuous evaluation of contract requirement to minimize and remove unnecessary and unjustified requirements;
- Encouraging bidders on large contracts to identify and create provisions within subcontracts appropriate for small business participation;
- Development of acquisition strategies and structuring procurements to facilitate bids by and awards to small business consortia or joint ventures; and
- Letting prime contract of a size that small businesses can reasonably compete for and perform.

### **GOALS, GOOD FAITH EFFORTS, AND COUNTING**

#### **Set-asides or Quotas**

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

#### **Overall Goals**

NAIPTA prepared this document, which details the methodology for establishing its Disadvantaged Business Enterprise (DBE) overall goal for the Federal Transit Administration (FTA) assisted contract. The goal and methodology establishes NAIPTA's estimated overall goal for FTA-assisted contracts that NAIPTA anticipates awarding in Federal Fiscal Years (FFYs) 2015, 2016, and 2017. NAIPTA submits this document to the US Department of Transportation's (USDOT) Federal Transit Administration (FTA) for review and approval pursuant to 49 Code of Federal Regulation (CFR) Part 26.45.

To establish its overall DBE goal, NAIPTA closely followed federal regulations, including the two-step goal-setting methodology set forth in 49 CFR Part 26.45. NAIPTA determined a "step-one" base figure for its overall DBE goal using information from the Arizona Department of Transportation (ADOT) DBE Directory as well as from Census Bureau Data.

NAIPTA determined whether a "step two" adjustment was needed to adjust the base figure using information from the ADOT Availability and Disparity Study conducted by Keen Independent Research (Keen Independent). This disparity study did include FTA funded projects.

#### **Proposed DBE Goal For FFY 2015-2017**

For Federal Fiscal Years (FFYs) 2015-2017, the NAIPTA Triennial DBE proposed goal for FTA assisted projects is 0.50% rounded to 1% without any Step Two adjustments. This overall goal is expected to be achieved through wholly race-neutral methods. NAIPTA submits this goal and methodology to the FTA

for review and approval pursuant to 49 Code of Federal Regulations (CFR) section 26.45, for federally assisted transit contracts.

NAIPTA relied on the 49 CFR section 26 regulations as issued and amended, to ascertain this goal.

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

To derive the proposed DBE triennial goal, NAIPTA followed the two-step goal setting process specified in 49 CFR Section 26.45(c) of the DBE regulations:

- Step One describes the calculation of a base figure for the relative availability of DBEs.
- Step Two is the examination of all the evidence available to determine if an adjustment to the base figure is needed to arrive at the overall goal.

### **Step 1: Determining a Base Figure - Section 26.45(c)**

The base figure for the relative availability of DBE's was calculated as follows:

*Ready, willing, and able DBEs / All firms ready, willing and able = Base figure*

Data Sources:

Three (3) work classifications have been identified for DBE goal setting and potential DBE participation by ADOT. These work classifications are:

- Transit and Ground Passenger Transportation (NAICS Code 485000)
- Other Professional Scientific and Technical Services (NAICS Code 541900)
- Bus Facility Construction (NAICS Code 236220)

NAIPTA defined our area as the State of Arizona as Flagstaff is a small urban area surrounded mostly by rural communities. If we limited our area to our metropolitan area we would fail to recognize that majority of competing businesses are found in the larger metropolitan areas of our state. This conclusion accurately reflects responses NAIPTA has received to our procurement solicitations.

NAIPTA utilized the Arizona Unified Transportation Registration and Certification System (AZ ULTRACS) to identify vendors that have been certified as either Disadvantaged Business Enterprise (DBE) or Small Business Concern (SBC). Arizona ULTRACS is a centralized database of firms that have indicated that they are ready, willing, and able to perform work. Total certified DBE and registered SBC to fulfill our DOT assisted contracts is 97.

NAIPTA used information from US Census on registered vendors for the State of Arizona by NAICS to identify total vendors available to provide contracted services. The NAICS codes are the same as the codes used by ADOT to classify DBE/SBC vendors. Total available vendors for the DOT contracting opportunities of NAIPTA are 28,723.

When we divided the numerator by the denominator we arrived at the base figure for our overall goal and that number was .33%.

Additionally, NAIPTA performed weighted factoring to ensure the overall goal was adjusted based on contracting opportunities.

The data used to determine the weighting was:

1. Weighted rate of contracting opportunities by NAICS codes (contract value by code/total contracting opportunities)

2. DBE/SBC availability by NAICS codes (identified DBE by NAICS/total vendors by NAICS)
3. Calculation of DBE goal by NAICS (weighted rate \* DBE goal by NAICS)

After weighting contracting opportunities, the overall goal increased from .33% to .50% creating the final overall goal of 1%. (see Weighting Base Figure Worksheet in Attachment C)

NAIPTA is aware that there are both minority (MBE) and women (WBE) owned businesses that have not participated in the DBE certification process. We address this lack of certification in our outreach program and defer to ADOT as the lead agency for Arizona ULTRACS. The 2015 ADOT Disparity Study identified that of the 33.74% of MBE and WBEs, 25% are not currently certified as DBE's and are unlikely to achieve the immediate certification required to change DBE availability. Accordingly, NAIPTA has not modified the number of available DBEs for fulfilling contracts.

### **Step 2: Determining if an Adjustment is Needed – Section 26.45(d)**

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

Past Performance: Historically, as reported in FY2012 thru FY2014 reports, NAIPTA has only had minor participation in contracting opportunities with 2 contracts in FY2014 totaling \$29,198, or .5%. As this participation is close to the base figure, NAIPTA does not find it necessary to make any Step 2 adjustment based on available and willing DBEs.

Information related to employment, self-employment, education, training, and unions: NAIPTA has not completed a Disparity Study, relying on the report of the Arizona Department of Transportation to identify barriers that exist for certain minority groups and women related to entry and advancement and business ownership in Arizona construction and engineering industries. Per ADOT 2015 DBE Disparity Study, these barriers may affect availability of certain DBEs in obtaining and performing in contracting opportunities. The analysis indicates an upward Step 2 adjustment of 3.71 percentage points might be applicable to FTA-funded contracts.

If this adjustment was made to the NAIPTA DBE goal, the goal would increase to 4.71% (1% + 3.71%).

Disparities in the ability of DBEs to get financing, bonding, and insurance: As per ADOT's Disparity Study, financing and bonding do present disadvantages for minorities, women, and MBEs/WBEs. These barriers to obtaining financing and bonding might affect opportunities for MBEs/WBEs to successfully form and operate construction and engineering businesses in Arizona, as well as opportunities to participate in contracting opportunities. The Disparity Study further identifies that insurance requirements affect small businesses that are unable to afford the levels of insurance required. The information indicates an upward adjustment in the overall annual goal.

Although the analysis indicates an upward adjustment is appropriate, the Disparity Study could not quantify the impacts of these factors in the availability of DBEs.

Other: Also from ADOT's Disparity Study, success of MBEs/WBEs relative to majority-owned businesses in Arizona reveals MBEs/WBEs are less successful and are faced with greater barriers. There is qualitative information that suggests discrimination based on race, ethnicity, and gender does affect MBEs/WBEs in contracting opportunities in Arizona.

The Disparity Study could not quantify the impact of these barriers.

Summary: NAIPTA did consider whether a Step 2 adjustment was necessary in determining the overall DBE goal.

NAIPTA did not make a Step 2 adjustment as a result of the additional analysis.

- The past performance from the most recent completed years shows NAIPTA has recently had similar performance on contracts, in FY2014, however prior years have had no participation.
- Increasing the goal by 3.71% does not seem prudent in light of past performance and the significant change from the Step 1 goal.

NAIPTA will consider potential adjustments if it can demonstrate ability to meet the overall goal of 1%.

### **Public Participation**

NAIPTA will publish a notice of the proposed overall goals, informing the public that the proposed goal and NAIPTA's rationale are available for inspection during normal business hours at our main office in Flagstaff for 30 days following the date of the notice, and informing the public that NAIPTA and DOT will accept comments on the goals for 45 days from the date of the notice. The public notice will be published in the local newspaper as well as distributed to available minority-focus media and posted on our website. Normally, we will issue this notice by July 1 of a goal setting year. The notice will include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed. The goal will be adopted after a public hearing in August.

Our overall goal submission to DOT will include: the proposed goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the DBE Program Plan; a summary of information and comments received during this public participation process and our responses; and proof of publication of the goal in media outlets listed above.

We will begin using our overall goal on October 1 of the specified year, 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. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

### **Race-/Gender Neutral & Race-/Gender Conscious Participation**

NAIPTA will meet the maximum feasible portion of its overall goal by using race- and gender-neutral means of facilitating DBE participation.

NAIPTA will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. In order to do so, NAIPTA will:

- Inclusion of small businesses on vendor lists and sharing of interested vendor list with prime contractors;

- Arrange solicitations, presentation times, quantities, and delivery schedules to facilitate participation of DBE firms;
- Unbundle large contracts to make accessible and available to smaller businesses;
- Continuous evaluation of contract requirement to minimize and remove unnecessary and unjustified requirements;
- Simplify and/or reduce bonding requirements as possible and/or provide assistance in overcoming limitations such as bonding and financing;
- Encouraging bidders on large contracts to identify and create provisions within subcontracts appropriate for small business participation;
- Provide technical assistance and other services;
- Development of acquisition strategies and structuring procurements to facilitate bids by and awards to small business consortia or joint ventures;
- Provide information and communication programs on contracting procedures and specific contract opportunities (i.e. ensuring 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;
- Assist with and refer to support services (i.e Arizona Dep't of Transportation and Coconino County Small Business Development Center) to develop and improve immediate long-term business management, record keeping, and financial and accounting capabilities for DBEs and other small businesses;
- Assist with and refer to services (i.e Arizona Dep't of Transportation and Coconino County Small Business Development Center) to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficient;
- Refer DBEs and other small businesses to programs (i.e Arizona Dep't of Transportation and Coconino County Small Business Development Center) for assistance for new, start-up firms, particularly in areas where DBE or small business participation has been particularly low; and
- Assist DBEs, and other small businesses, to develop of capability to utilize emerging technology and conduct business through electronic media.

We estimate that, in meeting our overall goal of 1%, we will obtain 1% from race-neutral participation and 0% through race-conscious measures.

NAIPTA will use contract goals to meet any portion of the overall goal NAIPTA does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We 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 particular type of work.)

The following is a summary of the basis of our estimated breakout of race-neutral and race-conscious DBE participation:

Evidence of discrimination: The ADOT Disparity Study identifies there is some indication that discrimination is a factor in the marketplace conditions in Arizona (Entry and advancement, Business ownership, Access to capital, bonding, and insurance, and success of business). Overall there was no disparity in utilization of MBEs and WBEs. Utilization was higher than expected with 45.8% utilization of the anticipated 33.8% available.

Past Experience: NAIPTA has had less than .50% participation in the last three completed years, with two of three years having no participation.

DBE Participation without DBE contract goals: NAIPTA has always had a race – and gender- neutral environment.

Effectiveness of race- and gender- neutral measures that are currently in place: NAIPTA currently participates in and supports the efforts of ADOT in its current and future broad range of neutral programs and initiatives to encourage participation of small business, including DBEs, in transportation contracts.

At this time, NAIPTA is not able to quantify how these initiatives can increase race-neutral participation of DBEs in FTA-funded contracts.

In order to ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award. We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

### **Upcoming Projects**

The USDOT Office of Small and Disadvantaged Business Utilization (OSDBU) guidance states: “Do not make adjustments based solely on changes in the amount of federal assistance you expect to receive.” NAIPTA did not base its goal-setting solely on changes in the amount of federal assistance that it expects to receive in FFYs 2015, 2016, and 2017. However, NAIPTA evaluated information from upcoming projects as part of the process of setting its overall DBE goal.

### **Reevaluation**

If, at any time within the triennium, additional FTA financially-assisted projects in which DBEs can participate are funded, NAIPTA will reevaluate the triennium DBE goal.

### **Summary and Goal Determination**

Based on the above supporting evidence, NAIPTA has established the base figure of 0.50% rounded to 1% for FFYs 2015, 2016, and 2017. We believe this takes into consideration the availability of ready, willing, and able firms compared to market conditions.

## **Goal Setting and Accountability**

If the awards and commitments shown on NAIPTA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Submit the analysis and plan to FTA, via electronic grant management system, within 90 days of the end of the affected fiscal year.

NAIPTA has not achieved any DBE activity over the past four reporting periods as most of the certified DBE agencies are outside of our immediate area and travel to our area to fulfill contracts increases cost of services. NAIPTA will continue with outreach efforts to be sure vendors are aware of certification process and opportunities while offering solicitations to certified vendors outside our area. NAIPTA proposes to continue with the DBE participation goal through race-neutral measures.

## **Transit Vehicle Manufacturers Goals**

NAIPTA will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, NAIPTA may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program. NAIPTA will report to FTA Transit Vehicle Manufacture purchase information within 30 days of making an award.

## **Good Faith Efforts Procedures**

When NAIPTA establishes a contract goal, it will award the contract only to a bidder/offeror that makes good faith efforts to meet the goal. It will be determined that a bidder/offer has made good faith efforts if the bidder/offer does either of the following:

1. Documents that it has obtained enough DBE participation to meet the goal; or
2. Documents that it made adequate good faith efforts to meet the goal, even though it did not obtain enough DBE participation to do so. NAIPTA will not deny award to a bidder/offeror that documents adequate good faith efforts.

NAIPTA has adopted the examples of good faith efforts are found in Appendix A to Part 26. A full explanation of Good Faith Effort requirements is detailed in Attachment B of this DBE Program Plan.

NAIPTA is responsible for determining whether a bidder/offeror that has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive. The initial review will be conducted by the Project Manager/Lead with final review and approval by the Administrative Director.

NAIPTA will ensure that all information is complete and accurate and adequately documents the bidder/offer's good faith efforts before a commitment to the performance of the contract by the bidder/offeror is made.

### Information to be Submitted

NAIPTA treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offers to submit the following information:

- The names and contact information 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 commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
- Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment; and
- If the contract goal is not met, evidence of good faith efforts.

### Administrative Reconsideration

The bidder/offeror may appeal the determination of the Administrative Director to the CEO and General Manager. That appeal must be in writing and personally delivered or sent by certified mail, return receipt requested, to the CEO and General Manager. The protest must be received by the CEO and General Manager no later than seven (7) calendar days after the decision of the Administrative Director. Copies of the protest shall be sent by the protestant to every bidder, at the same time the protest is submitted to the CEO and General Manager. Any other interested party may submit a response to the appeal no later than seven calendar days after the appeal is requested. Responses from other interested parties must also be in writing and personally delivered or sent by certified mail, return receipt requested, to the CEO and General Manager. Any interested party submitting such response shall also provide a copy of its response to every bidder, at the same time the protest is submitted to the CEO and General Manager. The CEO and General Manager shall promptly consider any appeals under this subsection and notify all bidders of the CEO and General Manager's findings and decision.

Any interested party may protest the CEO and General Manager's decision to the NAIPTA Board of Directors.

### Good Faith Efforts when a DBE is replaced on a contract with contract goals

NAIPTA will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. NAIPTA will require the prime contractor to notify the Project Manager/Lead and the Administrative Director immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, NAIPTA will require the prime contractor to obtain prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

NAIPTA will require that a prime contractor not terminate a DBE subcontractor listed in response to the "Goals" and "Good Faith Efforts" sections listed above (or an approved substitute DBE firm) without NAIPTA's prior written consent. This includes, but is not limited to, instances in which a prime

contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm.

NAIPTA may provide such written consent only if it agrees, for reasons stated in its concurrence document, that the prime contractor has good cause to terminate the DBE firm. For the purposes of this section, 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, nondiscriminatory 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 2 CFR Parts 180, 215 and 1,200 or applicable state law;
6. NAIPTA has determined that the listed DBE subcontractor is not a responsible contractor;
7. The listed DBE subcontractor voluntarily withdraws from the project and provides to NAIPTA 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 NAIPTA determines 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 NAIPTA 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 NAIPTA, 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 NAIPTA and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why NAIPTA should not approve the prime contractor's action. If required in a particular case as a matter of public necessity (e.g., safety), NAIPTA 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.

NAIPTA will include administrative remedies in each prime contract which it will invoke if the prime contractor fails to comply with the requirements of this section.

The requirements of this section will also be applied to DBE bidders/offers for prime contracts. In determining whether a DBE bidder/offeror for a prime contract has met a contract goal, NAIPTA will count the work the DBE has committed to performing with its own forces as well as the work that it has committed to be performed by DBE subcontractors and DBE suppliers.

If the Administrative Director determines that the contractor has failed to make sufficient reasonable efforts to meet contract DBE goals, or to otherwise carry out these DBE special provisions, such failure shall constitute a breach of contract and may result in termination of the contract, or any other such remedy as the Administrative Director deems appropriate. The contractor may appeal the decision of the Administrative Director with the CEO and General Manager in accordance with the administrative reconsideration process mentioned previously.

If Administrative Director determines that such failure is not cause to terminate the contract, an amount equal to the value of the DBE goal that was not obtained will be deducted from the payment due to the contractor. However, if the failure is the first by the contractor, and Administrative Director determines the failure was an unintentional error or oversight, the amount to be deducted may be reduced to one-half (1/2) of the value of the un-obtained DBE goal. In addition to any other sanctions, willful failure of the contractor or a DBE to comply with this contract or with the Federal DBE regulations may result in disqualification from further contracting, subcontracting, or other participation in NAIPTA projects.

#### Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

### **DBE CERTIFICATION**

#### Certification Process

NAIPTA has utilizes the Arizona Unified Certification Program and does not certify DBE vendors independently.

ADOT will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. ADOT will inform applicants within 30 days of receipt of an application whether the information is complete or additional documentation is required. ADOT will make its certification decisions based on the facts as a whole.

For information about the certification process or to apply for certification, firms should contact: ADOT DBE Certification Program Manager, at (602) 712-7761.

Certification application forms and documentation requirements can be found at [www.azdbe.org](http://www.azdbe.org).

**The following is from ADOT FTA DBE Program, updated February 2012**

**CERTIFICATION PROCEDURES**

**Arizona Unified Certification Program**

ADOT is the lead agency for the Arizona Unified Certification Program. The Arizona UCP meets all of the requirements of 49 CFR Part 26. The UCP is comprised of ADOT, the City of Phoenix, and the City of Tucson. Information regarding the Arizona UCP can be found at [www.azdbe.org](http://www.azdbe.org).

**Procedures for Certification Decisions**

**Annual Updates / "No Change" Affidavits and Notices**

Once a DBE has been certified, it shall remain certified until and unless its certification has been removed, in whole or in part, through the procedures of section 26.87. DBEs are not required to reapply for certification. However, ADOT may conduct a certification review of a certified DBE firm, including a new onsite review, three years from the date of the firm's most recent certification, or sooner if appropriate in light of changed circumstances (e.g., of the kind requiring notice under paragraph (i) of this section), a complaint, or other information concerning the firm's eligibility. If ADOT finds that the firm's eligibility is questionable, it may conduct an on-site review on an unannounced basis, at the firm's offices and jobsites. These reviews will include the following components:

- The most recent company taxes will be collected and evaluated to ensure that the company continues to meet the size standard requirement
- The most recent Personal taxes and Personal Financial Statement for the qualifying DBE (s) will be collected and evaluated to ensure the Personal Net Worth requirement continues to be met.
- Companies will be required to submit any contact information changes or structural changes that may effect eligibility requirements. In addition, certified DBE companies will be required to submit any major purchase agreements or loan agreements signed into after the initial certification review was conducted.

ADOT requires all DBEs to inform the agency within 30 days of any change in its circumstances affecting its ability to meet size, disadvantaged status, ownership or control criteria of 49 CFR Part 26 or of any material changes in the information provided with ADOT's application for certification.

On an annual basis ADOT will also require all certified DBEs to submit a "no change" affidavit meeting the requirements of 26.83(j). The test of this affidavit is the following:

I swear (or affirm) that there have been no changes in the circumstances of [name of DBE firm] affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR part 26. There have been no material changes in the information provided with [name of DBE]'s application for certification, except for any changes about which you have provided written notice to the [Recipient] under 26.83(j). [Name of firm] meets Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts (as defined by SBA rules) over the firm's previous three fiscal years do not exceed \$22.41 million."

Along with the affidavit, DBEs are required to submit their last year of federal taxes documenting annual gross receipts.

ADOT will notify all currently certified DBE firms of these obligations every April 1st. The DBE will have until 6/30 of that year to submit the required documentation. This notification will inform DBEs to submit the "no change" affidavit and their owners must swear or affirm that they meet all regulatory requirements of Part 26, including personal net worth. Likewise, if a firm's owner knows or should know that he or she, or the firm, fails to meet a Part 26 eligibility requirement (e.g. personal net worth), the obligation to submit a notice of change applies.

The annual update process is completed via its online DBE application. DBEs are required to log into a user account, provide the necessary information, and certify that the information is complete and accurate. The online application is tied directly to vendor registration and may be accessed at [www.azdbe.org](http://www.azdbe.org).

#### Denials of Initial Requests for Certification

If ADOT denies a firm's application or de-certifies a firm, the firm may not re-apply until 12 months have passed from the action. If a firm submits and then withdraws its DBE application, the firm may do so at any time and does not have to wait 12 months.

#### Removal of a DBE's Eligibility

In the event that ADOT proposes to remove a DBE's certification, ADOT will follow procedures consistent with 26.87. If a certified company is determined to no longer be eligible for the DBE program, ADOT will send a propose to remove letter stating the reasons the company no longer meets the DBE requirements. The DBE can request an informal hearing or choose to submit additional information for review. If a company requests an informal hearing ADOT will take action to begin the proceeding per 26.87.

To ensure separation of functions in a de-certification, ADOT has determined that the Nevada DOT Compliance Officer will serve as the decision-maker in de-certification proceedings. We have established an administrative "firewall" to ensure the Nevada DOT Compliance Officer will not have participated in any way in the de-certification proceeding against the firm (including in the decision to initiate such a proceeding).

#### Interstate Certification

When ADOT receives a DBE application from a company certified in another state, ADOT may, at its discretion certify that company without further procedures. If an out of state company wants to obtain certification in this manner, the firm must provide to ADOT a copy of its certification notice from the home state. ADOT would be responsible for verifying the validity of the out of state certification.

If ADOT chooses not to accept certification based on the home state evaluation, the applicant firm must provide a complete copy of the application form, all supporting documents and any other information that needs to be submitted. Once ADOT receives all of the necessary information ADOT must request a copy of the home state onsite report within 7 days of receipt of the application.

If ADOT agrees with the home state determination, ADOT must send the applicant firm a notice that it is certified and place the firm on the AZUCP directory of DBE certified firms within 60 days from the date on which ADOT received all the requested information.

If ADOT has good reason and does not agree with the determination of the home state ADOT must send a notification to the applicant company within 60 days stating the reasons why ADOT is denying certification. This notice must state with particularity the specific reasons why ADOT believes that the firm does not meet the DBE requirements and must offer the applicant firm an opportunity to respond to ADOT with respect to the reasons.

If the applicant firm elects to request an in-person meeting with ADOT's decision maker to discuss ADOT's objections to the firm's eligibility, ADOT must schedule the meeting to take place within 30 days of receiving the firm's request. ADOT must issue a written decision within 30 days of the receipt of the written response from the applicant firm or the meeting with the decision maker, whichever is later. The firm's application for certification is stayed pending the outcome of this process. A decision may be appealed to the Departmental Office of Civil Rights.

When ADOT denies a firm's application, rejects the application of a firm certified in another state, or decertifies a firm, ADOT must make an entry in the Department of Transportation Office of Civil Rights (DOCR's) Ineligibility Determination Online Database. The following information must be submitted:

1. The name of the firm
2. The name of the firm's owner(s)
3. The type and date of this action
4. The reason for the action

ADOT must check the website at least once every month to determine whether any firm that is applying for certification by ADOT, or that ADOT has already certified, is in the database. For any such firm that is in the database, ADOT must promptly request a copy of the listed decision from the UCP that made it. If ADOT receives such a request, ADOT will provide a copy of the decision within 7 days of receiving the request. Notwithstanding any provision of Federal or state law, ADOT must not release any information that may reasonably be construed as confidential business information. This includes application for DBE certification and supporting information. However, ADOT must transmit this information to DOT in any certification appeal proceeding or to any other state to which the individual's firm has applied for certification.

### Certification Appeals

Any firm or complainant may appeal ADOT's decision in a certification matter to DOT. Such appeals may be sent to:

U.S. Department of Transportation  
Departmental Office of Civil Rights  
External Civil Rights Programs Division (S-33)  
1200 New Jersey Ave., S.E.  
Washington, DC20590  
Phone: (202) 366-4754  
TTY: (202) 366-9696  
Fax: (202) 366-5575

ADOT will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs on DOT-assisted contracting (e.g., certify a firm if DOT has determined that our denial of its application was erroneous).

## **COMPLIANCE AND ENFORCEMENT**

### **Information, Confidentiality, Cooperation**

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

Notwithstanding any contrary provisions of state or local law, NAIPTA will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

### **Payment Monitoring**

NAIPTA will require prime contractors, consultants, and vendors to maintain records and documents of payments to DBE and non-DBE subcontractors for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of NAIPTA. Subcontractors are required to maintain payment information for any lower tier subcontractors for the same three-year duration.

NAIPTA is required to collect data on DBE and non-DBE participation to report to FTA on Federal-aid projects. Contractors, consultants, and vendors are notified that such record keeping is required by NAIPTA for tracking DBE participation.

Contractors, consultants, and vendors performing on federal aid transportation projects are required to provide monthly reports documenting amounts earned by and paid to all DBEs and non-DBEs. All DBE and non-DBE subcontractors working on federal aid transportation projects are required to verify receipt of payment.

Further, first tier (and lower) subcontractors are required to report amounts earned by and paid to all lower-tier DBE and non-DBE subcontractors. Lower-tier subcontractors are required to verify receipt of payment.

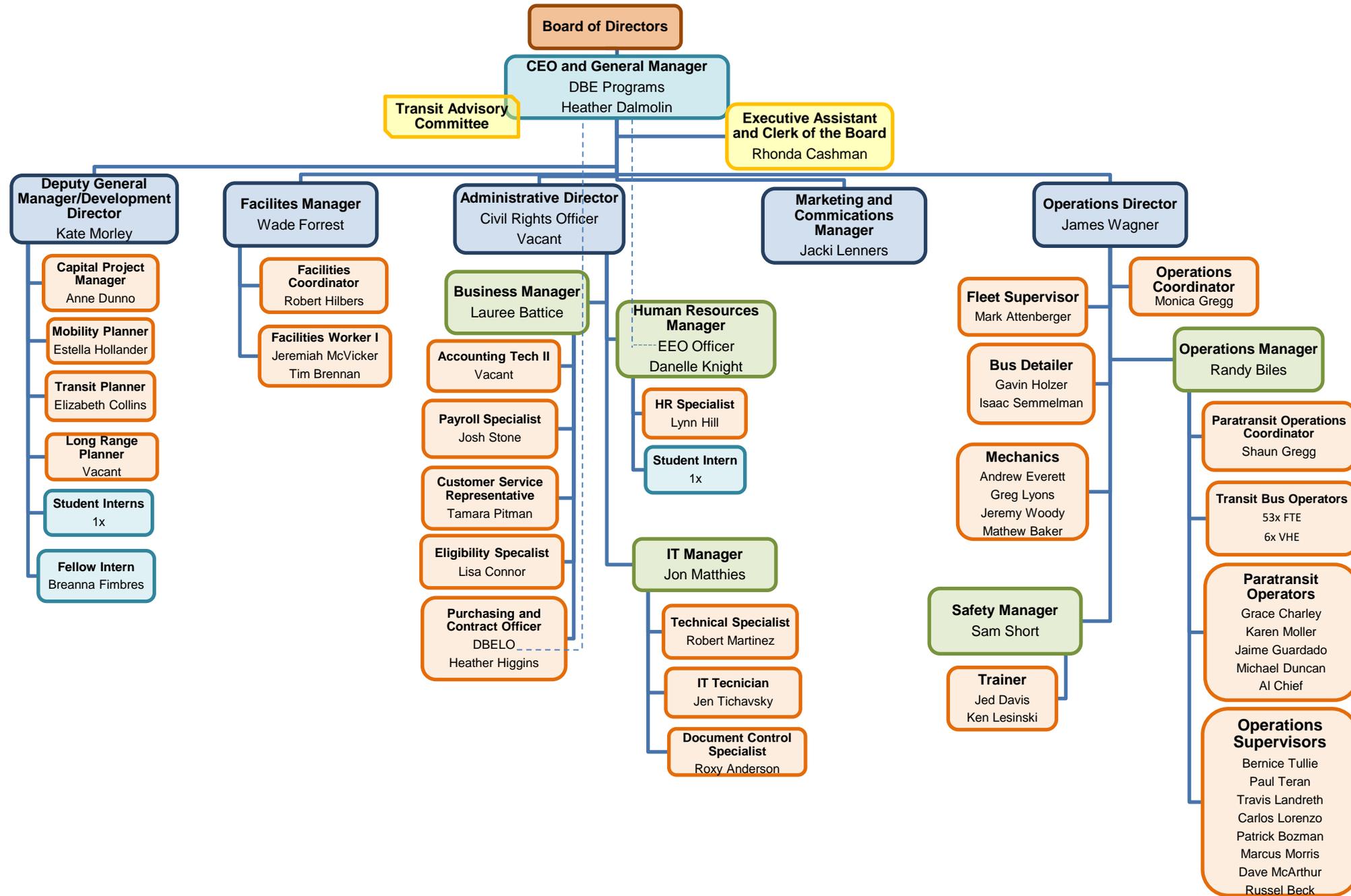
Contractors, consultants, and vendors shall provide the required information to the Administrative Director.

## **ATTACHMENTS**

Attachment A	Organizational Chart
Attachment B	Monitoring and Enforcement Mechanisms
Attachment C	Weighting Base Figure Worksheet
Attachment D	Proof of Publication



NAIPTA FY2021 Organizational Structure





## **Northern Arizona Intergovernmental Public Transportation Authority**

3773 N. Kaspar Drive • Flagstaff, AZ 86004 • 928-679-8900 • FAX 928-779-6868 • [www.naipta.az.gov](http://www.naipta.az.gov)

### ATTACHMENT B – Monitoring and Enforcement Mechanisms

NAIPTA has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract;

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.



*Getting you where you want to go*

**Step 1 - Determine the weight of each type of work by NAICS Code:**

\* Enter all the FTA-assisted projects below. Project amounts should be assigned relevant NAICS Code(s).

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	485000	Transit Services	\$54,500.00	0.0080
2)	451900	Prof Science and Technical Srvc	\$924,000.00	0.1350
3)	236220	Bus Facility Construction	\$5,868,000.00	0.8571
4)				0.0000
5)				0.0000
6)				0.0000
7)				0.0000
8)				0.0000
9)				0.0000
10)				0.0000
<b>Total FTA-Assisted Contract Funds</b>			<b>\$6,846,500.00</b>	<b>1</b>

**Step 2 - Determine the relative availability of DBE's by NAICS Code:**

\* Use DBE Directory, census data and/or a bidders list to enter the number of available DBE firms and the number of available firms.

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
1)	485000	Transit Services	14	2624	0.0053
2)	451900	Prof Science and Technical Srvc	22	15121	0.0015
3)	236220	Bus Facility Construction	61	10978	0.0056
4)	0	0			
5)	0	0			
6)	0	0			
7)	0	0			
8)	0	0			
9)	0	0			
10)	0	0			
<b>Combined Totals</b>			<b>97</b>	<b>28723</b>	<b>0.0034 Overall availability of DBEs</b>

**Step 3 - (Weight) x (Availability) = Weighted Base Figure**

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	485000	Transit Services	0.00796	x	0.00534	0.0000
2)	451900	Prof Science and Technical Srvc	0.13496	x	0.00145	0.0002
3)	236220	Bus Facility Construction	0.85708	x	0.00556	0.0048
4)	0	0	0.00000	x	0.00000	
5)	0	0	0.00000	x	0.00000	
6)	0	0	0.00000	x	0.00000	
7)	0	0	0.00000	x	0.00000	
8)	0	0	0.00000	x	0.00000	
9)	0	0	0.00000	x	0.00000	
10)	0	0	0.00000	x	0.00000	
<b>Total</b>						<b>0.0050</b>
Expressed as a % (*100)						<b>0.50%</b>
<b>Rounded, Weighted Base Figure:</b>						<b>1%</b>

AUG 12 2015

AFFIDAVIT/PROOF OF PUBLICATION

RECEIVED

STATE OF ARIZONA

} ss.

County of Coconino

Bobbie Crosby being duly sworn deposes and says:

That she is the legal clerk of the Arizona Daily Sun a newspaper published at Flagstaff, Coconino County, Arizona; that the

1 ea III | | g-11 i, a copy of which is

hereunto attached, was first published in said newspaper in its issue dated

the 1 day of AVLO, 2015, and was

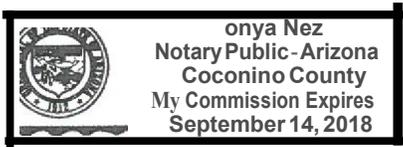
published in each CAL issue of said newspaper for k --

consecutive A!omS the last publication being in the issue dated the

1 day of J(Aj, 2015,

Legal No. 18774 PUBLIC NOTICE NAIPTA is proposing to adopt a Disadvantaged Business Enterprise (DBE) program in accordance with the regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The document with proposed overall goal of 1% and its rational are available for inspection during normal business hours at NAIPTA Main Office, 3773 N Kaspar Drive, Flagstaff, AZ 86004, for 30 days of the date of this notice. Additionally, NAIPTA will accept comments on the goals for 45 days from the date of this notice and conduct a public hearing at the regular meeting of NAIPTA Board of Directors on July 16, 2015. Please address comments to the above mentioned address or via email to hdalmolin@naipta.az.gov. This document is public transportation specific as required by the Federal Transit Administration. Heather Dalmolin

Administrative Director 928-679-8908 Dated: June 17, 2014 PUB: June 21, 28, July 5, 12, 2015 18774



Subscribed and sworn to before me this 24 day of July, 2015

Sonya Nez

Notary Public

My Commission expires -- R.f.t. btr- /LJ :1. > JJ'