

LAFAYETTE REGIONAL AIRPORT

Disadvantaged Business Enterprise
Federal ACDBE Program

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POLICY STATEMENT

SECTION 23.1, 23.23 OBJECTIVES/POLICY STATEMENT

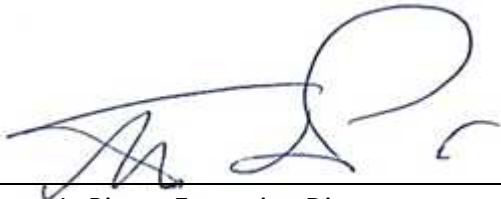
The Lafayette Airport Commission (LAC) has established an Airport Concession Disadvantaged Business Enterprise (ACDBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 23. The Lafayette Regional Airport is a primary airport and has received federal funds authorized for airport development after January 1988 (authorized under Title 49 of the United States Code). The LAC has signed airport grant assurances that it will comply with 49 CFR Part 23.

It is the policy of the LAC to ensure that ACDBEs, as defined in Part 23, have an equal opportunity to receive and participate in concession opportunities. It is also the policy:

1. To ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance;
2. To create a level playing field on which ACDBEs can compete fairly for opportunities for concessions;
3. To ensure that the ACDBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as ACDBEs at our airport(s);
5. To help remove barriers to the participation of ACDBEs in opportunities for concessions at LAC airport(s); and
6. To provide appropriate flexibility to the airport in establishing and providing opportunities for ACDBEs.

Ms. Rene Cotton has been designated as the ACDBE Liaison Officer (ACDBELO). In that capacity, Ms. Cotton is responsible for implementing all aspects of the ACDBE program. Implementation of the ACDBE program is accorded the same priority as compliance with all other legal obligations incurred by the LAC in its financial assistance agreements with the Department of Transportation.

The LAC has disseminated this policy statement to the appointed Lafayette Airport Commissioners and all of the components of the organization. LAC has distributed this statement to ACDBE and non-ACDBE concessionaire communities in the area. The ACDBE program manual is available to the minority, female, non-minority, and business communities on the agency website or in bound form. The manual is also made available to all airport sponsors, political jurisdictions and any other interested parties.



Steven L. Picou, Executive Director

12/28/2018

Date

SUBPART A – GENERAL REQUIREMENTS

SECTION 23.1 OBJECTIVES

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

SECTION 23.3 DEFINITIONS

The LAC will use terms in this program that have the meaning defined in Section 23.3 and Part 26 Section 26.5 where applicable.

SECTION 23.5 APPLICABILITY

The LAC is a primary airport and the sponsor of federal airport funds authorized for airport development after January 1988 that was authorized under Title 49 of the United States Code.

SECTION 23.9 NON-DISCRIMINATION REQUIREMENTS

The LAC 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 concession agreement, management contract or subcontract, purchase or lease agreement or other agreement covered by 49 CFR Part 23 on the basis of race, color, sex, or national origin.

In administering its ACDBE program, the LAC 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 ACDBE program with respect to individuals of a particular race, color, sex, or national origin.

The LAC acknowledges these representations are also in accordance with obligations contained in its Civil Rights, DBE and ACDBE airport grant assurances.

The LAC will include the following assurances in all concession agreements and management contracts it executes with any firm:

(1) “This agreement is subject to the requirements of the U.S. Department of Transportation's regulations, 49 CFR Part 23. The concessionaire or contractor agrees that it will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23.

(2) “The concessionaire or contractor agrees to include the above statements in any subsequent concession agreement or contract covered by 49 CFR Part 23, that it enters and cause those businesses to similarly include the statements in further agreements.”

SECTION 23.11 COMPLIANCE AND ENFORCEMENT

The LAC will comply with and is subject to the provisions of 49 CFR Part 26 (§§ 26.101, 26.105, 26.107 and 2 CFR Parts 180 and 1200.

The LAC will comply with this part or be subject to formal enforcement action under §26.105 or appropriate program sanctions, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include actions consistent with 49 U.S.C. §§ 47106(d), 47111(d), and 47122.

2 C.F.R. Part 180, Government-wide Debarment and Suspension (Non-procurement), effective November 15, 2006, adopted and supplemented by DOT at 2 CFR Part 1200, effective June 2, 2008, provides Office of Management and Budget (OMB) guidance for Federal agencies on the government-wide debarment and suspension system for non-procurement transactions, programs and activities. 2 C.F.R. Part 1200 adopts the OMB guidance in subparts A through I of 2 CFR Part 180, as supplemented by Part 1200, as the Department of Transportation policies and procedures for non-procurement suspension and debarment.

The LAC's compliance with all requirements of this part is enforced through the procedures of Title 49 of the United States Code, including 49 U.S.C. 47106(d), 47111(d), and 47122, and regulations implementing them.

The following enforcement actions apply to firms participating in the LAC's ACDBE program:

- (a) For a firm that does not meet the eligibility criteria of Subpart D of this part and that attempts to participate as an ACDBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, the Department of Transportation (DOT) or the Federal Aviation Administration (FAA) may initiate suspension or debarment proceedings against the firm under 2 CFR Parts 180 and 1200.
- (b) For a firm that, in order to meet ACDBE goals or other ACDBE program requirements, uses or attempts to use, on the basis of false, fraudulent or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of Subpart D of this part, DOT or FAA may initiate suspension or debarment proceedings against the firm under 2 CFR Parts 180 and 1200.
- (c) DOT may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the ACDBE program whose conduct is subject to such action under 49 CFR Part 31.
- (d) DOT may refer to the Department of Justice, for prosecution under 18 U.S.C. §§ 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of an ACDBE in the LAC's ACDBE program or otherwise violates applicable federal statutes.

Compliance reviews: The FAA may review the LAC's compliance with this part at any time, including but not limited to, reviews of paperwork, on-site reviews, and review of the airport sponsor's monitoring and enforcement mechanism, as appropriate. The FAA Office of Civil Rights may initiate a compliance review based on complaints received.

Any person who knows of a violation of this part by the LAC may file a complaint under 14 CFR Part 16 with the Federal Aviation Administration Office of Chief Counsel.

SUBPART B – ACDBE PROGRAMS

SECTION 23.21 ACDBE PROGRAM UPDATES

The LAC is a non-hub primary airport required to have an ACDBE program.

As a condition of eligibility for FAA financial assistance, the LAC will submit its ACDBE program and overall goals to FAA according to 23.45(a) of this section.

Until the LAC's new ACDBE program is submitted and approved, LAC will continue to implement the ACDBE program that was in effect previously, except with respect to any provision that is contrary to 49 CFR Part 23.

This ACDBE program will be implemented at the Lafayette Regional Airport.

When the LAC makes significant changes to its ACDBE program, the airport will provide the amended program to the FAA for approval prior to implementing the changes.

SECTION 23.23 ADMINISTRATIVE PROVISIONS

Policy Statement: The LAC is committed to operating its ACDBE program in a nondiscriminatory manner.

The LAC's Policy Statement is elaborated on the first page of this program.

ACDBE Liaison Officer (ACDBELO): LAC has designated the following individual as the ACDBELO:

Ms. Rene Cotton
Lafayette Airport Commission
222 Jet Ranger X Drive
Lafayette, LA 70508
337-266-4401
renec@lftairport.com

In that capacity, the ACDBELO is responsible for implementing all aspects of the ACDBE program and ensuring that the LAC complies with all provision of 49 CFR Part 23. The ACDBELO has direct, independent access to Mr. Steven L. Picou, Executive Director, concerning ACDBE program matters. An organizational chart displaying the ACDBELO's position in the organization is found in Attachment 1 to this program.

The ACDBELO is responsible for developing, implementing and monitoring the ACDBE program, in coordination with other appropriate officials. Her duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by FAA or DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to ACDBEs in a timely manner.
5. Identifies contracts and procurements so that ACDBE goals are included in solicitations (both race-neutral methods and contract specific goals).
6. Analyzes LAC's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-solicitation meetings.
8. Advises the CEO/governing body on ACDBE matters and achievement.
9. Plans and participates in ACDBE training seminars.
10. Provides outreach to ACDBEs and community organizations to advise them of opportunities.

The LAC utilizes the Louisiana Uniform Certified Program (LAUCP) Directory maintained by the Louisiana Department of Transportation and Development (LADOTD). The directory lists each type of work for which a firm is eligible to be certified by using the most specific NAICS code available to describe each type of work.

The LADOTD updates the directory on a monthly basis. The LAUCP Directory is available online at the following web address: www.laucp.org.

SECTION 23.25 ENSURING NONDISCRIMINATORY PARTICIPATION OF ACDBES

The LAC will take the following measures to ensure nondiscriminatory participation of ACDBEs in concessions, and other covered activities. (23.25(a))

The LAC will seek ACDBE participation in all types of concession activities, rather than concentrating participation in one category or a few categories to the exclusion of others. (23.25(c))

The LAC's overall goal methodology and a description of the race-neutral measures it will use to meet the goals are described in Section 23.25 and Attachments 4 and 5 of this plan. The goals are set consistent with the requirements of Subpart D. (23.25(b), (d))

If the LAC projects that race-neutral measures alone, are not sufficient to meet an overall goal, it will use race-conscious measures as described in Section 23.25 (e) (1-2) and Attachments 4 and 5 of this plan. (23.25(e))

The LAC will require businesses subject to ACDBE goals at the airport (except car rental companies) to make good faith efforts to explore all available options to meet goals, to the maximum extent practicable, through direct ownership arrangements with ACDBEs. (23.25(f))

The LAC will not use set-asides or quotas as a means of obtaining ACDBE participation. (23.25(g))

SECTION 23.27 REPORTING

LAC will retain sufficient, basic information about the ACDBE program implementation, ACDBE certification and the award and performance of agreements and contracts to enable the FAA to determine compliance with Part 23. This data will be retained for a minimum of 3 years following the end of the concession agreement or other covered contract.

Beginning March 1, 2006, LAC will submit to the FAA Regional Civil Rights Office, an annual ACDBE participation report on the form in Appendix A of Part 23.

SECTION 23.29 COMPLIANCE AND ENFORCEMENT PROCEDURES

The LAC will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 23.

1. The LAC's monitoring and enforcement mechanism includes provisions to ensure that work committed to ACDBEs at contract award is actually performed by the ACDBEs to which the work was committed. The program elements described below include the processes in place to ensure compliance with the ACDBE program. This mechanism includes a written quarterly report confirming work performed by the ACDBE participants and payments made to ACDBE participants. In addition, it includes the process of monitoring work sites and confirmation of ACDBE participation in committed scopes of work.
2. LAC 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 26.107.
3. LAC will consider similar action under the airport's own legal authorities, including responsibility determinations in future contracts. LAC has listed the regulations, provisions, and contract remedies available to the airport in the events of non-compliance with the ACDBE regulation by a participant in LAC's procurement activities (See Attachment 3). (26.37)

SUBPART C – CERTIFICATION AND ELIGIBILITY

SECTION 23.31 CERTIFICATION STANDARDS AND PROCEDURES

LAC will use the procedures and standards of Part 26, except as provided in 23.31, for certification of ACDBEs to participate in the concessions program and such standards are incorporated herein.

The certification standards of Subpart C of Part 23 as applied by the Louisiana Department of Transportation and Development are utilized to certify ACDBE firms to participate in concessions contracts at LAC.

For information about the certification process or to apply for certification, firms should contact:

Rhonda Wallace
ACDBE/SBE Program Manager
Louisiana Department of Transportation & Development
P. O. Box 94245
Baton Rouge, LA 70804-9245
(225) 379-1360
rhonda.wallace@la.gov

The LAUCP's directory of eligible ACDBEs specifies whether a firm is certified as an DBE for purposes of Part 26, and ACDBE for purposes of Part 23, or both.

The LAC is a member of a Unified Certification Program (LAUCP) administered by the State of Louisiana Department of Transportation & Development which will make ACDBE certification decisions on behalf of the LAC.

Prior to entering into a new contract, extension, or option with a currently certified ACDBE, LAC will review their eligibility at that time (i.e., "as soon as possible") rather than waiting until the latest date allowed under Part 23.

SECTION 23.35 PERSONAL NET WORTH STANDARD OF ACDBES

LAC accepts and acknowledges all components of this section. LAC is not a certifying agency and accepts ACDBE certification of the Louisiana Unified Certification Program (LAUCP).

LAC will presume that a firm that is certified as a DBE under Part 26 is eligible to participate as an ACDBE. However, before accepting the certification of such a firm, LAC will refer the firm to the Louisiana Department of Transportation and Development (LADOTD), as the certifying agency for the Lafayette Regional Airport, to ensure that the disadvantaged owners of a DBE certified under Part 26 are able to control the firm with respect to its activity in LAC's concessions program under Part 23.

LAC acknowledges that a prime contractor includes a firm holding a prime contract with an airport concessionaire to provide goods or services to the concessionaire or a firm holding a prime concession agreement with a recipient.

In instances when the eligibility of a concessionaire is removed, after the concessionaire has entered into a concession agreement because the firm exceeded the size standard or the owner has exceeded the PNW standard, and the firm in all other respects remains an eligible ACDBE, LAC may continue to count the concessionaire's participation toward ACDBE goals during the remainder of the current concession agreement. LAC will not count the concessionaire's participation toward ACDBE goals beyond the termination date for the concession agreement in effect at the time of the decertification. (23.39(e))

SUBPART D – GOALS, GOOD FAITH EFFORTS, AND COUNTING

SECTION 23.41 BASIC OVERALL GOAL REQUIREMENT

The LAC will establish two, separate overall ACDBE goals; one for car rentals and another for concessions other than car rentals. The overall goals will cover a three- year period and the sponsor will review the goals annually to make sure the goal continues to fit the sponsor’s circumstances. LAC will report any significant overall goal adjustments to the FAA.

If the average annual concession revenues for car rentals over the preceding 3 years do not exceed \$200,000, LAC needs not submit an overall goal for car rentals. Likewise, if the average annual concession revenues for concessions other than car rentals over the preceding 3 years do not exceed \$200,000, LAC needs not submit an overall goal for concessions other than car rentals. LAC understand that “revenue” means total revenue generated by concessions, not the fees received by the airport from concessionaires.

The LAC’s overall goals will provide for participation by all certified ACDBEs and will not be subdivided into group-specific goals.

SECTION 23.43 CONSULTATION IN GOAL SETTING

The LAC consults with stakeholders before submitting the overall goals to the FAA. Stakeholders will include, but not be limited to, (1) minority and women’s business groups, (2) community organizations, (3) trade associations representing concessionaires currently located at the airport, as well as existing concessionaires themselves, and (4) other officials or organizations which could be expected to have information concerning the availability of disadvantaged businesses, the effects of discrimination on opportunities for ACDBEs, and the sponsors efforts to increase participation of ACDBEs.

When submitting LAC’s overall goals, the airport will identify the stakeholders that were consulted with and provide a summary of the information obtained from the stakeholders.

SECTION 23.45 OVERALL GOALS

LAC is a non-hub primary airport. As a condition of eligibility for FAA financial assistance, the sponsor will submit its overall goals according to the following schedule:

Primary Airport Size	Region	Date Due	Period Covered	Next Goal Due
Large/Medium Hubs	All regions	October 1, 2014	2015/2016/2017	October 1, 2017 (2018/2019/2017)
Small Hubs	All regions	October 1, 2012	2013/2014/2015	October 1, 2015 (2016/2017/2018)
Non-Hubs	All regions	October 1, 2013	2014/2015/2016	October 1, 2016 (2017/2018/2019)

If a new concession opportunity arises at a time that falls between the normal submission dates above and the estimated average of annual gross revenues are anticipated to be \$200,000 or greater, LAC will submit an appropriate adjustment to the overall goal to FAA for approval no later than 90 days before issuing the solicitation for the new concession opportunity. (23.45i)

LAC will establish overall goals in accordance with the 2-step process as specified in section 23.51. After determining the total gross receipts for the concession activity, the first step is to determine the relative availability of ACDBEs in the market area, "base figure". The second step is to examine all relevant evidence reasonably available in the sponsor's jurisdiction to determine if an adjustment to the Step 1 "base figure" is necessary so that the goal reflects as accurately as possible the ACDBE participation the sponsor would expect in the absence of discrimination. Evidence may include, but is not limited to, past participation by ACDBEs, a disparity study, evidence from related fields that affect ACDBE opportunities to form, grow, and compete (such as statistical disparities in ability to get required financing, bonding, insurance; or data on employment, self-employment, education, training and union apprenticeship).

LAC will arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by ACDBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39 of Part 26.

A description of the methodology to calculate the overall goal for car rentals, the goal calculations, and the data LAC relied on can be found in Attachment 5 to this program.

A description of the methodology to calculate the overall goal for concessions other than car rentals, the goal calculations, and the data LAC relied on can be found in Attachment 4 to this program.

23.45(F), 23.25(D-E) PROJECTION OF ESTIMATED RACE-NEUTRAL & RACE-CONSCIOUS PARTICIPATION

The breakout of estimated race-neutral and race-conscious participation can be found with the goal methodology in Attachments 4 and 5 to this program. This section of the program will be reviewed annually when the goal calculation is reviewed under 23.41(c).

23.25 (C)(E)(1)(IV) CONCESSION SPECIFIC GOALS

The LAC will use concession specific goals to meet any portion of the overall goals it does not project being able to meet using race-neutral means. Concession specific goals are established so that, over the period to which the overall goals apply, they will cumulatively result in meeting any portion of the overall goal that is not projected to be met through the use of race-neutral means.

LAC will establish concession specific goals only on those concessions that have direct ownership arrangements (except car rentals), sublease, or subcontracting possibilities. LAC will require businesses subject to ACDBE goals at the airport (except car rental companies) to make good faith efforts to explore all available options to meet goals, to the maximum extent practicable, through direct ownership arrangements with DBEs (23.25 (f)). Car rental firms are not required to change their corporate structure to provide for direct ownership arrangements. In the case of a car rental goal, where it appears that all or most of the goal is likely to be met through the purchases by car rental companies of vehicles or other goods or services from ACDBEs, one permissible alternative is to structure the goal entirely in terms of purchases of goods and services.

LAC need not establish a concession specific goal on every such concession, and the size of concession specific goals will be adapted to the circumstances of each such concession (e.g., type and location of concession, availability of ACDBEs.)

If the objective of a concession specific goal is to obtain ACDBE participation through direct ownership with an ACDBE, the LAC will calculate the goal as a percentage of the total estimated annual gross receipts from the concession. (23.25(e)(1)(i))

If the concession specific goal applies to purchases and/or leases of goods and services, the LAC will calculate the goal by dividing the estimated dollar value of such purchases and/or leases from ACDBEs by the total estimated dollar value of all purchases to be made by the concessionaire. (23.25(e)(1)(ii))

23.25(E)(1)(III), (IV) GOOD FAITH EFFORTS ON CONCESSION SPECIFIC GOALS

To be eligible to be awarded a concession that has a concession specific goal, bidders/offerors must make good faith efforts to meet the goal. A bidder/offeror may do so either by obtaining enough ACDBE participation to meet the goal or by documenting that it made sufficient good faith efforts to do so. (23.25(e)(1)(iv)) Examples of good faith efforts are found in Appendix A to 49 CFR Part 26. The procedures applicable to 49 CFR Sections 26.51 and 26.53, regarding contract goals apply to the LAC's concession specific goals.

26.53(A) & (C) DEMONSTRATION OF GOOD FAITH EFFORTS

The DBELO is responsible for determining whether a concessionaire who has not met the concession specific goal has documented sufficient good faith efforts to be regarded as a matter of responsiveness.

LAC will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the concession agreement with the bidder/offeror.

26.53(B) INFORMATION TO BE SUBMITTED

The LAC treats bidder/offeror's compliance with good faith effort requirements as a matter of responsibility.

Each solicitation for which a concession specific goal has been established will require the concessionaires to submit the following information:

1. The names and addresses of ACDBE firms or ACDBE suppliers of goods and services that will participate in the concession;
2. A description of the work that each ACDBE will perform;
3. The dollar amount of the participation of each ACDBE firm/supplier participating;
4. Written and signed documentation of commitment to use an ACDBE whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the ACDBE that it is participating in the concession as provided in the prime concessionaire's commitment; and
6. If the contract goal is not met, evidence of good faith efforts

26.53(D) ADMINISTRATIVE RECONSIDERATION

Within 5 days of being informed by the LAC that it is not responsible because it has not documented sufficient good faith efforts, a concessionaire may request administrative reconsideration. Concessionaire should make this request in writing to the following reconsideration official:

Mr. Steven L. Picou
Executive Director
Lafayette Airport Commission
222 Jet Ranger X Drive
Lafayette, LA 70508
337-266-4401
StevenP@lftairport.com

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

As part of this reconsideration, the concessionaire 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 concessionaire will have the opportunity to meet in person with the reconsideration official to discuss the

issue of whether it met the goal or made adequate good faith efforts to do. LAC will send the concessionaire a written decision on reconsideration, explaining the basis for finding that the concessionaire 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 Department of Transportation.

26.53(F) GOOD FAITH EFFORTS WHEN AN ACDBE IS REPLACED ON A CONCESSION

The LAC will require a concessionaire to make good faith efforts to replace an ACDBE that is terminated or has otherwise failed to complete its concession agreement, lease, or subcontract with another certified ACDBE, to the extent needed to meet the concession specific goal. LAC will require the concessionaire to notify the ACDBELO immediately of the ACDBEs inability or unwillingness to perform and provide reasonable documentation.

In this situation, LAC will require the concessionaire to obtain ACDBELO's prior approval of the substitute ACDBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

Failure by the concessionaire to carry out the requirements of this part is a material breach of the contract and may result in the termination of the contract or such other remedies set forth in that section you deem appropriate if the prime contractor fails to comply with the requirements of this section.

SAMPLE PROPOSAL/BID SPECIFICATION:

The requirements of 49 CFR Part 23, regulations of the U.S. Department of Transportation, applies to this concession. It is the policy of the Lafayette Airport Commission to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this concession will be conditioned upon satisfying the requirements of this proposal/bid specification. These requirements apply to all concessions firms and suppliers, including those who qualify as an ACDBE. An ACDBE concession specific goal of XX percent of (*annual gross receipts; value of leases and/or purchases of goods and services*) has been established for this concession. The concession firm shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 6), to meet the concession specific goal for ACDBE participation in the performance of this concession.

The concession firm will be required to submit the following information: (1) The names and addresses of ACDBE firms and suppliers that will participate in the concession, (2) A description of the work that each ACDBE will perform; (3) The dollar amount of the participation of each ACDBE firm participating; (4) Written and signed documentation of commitment to use a ACDBE whose participation it submits to meet a contract goal; (5) Written and signed confirmation from the ACDBE that it is participating in the concession as provided in the prime concessionaire's commitment; and (6) If the contract goal is not met, evidence of good faith efforts.

[Note: When a concession specific goal is established pursuant to LAC's ACDBE program, the sample proposal/bid specification can be used to notify concession firms of the requirements to make good faith efforts. The forms found at Attachment 6 can be used to collect information necessary to determine whether

the concession firm has satisfied these requirements. A proposal/bid specification is required only when a concession specific goal is established.]

SECTION 23.53 COUNTING ACDBE PARTICIPATION FOR CAR RENTAL GOALS

LAC will count ACDBE participation toward overall goals for car rental as provided in 49 CFR 23.53.

Section 23.55 Counting ACDBE Participation for Concessions Other than Car Rentals

LAC will count ACDBE participation toward overall goals other than car rental as provided in 49 CFR 23.55.

SECTION 23.57 (B) GOAL SHORTFALL ACCOUNTABILITY

If the awards and commitments on the Uniform Report of ACDBE Participation (found in Appendix A to this Part) at the end of any fiscal year are less than the overall goal applicable to that fiscal year, LAC will:

- (1) Analyze in detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year; and
- (2) Establish specific steps and milestones to correct the problems LAC has identified in the shortfall analysis to enable the airport to fully meet the goal for the new fiscal year.

SECTION 23.61 QUOTAS OR SET-ASIDES

LAC will not use quotas or set-asides as a means of obtaining ACDBE participation.

SUBPART E – OTHER PROVISIONS

SECTION 23.71 EXISTING AGREEMENTS

LAC will assess potential for ACDBE participation when an extension or option to renew an existing agreement is exercised, or when a material amendment is made. LAC will use any means authorized by Part 23 to obtain a modified amount of ACDBE participation in the renewed or amended agreement.

SECTION 23.75 LONG-TERM EXCLUSIVE AGREEMENTS

LAC will not enter into a long-term and exclusive agreements for concessions without prior approval of the FAA Regional Civil Rights Office. LAC understands that a “long-term” agreement is one having a term of longer than 5 years. LAC understands that an “exclusive” agreement is one in which an entire category of a particular business opportunity is limited to a single business entity. If special, local circumstances exist that make it important to enter into a long-term and exclusive agreement, LAC will submit detailed information to the FAA Regional Civil Rights Office for review and approval.

SECTION 23.79 GEOGRAPHIC PREFERENCES

LAC will not use a “local geographic preference” or any requirement that gives an ACDBE located in one place (e.g., *Lafayette*) an advantage over ACDBEs from other places in obtaining business as, or with, a concession at Lafayette Regional Airport.

ACDBE GRIEVANCE PROCEDURE

Overview

A grievance is a written or electronic statement of complaint concerning allegations of discrimination or allegations of violation(s) of 49 CFR Part 23. Anonymous or unsigned correspondence, verbal allegations or inquiries seeking advice or information are not considered a grievance.

A grievance may be filed by any ACDBE firm that is: 1) actively participating on a LAC concessions project; 2) bidding on a LAC concessions project; 3) submitted for inclusion on a concession agreement Master Concessionaire or lessee; 4) has participated on a LAC concession within the past 180 days; or 5) has been subject to discrimination or retaliation prohibited by any civil rights authority within 180 days of the complaint.

Correspondence or verbal communications that is not a complaint or grievance, but potentially involves a Civil Rights issue or violation of 49 CFR Parts 23 shall be investigated by the ACDBELO, especially if the ACDBELO believes an issue may eventually rise to a complaint.

Additionally, any indications of disparate treatment or disparate impact must be investigated by the ACDBELO as required by the non-discrimination assurances. These investigations are conducted as compliance reviews.

Accepting the Grievance

Once the correspondence is deemed a grievance the ACDBELO shall acknowledge acceptance of the grievance via a written or electronic (e-mail) statement.

If the grievance is submitted on behalf of a complainant by an attorney, the ACDBELO must contact the attorney and must request permission to contact the complainant directly.

Upon deciding to proceed with an investigation, the ACDBELO shall also notify all parties involved in the grievance that are alleged to have violated the ACDBE requirements or non-discrimination provisions.

The notification will also be submitted via a written or electronic statement and will include a cautionary statement that the parties to the grievance shall not intimidate, threaten, coerce or discriminate against the complainant or any party that testifies, assists or participates in the investigation in any manner.

The notification will also advise that no request for removal and substitution of the ACDBE complainant can be initiated by any party to the grievance until the grievance is resolved. If appropriate, the notice will also encourage the parties to continue good faith negotiations. Finally, the notification will advise the parties to the grievance that contact with Commissioners of the LAC is prohibited during the grievance process.

Investigating the Grievance

The ACDBELO will review the grievance for complete information in order to proceed with processing, investigation and resolution. For a grievance to be complete it must include the following information:

- A written explanation of what happened;
- Complete and correct contact information for the complainant;
- Sufficient information to understand the facts that led to the grievance.

The ACDBELO may contact the parties to the grievance by telephone, e-mail or in person to obtain additional or missing information. Here again, if the complainant or any party to the grievance is represented by an attorney, the ACDBELO must contact the attorney for additional information and/or must request permission to contact the parties directly.

In identifying the basis of the grievance investigation, the ACDBELO shall look for one or more of the following:

- Failure to comply with the requirements of 49 CFR Parts 23;
- Different standards, requirements or eligibility factors for participation by the ACDBE firm(s);
- Disparate treatment in any manner of the ACDBE participant; or
- Use of any policy, procedure or practice that has the effect of disproportionately excluding or adversely affecting ACDBE firms.

Once the basis of the grievance investigation is determined the ACDBELO will initiate the investigation. The grievance investigation may involve:

- Interviews with the parties to the grievance;
- Interviews with third parties involved with the issue, incident or event;
- Collection and review of supporting documentation;
- Review of applicable regulations; and/or
- Other methods of data collection and analysis as warranted.

All parties to the grievance, including the complainant, must comply with all requests for information from the ACDBELO. Failure to comply with requests for information on the part of the complainant may result in dismissal of the grievance. Failure to comply with a request for information by any party alleged to be in violation of the ACDBE program requirements represents a material breach of the contract with the LAC and may result in termination of the contract or other such remedy deemed appropriate by the LAC.

Timeframe for Response

The ACDBELO has 45 business days to conduct and complete the investigation and prepare an investigative report, except in cases of a disparate impact investigation.

Investigative Report

The Investigative Report will be prepared within 45 business days of acknowledgement of the grievance and will be formatted as follows:

- *Introduction* – This section must provide an historical overview of the grievance prior to the involvement of the ACDBELO.
- *Claims* – This section shall succinctly state the allegations of the complainant.

- *Basis of the Grievance* -- This section should describe the basis of the grievance as detailed above in the section titled Investigating the Grievance.
- *Methodology* – The report shall state how the investigation was conducted, what documents were reviewed, who was interviewed, etc. The methodology should detail both quantitative and qualitative information as warranted.
- *Findings and Analysis* – All facts relevant to the investigation will be provided in this section. Analysis of factual issues in dispute should be presented with resolution based on examination of relevant documentation and reliable information. Where appropriate, specific evidence supporting a finding will be cited.
- *Decision and Recommended Action* – This section should include a statement indicating the findings of the investigation and any recommended remedy to resolve the grievance.

A Letter of Findings and/or Resolution shall be sent to the parties, along with a copy of the Investigative Report.

Dismissing Complaints

The ACDBELO may decline to proceed with a grievance for one or more of the following reasons:

- The grievance is not supported by the regulations, is lacking in detail, without merit and as a whole cannot be considered to be grounded in fact.
- The complainant fails to respond to repeated requests for additional information needed to process the grievance.
- Litigation has been filed by the complainant with the same basis and issues involved in the complaint. In such cases, the grievance should not be held in abeyance, but dismissed.
- The complainant withdraws the grievance.
- The complainant does not accept a reasonable resolution of the grievance, where reasonableness is determined by the ACDBELO.

Administrative Reconsideration/ACDBE Grievance Appeals Panel

Once an investigation is complete and a final decision is rendered by the ACDBELO, the parties to the grievance are entitled to reconsideration through a formal appeals process. A request for reconsideration must be issued in writing or electronically within five business days of receipt of the Letter of Findings and/or Resolution.

In the event of a request for reconsideration the ACDBELO shall refer the grievance to a ACDBE Grievance Panel to review the investigation process and outcomes and render a decision of findings and recommendations.

The Panel shall consist of a minimum of three members including the LAC General Counsel, a representative from the Louisiana Department of Transportation (LADOTD) Office of Civil Rights and the ACDBELO for the Baton Rouge Regional Airport or the New Orleans International Airport.

No participant in the original investigation, including the ACDBELO, can serve as a member of the Panel.

Reasons for reconsidering a decision are limited to the following circumstances:

- The original investigation is deemed insufficient relative to the basis of the investigation.
- Allegations made by the complainant were not investigated.
- Facts or documentation were not adequately considered.
- Issues were investigated under the wrong regulatory guidance, or in the absence of any regulatory guidance.
- Material information becomes available that was not available previously.
- Fraud or misrepresentation occurred at any level of the investigation.

The Panel must convene within 30 days of receipt of a request for reconsideration and has a total of 60 working days after convening to render a final decision. The Panel will receive written and verbal presentations from the ACDBELO and may request and consider written and verbal reports and guidance from other relevant experts.

Notably, in the absence of abuse of discretion, the ACDBE Grievance Panel shall give administrative deference to the report and recommendations of the ACDBELO.

Additionally, the Airport's General Counsel may intervene at any point in the administrative reconsideration process.

The DBELO and/or the General Counsel of the LAC may, at his/her discretion, refer the grievance to the FAA Office of Civil Rights.

ATTACHMENTS

ATTACHMENT 1 – Organizational Chart

ATTACHMENT 2 – (AC)DBE Directory

ATTACHMENT 3 – Sample Monitoring and Enforcement Mechanisms

ATTACHMENT 4 – Section 23.45: Overall Goal Calculation for Concessions Other Than Car Rentals

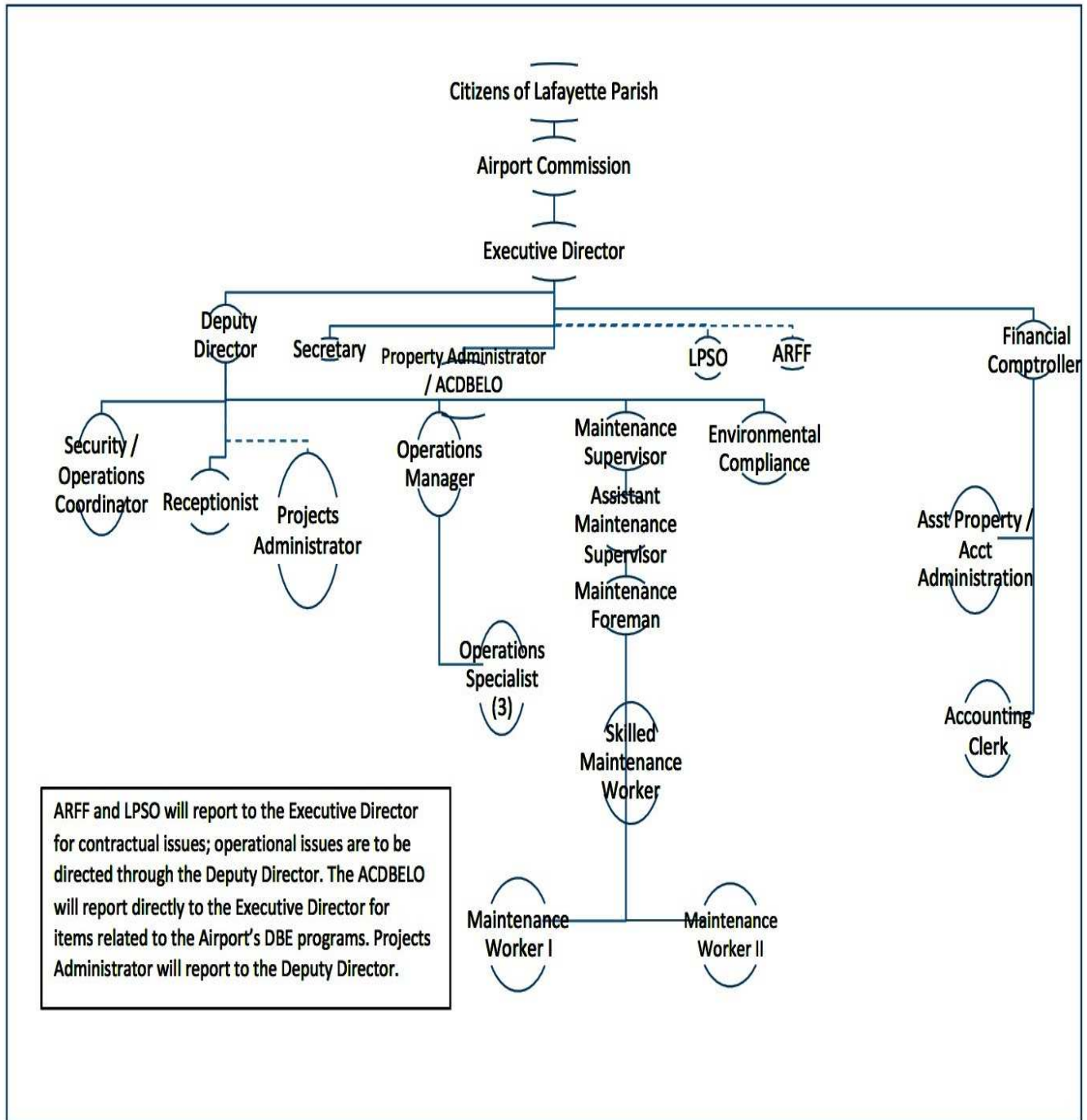
ATTACHMENT 5 – Section 23.45: Overall Goal Calculation for Car Rentals

ATTACHMENT 6 – ACDBE Certification Application

ATTACHMENT 7 – State’s UCP Agreement

ATTACHMENT 8 – Regulations: 49 CFR Part 23

ATTACHMENT 1 –
Organizational Chart



ATTACHMENT 2 –
(AC)DBE Directory

The LAUCP Directory can be accessed at <http://www.laucp.org/ucp>.

ATTACHMENT 3 – Sample Monitoring and Enforcement Mechanisms

The LAC has implemented several remedies to enforce 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;
2. Breach of contract action, pursuant to Louisiana State Code.

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

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

ATTACHMENT 4 –

Section 23.45: Overall Goal Calculation for Concessions Other Than Car Rentals

**LAFAYETTE AIRPORT COMMISSION (LAC)
AIRPORT CONCESSIONS
DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM
Non-Car Rental Goal Setting Methodology and Calculations
Federal Fiscal Years 2017, 2018 and 2019
(October 1, 2017 to September 30, 2020)**

Goal Overview

The Lafayette Airport Commission (LAC) proposes an overall Airport Concessions Disadvantaged Business Enterprise (ACDBE) Goal applicable to non-rental car concession opportunities anticipated for federal fiscal years beginning October 1, 2017, 2018, 2019 and ending on September 30, 2018, 2019 and 2020 respectively. The goal was developed in compliance with Federal Regulations set forth by 49 CFR Part 23, Subpart D. *The proposed overall ACDBE goal for FFYs 2017, 2018 and 2019 is 0.49%.*

Concession Opportunities

The airport's non-rental car concession opportunities are detailed below.

Retail Category	Master Tenant	Estimated Annual Value	Weight (%)
Food/Beverage/Gift	Oakwell's Commuter Rail, LLC	\$ 775,869.00	31.78%
Parking	Republic Parking	\$ 64,998.00	2.66%
Advertising	Clear Channel	\$ 1,600,150.00	65.55%
Luggage Carts		\$ -	0.00%
Transportation		\$ -	0.00%
Vending Machine		\$ -	0.00%
Goods/Services		\$ -	0.00%
Total		\$ 2,441,017.00	

Local Market Area

Upon embarking on the new terminal development program, the Lafayette Regional Airport has worked with partner organizations in the Lafayette region to determine the appropriate market area. The Lafayette Metropolitan Statistical Area, as defined by the US Census Bureau, includes the following five parishes: Lafayette, St. Martin, Acadia, Iberia, and Vermillion. The combined statistical area adds three additional parishes, Evangeline, St. Landry and St. Mary, to include two more populous cities of Opelousas and Morgan City.

North American Industry Classification System (NAICS) Code

In order to obtain an accurate count of ready, willing and able ACDBEs, the concessions activity was examined and its “scope of services” was detailed for the purpose of defining the products and services required for the ACDBE program. Each product/service was assigned a six digit North American Industry Classification System (NAICS) Code.

After identifying the NAICS codes, contracting dollars were estimated for each product or service based on the three-year average of reported concessions revenue as detailed below.

NAICS	RETAIL CATEGORY	ESTIMATED ANNUAL VALUE	PERCENTAGE
722310	Food/Beverage	\$ 581,902	23.84%
453220	Gift/Novelty/Souvenirs	\$ 193,967	7.95%
812930	Parking	\$ 64,998	2.66%
541850	Advertising	\$ 1,600,150	65.55%
333924	Luggage Carts	\$ -	0.00%
485310	Ground Transportation	\$ -	0.00%
454210	Vending Machine Operators	\$ -	0.00%
	Goods/Services	\$ -	0.00%
	Total	\$ 2,441,017.00	100.00%

Ready, Willing and Able Airport Concessions Pool

The Louisiana Unified Certification Program (LAUCP) is the basis of the airport’s concessions DBE pool. The Louisiana Department of Transportation and Development (LADOTD) and the New Orleans Aviation Board (NOAB) have been identified as agencies authorized to provide certification services in the State of Louisiana for the ACDBE Program. For the purposes of this analysis, only ACDBEs certified by the LADOTD and the NOAB are considered as the vendors target market.

For LAC’s concessions program, two (2) DBE firms have been identified as retail services vendors. The list of certified DBE contractors is compared to a more global list of businesses, segregated by NAICS Code. The U.S. Census Bureau’s County Business Pattern (USCBP) database is used to determine the general market population of ready, willing and able businesses and revealed 176 retail vendors as provided in the tables below.

NAICS	Retail Services	LAUCP	US Census CBP
722310	Food/Beverage	2	129
453220	Gift/Novelty/Souvenirs	0	36
812930	Parking	0	4
541850	Advertising	0	3
333922	Luggage Carts	0	0
485310	Ground Transportation	0	2

NAICS	Retail Services	LAUCP	US Census CBP
454210	Vending Machines	0	2
	Total	2	176

Additionally, 767 goods and services businesses were revealed in the U.S. County Business Patterns of which 8 are certified in the LAUCP directory.

NAICS	Goods & Services	LAUCP	US Census CBP
561720	Janitorial	5	65
561612	Security	0	8
561320	Staffing	3	53
424130	Office Supplies	0	2
561710	Pest Control	0	33
541211	Financial Services	0	151
541110	Legal Services	0	455
	Total	8	767

The Base Figure calculation weighs the relative availability of ACDBE concessionaires to the relative amount of concessions businesses available for the total pool of businesses located in the metropolitan Lafayette area.

NAICS	Retail Category	Percentage	LAUCP	US Census CBP	Base ACDBE Goal
722310	Food/Beverage	30.00%	2	129	0.00465116
453220	Gift/Novelty/Souvenirs	30.00%	0	36	0.00000000
812930	Parking	30.00%	0	4	0.00000000
541850	Advertising	5.00%	0	3	0.00000000
333924	Luggage Carts	1.00%	0	0	0.00000000
485310	Ground Transportation	1.00%	0	2	0.00000000
454210	Vending Machines	1.00%	0	2	0.00000000
	Goods/Services	2.00%	8	767	0.00020860
	Total	100.00%	10	943	0.00485977
	Base Goal				0.49%

Based on raw data, ACDBE-certified businesses represent 0.49% (including purchases of goods and services) of the total available businesses in the metropolitan Lafayette area.

Historical ACDBE Performance

For the purpose of this analysis, the historical ACDBE participation accomplishment was analyzed as detailed below.

Fiscal Years	Goal %	Accomplishment %	Race Neutral
Fiscal Year 2012 - 2013 (FY 2013)	0	0.00%	0.00%
Fiscal Year 2013 - 2014 (FY 2014)	0	0.00%	0.00%
Fiscal Year 2014 - 2015 (FY 2015)	0	0.00%	0.00%
Fiscal Year 2015 - 2016 (FY 2016)	0	0.00%	0.00%
Fiscal Year 2016 - 2017 (FY 2017)	2.1	0.00%	0.00%
	Median	0.00%	0.00%
	Average	0.00%	0.00%

Over the past five completed fiscal years the average ACDBE participation is 0.00. As such, the overall goal was not adjusted to factor historic participation.

Other Adjustment Factors Considered

Disparity Studies

The airport has inquired about the availability of disparity study data for the Lafayette area and the State of Louisiana from other like-funded agencies such as the Louisiana Department of Transportation and Development (LaDOTD) as well as from other local and regional airports. There are no studies currently available and none conducted within the last seven (7) years for any LADOTD or US Department of Transportation (USDOT) assisted agencies in the state.

Use of Race Neutral Means

Historically, the LAC achieved ACDBE participation through the use of race-conscious means – contract goals. Establishing contract goals will continue to be used to meet any portion of the overall goal the LAC does not project being able to meet using race-neutral means. Given the past five (5) year history of ACDBE participation, contract goals will continue as a means of encouraging concessionaire opportunities. However, contract goals need not be established on every such contract, the size of contract goals will be adapted to the circumstances of each such contract (e.g., type of product or service and the availability of ACDBEs to provide the particular type of product or service). The LAC will also endeavor to create a contracting environment that facilitates the ACDBE goal through race-neutral means. The following race-neutral measures will be taken to increase ACDBE participation:

1. Encourage master concessionaires to structure concession opportunities to foster and facilitate the participation of ACDBEs when practical.
2. Identify opportunities for technical assistance to ACDBE firms; including assisting with back-office, financial and marketing services.
3. Identify education and training programs to encourage an expansion of services, which are offered to ACDBEs and small businesses.
4. Ensure that the ACDBE website is updated with available opportunities for ACDBE-owned and other small business firms in the community.
5. Utilize emerging technology to include the ACDBE directory in the DBE office's web site.
6. Identify opportunities for business development assistance through financing and loan guarantee programs with local banks and lending organizations.

In order to ensure that the ACDBE program is narrowly tailored to overcome the effects of discrimination, the airport will continue to track and report race-neutral and race-conscious ACDBE participation. For reporting purposes, race-neutral ACDBE participation includes, but is not limited to, the following: ACDBE participation through a master concessions lease, where ACDBE participation is obtained through customary competitive procurement procedures; ACDBE participation on a sub-lease that exceeds the stated contract goal; and ACDBE participation through a sub-lease from a master concessionaire that did not consider a firm's ACDBE status in the lease.

Public Participation and Consultation

The notice of the proposed overall goal will be available to the public for 30 days following the date of the notice and comments regarding these documents will be accepted for 45 days after the date the notice is published. The public notice indicates the location where the proposal can be reviewed and where comments can be transmitted. The notice will be published in the following publications:

- The Lafayette Daily Advertiser
- The Acadiana Advocate
- Lafayette Airport Commission Website – LFTAirport.com

LAC has engaged the following professional, technical, civic, business, and community-based organizations as a DBE Advisory Committee for consultation on the DBE Goal. The DBE Advisory Committee includes the following organizations:

- Asian Chamber of Commerce
- Greater Southwest Black Chamber of Commerce
- National Black Chamber of Commerce
- Hispanic Chamber of Commerce
- Kiwanis Southwest
- Lafayette Consolidated Government

- Lafayette Economic Development Authority
- Louisiana Procurement and Technical Center
- 100 Black Men of Greater Lafayette
- Lafayette Commission on the Needs of Women
- Louisiana Small Business Development Center
- Pastoral Alliance

Establishment of the FFYs 2018 - 2020 ACDBE Goal

The base ACDBE goal calculated for FFYs 2018 - 2020 is 0.49%. There were no adjustments made to the base goal. Therefore, the airport's ACDBE goal is proposed at 0.49% for federal fiscal years 2017 through 2019. Moreover, continued use of race-conscious (contract goals) means is recommended through FFY 2020.

ATTACHMENT 5 –
Section 23.45: Overall Goal Calculation for Car Rentals

**LAFAYETTE AIRPORT COMMISSION (LAC)
CAR RENTAL
AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM
Goal Setting Methodology and Calculations
Federal Fiscal Years 2017, 2018 and 2019
(Beginning October 1, 2017 through September 30, 2020)**

Goal Overview

The Lafayette Airport Commission (LAC) proposes an overall Airport Concessions Disadvantaged Business Enterprise (ACDBE) Goal applicable to Car Rental concession opportunities anticipated for federal fiscal years beginning October 1, 2017, 2018 and 2019 and ending on September 30, 2018, 2019 and 2020, respectively. The goal was developed in compliance with Federal Regulations set forth by 49 CFR Part 23, Subpart D. *The proposed overall Car Rental - ACDBE goal for FFYs 2017, 2018 and 2019 is 2.65%.*

ACDBE Car Rental Opportunities

Historical data indicates that LAC’s past ACDBE participation for Car Rental concessions was obtained through the purchase of goods and services. LAC’s car rental goal is based on the purchase of goods and services by car rental companies as outlined in Part 23.51 (c)(5)(ii). The total purchases by car rental concessionaires of goods and services for FFY 2016 – 2017 were \$1.6 million excluding fleet vehicles.

Retail Category	Master Tenant	Estimated Annual Value	Weight
811111	Auto Repair/Detailing	\$ 998,156	15.00%
561612	Security Guard Services	\$ 665,438	10.00%
324191	Petroleum Products	\$ 3,327,188	50.00%
Goods/Services		\$ 1,663,594	25.00%
Total		\$ 6,654,375.00	100.00%

Local Market Area

Upon embarking on the new terminal development program, the Lafayette Regional Airport has worked with partner organizations in the Lafayette region to determine the appropriate market area. The Lafayette Metropolitan Statistical Area, as defined by the US Census Bureau, includes the following five parishes: Lafayette, St. Martin, Acadia, Iberia, and Vermillion. The combined

statistical area adds three additional parishes, Evangeline, St. Landry and St. Mary, to include two more populous cities of Opelousas and Morgan City.

Ready, Willing and Able Airport Concessions Pool

The Louisiana Unified Certification Program (LAUCP) is the basis of the airport's concessions DBE pool. The Louisiana Department of Transportation and Development (LADOTD) and the New Orleans Metropolitan Certifying Agency (NOMCA) – including the Louis Armstrong New Orleans International Airport have been identified as agencies authorized to provide ACDBE certification services in the State of Louisiana. For the purposes of this analysis, only ACDBEs certified by LADOTD and the Louis Armstrong New Orleans International Airport will be considered as the vendor target market.

NAICS	Retail Services	LAUCP	US Census CBP
811111	Auto Repair/Detailing	0	101
561612	Security Guard Services	1	8
324191	Petroleum Products	0	2
	Total	1	111

NAICS	Goods & Services	LAUCP	US Census CBP
561720	Janitorial	5	65
561612	Security	1	8
561320	Staffing	3	53
424130	Office Supplies	0	2
561710	Pest Control	0	33
	Total	9	161

The list of certified-DBE contractors is compared to a more global list of businesses, segregated by NAICS Code. The U.S. Census Bureau's County Business Pattern (USCBP) database is used to determine the general market population of ready, willing and able businesses.

NAICS	Retail Category	Percentage	LAUCP	US Census CBP	Base ACDBE Goal
811111	Auto Repair/Detailing	15.00%	0	101	0.000000
561612	Security Guard Services	10.00%	1	8	0.0125000
324191	Petroleum Products	50.00%	0	2	0.0000000
	Goods/Services	25.00%	9	161	0.0139752
	Total	100.00%	10	272	0.0264752
	Base Goal				2.65%

The Base Figure calculation weighs the relative availability of DBE providers of goods and services to car rental concessionaires to the total pool of these businesses in the metropolitan Lafayette area. Based on raw data, goods and service providers represent 2.65% of the total available businesses in the Lafayette region.

Base Figure Adjustments

After calculating the Base Figure of 2.65% it was determined that this rate would not be adjusted based on past performance as the only available historic data is for the 2016-2017 FFY, which revealed attainment of 1.23%.

Other Adjustment Factors Considered

Disparity Studies

The airport has inquired about the availability of disparity study data in the Lafayette area as well as the State of Louisiana from other like-funded agencies, such as the Louisiana Department of Transportation as well as other local and regional airports. There are no studies currently available and none conducted within the last seven (7) years. The airport continues to seek viable options relative to a disparity study including coordination and linkage with other federal, state and local agencies with mandated DBE programs.

Use of Race Neutral Means

Historically, the LAC achieved ACDBE car rental participation through the use of race-conscious means – contract goals. Establishing contract goals will continue to be used to meet any portion of the overall goal the LAC does not project being able to meet using race-neutral means. Given the spotty history of ACDBE participation in the car rental program, contract goals will likely continue as a means of encouraging concessionaire opportunities. However, the LAC will endeavor to create a contracting environment that facilitates the ACDBE goal through race-neutral means. The following race-neutral measures are taken to increase ACDBE participation:

1. Encourage master concessionaires to structure concession opportunities to foster and facilitate the participation of ACDBEs when practical.
2. Identify opportunities to provide technical assistance to ACDBE firms; including assisting with back-office, financial and marketing services.
3. Identify education and training programs to encourage an expansion of services, which are offered to ACDBEs and small businesses.
4. Ensure that the ACDBE website is updated with available opportunities for ACDBE-owned and other small business firms in the community.

5. Utilize emerging technology to include the ACDBE directory in the DBE office’s web site.
6. Identify opportunities for business development assistance through financing and loan guarantee programs with local banks and lending organizations.

In order to ensure that the ACDBE program is narrowly tailored to overcome the effects of discrimination, the airport will track and report race-neutral and race-conscious ACDBE participation.

Public Participation and Consultation

The notice of the proposed overall goal will be available to the public for 30 days following the date of the notice and comments regarding these documents will be accepted for 45 days after the date the notice is published. The public notice indicates the location where the proposal can be reviewed and where comments can be transmitted. The notice will be published in the following publications:

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LAC has engaged the following professional, technical, civic, business, and community-based organizations as a DBE Advisory Committee for consultation on the DBE Goal. The DBE Advisory Committee includes the following organizations:

- Asian Chamber of Commerce
- National Black Chamber of Commerce
- Kiwanis Southwest
- Lafayette Economic Development Authority
- Louisiana Procurement and Technical Center
- 100 Black Men of Greater Lafayette
- Greater Southwest Black Chamber of Commerce
- Hispanic Chamber of Commerce
- Lafayette Consolidated Government
- Lafayette Commission on the Needs of Women
- Louisiana Small Business Development Center
- Pastoral Alliance

Establishment of the FFYs 2017 - 2019 ACDBE Car Rental Goal

The proposed ACDBE goal for car rental (goods and services only) is proposed at 2.65% for federal fiscal years 2017 through 2019. Moreover, continued use of race-conscious (contract goals) means is recommended through FFY 2019.

ATTACHMENT 6 –
ACDBE Certification Application

A copy of the LA UCP certification application form can be found at
<http://www8.dotd.la.gov/UCP/UCPdownloads.aspx>

ATTACHMENT 7 –
State’s UCP Agreement

A copy of the LAUCP agreement can be found at <http://www.laucp.org/ucp/>

ATTACHMENT 8 –
Regulations: 49 CFR Part 23

A copy of the federal regulations governing the LAC's ACDBE program can be found at the link below.

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr23_main_02.tpl.

ACDBE FORMS

(Available for fill-in and print at: <https://lftairport.com/disadvantaged-enterprise-program/> under ACDBE Forms.)

FORM 1 – Schedule of Contract Participation and ACDBE Commitment

FORM 2 – Participation Questionnaire & Confirmation

FORM 3 – Good Faith Efforts Documentation

FORM 4 – Statement of Intent to Perform as an ACDBE

FORM 5 – Site Review (Internal Use Only)

FORM 6 – Commercially Useful Function Audit (Internal Use Only)

FORM 7 – Removal and Substitution Request

FORM 8 – ACDBE Contract Compliance Checklist (Internal Use Only)

FORM 9 – ACDBE Quarterly Report

FORM 10 – Joint Check Agreement and Form

FORM 11 – Subcontractor Modification Form

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 1 - CONTRACT PARTICIPATION AND ACDBE COMMITMENT PRIME(S) & SUB-CONTRACTOR/CONSULTANT/VENDOR(S)

INSTRUCTIONS

Fill out fields Project Title, Project No., Project Type and Project ACDBE Goal.

Complete a table row for each firm that will participate on the lease as a direct participant or part of discretionary purchases.

Column A. Indicate the firm's role: Prime, Sublessee or Franchisee (first-level sub), Manager, Vendor-Supplier, or Broker-Agent.

- 100% of ACDBE services can be counted toward ACDBE participation.
- 100% of ACDBE Broker/Agent commissions and fees can be counted toward ACDBE participation; product provided must be listed, separately, as Non-ACDBE participation.

Column B. Provide the name and address of the firm.

Column C. Provide the principal contact person and phone number of the firm.

Column D. Describe the work, goods, and/or services to be provided by the firm. On the row *Total Value of Direct and ACDBE Participation*, enter the *Minimum Annual Guarantee (MAG)*.

Column E. Indicate the annual dollar amount of services to be provided by the firm. On the row *Total Value of Participation*, enter the Estimated Annual Gross Receipts.

Column F. Indicate the value of services assigned to the firm as a percent of the *Estimated Annual Gross Receipts*. This percent should equal the amount indicated in Column E divided by Estimated Annual Gross Receipts. On the row *Total Value of Participation*, enter the total percent value of direct participation – should equal 100% to account for all work estimated annual gross receipts earned by direct participants; management contracts and vendor-supplier agreements are not

Column G. Indicate whether firm is an ACDBE or Non-ACDBE. ACDBE-certified means federally certified by a member of the Louisiana Unified Certification Program (www.LAUCP.org). Firms must be ACDBE-certified at the time of bid submission in order to count their participation towards the ACDBE goal. Only ACDBE Broker/Agent commissions and fees can be counted toward ACDBE participation; product provided must be listed, separately, as Non-ACDBE participation.

Good Faith Efforts to Secure ACDBE Participation

If, on this form, the proposed attainment demonstrated does not, at least, meet the assigned ACDBE goal, complete and attach ACDBE Form 3 - Good Faith Efforts to this submission.

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 1 - CONTRACT PARTICIPATION AND OVERALL ACDBE COMMITMENT PRIME(S) SUBPARTICIPANT(S)

(PRIME MUST SUBMIT WITH BID OR PROPOSAL.)

Project Title: _____ Contract No.: _____

Project Type: ACDBE ACDBE Goal: _____ %

Name of Bidder / Prime Contractor: _____

A	B	C	D	E	F	G
FIRM ROLE <i>*Prime, Sublessee, Vendor, Broker, etc.</i>	FIRM NAME AND ADDRESS	PRINCIPAL CONTACT NAME AND PHONE NUMBER	GOODS / SERVICES TO BE PURCHASED	DOLLAR VALUE OF GOODS / SERVICES	% VALUE OF WORK / PURCHASES	Non-ACDBE or ACDBE

TOTAL VALUE OF PARTICIPATION FROM CONTINUATION PAGES:			
<i>All ACDBE Participation is counted against Est. Annual Gross Receipts.</i>			
TOTAL VALUE OF DIRECT AND ACDBE PARTICIPATION:	Minimum Annual Guarantee (MAG)	Est. Annual Gross Receipts	Direct Participation Must Equal 100%
			Total ACDBE Participation

If Total ACDBE Participation is less than the goal, attach ACDBE Form 3 - Documentation of Good Faith Efforts and all other necessary documentation. Firms must be ACDBE-certified with an authorized agent of the LAUCP to count participation towards the goal.

The undersigned Prime firm will enter into a formal written agreement with the Subcontractors / Consultants / Vendors identified herein for work and/or goods and services as shown in this schedule, conditioned upon the execution of a contract with the LAC. The undersigned agrees to be contractually bound to maintain the level of ACDBE participation set forth above. Failure to comply with this agreement constitutes

Signature Title

SWORN AND SUBSCRIBED, before me, this _____ day of _____.

NOTARY PUBLIC
(Seal)
My commission expires _____

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 1 - CONTRACT PARTICIPATION AND OVERALL ACDBE COMMITMENT (Continuation Page) PRIME(S) SUBPARTICIPANT(S)

Project Title: _____

Contract No.: _____

Project Type: ACDBE

ACDBE Goal: _____ %

Name of Bidder / Prime Contractor: _____

A	B	C	D	E	F	G
FIRM ROLE <i>*Prime, Sublessee, Vendor, Broker, etc.</i>	FIRM NAME AND ADDRESS	PRINCIPAL CONTACT NAME AND PHONE NUMBER	GOODS / SERVICES TO BE PURCHASED	DOLLAR VALUE OF GOODS / SERVICES	% VALUE OF WORK / PURCHASES	Non-ACDBE or ACDBE

All ACDBE Participation is counted against Est. Annual Gross Receipts.

TOTAL VALUE OF PARTICIPATION FOR CONTINUATION PAGE 1:

Total \$ Value of Participation	Total % Value of Services	Total ACDBE Participation

Initial _____

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 2 - PARTICIPATION QUESTIONNAIRE AND CONFIRMATION

(PRIME MUST SUBMIT WITH SEALED BID OR PROPOSAL.)

Instructions: Must be filled out by each direct participant, vendor, subconsultant, subcontractor, and any other tier of participant, as a condition of responsiveness. All items requested on the form are required, if an item is not applicable, respondents shall enter N/A. Each direct participant operating as a joint venture should complete a separate form and indicate (Item 9) that the response is a joint venture.

1. Project name, project number and date of submittal:	2. Official name of firm: Indicate if Direct Participant, Sublessee, Franchisee, Vendor, Subconsultant, etc.:	3. Address of office to perform work:																								
4. Name of parent company, if any:	5. Location of headquarters (city):	6. Age of firm:																								
7. Name, title, and telephone number of principal contact:	8. Indicate Special Status: <table style="width: 100%; margin-top: 10px;"> <tr> <td><input type="checkbox"/> Small business</td> <td><input type="checkbox"/> SBA certified</td> </tr> <tr> <td><input type="checkbox"/> Minority-owned business</td> <td><input type="checkbox"/> LAUCP ACDBE certified</td> </tr> <tr> <td><input type="checkbox"/> Woman-owned business</td> <td><input type="checkbox"/> LAUCP DBE certified</td> </tr> <tr> <td></td> <td><input type="checkbox"/> SBE certified</td> </tr> </table> <p style="font-size: small; margin-top: 10px;">*A firm participating as an ACDBE must be certified by the Louisiana Unified Certification Program (LAUCP) by the date of submittal. Current letter of certification shall be attached.</p>		<input type="checkbox"/> Small business	<input type="checkbox"/> SBA certified	<input type="checkbox"/> Minority-owned business	<input type="checkbox"/> LAUCP ACDBE certified	<input type="checkbox"/> Woman-owned business	<input type="checkbox"/> LAUCP DBE certified		<input type="checkbox"/> SBE certified																
<input type="checkbox"/> Small business	<input type="checkbox"/> SBA certified																									
<input type="checkbox"/> Minority-owned business	<input type="checkbox"/> LAUCP ACDBE certified																									
<input type="checkbox"/> Woman-owned business	<input type="checkbox"/> LAUCP DBE certified																									
	<input type="checkbox"/> SBE certified																									
9. Is this submittal a joint venture (JV)? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, has the JV worked together before? <input type="checkbox"/> Yes <input type="checkbox"/> No	13. Summary of firm's annual gross receipts, insert index number: <table style="width: 100%; margin-top: 5px;"> <tr> <td style="text-align: center;"><u>Last Year</u></td> <td style="text-align: center;"><u>2 Years Ago</u></td> <td style="text-align: center;"><u>3 Years Ago</u></td> </tr> </table> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;"></td> <td style="text-align: center;">Ranges of annual gross receipts received:</td> <td style="width: 33%;"></td> </tr> <tr> <td style="text-align: center;"><u>Index</u></td> <td></td> <td style="text-align: center;"><u>Index</u></td> </tr> <tr> <td style="text-align: center;">1</td> <td>less than \$250,000</td> <td style="text-align: center;">4</td> </tr> <tr> <td style="text-align: center;">2</td> <td>\$250,000 to \$1,000,000</td> <td style="text-align: center;">5</td> </tr> <tr> <td style="text-align: center;">3</td> <td>\$1,000,000 to \$3,000,000</td> <td style="text-align: center;"></td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">\$3,000,000 to \$6,000,000</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">\$6,000,000 or greater</td> </tr> </table>		<u>Last Year</u>	<u>2 Years Ago</u>	<u>3 Years Ago</u>		Ranges of annual gross receipts received:		<u>Index</u>		<u>Index</u>	1	less than \$250,000	4	2	\$250,000 to \$1,000,000	5	3	\$1,000,000 to \$3,000,000				\$3,000,000 to \$6,000,000			\$6,000,000 or greater
<u>Last Year</u>	<u>2 Years Ago</u>	<u>3 Years Ago</u>																								
	Ranges of annual gross receipts received:																									
<u>Index</u>		<u>Index</u>																								
1	less than \$250,000	4																								
2	\$250,000 to \$1,000,000	5																								
3	\$1,000,000 to \$3,000,000																									
		\$3,000,000 to \$6,000,000																								
		\$6,000,000 or greater																								

Signature: _____

Date: _____

Typed Name: _____

Title: _____

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM

INFORMATION

If the Respondent or Proposer cannot fully meet the ACDBE goal of this Contract, the Respondent or Proposer shall complete this ACDBE Form 3 and attach documentation demonstrating the Respondent's or Proposer's good faith efforts. LAC has the authority to make a fair and reasonable judgment whether a Respondent or Proposer that did not meet the contract goal made adequate good faith efforts. Respondents are required to demonstrate Good Faith Efforts with additional documentation as applicable including call logs, posted advertisements, attendance to pre-bid/proposal/submittal meetings, and records of negotiation.

The following is a list of types of actions which LAC considers as part of the bidder/respondent's good faith efforts to obtain ACDBE participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

1. (A) Conducting market research to identify small business participants and soliciting through all reasonable and available means the interest of all certified ACDBEs that have the capability to perform the services. This may include attendance at pre-bid/proposal and business matchmaking meetings and events, advertising and/or written notices, posting of Notices of Sources Sought and/or Requests for Proposals, written notices or emails to all ACDBEs listed in the Louisiana Unified Certification Program (LAUCP) database.
(B) The bidder/respondent should solicit this interest as early in the acquisition process as practicable to allow the ACDBEs to respond to the solicitation and submit a timely offer for the opportunity. The bidder/respondent should determine with certainty if the ACDBE firms are interested by taking appropriate steps to follow up initial solicitations.
2. Selecting portions of products or services to be provided by ACDBEs in order to increase the likelihood that the ACDBE goals will be achieved. This includes, where appropriate, breaking out service items into economically feasible units (for example, smaller tasks or quantities) to facilitate ACDBE participation, even when the prime concessionaire might otherwise prefer to perform these services with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates ACDBE participation.
3. Providing interested ACDBEs with adequate information about the requirements of the services to be provided in a timely manner to assist them in responding to a solicitation with their offer for the opportunity.
4. (A) Negotiating in good faith with interested ACDBE firms. It is the bidder/respondent's responsibility to make a portion of services to be provided available to ACDBE participants and to select those portions of the service or material needs consistent with the available ACDBE participants, so as to facilitate ACDBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of ACDBEs that were considered; a description of the information provided regarding the plans and specifications for the services selected for subparticipant; and evidence as to why additional Agreements could not be reached for ACDBEs to perform the services.
(B) A bidder/respondent using good business judgment would consider a number of factors in negotiating with participants, including ACDBE participants, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using ACDBEs is not in itself sufficient reason for a bidder/respondent's failure to meet the contract ACDBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime concessionaire to perform the services with its own organization does not relieve the bidder/respondent of the responsibility to make good faith efforts. Prime concessionaires are not, however, required to accept higher quotes from ACDBE firms if the price difference is excessive or unreasonable.
5. (A) Not rejecting ACDBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The firm's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union status) are not legitimate causes for the rejection or non-solicitation of bids or price quotes in the concessionaire's efforts to meet the project goal. Another practice considered an insufficient good faith effort is the rejection of the ACDBE firm because its quotation for the services was not the lowest received. However, nothing in this paragraph shall be construed to require the bidder/respondent or prime concessionaire to accept unreasonable quotes in order to satisfy contract goals.
(B) A prime concessionaire's inability to find a replacement ACDBE at the original price is not alone sufficient to support a finding that good faith efforts have been made to replace the original ACDBE firm. The fact that the concessionaire has the ability and/or desire to perform the services with its own forces does not relieve the concessionaire of the obligation to make good faith efforts to find a replacement ACDBE, and it is not a sound basis for rejecting a prospective reasonable quote from a replacement ACDBE firm.
6. Making efforts to assist interested ACDBE firms in obtaining bonding, lines of credit, or insurance as required by the recipient or concessionaire.
7. Making efforts to assist interested ACDBE firms in obtaining necessary equipment, supplies, materials, or related assistance or services.

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM

If you have not demonstrated attainment of the amount of ACDBE participation needed to meet the contract goal, you are required to complete and submit this form along with ACDBE Form 1 – Contract Participation and ACDBE Commitment.

BIDDERS: If the bidder is unable to meet the ACDBE Goal, this completed form, along with all required supporting documentation, must be submitted with sealed bid. Should the bidder fail to comply with this request, the bid shall be considered non-responsive.

RESPONDENTS: If the proposer is unable to meet the ACDBE goal, this completed form must be furnished with your sealed proposal. Should the proposer fail to comply with this request, the proposal shall be considered non-responsive.

RFP / RFQ / Bid / Solicitation / Other # _____ MAG: \$ _____ Date: ____ / ____ / ____

Project Title: _____ Est. Annual Gross Receipts: \$ _____

_____ has satisfied the requirements of the bid/proposal specifications for the above

Name of Bidder/Respondent Firm

BID / RFP / RFQ or solicitation by the LAC in the following manner: *(Please, check the appropriate box.)*

- The Bidder / Respondent is unable to meet the ACDBE contract goal and has completed and submitted ACDBE Form 1 – Contract Participation and ACDBE Commitment, along with all required supporting GFE documentation.
- The Bidder / Respondent is unable to meet the ACDBE contract goal, however is committed to a minimum of _____% ACDBE utilization on this contract and has completed and submitted ACDBE Form 1 – Contract Participation and ACDBE Commitment, along with all required supporting GFE documentation.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

PRINTED NAME: _____ SIGNATURE: _____ TITLE _____

Instructions: Please, complete sections A through D, and include all specific supporting documentation, as outlined below. Attach additional pages, if necessary. **All sections of this form MUST be completed, or your response will be deemed non-responsive.** If you feel that any section of this is Not Applicable, DO NOT respond/write Not Applicable or N/A. You must provide a written statement as to why section is Not Applicable to your response. Attach additional pages, if necessary.

- SPECIFIC PORTIONS OF SERVICES IDENTIFIED FOR ACDBE SUBCONTRACTOR: Complete section A.
- NOTIFYING CERTIFIED ACDBEs OF CONTRACTING OPPORTUNITIES: Please, attach a copy of the announcement and written notices distributed to ACDBEs. Example: Newspaper, e-mail, mail correspondence, and community outreach notices, etc.
- INITIAL SOLICITATION & FOLLOW-UP OF INITIAL SOLICITATION: Bidders / Respondents may only solicit from any local or state certifying agency.
- NEGOTIATE IN GOOD FAITH: Please, provide a copy of all correspondence documenting negotiation efforts including written rejection notices and copies of ACDBE and non-ACDBE quotes.

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

A. SPECIFIC PORTIONS OF DIRECT PARTICIPATION OR DISCRETIONARY PURCHASES IDENTIFIED FOR ACDBE PARTICIPANTS: You MUST list all selected scopes or portions of services to be provided by ACDBE firms in order to increase the likelihood of meeting the contract goal for this concession and the estimated value of each scope or portions of services identified. Use additional pages, if warranted.

Scope or Portions of Services Identified for ACDBE Participation		Estimated Annual Value	% of Est. Annual Gross Receipts
1		\$	
2		\$	
3		\$	
4		\$	
5		\$	
6		\$	
7		\$	
8		\$	
9		\$	
10		\$	
11		\$	
12		\$	
13		\$	
14		\$	
15		\$	
16		\$	
17		\$	
18		\$	
19		\$	
20		\$	
TOTALS		\$	

Previous versions obsolete.

Revised 12/28/2018

Initial _____

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

B. NOTIFYING CERTIFIED ACDBES OF PARTICIPATION OPPORTUNITIES: Please complete all fields below, list all sources of advertisement and outreach to ACDBE subs.

I. Did you attend all pre-bid, pre-proposal and/or outreach meetings scheduled by the LAC to inform ACDBEs of participation opportunities?

YES	NO	Date of Meeting
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

II. You MUST identify publications in which announcements or notifications were placed and published. Include a copy of each announcement or notification.

Source of Advertising/Outreach	What areas of service were advertised?	Date of Ad	Due Date & Time for Sub Responses		LAC VERIFICATION
			Date	Time	
1					
2					
3					
4					

C. INITIAL SOLICITATION & FOLLOW-UP: You MUST complete all fields below, list all certified ACDBE firms that received written notification of work items to be subcontracted. If no response was received to the initial solicitation, you must indicate when firms received subsequent telephone or e-mail solicitations (list delivery or read receipts date and certified firm's response). You must include copies of the physical and/or electronic notice(s) sent to certified firms. Use additional pages, as warranted.

ACDBE FIRM & CONTACT	PHONE	Scope of Services Solicited	Date of Written Notification	Result of Initial Communication	Date of Follow-up and Method of Contact (Phone, Fax, E-mail)	Result of Follow-up Communication
Ex. ABC Company / Jane Smith	(337) 123-4567	Legal services	01/01/18	Will submit a quote	01/10/18 e-mail	Quote received
1						
2						
3						
4						
5						
6						
7						
8						
9						

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

ACDBE FIRM & CONTACT	PHONE	Scope of Services Solicited	Date of Written Notification	Result of Initial Communication	Date of Follow-up and Method of Contact (Phone, Fax, E-mail)	Result of Follow-up Communication
Ex. ABC Company / Jane Smith	(337) 123-4567	Legal services	01/01/18	Will submit a quote	01/10/18 e-mail	Quote received
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

ACDBE FIRM & CONTACT	PHONE	Scope of Services Solicited	Date of Written Notification	Result of Initial Communication	Date of Follow-up and Method of Contact (Phone, Fax, E-mail)	Result of Follow-up Communication
<i>Ex. ABC Company / Jane Smith</i>	<i>(337) 123-4567</i>	<i>Legal services</i>	<i>01/01/18</i>	<i>Will submit a quote</i>	<i>01/10/18</i> <i>e-mail</i>	<i>Quote received</i>
33						
34						
35						
36						
37						
38						
39						
40						

D. NEGOTIATE IN GOOD FAITH: You MUST provide an explanation for any rejected ACDBE bid or price quotation, unless another ACDBE is accepted for the same services, as follows:

- I. Where price competitiveness is not the reason for rejection, you MUST complete all fields below and provide a copy of the written rejection notice including the reason for rejection to the rejected ACDBE firm. A meeting may be held with the rejected ACDBEs, if requested, to discuss the rejection. Use additional pages, as warranted. You MUST attach a copy of the notice.

ACDBE Subcontractor	Scope	Date rejection notice sent	Reason	Meet with ACDBE Sub?	
				Yes	No
1				<input type="checkbox"/>	<input type="checkbox"/>
2				<input type="checkbox"/>	<input type="checkbox"/>
3				<input type="checkbox"/>	<input type="checkbox"/>
4				<input type="checkbox"/>	<input type="checkbox"/>
5				<input type="checkbox"/>	<input type="checkbox"/>
6				<input type="checkbox"/>	<input type="checkbox"/>
7				<input type="checkbox"/>	<input type="checkbox"/>
8				<input type="checkbox"/>	<input type="checkbox"/>
9				<input type="checkbox"/>	<input type="checkbox"/>

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

ACDBE Subcontractor	Scope	Date rejection notice sent	Reason	Meet with ACDBE Sub?	
				Yes	No
10				<input type="checkbox"/>	<input type="checkbox"/>
11				<input type="checkbox"/>	<input type="checkbox"/>
12				<input type="checkbox"/>	<input type="checkbox"/>
13				<input type="checkbox"/>	<input type="checkbox"/>
14				<input type="checkbox"/>	<input type="checkbox"/>
15				<input type="checkbox"/>	<input type="checkbox"/>
16				<input type="checkbox"/>	<input type="checkbox"/>
17				<input type="checkbox"/>	<input type="checkbox"/>
18				<input type="checkbox"/>	<input type="checkbox"/>
19				<input type="checkbox"/>	<input type="checkbox"/>
20				<input type="checkbox"/>	<input type="checkbox"/>

II. Where price competitiveness is the reason for rejection, you MUST complete all fields below, and attach copies of all ACDBE and non-ACDBE bids or price quotes. Use additional pages, as warranted.

ACDBE Subcontractor	Scope	Annual Quote	Non-ACDBE Subcontractor		Annual Quote	Price Variance (+/-)
			1	2		
1		\$			\$	%
2		\$			\$	%
3		\$			\$	%
4		\$			\$	%
5		\$			\$	%
6		\$			\$	%
7		\$			\$	%
8		\$			\$	%
9		\$			\$	%

**LAFAYETTE AIRPORT COMMISSION
ACDBE FORM 3 - DOCUMENTATION OF GOOD FAITH EFFORTS FORM**

ACDBE Subcontractor	Scope	Non-ACDBE Subcontractor		Annual Quote	Scope	Annual Quote	Price Variance (+/-)
10			8	\$		\$	%
11			8	\$		\$	%
12			8	\$		\$	%
13			8	\$		\$	%
14			8	\$		\$	%
15			8	\$		\$	%
16			8	\$		\$	%
17			8	\$		\$	%
18			8	\$		\$	%
19			8	\$		\$	%
20			8	\$		\$	%

III. You MUST provide a copy of all correspondence documenting negotiation efforts, including copies of ACDBE and non-ACDBE quotes and written rejection notices.

IV. Please, provide narrative details of any other efforts your firm conducted to attain the ACDBE goal. Use additional pages, as warranted.

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 4 – STATEMENT OF INTENT TO PERFORM

AS AN ACDBE PRIME / VENDOR / SUBCONSULTANT / SUBCONTRACTOR

(PRIME MUST SUBMIT WITH SEALED BID OR PROPOSAL.)

TO: _____
Name of Prime Concessionaire / Consultant / Vendor

RE: Contract No. _____

The undersigned intends to perform work, provide services and/or goods in connection with the above referenced project, as: (Check the appropriate designation)

- an individual a Corporation a Partnership a Joint Venture
- a Limited Liability Corporation a Limited Liability Partnership

The undersigned is prepared to perform the following detailed description of work and/or provide services or provide goods in connection with the above referenced project:

at the following price \$ _____.

The undersigned will further subcontract or award _____% of the dollar value of this agreement to non-ACDBE firms.

The undersigned agrees to enter into a contract with you to perform the above work, if you are awarded the prime contract.

DATE

ACDBE PARTICIPANT

Participant's Address

By: _____

Signature

City and State

Title

Phone No. _____

Name: _____
Printed or Typed

SWORN TO AND SUBSCRIBED, before me this _____ day of _____, _____.

NOTARY PUBLIC

(Seal)

My commission expires _____.

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 7 - REQUEST FOR REMOVAL and/or SUBSTITUTION

(FOR USE ANYTIME AFTER BID OR PROPOSAL SUBMITTAL)

Project/Concession Title: _____

Concessionaire _____

All reasonable efforts need to be made to avoid termination or substitution of an ACDBE listed at bid/proposal or on ACDBE Form 1 - Contract Participation and ACDBE Commitment. Approval of this removal/substitution request does not relieve the Direct Participant of its obligation to meet the ACDBE contract/project goal.

Subparticipant to be substituted: _____

Is subparticipant a certified ACDBE? LAUCP Non-ACDBE

Indicate the following dates (attach supporting documentation for each):

Determined to be unwilling, unable, ineligible to perform <input style="width: 100%; height: 20px;" type="text"/>	Date of written notice to subparticipant <input style="width: 100%; height: 20px;" type="text"/>	Date of subparticipant response <input style="width: 100%; height: 20px;" type="text"/>
---	--	--

Original scope of services: _____

Indicate the following:

Original agreement \$ <input style="width: 100%; height: 20px;" type="text"/>	Services completed \$ <input style="width: 100%; height: 20px;" type="text"/>	Paid, to date \$ <input style="width: 100%; height: 20px;" type="text"/>
--	--	---

Detailed reason for substitution: (Use additional sheets if necessary, and attach any supporting documentation.)

Proposed subparticipant: _____

Is proposed subparticipant a certified ACDBE? LAUCP Non-ACDBE

Services to be substituted: _____

Amount of agreement: \$ _____

Is substitution schedule/time-sensitive? Yes No If Yes, give date: _____

Title: _____ Printed Name: _____

Date: _____ Signature: _____

FOR OFFICE USE ONLY	Printed Name	Signature	Date Reviewed	Decision
Project Manager				<input type="checkbox"/> Approve <input type="checkbox"/> Deny
DBELO				<input type="checkbox"/> Approve <input type="checkbox"/> Deny

Lafayette Airport Commission

Lafayette Regional Airport

ACDBE Form 9 - Quarterly Activity Report of ACDBE Participation

Instructions & Definitions for Completing Report

As per your agreement with the Lafayette Airport Commission (LAC), your firm is required to complete a report of Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation. This report should consist of firms whereby revenues were earned and purchases of goods and/or services have been made during the federal fiscal year of the reporting period (Oct 1 – Sep 30).

Each direct participant is to submit this form for each quarter they are in operation or until the end of their lease agreement. Types of direct participation include master concessionaire, sublessee, franchisee, etc. If a direct participant manages more than one concession concept, they should all be included in the totals on this report.

ACDBE-certified means federally certified by a member of the Louisiana Unified Certification Program (www.LAUCP.org) as an Airport Concession.

Each report should be accompanied by back-up documentation to confirm reported vendor/subcontractor payments. Back-up documentation may be in the form of an accounts payable log and/or copies of cancelled checks (front and back).

The following are definitions of each of the reporting categories:

General Information

1. Enter the name and contact information of the Prime Concessionaire.
2. ACDBE Ownership of Prime – If Prime is ACDBE-certified, enter ACDBE ownership percentage of firm; usually 0% or 100%. If the firm is a joint venture, enter ACDBE JV ownership percentage.
3. ACDBE Goal(s) – If the firm has ACDBE goals assigned in lease for Overall, Revenue or Procurement participation, indicate here.
4. Concession Type – Indicate the Prime's concession category. If it does not appear to fit a category listed here, select Other, and describe concession.

Summary Reporting Categories

5. Gross Revenues – Gross receipts earned by direct participant
6. Total Discretionary Purchases – Goods/services purchased whereby the direct participant has discretion of who to patronize
7. ACDBE Vendor Purchases – Goods/services purchased from ACDBE-certified firms
8. All Partner Distributions – Distribution payments made to partners, if applicable
9. Distributions to ACDBE Partner(s) – Distribution payments made to ACDBE-certified partners, if applicable
10. Distributions to ACDBE Partner(s) Before / After Net Income – Indicate amount of ACDBE-partner distribution payments made before or after net income

Participant Reporting Categories

11. Vendor / Provider – The name of the vendor or service provider
12. ACDBE Credit – If firm is ACDBE-certified, enter ACDBE Ownership percentage of firm; usually 0% or 100%. If firm is a joint venture, enter ACDBE JV ownership percentage.
13. Description of Goods / Services – Goods/services purchased from ACDBE-certified firms
14. Contract / PO Amount – Enter total contract or purchase orders executed for this federal fiscal year
15. Total Amount Paid During Reporting Period – Indicate total amount paid to this vendor or provider during the quarter
16. Total Amount Paid FYTD – Indicate total amount paid during the federal fiscal year of the quarter

ACDBE Form 9
Lafayette Regional Airport
Airport Concessions Disadvantaged Business Enterprise (ACDBE)
Quarterly Activity Report

Reporting Period → (Quarter You Are Reporting On)	YEAR _____	<input type="checkbox"/> First Quarter Jan – Mar	<input type="checkbox"/> Second Quarter Apr – Jun	<input type="checkbox"/> Third Quarter Jul – Sep	<input type="checkbox"/> Fourth Quarter Oct – Dec
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CONCESSIONAIRE	ACDBE Ownership of Prime	ACDBE GOAL(S) FROM LEASE:
ADDRESS	%	REVENUE/OVERALL %
TELEPHONE NO.	%	PROCUREMENT %
FAX NO.	E-MAIL	
CONCESSION TYPE	<input type="checkbox"/> Food & Beverage <input type="checkbox"/> Retail <input type="checkbox"/> Passenger Service <input type="checkbox"/> Ground Transportation <input type="checkbox"/> Rental Car <input type="checkbox"/> In-Flight Catering <input type="checkbox"/> Display Advertising <input type="checkbox"/> Ground Services <input type="checkbox"/> Fixed-Base Operators <input type="checkbox"/> Other _____	

DURING REPORTING PERIOD		ACDBE Vendor Purchases During Reporting Period	All Partner Distributions During Reporting Period	Distributions to ACDBE Partner(s) During Reporting Period	Distributions to ACDBE Partner(s) Before Net Income During Reporting Period	Distributions to ACDBE Partner(s) After Net Income During Reporting Period
Gross Revenues During Reporting Period	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
FEDERAL FISCAL YEAR TO DATE (FFYTD; Oct 1 – Sep 30)						
Gross Revenues FFYTD	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

I, _____, certify, under penalty of perjury, that the information contained herein is true and correct. I acknowledge that the LAC may impose a penalty for submitting false information.	Submit To: ACDBELO / DBE Office Lafayette Airport Commission Lafayette Regional Airport 222 Jet Ranger X Dr. Lafayette, LA 70508
_____ <i>Signature</i>	_____ <i>Title</i>
_____ <i>Date</i>	

Lafayette Regional Airport
Airport Concessions Disadvantaged Business Enterprise (ACDBE)
ACDBE Form 9 - Quarterly Activity Report

YEAR: _____ MONTH: 1ST Qtr - _____ 2ND Qtr - _____ 3RD Qtr - _____ 4TH Qtr - _____

CONCESSIONNAIRE

List all (ACDBE and non-ACDBE) vendors and subcontractors. ACDBE CREDIT indicates percentage of dollars to count toward goal (usually 0 for non-DBEs or 100 for ACDBE subcontractors).

Vendor / Provider	ACDBE Credit	Description of Goods / Services	Contract / PO Amount	Total Amount Paid During Reporting Period	Total Amount Paid FYTD
1	%		\$	\$	\$
2	%		\$	\$	\$
3	%		\$	\$	\$
4	%		\$	\$	\$
5	%		\$	\$	\$
6	%		\$	\$	\$
7	%		\$	\$	\$
8	%		\$	\$	\$
9	%		\$	\$	\$
10	%		\$	\$	\$
11	%		\$	\$	\$
12	%		\$	\$	\$
13	%		\$	\$	\$
14	%		\$	\$	\$
15	%		\$	\$	\$
16	%		\$	\$	\$
17	%		\$	\$	\$

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 10 - REQUEST TO JOINT CHECK WITH ACDBE SUBPARTICIPANT

JOINT CHECKS POLICY AND PROCEDURES

What follows is the joint check policy and procedures of the Lafayette Airport Commission (LAC). A joint check is a two-party check between an ACDBE, a direct participant and the vendor or regular dealer of supplies. Typically, the direct participant issues the check as payer to the ACDBE and the supplier jointly (to guarantee payment to the supplier) in payment for the supplies used by the ACDBE.

A primary concern with allowing joint checks is that such a practice may make it difficult to determine whether the ACDBE is performing a commercially useful function. It also makes it much more difficult to gauge the extent to which the ACDBE is controlling its operations (independent of the other party involved in the joint check arrangement). The cost of supplies purchased by the ACDBE is part of the value of work performed by the ACDBE to be counted toward the goal. Under LAC policy, in order to receive credit, the ACDBE must be responsible for negotiating price, determining quality and quantity, ordering the supplies, and installing (where applicable) and paying for the supplies itself. 49 CFR 23.55 defers to 49 CFR 26.55. When joint checks are used, a question is raised as to whether the transaction being carried out complies with regulatory requirements because of the involvement of another party other than the ACDBE in the issuance of the check for payment to the supplier.

In light of these concerns, the LAC will not object to the use of joint checks when the following conditions are met: (1) the second party (typically the prime concession) acts solely as a guarantor, (2) the ACDBE must release the check to the supplier, (3) the use of joint checks is a commonly recognized business practice in the industry, (4) the LAC approves the practice before it is used, and (5) the LAC monitors its use closely to avoid abuse.

As part of its approval process (programmatically or on a case-by-case basis), the LAC shall analyze industry practice. Standard industry practice is one of several factors to consider in approving the use of joint checks. However, using joint checks should not be approved if doing so conflicts with other aspects of the ACDBE regulations regarding commercially useful function (CUF). For example, the practice of joint checks might be standard industry practice in a LAC, but the regulations do not allow the ACDBE to be used as an "extra participant in a transaction, agreement, or project through which funds are passed in order to obtain the appearance of ACDBE participation. In determining whether a ACDBE is such an extra participant, the LAC must examine similar transactions, particularly those in which ACDBEs do not participate." See 49 CFR 26.55 (c)(2). Thus, Standard industry practice cannot be shown unless the practice is commonly employed outside of the ACDBE program for non-ACDBE participants.

The LAC monitoring process ensures its use comports with agreed upon conditions and that such practice is not in conflict with the requirements of the ACDBE program. LAC requires the direct participant / ACDBE furnish the cancelled check used for the payment of supplies under the agreement.

Listed below is a set of circumstances and conditions that should be considered in approving the use of joint checks.

ACDBE Program -Joint Checks

The practice of using joint checks in the ACDBE program should be closely monitored to ensure that such a practice does not erode the independence of the ACDBE firm. Close monitoring also ensures that the use of joint checks does not inhibit the ACDBE's ability to control its work and perform a commercially useful function (CUF). The LAC has established a solid basis for the use of joint checks that strikes a reasonable balance between the benefit to the ACDBE and the potential for abuse. Joint checks should not be allowed simply for the convenience of the direct participant. Therefore, the following general circumstances should be present in support joint checks:

- Standard industry practice applies to all participants
- Use of joint checks must be available to all participants
- Vendor industry sets the standard industry practice, not direct participants
- Short term not to exceed reasonable time (i.e., one year, two years) to establish/increase a credit line with the supplier
- No exclusive arrangement between one direct participant and one ACDBE in the use of joint checks that might bring independence into question
- Non-proportionate ratio of ACDBE's normal capacity to size of agreement and quantity of supplies to be provided under the agreement
- ACDBE is normally responsible for both the install or furnishing the work item
- ACDBE must be more than an extra participant in releasing the check to the supplier

General conditions for allowance:

- ACDBE submits request to LAC for action
- Subject of formalized agreement between all parties that specify the conditions under which the arrangement will be permitted
- Full and prompt disclosure of the expected use of joint checks
- Require prior approval
- Even with joint checks, ACDBE remains responsible for all other elements of 26.55(c)(1)
- LAC clearly determines that independence is not threatened, because the ACDBE retains final decision-making responsibility
- LAC clearly determines that request is not an attempt to artificially inflate ACDBE participation.
- Certifying Standard industry practice is only one factor
- No requirement by prime concession that ACDBE is to use a specific supplier nor the prime's negotiated unit price

LAFAYETTE AIRPORT COMMISSION

ACDBE FORM 10 - Request to Joint Check with ACDBE Subparticipant To Be Signed By Direct Participant, Subparticipant & 3rd Party Supplier

<i>Direct Participant</i>	<i>ACDBE Subparticipant</i>
<i>Concession / Project Title</i>	<i>Project No.</i>
<i>3rd Party Supplier</i>	<i>Request Expiration (Date, Dollar Amount)</i>
<i>3rd Party Contact Person</i>	<i>Address of 3rd Party</i>
<i>3rd Party Phone Number and E-Mail Address</i>	

Initial request to joint check? Direct Participant ACDBE Subparticipant Supplier

Reason for joint check utilization: _____

Description and cost of goods/services to be provided by 3rd party: _____

The Disadvantaged Business Enterprise (DBE) Office of the Lafayette Airport Commission (LAC) will closely monitor the use of joint checks. ACDBE Subparticipant must be responsible for negotiating price, determining quality and quantity, ordering the supplies and installing (where applicable) and paying for the supplies itself. Only when an ACDBE meets all requirements should goal credit be counted for the procurement of items by the ACDBE. If the proper procedures are not followed or the Airport Concessions DBE Liaison Officer (ACDBELO) determines that the arrangement results in a lack of independence for the ACDBE involved, no goal credit for the ACDBE's participation as it relates to the supplies cost will be used toward the contract goal requirement and the prime will be held responsible for not meeting this goal.

AFFIDAVIT

I acknowledge and agree that any misrepresentations in this affidavit may be grounds for termination, suspension, debarment and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I declare under penalty of perjury that the information provided, herein, is true and correct.

Authorized ACDBE Subparticipant Representative		
<i>Signature</i>	<i>Title</i>	<i>Date</i>
Authorized 3rd Party Representative		
<i>Signature</i>	<i>Title</i>	<i>Date</i>
Authorized Direct Participant Representative		
<i>Signature</i>	<i>Title</i>	<i>Date</i>

NOTARY:

SWORN AND SUBSCRIBED, before me, this _____ day of _____,

NOTARY PUBLIC

(Seal)

My commission expires _____

For LAC DBE Office Use Only			
Department	Date Reviewed	Printed Name	Signature
DBE Office			
			<input type="checkbox"/> Approved <input type="checkbox"/> Denied

Lafayette Airport Commission (LAC)
ACDBE FORM 11: REQUEST FOR ACDBE SUBPARTICIPANT MODIFICATION
 (FOR USE ANY TIME AFTER BID OR PROPOSAL SUBMITTAL)

Project / Concession _____ Direct Participant _____ Date _____

I certify that the information contained herein is true and correct. I acknowledge that the LAC may impose a penalty for submitting false information.

Printed Name _____ Title _____ Signature _____

Please, itemize any contract change that meets one of the following criteria: new service area which does not fall into the scope of your current ACDBE-certified participant(s); service area removed which fell into the scope of your ACDBE-certified subcontractor(s); addition of ACDBE subcontractor due to new service area. Please, attach any relevant back-up documentation. Any Denied or Deferred item can be resubmitted as a new request with additional documentation. Any request to remove or substitute an ACDBE participant requires an additional form - please, request from the DBELO.

Item No.	Board Action (e.g. LOA No. 7)	Firm	ACDBE Certification Status	Description of Work Item(s)	Original Item Amount (\$)	Current Item Amount (\$)	Reason(s) for Change	For LAC DBE Office Use Only
1			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
2			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
3			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
4			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
5			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
6			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied

For LAC DBE Office Use Only			
Department	Date Reviewed	Printed Name	
Project Manager		Signature	
DBE Office			

ACDBE FORM 11: Request for ACDBE Subparticipant Modification

Direct Participant: _____

Concession: _____

Date: _____

Item No.	Board Action (e.g. LOA No. 7)	Firm	ACDBE Certification Status	Description of Work Item(s)	Original Item Amount (\$)	Current Item Amount (\$)	Reason(s) for Change	For LACDBE Office Use Only
7			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
8			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
9			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
10			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
11			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
12			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied
13			<input type="checkbox"/> Non-ACDBE <input type="checkbox"/> ACDBE					<input type="checkbox"/> Approved <input type="checkbox"/> Denied

Additional Comments: _____
