

**DEPARTMENT OF TRANSPORTATION
DBE PROGRAM – 49 CFR PART 26
3-Year Goal Computation
FFY 2022/2023/2024**



Apple Valley Airport (APV)

Prepared for
San Bernardino County Department of Airports
San Bernardino County, CA

Prepared by
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Preface

Community Services Area 60 (County Airports) is the owner and San Bernardino County Department of Airports (County Airports) is the operator of the Apple Valley Airport (APV). County Airports controls, operates, and manages all airport operations at APV. It establishes policy in order to ensure that quality aviation related services are provided to the region. County Airports has established the following Disadvantaged Business Enterprise (DBE) program for the County Airports in accordance with Code of Federal Regulations (CFR) of the U. S. Department of Transportation (DOT), 49 CFR Part 26. All reference to Subparts and Section numbers throughout this DBE policy (i.e. Subpart A, 26.1, 26.3, etc.) are to the 49 CFR Part 26 regulations.

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ATTACHMENT 5

Section 26.45: Overall DBE Three-Year Goal Methodology

Name of Recipient: San Bernardino County Department of Airports is the owner of Apple Valley Airport (APV).

Airport Type: The Apple Valley Airport (APV) is classified as a general aviation facility with approximately 37,500 annual aircraft operations.

Goal Period: October 1, 2021 through September 30, 2024

DOT-Assisted Airport Contract Amount:	FY-2022-1	\$	97,200
	FY-2023-1	\$	0
	FY-2024-1	\$	2,917,800
	FY-2024-2	\$	159,000
	FY-2024-3	\$	10,614,240

Total **\$13,788,240***

**Includes BIL Funded Projects*

Overall Three-Year Goal: 9.76%, to be accomplished through 0.00% RC and 9.76% RN

Total dollar amount to be expended on DBE's: \$ 2,426,760.60

The Number and Types of Contracts with federal funding participation County Airports anticipates awarding is as follows:

Federal Contracts Fiscal Year 2022

1. Perimeter Fence (Design)

Federal Contracts Fiscal Year 2023

1. No Qualifying Project

Federal Contracts Fiscal Year 2024

1. Perimeter Fence (Construction)
2. Construct New Detention Basin (Design)
3. Rehabilitation of Runway 18-36, Taxiway A-7, Portion of Taxiway A; Reconfiguration of Taxiways A-3, A-4, & A-5; and Relocation of Taxiway B-2: (Construction)

Market Area: The City of Apple Valley (population 75,791 (2020) is located in the western part of San Bernardino County California and 96 miles east of downtown Los Angeles. The population density was 984.22 people per square mile (380.01/km²). The racial makeup of Apple Valley was 47,762 (69.1%) White (55.5% non-Hispanic White), 6,321 (9.1%) African American, 779 (1.1%) Native American, 2,020 (2.9%) Asian, 294 (0.4%) Pacific Islander, 8,345 (12.1%) from other races, and 3,614 (5.2%) from two or more races. Hispanic or Latino of any race were 20,156 persons (29.2%). The Community is the third largest populous municipalities in San Bernardino County. The County demographics show steady growth due to industry, local retail and businesses. The airport is in Caltrans Department of Transportation District 8. The Caltrans districts are typically determined by the level of

transportation related activities in the district as well as the level of management needed to administer the projects. Similarly, the pool of construction contractors available to perform the work are typically located in the same district. For this reason, District 8 was chosen as the primary representative market area based on reasonable proximity to Apple Valley Airport and ability to perform work at the Airport on the upcoming projects. Due to the airport proximity to Districts 7 and 12 the market area will also include some of those districts area as well. Thus the market area includes San Bernardino, Riverside, Los Angeles, and Orange counties.

Step 1. 26.45(c) Analysis: Actual relative availability of DBE's

Step 1 examines the number of actual DBE's compared to number of businesses available to perform the work on the Airport's upcoming projects. This is achieved by identifying the work items using the North American Industry Classification System (NAICS) and relating them to the State of California Unified Certification Program Directory and the U.S. Census Bureau Data.

The work involving the use of federal transportation dollars was examined for potential DBE work items in market area. The following tables identify the work items and associated DBE's and businesses in these counties that could potentially be used for the Airport projects.

FY 2022 Project 1 – Perimeter Fence Design

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
541370	Topographic Survey Services	4	58	5.32%
541620	Environmental Consulting (Airports)	46	722	6.37%
561439	Business Service Center (Reproductions)	14	120	11.67%
Total		64	900	7.11%

FY 2023 APV Project 1 – No Project – Defer Funds to FFY 2024

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
Total		0	0	0.00%

FY 2024 Project 1 – Perimeter Fence Construction

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
238110	Poured Concrete Foundations	10	368	2.72%
238910	Demo/Excav/Site Prep Contractors	134	505	26.53%
238990	Fencing Construction	18	385	4.68%
561730	Landscaping/Erosion Control	15	215	6.98%
561990	Traffic Control	11	152	7.24%
Total		188	1825	10.30%

FY 2024 Project 2 – Construct New Detention Basin Design

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
541370	Topographic Survey Services	4	58	5.32%
541620	Environmental Consulting (Airports)	46	722	6.37%
561439	Business Service Center (Reproductions)	14	120	11.67%
Total		64	900	7.11%

FY 2024 APV Project 3 – Rehabilitation of Runway 18-36, Taxiway A-7, Portion of Taxiway A; Reconfiguration of Taxiways A-3, A-4, & A-5; and Relocation of Taxiway B-2

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
212321	Sand and Gravel	4	48	8.33%
237110	Storm Sewer Line Construction	11	157	7.01%
237310	Airport Runway Construction	34	134	25.37%
237310	Painted Traffic Striping and Marking	9	75	12.00%
238210	Electrical Contractor	10	425	2.35%
238110	Poured Concrete	10	368	2.72%
238910	Demolition/Excavation/Site Preparation	134	505	26.53%
238990	Construction Site Cleanup	167	1235	13.52%
423320	Construction Materials	18	319	5.64%
484110	Trucking	13	229	5.68%
541370	Construction Survey	2	89	2.25%
541620	Environmental Consulting (Airports)	46	722	6.37%
541380	Testing Lab	13	487	2.67%
561439	Business Service Center (Reproductions)	14	120	11.67%
561730	Landscaping/Erosion Control	15	215	6.98%
561990	Traffic Control	11	152	7.24%
Total		511	5280	9.68%

In order to attain the DBE goal, the percentage should take into account the relative weight of the anticipated projects. The following tables reflect the relative weight of the work items for each anticipated project. Based on the relative weight of projects in previous tables, the following tables establish the relative weight, per project, per federal funding participation:

Relative Weight Computation

Project Description	Federal Share	Relative Weight ¹	Relative Availability of DBE (By Project)
FY2022 Project 1 – Perimeter Fence Design	\$ 97,200.00	1%	7.11%
FY2023 Project 1 – No Project	\$ -	0%	0.00%
FY2024 Project 1 – Per. Fence Construction	\$ 2,917,800.00	21%	10.30%
FY2024 Project 2 – Detention Basin Design	\$ 159,000.00	1%	7.11%
FY2024 Project 3 – Rehabilitate Rwy 18-36 & Taxiways; Relocate Twy B2	\$ 10,614,240.00	77%	9.68%
SUM TOTALS	\$ 13,788,240.00	100%	

Note: ¹ Expressed as a percentage of total participation FY 2022-2024

3 Year Weighted Average

Project Description	Relative Availability of DBE	Relative Weight ¹	Weighted Average
FY2022 Project 1 – Perimeter Fence Design	7.11%	1%	0.05%
FY2023 Project 1 – No Project	0.00%	0%	0.00%
FY2024 Project 1 – Per. Fence Construction	10.30%	21%	2.18%
FY2024 Project 2 – Detention Basin Design	7.11%	1%	0.08%
FY2024 Project 3 – Rehabilitate Rwy 18-36 & Taxiways; Relocate Twy B2	7.11%	1%	0.05%
SUM TOTALS		100%	9.76%

Note: ¹ Expressed as a percentage of total federal participation

The overall base figure is therefore established at 9.76%. Further analysis was done to see if any other adjustment to the base figure percentage of 9.76% is warranted.

Step 2. 26.45(d): Analysis: Adjustments to Step 1 base figure.

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

Past History Participation

There is not enough historical data on DBE participation is available to reference to make an adjustment to the Step 1 base figure; therefore, County Airports is adopting the Step 1 base figure as the overall goal for this three-year goal period.

Furthermore, there are no applicable disparity studies for the local market area or recent legal case information from the relevant jurisdictions to show evidence of barriers to entry or competitiveness of DBEs in the market area that is sufficient to warrant making an adjustment to the base goal.

Adjustment summary

Therefore, the total adjusted overall goal for the Apple Valley Airport (APV) for FY 2022/2023/2024 period is 9.76%.

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

County Airports will meet the maximum feasible portion of its overall goal by using RN means of facilitating DBE participation.

In order to meet DBE participation goals on its DOT/FAA-assisted airport projects the following RN methods will be used:

- (1) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under 49 CFR Part 26 Paragraph 26.39.
- (2) Providing technical assistance and other services;
- (3) Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., requesting the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors.
- (4) Provide information on the Airport website with contact information for the DBE directory.
- (5) When requested, conduct debriefing sessions to explain why certain bids were unsuccessful.

County Airports estimates that in meeting its overall goal for the Apple Valley Airport, it will obtain 9.76% from RN participation and 0.00% through RC measures.

County Airports will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation (see Section 26.51(f)) and track and report RN and RC participation separately. For reporting purposes, RN DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract obtained through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal, DBE participation on a prime contract exceeding a contract goal and DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

PUBLIC PARTICIPATION

Consultation: Section 26.45(g)(1).

In establishing the overall goal, County Airports provided for consultation and publication. This process included consultation with minority, women’s, and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and County Airports efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with interested stakeholders focused on obtaining information relevant to the goal setting process and was conducted before the goal methodology was submitted to the operating administration for review. Details of the consultation are as follows.

The consultation included a teleconference with the US Department of Commerce Minority Business Development Agency (MBDA) Los Angeles Business Center on March 24, 2023. There was active dialog with MBDA regarding the upcoming projects at County Airports as well as sharing and discussion

regarding the Airport Capital Improvement Program (ACIP). MBDA plans share the projects information with other members who did not participate in the meeting.

The program and FY 2022/2023/2024 goal computation were submitted to the operating administration and uploaded to FAA Civil Rights System on **TBD**. As of the date of this report we have not received any comments requesting changes to the program or goal.

Following the Consultation Meeting, County Airports published a notice in the county website (<https://cms.sbcounty.gov/airports>) of the proposed overall goal, informing the public that the proposed goal and its rationale were available for inspection during normal business hours at the Department of Public Works 825 East Third Street San Bernardino, California 92415 for 30 days following the date of the notice, and informed the public that County Airports and FAA would accept comments on the goals for 30 days from the date of the notice.

Public Notice was issued on **TBD** that the DBE Program and FY 2022/2023/2024 goal computation were available for review and comment. No comments were received therefore County Airports has fully implemented the three-year goal.

County Airports has uploaded the Disadvantaged Business Enterprise Program for federal fiscal years 2022/2023/2024 to the FAA Civil Rights System which concludes the planning process.

EXAMPLE PUBLIC NOTICE

County Airports hereby announces its fiscal years 2022 through 2024 goal of 9.76% for Disadvantaged Business Enterprise (DBE) airport construction Contracts. The proposed goals and rationale are available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at the Department of Public Works 825 East Third Street San Bernardino, California 92415 for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

Engineering Manager
Contracts Division
Department of Public Works
825 East Third Street
San Bernardino, CA 92415-0835
909.387.7920
mail@dpw.sbcounty.gov

OR

Shaun A. Bouy
DBE/ACDBE Compliance Specialist
Federal Aviation Administration
U.S. Department of Transportation
777 S. Aviation Blvd, Suite 150
El Segundo, CA 90245
Shaun.A.Bouy@faa.gov
Phone: 267-702-5190

Contract Goals

County Airports will use contract goals to meet any portion of the overall goal that the recipient does not project being able to meet using RN means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the recipient's overall goal that is not projected to be met through the use of RN means.

County Airports will establish contract goals only on those FAA/DOT-assisted airport contracts that have subcontracting possibilities. It need not establish a contract goal on every such contract, and the size of the contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work and availability of DBE's to perform the particular type of work).

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