

Section 26.45: Overall Goal Calculation

Name of Recipient: *Lewistown Municipal Airport, Lewistown, Montana*

Goal Period: FY-2018, 2019, 2020 – October 1, 2017 through September 30, 2020

DOT –assisted contract amount:

FY 2018 \$1,672,500

FY 2019 \$160,000

FY 2020 \$0.00

Overall Three Year Goal: 2.98% to be accomplished through RN and 0% through RC.

Describe the Number and Type of Projects for this FY:

FY 2018:

Lewistown Municipal Airport – Pavement Rehabilitation (RW 13-31 & Taxiway)

Total Estimated Project Cost: **\$1,672,500**

FY 2019:

Lewistown Municipal Airport – Pavement Maintenance

Total Estimated Project Cost: **\$160,000**

FY 2020:

Lewistown Municipal Airport – No Project Scheduled

Total Estimated Project Cost: **\$0.00**

Market Area: *State of Montana.*

Determination of Market Area:

Substantial majority (at least 80% of the contracting dollars will be spent in the State of Montana).

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

Step 1 of the overall goal determination is computed by determining the number of ready, willing, and able DBEs performing the types of work noted above as listed in the current DBE Directory prepared and maintained by the Montana Department of Transportation against the number of ready, willing, and able businesses available in the same NAICS code. The total number of businesses was obtained from the Census Bureau's Business Pattern database, at <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>. The latest information currently available from this site is from 2015.

The geographical area used to determine the number of ready, willing, and able DBEs and total businesses included the State of Montana. This represents the area from which a substantial majority of the contractors and subcontractors come and the area in which the Sponsor spends a majority of its contracting dollars.

Finally, by applying the ratio of ready, willing, and able DBE firms and the total number of ready, willing, and able firms from the census data to the estimated percentage of total project costs, the Step 1 goal is determined.

The Step 1 goal was determined for each project anticipated for the **Lewistown Municipal Airport**. A summary of the Step 1 goal determinations are summarized for each project below

Method: Use DBE Directories and Census Bureau Data.

Therefore the relative availability of DBES for FY 2018-2019-2020 projects are calculated below:

Summary FY 2016 - 2017 - 2018	%	Amount	NAICS CODE	Total Number of Business in State	Total Number of DBE Business in State	DBE/Businesses
Engineering	16.9%	\$310,000.00	541330	345	9	2.61%
Electrical Contractors & Other Wiring Installation Contractors	13.6%	\$250,000.00	238210	466	6	1.29%
Highway/Street and Bridge Const	64.0%	\$1,172,500	423830	91	1	1.10%
Other Heavy and Civil Engineering Construction	5.5%	\$100,000	238990	273	19	6.96%
Total	100.0%	\$1,832,500.00		1175	35	11.95%

Divide the total number of DBE's by the total number of All Firms base figure for each project.
 (35/1175=2.98%)

Step 1 DBE goal is 2.98%

Step 2. Analysis: Adjustment to Step 1 base figure to make it more precise.

City of Lewistown and Fergus County has previously undertaken projects at the **Lewistown Municipal Airport** requiring an overall goal under 49 CFR Part 26.

FY 2017

Lewistown Municipal Airport

There was no project completed at the Airport for FY 17.

FY 2016

Lewistown Municipal Airport

There was no project completed at the Airport for FY 2016.

FY 2015

Lewistown Municipal Airport

Lewistown Municipal Airport – Airport Improvement Project (AIP 3-30-0048-021-2015), was a single grant project, consisting of engineering and construction. AIP 021 was utilized for the purchase and the construction completion of Snow Removal Equipment Building Remodel Project and purchase new SRE plow blade. There was no DBE participation achieved for this project.

*There was no past participation for FY 2015 – FY 2017 at the **Lewistown Municipal Airport**. Therefore, the goal for FY 2018-2019-2020 is 2.98%.*

FY	Total Grant \$ Amount	DBE Goals			Accomplishments			Type of work
		RC	RN	Total	RC	RN	Total	
FY 15	\$428,179	0.0	0.4	0.4	0.0%	0.00%	0.00%	Bus Barn Purchase & Remodel/SRE Plow Blade Purchase
FY 16	\$0.00	0.0	0.4	0.4	0.0%	0.0%	0.0%	No Project
FY 17	\$0.00	0.0	.04	0.4	0.0%	00.0%	0.0%	No Project

To arrive at an overall goal, we used our Step 1 base figure, and there was no Step 2 adjustment figure since the average was 0%. We feel this goal figure of 2.98% will accurately reflect DBE participation that can be achieved for the type of work being awarded during this three-year period.

Considering these factors, a race/gender neutral means of acquiring the overall goal of 2.98% has been established.

City of Lewistown and Fergus County will attempt to meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. **City of Lewistown and County** will also use the following race neutral means to increase DBE participation: unbundling large contracts to make them more accessible to small businesses where feasible; ensure the inclusion of DBE’s and other small businesses on recipient mailing lists for bidders, and ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors.

Considering these factors, a race/gender neutral means of acquiring the overall goal of 2.98% has been established.

For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry 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.

The State of Montana, Department of Transportation acts as a lead organization for the development and solicitation of minority and women owned firms. They provide a web site distribution of a bid distribution form, which was then sent to all DBE firms in the State. The State of Montana has also developed a Referral Resource list of organizations that also assist minority and women owned businesses. We have contacted the Montana Department of Transportation’s DBE office to identify any barriers affecting opportunities for DBEs. The MDOT maintains a

website for distribution of construction project advertisements and a site for Prime contractors to solicit DBE subcontractor's bids.

City of Lewistown and Fergus County has not conducted any disparity studies, however MDT engaged a consultant to conduct an Availability and Disparity Study, which focused on participation of minority- and women-owned firms in MDT's contracts from October 2009 through September 2014. The Study was completed in July of 2016. Although this Study did not examine contracts using Federal Aviation Administration (FAA) funds; MDT and other agencies might review information in the report regarding DBE availability as they relate to operating the Program for FAA-funded contracts. Since contractors that participated on MDT contracts during the Study period are in most cases the same contractors that are awarded FAA-funded contracts.

The other factors examined in the 2016 MDT Disparity Study were related to success of minority- and women-owned firms relative to majority-owned businesses in the Montana marketplace. The Study noted quantitative evidence that minority- and women-owned firms are less successful than majority-owned firms and face greater barriers in the marketplace. There was also qualitative information that suggests discrimination on the basis of race, ethnicity and gender affects minority- and women-owned firms in the Montana transportation contracting industry. Although the analysis indicates an upward adjustment could be made to address these barriers, the impact of those factors could not be quantified (*2016 MDT Disparity Study, Chapter 9, page 9*).

An adjustment to the base figure for barriers related to other factors was not made in the determination of the current because the MDT Disparity study indicated the impact of the barriers related to this category could not be quantified.

The City of Lewistown and Fergus County will utilize the findings of the Montana Department of Transportation's disparity study to determine the existence of discrimination or its effects in the market.

Breakout of Estimated Race Neutral (RN) and Race Conscious (RC) Participation.

26.51(b)(1-9)

The recipient will attempt to meet the maximum feasible portion of its overall goal by using RN means of facilitating DBE participation.

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitates DBE, and other small businesses, participation;
2. Providing technical assistance and other services;
3. Carry out information and communications programs on contracting procedures and specific contract opportunities;
4. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors.

Considering these factors, a race/gender neutral means of acquiring the overall goal **2.98%**, has been established.

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

In order to meet the overall **2.98% DBE goal**, the County is committed to implementing race neutral measures that encourage small business and DBE participation. The Airport has met prior overall DBE goals through solely race neutral means in the past, so to comply with 49 CFR 26.51, where the maximum feasible portion of the overall DBE goal must be met through race- and gender-neutral measures, the Airport is proposing to meet the overall goal solely through race neutral measures. If the Uniform Report indicates that the Airport fell short or will fall short of meeting the overall goal, the Airport will re-evaluate how much of the overall goal can be met through race neutral means and if possible, implement race conscious measures (i.e. project specific goals) to meet the remainder of the goal.

The recipient 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.

The ***City of Lewistown and Fergus County*** will use the following race neutral means to increase DBE participation: where feasible, unbundling large contracts to make them more accessible to small businesses; ensuring the inclusion of DBEs and other small businesses on recipient mailing lists for bidders; and ensuring dissemination of lists of potential subcontractors to bidders on prime contracts.

Public Participation

Consultation: Section 26.45(g)(1).

City of Lewistown and Fergus County submits its overall DBE three-year goal to DOT on August 1 as required by the set schedule.

Before establishing the overall goal, ***City of Lewistown and Fergus County*** consulted with the **Montana Department of Transportation, DBE Office** without limiting consultation to these persons or groups, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the ***City of Lewistown and Fergus County's*** efforts to establish a level playing field for the participation of DBEs.

In establishing the overall goal, the ***City of Lewistown and Fergus County*** provided for consultation and publication. This 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 the ***City of Lewistown and Fergus County*** efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange (eg., a face-to-face meeting, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the ***City of Lewistown and Fergus County*** goal setting process, and it occurred before we were required to submit our goal and methodology to the operating

August 3, 2017

administration for review pursuant to paragraph (f) of this section. Notwithstanding paragraph (f)(4) of this section, we will not implement our proposed goal until we have complied with this requirement.

An open meeting was held with as many interested stakeholders as possible focused on obtaining information relevant to the Disadvantaged Business Enterprise (DBE) goal setting methodology.

On September 20, 2017 at 10:00 am local time, the sponsor and the sponsor's contracted professional engineer held a public participation meeting at the Lewistown Airport Terminal, 190 Terminal Drive, Lewistown, Montana (406) 535-3264. To increase participation, stakeholders were invited to attend. Information regarding this meeting was posted in the Lewistown News Argus Newspaper on September 6, 2017 and September 13, 2017, and emailed to all DBE's registered in the state of Montana. (

The purpose of the meeting was to gather information on the availability of DBE's in the State, determine if there were any effects of discrimination, and tried to gather any ideas for efforts to increase participation. A power point presentation was available to attendees, and was also provided to people who called into the meeting. Nigel Davis from Morrison Maierle administered the meeting at the Lewistown Airport, Lewistown, MT. The other two people who attended the meeting were the DBE Liason (Jo Ryan) and Airport Director, Jerry Moline. There were no other attendees or calls regarding the meeting. The three folks who attended the meeting kept the phone lines open for an hour in case someone called in.

Three people attended the meeting. Two from the Lewistown Airport, and the sponsors engineer Nigel Davis from Morrison-Maierle.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses, if any.

No comments have been received.

Also, an advertisement was placed in the Lewistown News Argus, Lewistown, Montana local newspaper on September 6, 2017 and September 13, 2017, as well as distribution of the advertisement by the State of Montana, DBE Office to their current list of DBEs.

Following the consultation, a notice was published on the Lewistown Municipal Airport's Website <http://lwtairport.com> of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the airport administration building for 30 days following the date of the notice, and informing the public that the **City/County** and DOT will accept comments on the goals for 30 days from the date of the notice.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses, if any.

No comments have been received.

Contract Goals

The City of Lewistown and Fergus County 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.

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The City of Lewistown and Fergus County will establish contract goals only on those DOT-assisted 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).

The City of Lewistown and Fergus County will express our contract goals as a percentage of the Federal share of a DOT-assisted contract.

PUBLIC NOTICE

The City of Lewistown and Fergus County hereby announces its fiscal years 2018 through 2020 goal of **2.98%** 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 Lewistown Municipal Airport, 190 Terminal Drive, Lewistown, MT 59457, 406-535-3264 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:

Jerry Moline, Airport Manager – Lewistown Municipal Airport, 190 Terminal Drive, PO Box 343
Lewistown, MT 59457, Phone (Cell) – 406.350-3264, Email - lwt@midrivers.com

AND

Federal Aviation Administration, Office of Civil Rights Staff, Sonia Cruz, DBE & ACDBE Compliance Specialist, Northwest Mountain Region, Federal Aviation Administration, Office of Civil Rights, P.O. Box 92007, Los Angeles, California 90009-2007, (310) 725-3940, sonia.cruz@faa.gov