

ATTACHMENT 5

Overall DBE Three-Year Goal Methodology

Name of Recipient: Port of Orcas, Orcas Island Airport (ORS)

Goal Period: FY 2021-2022-2023 (October 1, 2020 through September 30, 2023)

DOT-assisted contract amount:

Overall Funding FY 2021-2023			
Year	Grant Amount	Match Amount	TOTAL
FY 2021	\$ 352,490	\$0	\$ 352,490
FY 2022	\$ 275,000	\$ 30,555	\$ 305,555
FY 2023	\$0	\$0	\$0
Total	\$ 627,490	\$ 30,555	\$ 658,045

*-The grant amount is higher, however the amount above that reported is for property acquisition.

Overall Three-Year Goal: 6.37%, to be accomplished through 0% RC and 6.37% RN (Race Neutral)

Overall Goal Calculation – Three Year Goal 2021, 2022, 2023			
Year	Amount	DBE Amount	DBE %
FY 2021	\$352,490	\$21,739	6.17%
FY 2022	\$275,000	\$18,215	6.62%
FY 2023	\$0	\$0	N/A%
<i>Overall</i>	<i>\$627,490</i>	<i>\$39,954</i>	<i>6.37%</i>

Total dollar amount to be expended on DBEs: \$39,954

Describe the Number and Type of Contracts that the airport anticipates awarding:

Contracts Fiscal Year 2021

1. PAPI 34 Improvements – Design & Construction - \$352,490

Contracts Fiscal Year 2022

1. Property Acquisition - \$1,170,000
 - a. The reporting portion is for Engineering Services by Aviation Planning Contract = \$30,000
2. Drainage Study, Environmental, and Planning - \$245,000
 - a. DBE Firm On Team for significant part of work (Osbon Consulting)

Contracts Fiscal Year 2023

1. Carry Over

Market Area: Orcas Island Airport is located in the city of Eastsound, Washington in the northwest corner of the state and resides in San Juan County.

The west region identified in the Washington State Disparity 2019 study, which contains San Juan County, also includes Clallam, Grays Harbor, Jefferson, Lewis, Mason, and Pacific Counties, in addition to San Juan County.

Step 1. Actual relative availability of DBEs

The base figure for the relative availability was calculated as follows:

Review of the Washington State Airports Disparity Study 2019 data for the West Region which covers the market area identified above. The designated market area surrounding the airport specific project site. The appropriate North American Industry Classification Systems (NAICS) Code, which match the prevalent work to be accomplished under federal grant is found in Table E-2 West Region. The Port also consulted the DBE and Washington Office of Minorities, Women, and Emerging Small Businesses (OMWESB) Certified Directory maintained by the State of Washington to find the number of certified businesses in the job classifications for project work for the fiscal year. Individual DBE goals will be calculated for each Airport Improvement Program (AIP) and General Aviation Entitlement grant issued to the Port in FFY 2021-2023. The individual calculations include both a percentage goal and a dollar goal. The Port added each DBE goal and averaged that goal to calculate an overall DBE fiscal goal.

Method: Washington State Airport Disparity Study 2019

Weighted Availability of DBE firms:

Fiscal Year #1 - PAPI 34 Improvements – Design & Construction

For FY-2021, award of the following is anticipated:

[Orcas Island PAPI 34 Improvements \(Design & Const.\) - 2021](#)

Step 1 - DBE Goal Calculation

PAPI Design and Construction		Raw DBE	Cost of	DBE \$	Weighted
Code #	Certification Type	Percentage	Work	for work	DBE %
Heavy and Civil Engineering Construction					
237310	Highway, Street, and Bridge Construction (AC, PCC, rock, paint)	6.70%	\$ 50,000	\$ 3,350	0.95%
Specialty Trade Contractors					
238210	Electrical Contractors	8.40%	\$ 92,490	\$ 7,769	2.20%
238910	Site Preparation (incl. excavation, grading, demo, clearing, etc.)	6.50%	\$ 20,000	\$ 1,300	0.37%
541370	Surveying and Mapping	2.30%	\$ 15,000	\$ 345	0.10%
Consultants					
541370	Aerial Survey Mapping	2.30%	\$ 25,000	\$ 575	0.16%
541330	Engineering Services	5.60%	\$ 150,000	\$ 8,400	2.38%
Total FY - 2021			\$ 352,490	\$ 21,739	6.17%

*As assume \$10,000 of grant is going towards Admin Costs

Fiscal Year #2 (2022). Award of the following two projects is anticipated:

1. 2022 Property Acquisition (Aviation Planning Services Contract)
2. 2022 Drainage Study, Environmental & Planning

Orcas Island Property Acquisition - 2022 - Aviation Planning Services Contract

Orcas Island Drainage Study, Env., and Planning - 2022

Step 1 - DBE Goal Calculation

Contract #1 - Aviation Planning Services					
Code #	Certification Type	Raw DBE Percentage	Cost of Work	DBE \$ for work	Weighted DBE %
Consultants					
541330	Engineering Services	5.60%	\$ 30,000	\$ 1,680	5.60%
Total Contract #1			\$ 30,000	\$ 1,680	5.60%
Contract #2 - Drainage Study, Env., and Planning					
Code #	Certification Type	Raw DBE Percentage	Cost of Work	DBE \$ for work	Weighted DBE %
Consultants					
541330	Engineering Services	5.60%	\$ 185,000	\$ 10,360	4.23%
541620	Environmental Services	16.00%	\$ 35,000	\$ 5,600	2.29%
541370	Surveying and Mapping	2.30%	\$ 25,000	\$ 575	0.23%
Total Contract #2 (Assume \$5,000 of grant is going towards Admin Costs)			\$ 245,000	\$ 16,535	6.75%

Fiscal Year #3

For FY-2023 - Carry Over

The base goal projection after weighting is as follows:

- Total Weighted DBE Availability: \$39,954
- Total for All Trades: \$627,490

Dividing the weighted DBE totals by the total estimate for all trades gives a base DBE availability figure for the projects anticipated during the goal-setting period. This figure is expressed as a percentage and serves as the basis for the three-year overall goal.

Base of DBE Goal: **6.37%**

Step 2: Adjustments to Step 1 base figure

After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what, if any, adjustment to the base figure was needed in order to arrive at the overall goal determined in Step 1 using the 2019 Washington State Airports Disparity Study was reviewed. Historical data was reviewed for Orcas against the Step 1 goal calculations. The Port was able to obtain an DBE utilization of closed grants in the 2019 to 2021 period of over 17% based on the DBE funds paid to the grant total at closeout. This was done via race neutral methods. In review of the environmental mitigation project bids, 5-bids were received. One listed subcontractors bidding on the project and of those 6-subcontractors quoting to this prime, 3 of the 6 were listed as DBE on the Bidder's List. In further review of the Tree Obstruction removal project, two bids were received. Oceanside Construction who was the selected prime is a DBE firm and the other bid received by Razz Construction, listed one DBE Hydroseed quoting to

Razz. Razz also bid on the Wetland Mitigation project, however, they did not submit the low bid.

The Aviation Planning Group is a DBE certified firm. In addition, the Drainage Study has a DBE firm, Osborn Consulting, on the team. The project is waiting final scope approval from FAA. Both firms were contracted under race neutral means. Participation by these two firms will exceed the overall 3-year goal, absent of participation by other DBE firms who might participate in Port federally funded projects.

The evidence does not suggest an adjustment is necessary, and therefore no adjustment shall be made. The Port achieved the previous overall 3-year goal with limited project opportunities. DBE firms appear to be quoting and actively participating in the bidding process. The Port is adopting the Step 1 base figure as the overall goal for this three-year goal period.

Furthermore, there are no 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.

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

The Port will meet the maximum feasible portion of the 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. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
3. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;

The Port estimates that in meeting the established overall goal of 6.85%, it will obtain 6.85% from RN participation and 0% through RC measures.

Based on the 9th Circuit Court Decision in *Western States Paving Company v. Washington State Department of Transportation*, the Port has determined that it is appropriate to use a race/gender neutral goal. The Port encourages all bidders to take active race/gender neutral steps to include DBE's in this and other airport contracts. Race/gender neutral steps include unbundling large contracts, subcontract work the prime contractor may self-perform, provide bonding or financing assistance, provide technical assistance, etc. This contract can be awarded without the lowest responsive bidder meeting the goal or demonstrating good faith effort to meet the goal.

The Port will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation 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:

In establishing the overall goal, the Port 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 the Port's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with as many interested stakeholders as possible 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 engaged in was a teleconference meeting, which was held on **Wednesday, February the 23rd, 2022 at 12:30pm via Zoom meeting.**

The following comments were received during the course of the consultation:
No comments were received.

A notice of the proposed goal was published on the Port's official website before the methodology was submitted to DOT/FAA.

If the proposed goal changes following review by DOT/FAA, the revised goal will be posted on the Port's official website.

Notwithstanding paragraph (f)(4) of §26.45, the Port's proposed goals will not be implemented until this requirement has been met.

PUBLIC NOTICE

The Port hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of **6.63%** for FAA-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2021 through 2023. A teleconference will be held on **Wednesday, February 23rd, 2022 at 12:30pm via Zoom meeting** (Phone: (253) 215-8782, Meeting ID: 825 4056 7535, Passcode: 346987) for the purpose of consulting with stakeholders to obtain information relevant to the goal-setting process.

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

Airport Manager
PO Box 53
Eastsound WA 98245
orcasairport@rockisland.com

AND

Federal Aviation Administration (FAA)
Office of Civil Rights (Attn: Sonia Cruz)
PO Box 92007
Los Angeles, CA 90009