

1 **Jefferson Transit Authority**
2 **Resolution No. 15-05**
3 **To Review and Update the DBE Program and Goal**
4

5 **A RESOLUTION** of the Board of Directors of the Jefferson County Public
6 Transportation Benefit Area, hereinafter called the "Authority," to review and
7 update the DBE Program and Goal 2015-2018

8 **WHEREAS**, Jefferson Transit Authority has established a Disadvantaged
9 Business Enterprise (DBE) Program in accordance with regulations of the U. S.
10 Department of Transportation (DOT), 49 CFR Part 26, which requires that the program
11 and goal be reviewed and updated every three years; and
12

13 **WHEREAS**, the Authority has placed a Public Notice, dated April 15, 2015,
14 announcing the DBE program and goal's availability, and providing opportunity for
15 comments; and
16

17 **WHEREAS**, a public hearing was held April 21, 2015 to admit testimony for and
18 against the program goal, therefore,
19

20 **NOW, THEREFORE, BE IT RESOLVED** that the Jefferson Transit Authority
21 Board of Directors did adopt the Disadvantaged Business Enterprise program update
22 and goal of 1.1% DBE participation for the three year period from May 2015 through
23 May 2018.
24

25 **CERTIFICATION**

26 The undersigned duly qualified Clerk of the Board, acting on behalf of the Jefferson
27 County Public Transportation Benefit Area, certifies that the foregoing is a true and
28 correct copy of a resolution adopted at a legally convened meeting of the Jefferson
29 Transit Authority Board held on April 21, 2015.



Chair


Vice Chair


Member


Member


Member

Attest:

Clerk of the Board

Jefferson Transit Authority DBE PROGRAM

DBE PROGRAM

POLICY STATEMENT

Section 26.1, 26.23

Objectives/Policy Statement

Jefferson Transit Authority, hereinafter referred to as JTA, has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. Jefferson Transit has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Jefferson Transit has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of Jefferson Transit to ensure that DBEs as defined in part 26, have an equal opportunity to receive and participate in DOT assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Grants Administrator has been delegated as the DBE Liaison Officer, and in that capacity is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by Jefferson Transit in its financial assistance agreements with the Department of Transportation.

JTA has adopted this policy statement, which is disseminated to all departments and employees. JTA also distributed this statement to DBE and non-DBE enterprises performing work as needed on DOT - assisted contracts by publishing it in the Port Townsend Leader.


Jefferson Transit General Manager

4.22.15
Date

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

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

Section 26.3 Applicability

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

Section 26.5 Definitions

The terms used in this program have definitions contained in 49 CFR 26.5 for this program.

Section 26.7 Non-discrimination Requirements

Jefferson Transit 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 contract covered by 49 CFR part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, Jefferson Transit will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(b)

JTA will report DBE participation as follows:

We will report DBE participation on a quarterly basis to WSDOT and semi-annually (June 1/December 1) to FTA via the TEAM Web system. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

Bidders List: 26.11(c)

Jefferson Transit Authority will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms.

We will collect this information in the following ways; options include, but are not limited to:

A contract clause requiring prime bidders to report the names/addresses, and possibly other information, of all firms who quote to them on subcontracts;

A notice in all solicitations, and otherwise widely disseminated, request to firms quoting on subcontracts to report information directly to the JTA.

Section 26.13 Federal Financial Assistance Agreement

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

Assurance: 26.13(a)

Jefferson Transit Authority shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to Jefferson Transit of its failure to carry out its approved program, the Department may impose sanction as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13b

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Since Jefferson Transit has received a grant of more than \$250,000 in FTA funds in a federal fiscal year, we will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer (DBELO)

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

Finance Manager
1615 W. Sims Way
Port Townsend, WA 98368
(360) 385-3020, ext 125
info@jeffersontransit.com

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that Jefferson Transit complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the General Manager concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 1 to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO will devote a portion of their time to this program to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations, both race-neutral methods and contract specific goals attainment and identifies ways to improve progress.
6. Analyzes Jefferson Transit Authority's progress toward attainment and identifies ways to improve progress.
7. Advises the General Manger\governing body on DBE matters and achievement.
8. Chairs the DBE Advisory Committee.
9. Participates in pre-bid meetings.
10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.
12. Certifies DBEs according to the criteria set by DOT and acts as liaison to the Uniform Certification Process in Washington State.
13. Provides outreach to DBEs and community organizations to advise them of opportunities.
14. Maintains Jefferson Transit's updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

It is the policy of Jefferson Transit to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions. We have made the following efforts to identify and use such institutions: Jefferson Transit has surveyed banking, savings and loan, the Chamber of Commerce and Economic Development Council to determine their knowledge of any DBE institutions. JTA has not identified any DBE financial institutions in the community.

As information on the availability of such institutions becomes known, it may be obtained from the DBE Liaison Officer.

Section 26.29 Prompt Payment Mechanisms

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

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from Jefferson Transit. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of Jefferson Transit. This clause applies to both DBE and non-DBE subcontracts.

Section 26.31 Directory

Jefferson Transit will rely on the Washington State Office of Minority and Women Business Enterprises (OMWBE) to perform DBE certification work, and to maintain the Directory. Jefferson Transit will keep an electronic version of the current DBE Directory issued by OMWBE on file. This directory will be utilized in the development of mailing lists for RFPs. In addition the directory will be used to provide assistance to potential bidders in the identification of available DBE subcontractors.

The internet address for accessing the OMWBE's Directory is
<http://www.omwbe.wa.gov/biznetwas/mainmenu.asp>

The OMWBE directory lists all firms eligible to participate as DBEs, the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE.

JTA shall revise the goals found in this program document, at least once every three years. For information contact the:

Finance Manager
1615 W. Sims Way
Port Townsend, WA 98368
(360) 385-4777

Section 26.33 Overconcentration

Jefferson Transit has not identified that overconcentration exists in the types of work that DBEs perform.

Section 26.35 Business Development Programs

At this time Jefferson Transit does not have a business development program or mentor program.

Section 26.37 Monitoring and Enforcement Mechanisms

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

In order to ensure compliance with DBE requirements in its contracts, Jefferson Transit's project managers and representatives at job sites will monitor on an ongoing basis that work committed to being performed by DBEs is actually performed by the DBEs named in a contractor's bid or proposal. A clause will be included in all contracts requiring that the contractor cannot substitute subcontractors without Jefferson Transit concurrence. In addition, if a DBE subcontractor is unable to perform the work contracted for, the prime contractor must either replace such subcontractor with another DBE or show Jefferson Transit that good faith efforts to do so have been made.

The Jefferson Transit representative at the site will report monthly to the DBE Liaison Officer observations that DBE subcontractors actually are performing the amount and type of work committed. The report will be in writing, email is sufficient. The Contractor shall report DBE participation on a monthly basis in the form of a pay activity request. This mechanism will provide for a running tally of actual DBE attainment (e.g., the payment actually made to DBE firms), including a means of comparing these attainments to commitments. The JTA staff will verify with the DBE at minimum on a quarterly basis the contract amount and payment to the DBE reported by the contractor. These verification forms, for example, request information to confirm scope of services, contract amount and starting date of the DBE contract. DBE subcontractors must complete and return verification forms to the JTA. Appropriate follow-up is conducted to ensure that responses are received. Where no response is received, follow-up notices are issued. JTA shall not release the contractor's retainage until all DBE subcontractors' participation information is reported and the appropriate forms submitted to JTA.

If a prime contractor is found not to be in compliance with its DBE commitment it shall be so notified by Jefferson Transit and directed to cure the problem within an appropriate time period. Failure by the prime contractor to comply may result in monetary penalties and partial or total termination for default with re-solicitation costs to be born by the prime contractor or its bond. In addition, Jefferson Transit may consider a contractor's non-compliance with its stated contract goal or good faith efforts when evaluating contractor responsibility in future bids or proposals.

We will bring to the attention of the Washington State Office of Minority and Women's Business Enterprises and the Federal Transit Administration 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 or debarment or Program Fraud and Civil Penalties rules) provided in 26.109. We will also assist the WA State OMWBE in the consideration of similar action under local legal authorities.

Section 26.39 Small Business Participation, JTA has incorporated the following race-neutral element to its DBE program in order to facilitate competition on DOT-assisted contracts and public works projects by small business concerns (both DBEs and non-DBE small businesses). Jefferson Transit will unbundle projects as appropriate to help eliminate obstacles to small business participation.

Small Business Definition: The Small Business Administration's (SBA) definition and size standards (as it may be amended from time to time) defines a small business:

"... a small business concern is one that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period."

Set Asides - Jefferson Transit's transportation projects historically are of a size and magnitude (under \$500,000) that already accommodate small business participation. Therefore small business set asides will not be used to facilitate small business participation.

On prime contracts not having DBE contract goals, Jefferson Transit will require the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all of the work involved. Bidders on a prime contract will specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform.

Good Faith Implementation - To actively implement the small business program Jefferson Transit will partner and collaborate with business organizations such as the Jefferson County

Chamber of Commerce and Small Business Administration to help form initiatives that encourage greater awareness about contracts for participation of small businesses.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

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

Section 26.45

A. Goals

Jefferson Transit's goal for 2015 – 2018 is 1.1% of the Federal financial assistance we will expend in DOT-assisted contracts exclusive of FTA funds to be used for the purchase of transit vehicles.

B. Method of establishing goal

Most of the bidders competing for Jefferson Transit contracts are from within Washington State. Therefore, the goal is established by comparing overall business availability for Washington State Counties from the U.S. Census Bureau database with Washington State County's DBEs, certified and capable of performing Jefferson Transit contracts. DBE information is obtained by NAICS code from the DBE Directory issued by the Washington State Office of Minority and Women Business Enterprises.

Step One: To develop the base number of available DBEs, Jefferson Transit first identified the NAICS codes applicable to DOT-assisted contracts to be awarded 2015 through 2018 by Jefferson Transit. The number of available DBEs in each NAICS Code or group of NAICS codes were divided by the total number of businesses in those NAICS codes.

Step Two: For step two Jefferson Transit's experience and current project situation was examined. We found that historical information showing unsuccessful DBE or non-DBE subcontractors is currently not available. Jefferson Transit is currently (2015) working on a project that includes a DBE sub-contractor for landscaping. As of March 11, 2015 the landscaping portion of this work is not ready to begin.

C. Development of future goals: In addition to the information used in para B. above, future goals will be established by taking into consideration information gathered through expanded information obtained from prime bidders in compliance with 49 CFR part 26.

D. Transit Vehicle Manufacturers (TVM)

Jefferson Transit will not use DBE goals in contracts for rolling stock. Transit vehicle manufacturers (TVM) are required to develop their own DBE programs. Jefferson Transit will require in its bid or proposal packages for transit vehicles a certification from each TVM that they have developed and submitted their own program to the FTA and that said program has been approved or not disapproved.

E. Outreach Process

Jefferson Transit will submit its overall goal to the Federal Transit Administration as required. Before establishing its goal Jefferson Transit will review appropriate data, such as the Washington State Office of Minority and Women Business Enterprises, the Census Bureau data base, etc. We will also send notices of RFPs, and RFQs to OMWBE to help reach minority and women-owned businesses, to receptionist@omwbe.wa.gov.

Following this research we will publish a notice of the proposed goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal

office for 30 days following the date of the notice, and informing the public that Jefferson Transit will accept comments on the goals for 30 days from the date of the notice. The notice will include addresses to which comments may be sent and addresses where the proposal may be reviewed. Comments received during this public participation process and our responses will be included in the final document.

We will begin using our overall goal on October 1 of each year, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

F. Breakout of Estimated Race-Neutral and Race-Conscious Participation

Jefferson Transit will not use DBE quotas or set-asides to achieve the goal for DBE participation. Participation will be achieved by race-neutral means or by the use of contract goals and good faith efforts.

Section 26.47 Accountability

If Jefferson Transit fails to meet its overall goal in a given year, we will determine the reasons for failure and establish corrective steps. JTA will not be required to submit reasons to DOT, but will maintain documentation of steps taken to meet goals.

Section 26.53 Good Faith Efforts & Procedures

Demonstration of good faith efforts (26.53(a) & (c))

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in Appendix A to Part 26.

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

Information to be submitted (26.53(b))

Jefferson Transit treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsibility.

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

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative reconsideration (26.53(d))

Within 10 days of being informed by Jefferson Transit that it is not responsible because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Finance Manager
1615 W. Sims Way
Port Townsend, WA 98368
(360) 385-4777

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

As part of this reconsideration, the bidder/offeror 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 bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder 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.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

Jefferson Transit will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. JTA will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

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

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the Jefferson Transit 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 contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of 10% has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

Section 26.55 Counting DBE Participation

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

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

Jefferson Transit Authority will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. We will make our certification decisions based on the facts as a whole.

In Washington State a central "one-stop-shop" has been created to perform certification and recertification functions. The Washington State Office of Minority and Women Business Enterprises (OMWBE) has legislative authority to perform all minority, women and disadvantaged business enterprise certifications for all public agencies in the State. For DBE certifications the office is required to utilize certification procedures that meet all federal requirements as defined in 49 CFR Part 26 and as amended to ensure eligibility of certified firms for Department of Transportation projects.

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

The State of Washington Office of Minority and Women's Business Enterprises has a unified certification program. This agency also conducts certifications, recertifications, and desertification.

Section 26.83 Procedures for Certification Decisions

Challenge

A third party may challenge a firm's presumed eligibility or a firm's certification as a DBE. Jefferson Transit shall immediately review the information received and determine if grounds exist to pursue the challenge. If the challenge appears to have merit, Jefferson Transit will notify the Washington State Office of Minority and Women's Business Enterprises who will have the authority to investigate and resolve the challenge in accordance with the certification requirements of 49 CFR Part 26 and as amended. Jefferson Transit will provide all available information for investigation and identify the third party challenger. The challenged party shall submit rebutting information to the OMWBE for their consideration. Jefferson Transit shall actively participate with the OMWBE, if needed, until the investigation is concluded and a determination has been finalized.

Decertification

In addition to the performance of the certification function for all public agencies in the State of Washington, the OMWBE is responsible for decertification if a DBE no longer qualifies for the program under 49 CFR Part 26 and SBA small business criteria. Jefferson Transit will cooperate with the OMWBE as needed to assist in the decertification process. Once decertified a DBE contractor will no longer be counted towards the agency's overall annual goals.

Section 26.89 Certification Appeals

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

Department of Transportation
Office of Civil Rights Certification Appeals Branch
400 7th Street, SW
Room 2104
Washington, D.C. 20590

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

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

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

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

ATTACHMENTS

Attachment 1	Goal Calculation
Attachment 2	NAICS / Census & OMWBE count
See online	DBE Directory of Certified Firms (online at http://www.omwbe.wa.gov/biznetwas/mainmenu.asp)

Attachment 1

Section 26.45: Goal Calculation

Amount of Goal

Jefferson Transit's goal for is the following: 1.1% of the federal financial assistance we will expend in DOT-assisted contracts. *Exclusive of FTA funds to be used for the purchase of transit vehicles.*

Methodology used to Calculate Goal

Determine the base figure for the relative availability of DBEs.

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

$$\text{Base figure} = \frac{\text{Ready, willing, and able DBEs (922)}}{\text{All firms ready, willing and able (86,535)}}$$

The data source or demonstrable evidence used to derive the numerator was: Washington State OMWBE

The data source or demonstrable evidence used to derive the denominator was: Census Data 2013, adjusted to the 2013 Economic Census as reported by Washington State Department of Revenue.

When we divided the numerator by the denominator we arrived at the base figure for our overall goal is 1.1%.

Public Participation

We published notice of our goal update on March 11, 2015 in the Port Townsend Leader and held a public hearing April 21, 2015. We received ## comments related to the DBE goal during the 30 day public comment period.

Attachment 1

NAICS	Description of Potential Contracts	# in Washington State (2013 DOR statistics)	OMWBE # certified DBEs
21232	Sand, gravel, mining, quarrying	62	3
236210	Industrial Bldg	86	8
236220	Commercial & Instit bldg construction	1,164	23
237110	Construction Mgmt water & sewer	413	45
237120	Storage Tank Construction	42	4
237130	Utility Line Construction	231	16
237310	Surfacing & Paving	381	79
237990	Construction Management	178	35
238110	Concrete	1,167	27
238120	Rebar, steele, etc contractors	115	17
238130	Framing	749	11
238140	Masonry	691	8
238150	Glazing, Glass	246	1
238160	Roofing	959	4
238170	Gutters, siding	660	1
238190	Forms, welding	134	9
238210	Communications, Ellectrical installation	3,254	19
238220	Duct work, heating, ventilation	3,189	18
238290	Systems installation (gates, etc)	264	1
238310	Drywall	1,033	10
238320	Painting	3,281	15
238330	Flooring	2,350	8
238340	Tile	1,062	1
238350	Trim, finish carpentry, windows, doors	2,686	11
238390	Other bldg finishing	354	8
238910	Site Prep contractors	2,141	60
238990	Specialty trade contractors	2,994	41
324121	Asphalt paving mix, blocks	7	0
327390	Concrete products	53	0
332312	Structural Steel Mfg	162	6
332321	Frames, doors, windows mfg	24	0
332323	Ornamental Metalwork	124	1
332410	Heat Exchangers	12	1
332420	Heavy tank mfg	16	2
33341	Ventilation, heating, AC	59	0
33391	Pump & compressor mfg	29	0
334220	Mobile Communications	44	0
3351	Commercial Lighting mfg	73	0
336999	Transportation Equip mfg	19	0
337127	Furniture, public bldgs	17	2
337211	Cabinets wood	16	0
337214	Furniture except wood	9	0
339113	Protective Clothing & accessories	59	0
339950	Sign Mfg	334	4
44131	Automotive parts & accessories	947	0
44132	Tire dealers	334	0
44419	Other building material dealers	992	2
45321	Office supplies and stationery stores	310	1
45411	Electronic shopping & mail-order	3,319	0
45431	Fuel dealers	133	0
51913	Internet publishing & and web portals	418	0
541110	Offices of lawyers	6,224	1
54119	Other legal services	634	2
54131	Architectural services	1,780	25
54132	Landscape architectural services	478	32
54133	Engineering services	2,570	94
54134	Drafting services	237	22
54135	Building inspection services	500	5
54136	Geophysical surveying & mapping	80	3
54137	Surveying & mapping (except geophysical) services	275	21
54138	Testing laboratories	216	16
54143	Graphic design services	2,469	12
54149	Other specialized design services	637	4

NAICS	Description of Potential Contracts	# in Washington State (2013 DOR statistics)	OMWBE # certified DBEs
54151	Computer systems design & services	6,888	4
54161	Management consulting services	10,591	131
541620	Environmental consulting services	543	6
541690	Other scientific & technical consulting	2,926	19
541930	Translation and interpretation services	1376	1
561622	Security systems services	254	4
561720	Janitorial services	6,552	15
811121	Automotive body, paint, & glass	1,200	0
81121	Electronic & precision equipment repair & maintenance	1,339	2
81131	Commercial machinery repair & maintenance	1,335	1
81233	Linen and uniform supply	35	0
	Total	86535	922
	percent DBE available		1.1%