

POLICY STATEMENT

Section 26.1, 26.23

Objectives/Policy Statement

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

It is the policy of the Portland International Jetport 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. Promote the use of DBEs in all types of federally-assisted contracts and procurement activities;
7. To assist the development of firms that can compete successfully in the market place outside the DBE Program.
8. Make appropriate use of the flexibility afforded to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Zachary R. Sundquist, Assistant Airport Director, has been delegated as the DBE Liaison Officer. In that capacity, he 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 the Portland International Jetport in its financial assistance agreements with the Department of Transportation.

Portland International Jetport has disseminated this policy statement to the Airport Director and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts via published newspaper notice in the Portland Press herald (regional daily newspaper), and through posting it on our website at www.portlandjetport.org.

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

The Portland International Jetport is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

Section 26.5 Definitions

The Portland International Jetport will use terms in this program that have the meaning defined in Section 26.5.

Section 26.7 Non-discrimination Requirements

The Portland International Jetport 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, the Portland International Jetport 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)

We will report DBE participation to DOT as follows:

Portland International Jetport will submit tri-annually the Uniform Report of DBE Awards or Commitments and Payment Form, as modified for use by FAA recipients. See Attachment 8.

Bidders List: 26.11(c)

The Portland International Jetport will create and maintain a bidders list. The purpose of the list is to provide as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on our DOT-assisted contracts for use in helping to set our overall goals. The bidders list will include the name, address, DBE and non-DBE status, age of firm, and annual gross receipts of firms.

We will collect this information by requesting a list of all bidders for Portland International Jetport projects from the previous year from the City of Portland's Purchasing Office. See Attachment 9.

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Records retention and reporting:

Portland International Jetport will maintain records documenting a firm's compliance with the requirements of this part. At a minimum, Portland International Jetport will keep a complete application package for each certified firm and all affidavits of no-change, change notices, and on-site reviews. These records will be retained in accordance with all applicable record retention requirements of Portland International Jetport financial assistance agreement. Other certification or compliance related records will be retained for a minimum of three (3) years unless otherwise provided by applicable record retention requirements for the financial assistance agreement, whichever is longer.

The Portland International Jetport as a member of the Maine UCP established pursuant to §26.81, will report to the Department of Transportation's Office of Civil Rights each year the percentage and location in the State of certified DBE firms in the UCP Directory controlled by the following:

- 1) Women;
- 2) Socially and economically disadvantaged individuals (other than women); and
- 3) Individuals who are women and are otherwise socially and economically disadvantaged individuals.

Section 26.13 Federal Financial Assistance Agreement

Portland International Jetport has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a)

Portland International Jetport 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 Portland International Jetport'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 the Portland International Jetport of its failure to carry out its approved program, the Department may impose sanctions 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 which may include, but is not limited to: Withholding monthly progress payments; Assessing sanctions; Liquidated damages; and/or Disqualifying the contractor from future bidding as non-responsible.

SUBPART 8 -ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Since the Portland International Jetport has received a grant of \$250,000 or more for airport planning or development, 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. We will submit an updated goal annually on August 1 if we plan to award contracts exceeding \$250,000 in (FAA funds) in that Federal fiscal (year).

Portland International Jetport does not have to submit regular updates of the DBE program document, as long as it remains in compliance. However, significant changes in the program, including those required by regulatory updates, will be submitted for DOT approval.

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Commented [RHKL(4)]: Include the following from section 26.21 [Recipient] does not have to submit regular updates of the DBE program document, as long as it remains in compliance. However, significant changes in the program, including those required by regulatory updates, will be submitted for DOT approval.

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:

Zachary R. Sundquist
Assistant Airport Director
Portland International Jetport
1001 Westbrook Street
Portland, Maine 04102
Telephone: (207) 756-8027
Fax: (207) 756-8338
zrs@portlandmaine.gov

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Portland International Jetport complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Airport Director concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment 2 to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO does not have a staff 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) and monitors results.
6. Analyzes Portland International Jetport progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the CEO\governing body on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Determine contractor compliance with good faith efforts.
11. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plans and participates in DBE training seminars.
13. Acts as liaison to the Uniform Certification Process in the State of Maine.
14. Provides outreach to DBEs and community organizations to advise them of opportunities.
15. Maintains the Portland International Jetport updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

It is the policy of the Portland International Jetport 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 called the Finance Authority of Maine at (800) 228-3734 on July 25th, 2014 and they are not aware of any DBE financial institutions in the State of Maine. We also checked with the Maine Banker's Association on July 28th, 2014 and they were also unaware of any DBE owned financial institutions in Maine. These two businesses will be contacted to see if any DBE financial institutions are opened in (Maine) when the next goal setting is required.

Section 26.29 Prompt Payment (Mechanisms)

Portland International Jetport requires that all subcontractors performing work on DOT-assisted contracts shall be promptly paid for work performed pursuant to their agreements, in accordance with all relevant federal, state, and local law.

In accordance with 49 CFR §26.29, Portland International Jetport established a contract clause implementing this requirement and requires prime contractors to pay subcontractors for

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satisfactory performance of their contracts no later than 30 days from the prime contractor's receipt of each payment from the Portland International Jetport.

Portland International Jetport ensures prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Pursuant to §26.29, Portland International Jetport has selected the following method to comply with this requirement:

- You may decline to hold retainage from prime contractors and require a contract clause obligating prime contractors to make prompt and full payment of any retainage kept by prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed.

Additionally, for Federal Aviation Administration (FAA) Recipients include the following:

To implement this measure, Portland International Jetport includes the following clause from FAA Advisory Circular 150/5370-10 in each DOT-assisted prime construction contract:

[Insert clause from AC-150/5370-10 (Section 90-06) pertaining to method selected. Revise instances of "30 days" to reflect state and local prompt payment/return of retainage requirements, if these are less than the 30-day maximum.]

Section 26.31 Directory

The Maine Department of Transportation maintains a directory identifying all firms eligible to participate as DBEs. The directory lists 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. The Maine Department of Transportation revises the directory weekly. We make the directory available as follows, also in Attachment 3:

Maine Department of Transportation
Sherry Tompkins, DBE Program Administrator
16 State House Station
Augusta, ME 04333-0016
(207) 624-3066

<https://www.maine.gov/mdot/civilrights/dbe/>

Section 26.33 Over-concentration

Portland International Jetport has not identified that over-concentration exists in the types of work that DBEs perform.

Section 26.35 Business Development Programs

Portland International Jetport has not established a business development program.

Section 26.37 Monitoring and Enforcement Mechanisms

The Portland International Jetport will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We 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.
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. The regulations, provisions, and contract remedies available to us, in the events of non-compliance with the DBE regulation by a participant in our procurement activities, can include, but are not limited to: (1) the criteria regarding awarding of contracts to include a contractor's past performance in utilizing DBE's, and (2) the including as part of a current package a contractor's statement indicating commitment to the DBE program and steps they have taken to utilize them in prior contracts as well as the current contract in question.
3. We will also implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by the DBEs. This mechanism will provide for a running tally of actual DBE attainments (e.g., payment actually made to DBE firms), including a means of comparing these attainments to commitments. This will be accomplished by requiring proof of payment to DBEs from contractors as well as performing periodic on-site visits to interview key employees, management, & ownership of the ACDBE concession.
4. In our reports of DBE participation to DOT, we will show both commitments and attainments, as required by the DOT reporting form).

Portland International Jetport requires prime contractors to maintain records and documents of payments to subcontractors, including DBEs, for a minimum of three (3) years unless otherwise provided by applicable record retention requirements for the Portland International Jetport financial assistance agreement, whichever is longer. These records will be made available for inspection upon request by any authorized representative of Portland International Jetport or DOT. This reporting requirement extends to all subcontractors, both DBE and non-DBE.

- Portland International Jetport proactively reviews contract payments to subcontractors including DBEs annually. Payment reviews will evaluate whether the actual amount paid to DBE subcontractors is equivalent to the amounts reported to Portland International Jetport by the prime contractor.

Prompt Payment Dispute Resolution

Portland International Jetport will take the following steps to resolve disputes as to whether work has been satisfactorily completed for purposes of §26.29.

1. A meeting with the prime contractor along with the Airport Director would be held to discuss and resolve payment disputes.

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- *Monitoring Payments to DBEs and Non-DBEs
- *Prompt Payment Dispute Resolution
- *Prompt Payment Complaints
- *Monitoring Contracts and Work Sites

Portland International Jetport has established, as part of its DBE program, the following mechanism(s) to ensure prompt payment and return of retainage:

Prompt Payment Complaints

Complaints by subcontractors regarding the prompt payment requirements are handled according to the following procedure. *[Escalation steps should follow prime, Recipient, and Operating Administration (OA) in that order, but specific procedures are to be outlined by the Recipient. Procedures and wording below are basic descriptions, and should not be used verbatim.]*

- If affected subcontractor is not comfortable contracting prime directly regarding payment or unable to resolve payment discrepancies with prime, subcontractor should contact DBELO to initiate complaint.
- If filing a prompt payment complaint with the DBELO does not result in timely and meaningful action by *[Recipient]* to resolve prompt payment disputes, affected subcontractor may contact the responsible *[operating administration]* contact.

[FAA Funding Recipients Only]

- Pursuant to Sec. 157 of the FAA Reauthorization Act of 2018, all complaints related to prompt payment will be reported in a format acceptable to the FAA, including the nature and origin of the complaint and its resolution.

Enforcement Actions for Noncompliance of Participants

Portland International Jetport will provide appropriate means to enforce the requirements of §26.29. These means include:

- Termination for cause can be exercised
- Written notice of the breach and corrective actions will be issued
- A specific timeline will be given to correct the breach
- Once that date arrives the Portland International Jetport may proceed with termination.

Portland International Jetport will actively implement the enforcement actions detailed above.

Monitoring Contracts and Work Sites

Portland International Jetport reviews contracting records and engages in active monitoring of work sites to ensure that work committed to DBEs at contract award or subsequently (*e.g.*, as the result of modification to the contract) is actually performed by the DBEs to which the work was committed. Work site monitoring is performed by contracted prime consultant. Contracting records are reviewed by contracted prime consultant. Portland International Jetport will maintain written certification that contracting records have been reviewed and work sites have been monitored for this purpose.

SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

The Portland International Jetport does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

Portland International Jetport] will establish an overall DBE goal covering a three-year federal fiscal year period if it anticipates awarding DOT-funded prime contracts the cumulative total value of which exceeds \$250,000 in DOT funds during any one or more of the reporting fiscal years within the three-year goal period. In accordance with §26.45(f), Portland International Jetport will submit its Overall Three-year DBE Goal to [operating administration] by August 1st of the year in which the goal is due, as required by the schedule established by and posted to the website of:

FAA:

https://www.faa.gov/about/office_org/headquarters_offices/acr/bus_ent_program/media/Schedule_of_DBE_and_ACDBE_Reporting_Requirements_Dec_2017_Issue.pdf

Portland International Jetport will annually establish overall goals in accordance with the 2-Step process as specified in 49 CFR Part 26.45. The first step is to determine the relative availability of DBEs in the market area, "base figure". The second step is to adjust the "base figure" percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry to past competitiveness of DBEs on projects.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 4 to this program.

In accordance with Section 26.45(f) the Portland International Jetport will submit its overall goal to DOT on August 1 of each year. In establishing the overall goal each year, Portland International Jetport will consult with minority, women's and general contractor groups, community organizations, and other officials or organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Portland International Jetport's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the Portland International Jetport administration office for 30 days following the date of the notice, and informing the public that Portland International Jetport and DOT will accept comments on the goals for 45 days from the date of the notice. Notice will be issued in general circulation media and available minority-focus media and trade publications, websites. Normally, we will issue this notice by June 1 of each year. The notice will include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

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

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We will begin using our overall goal on October 1 every three years, 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)~~.

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Section 26.47 Failure to meet overall goals

Portland International Jetport cannot be penalized, or treated by the Department as being in noncompliance with Part 26, because DBE participation falls short of an overall goal, unless Portland International Jetport fails to administer its DBE program in good faith.

Portland International Jetport understands that to be considered to be in compliance with this part, an approved DBE Program and overall DBE goal, if applicable, must be maintained, and this DBE Program must be administered in good faith.

Portland International Jetport understands that if the awards and commitments shown on the Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, the following actions must be taken in order to be regarded by the Department as implementing this DBE Program in good faith:

- (1) Analyze in detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year;
- (2) Establish specific steps and milestones to correct the problems identified in the analysis to enable the goal for the new fiscal year to be fully met;
- (3) Portland International Jetport will submit, within 90 days of the end of the fiscal year, the analysis and corrective actions developed under paragraphs (1) and (2) above to the FAA for approval.

Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-Conscious Participation

The breakout of estimated race-neutral and race-conscious participation can be found in Attachment 4 to this program. This section of the program will be updated tri-annually when the goal calculation is updated.

Section 26.51(d-g) Contract ~~Goals~~

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The Portland International Jetport will use contract goals to meet any portion of the overall goal Portland International Jetport does not project being able to meet using race-neutral 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 our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work)

We will express our contract goals as a percentage of the federal share of a DOT-assisted contract.

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.

Zachary R. Sundquist, Assistant Airport Director is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsible.

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

Information to be submitted (26.53(b))

Portland International Jetport treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsibility.

In all solicitations for DOT-assisted contracts for which a contract goal has been established, the following information will be required of every bidder/offeror:

- (1) Award of the contract will be conditioned on meeting the requirements of this section;
- (2) All bidders or offerors will be required to submit the following information to the recipient, at the time provided in paragraph (3) of this section:
 - (i) The names and addresses of DBE firms that will participate in the contract;
 - (ii) A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
 - (iii) The dollar amount of the participation of each DBE firm participating;
 - (iv) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and
 - (v) Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment.
 - (vi) If the contract goal is not met, evidence of good faith efforts (as elaborated in Appendix A of Part 26). The documentation of good faith efforts must include copies of

each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract; and

- (3) The bidder/offeror will be required to present the information stipulated in paragraph (2) of this section:
- (4) Under sealed bid procedures, as a matter of responsiveness, or with initial proposals, under contract negotiation procedures;

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information No later than 5 days after bid opening as a matter of responsibility .

Provided that, in a negotiated procurement, including a design-build procurement, the bidder/offeror may make a contractually binding commitment to meet the goal at the time of bid submission or the presentation of initial proposals but provide the information required by paragraph (2) of this section before the final selection for the contract is made by the recipient.

Administrative reconsideration (26.53(g))

Within 7 business days of being informed by Portland International Jetport 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: Paul Bradbury, Director, Portland International Jetport 1001 Westbrook Street, Portland, Maine 04102, (207) 756-8027, phb@portlandmaine.gov. 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))

Portland International Jetport 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. We 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 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 payments and 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:

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Provided that, in a negotiated procurement, including a design-build procurement, the bidder/offeror may make a contractually binding commitment to meet the goal at the time of bid submission or the presentation of initial proposals but provide the information required by paragraph (2) of this section before the final selection for the contract is made by the recipient.

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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 Portland International Jetport 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 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 information: (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 (6) if the contract goal is not met, evidence of good faith efforts.

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. We will not count the participation of a DBE subcontract toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

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In the case of post-award substitutions or additions, if a firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, the firm's participation will not be counted toward any DBE goals, except as provided for in §26.87(j).

In the case of post-award substitutions or additions, if a firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, the firm's participation will not be counted toward any DBE goals, except as provided for in §26.87(j).

SUBPART D-CERTIFICATION STANDARDS**Section 26.61 - 26.73 Certification Process**

Portland International Jetport has an agreement with the Maine Department of Transportation (MOOT) to certify that the standards of Subpart D of Part 26 to be used by MEUCP 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.

For information about the certification process or to apply for certification, firms should contact: Maine Department of Transportation
#16 State House Station
Augusta, Maine 04333-0016
(207) 624-3066

SUBPART E - CERTIFICATION PROCEDURES**Section 26.81 Unified Certification Programs**

Portland International Jetport has an agreement with MOOT, which provides Maine's Unified Certification Program (UCP). A copy of the Maine UCP program and a signed copy of our agreement to the DBE program are in Attachments 6 and 7.

Section 26.86 Denials of Initial Requests for Certification

If the MOOT denies a firm's application or decertify it, it may not reapply until 12 months have passed from their action.

Section 26.87 Removal of a DBE's Eligibility

In the event we propose to remove a DBE's certification, we will follow procedures consistent with 26.87. Attachment 6 to this program sets forth these procedures in detail. To ensure separation of functions in a de-certification, the Portland Jetport will follow the UCP's determination regarding the decision-maker in de-certification proceedings. The UCP have established an administrative "firewall" to ensure that the decision-maker will not have participated in any way in the de-certification proceeding against the firm (including the decision to initiate such a proceeding).

Section 26.89 Certification Appeals

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

US Department of Transportation
Departmental Office of Civil Rights
External Civil Rights Program Division (S-33) 1200
New Jersey Ave., S.E.
Washington, DC 20590
Phone: 202-366-4754
TTY: 202-366-9696
Fax: 202-366-5575

The UCP 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 26.101 Compliance Procedures Applicable to Portland International Jetport

Portland International Jetport understands that if it fails to comply with any requirement of this part, Portland International Jetport may be subject to formal enforcement action under §26.103 or §26.105 or appropriate program sanctions by the concerned operating administration, 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, in the case of the FHWA program, actions provided for under 23 CFR 1.36; in the case of the FAA program, actions consistent with 49 U.S.C. 47106(d), 47111(d), and 47122; and in the case of the FTA program, any actions permitted under 49 U.S.C. chapter 53 or applicable FTA program requirements.

Section 26.109 Information, Confidentiality, Cooperation and intimidation or retaliation

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

Notwithstanding any provision of Federal or state law, information that may reasonably be construed as confidential business information will not be released to any third party without the written consent of the firm that submitted the information, including applications for DBE certification and supporting information. However, this information will be transmitted to DOT in any certification appeal proceeding under §26.89 or to any other state to which the individual's firm has applied for certification under §26.85.

All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

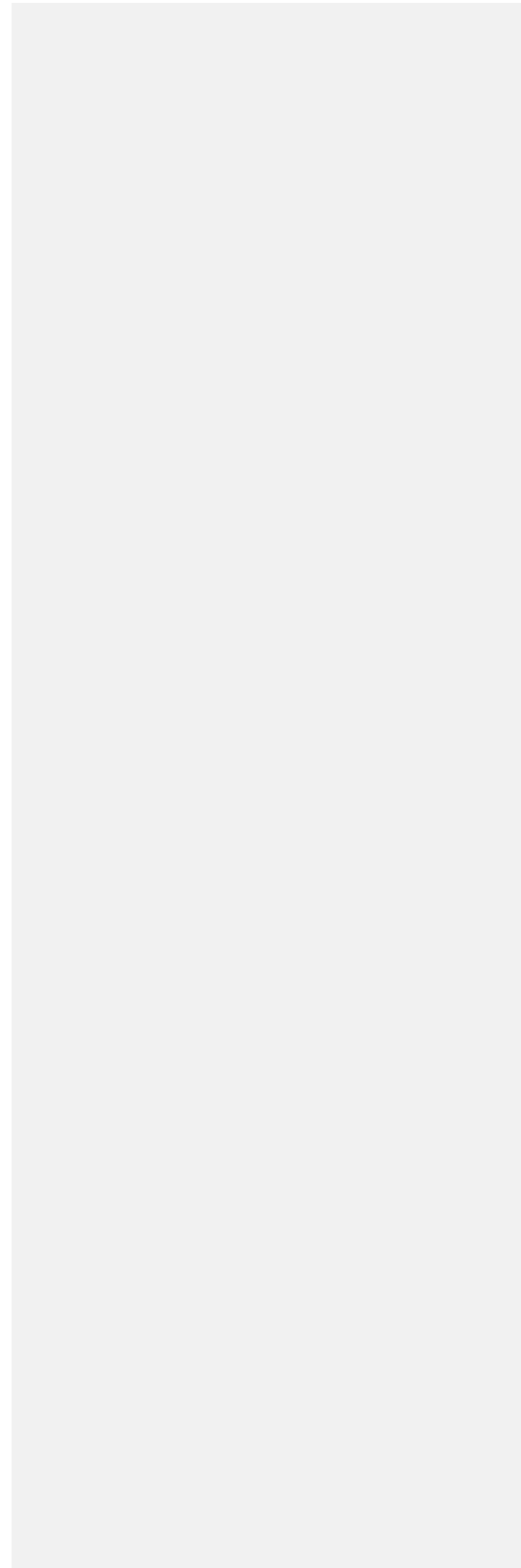
Portland International Jetport, contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. Portland International Jetport understands that it is in noncompliance with Part 26 if it violates this prohibition.

ATTACHMENTS

- Attachment 1 Regulations: 49 CFR Part 26
- Attachment 2 Organizational Chart
- Attachment 3 DBE Directory
- Attachment 4 Overall Goal Calculation (Include Breakout of Estimated Race-Neutral & Race-Conscious Participation, Public Participation, and Contract Goal)
- Attachment 5 Form 1 & 2 for Demonstration of Good Faith Efforts or Good Faith Effort Plan
- Attachment 6 DBE Certification form
- Attachment 7 Signed UCP Agreement Form
- Attachment 8 DBE Monitoring & Enforcement Mechanisms
- Attachment 9 Small Business Element
- Attachment 10 Sample Bidders List

Attachment 1
Regulations: 49 CFR Part26

<https://www.ecfr.gov/current/title-49/subtitle-A/part-26?toc=1>



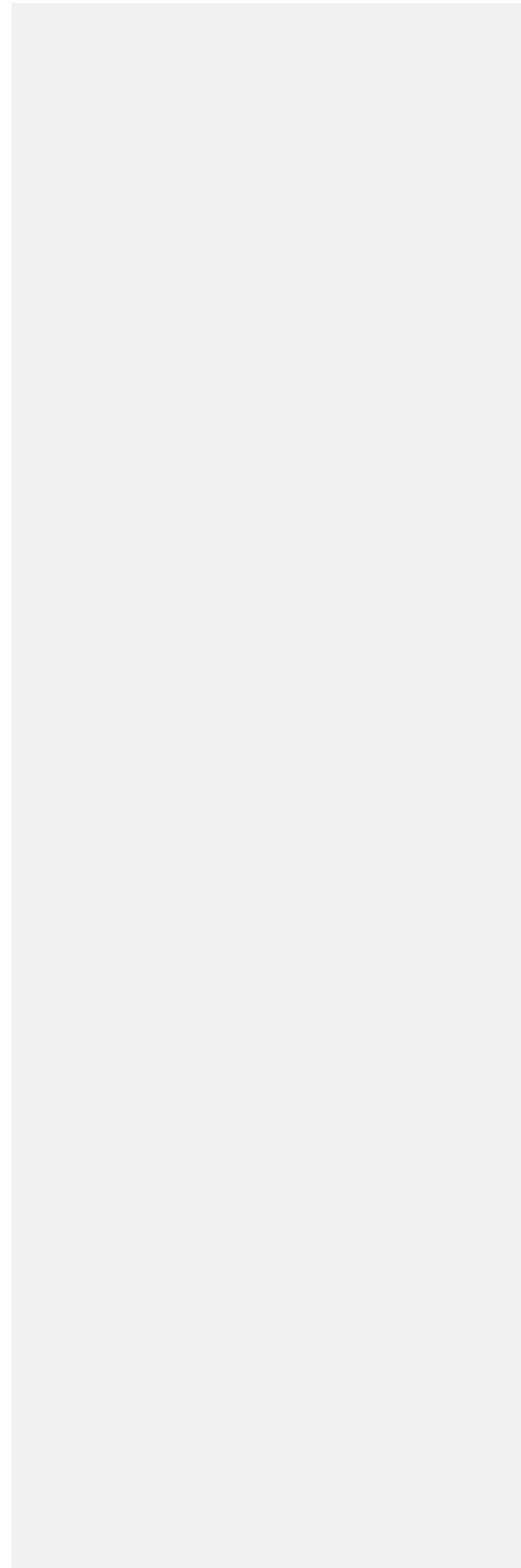
Attachment 2
Organizational Chart



Attachment 3

DBE Directory

<https://www.maine.gov/mdot/civilrights/dbe/>



Attachment 4

Section 26.45:
Overall Goal
Calculation

Overall DBE Three-Year Goal Methodology

Name of Recipient: City of Portland

Goal Period: FY 2024-26 (10/1/2023 through 9/30/2026)

DOT-assisted contract amounts:

Year 1	\$27,543,500
Year 2	\$17,900,070
Year 3	\$26,604,570
Totals	\$72,048,140

Overall Three-Year Goal: 3.48% to be accomplished through 0.0% Race Conscious and 3.48% Race Neutral

Total dollar amount to be expended on DBEs: \$2,507,275

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

in Fiscal Year #1

1. Reconstruct Taxiway A,D, E, &F Phase 1 - \$7,812,000
2. Loading Bridge Replacement 3-7 - \$4,950,000
3. Preconditioned Air for Gates - \$1,530,000
4. Baggage Carousel Replacement - \$1,440,000
5. Perimeter Fence and Gate Upgrades - \$324,000
6. 3rd Floor Bypass Auto Exit Portal - \$495,000
7. SRE 18' Front Mounted Broom - \$1,350,000
8. Gates 11,12,13 New Loading Bridges and Fixed Bridge Extension - \$9,642,500

Contracts in Fiscal Year #2

1. Reconstruct Taxiway A,D,E, &F Phase 2 - \$4,160,070
2. Relocate Service Access Road - \$630,000
3. FIS Facility - \$13,110,000

Contracts in Fiscal Year #3

1. Terminal Apron Reconstruction - \$6,455,070
2. ARFF Station Improvements - \$7,125,000
3. Expand Baggage Claim - \$13,024,500

Market Area

The market area is the State of Maine as the majority of contractors and subcontractors are located within this area and this is where a majority of contracting dollars are spent.

Step 1. Actual relative availability of DBEs

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

Method: Use DBE Directories (<https://www1.maine.gov/mdot/civilrights/dbe/>) and Census Bureau Data (<https://data.census.gov/cedsci/>).

Weighted Availability of DBE firms:

FFY24 10/1/2023 - 9/30/2024									
Project Name	Trade Description	NAICS Description	NAICS	Trade (\$)	Census	DOT DBE Director	DBE %	DBE (\$)	
Reconstruct Taxiway A, D, E, & F	Construct Taxiway A, D, E, & F	Highway, Street, and Bridge Construction	237310	\$7,812,000	67	9	13.43%	\$1,049,373.13	
Loading Bridge Replacement 3-7	Construction of Buildings	Construction of Buildings	236220	\$4,950,000	151	3	1.99%	\$98,344.37	
Preconditioned Air for Gates	Construction of Buildings	Construction of Buildings	236220	\$1,530,000	151	3	1.99%	\$30,397.35	
Baggage Carousel Replacement	Construction of Buildings	Construction of Buildings	236220	\$1,440,000	151	3	1.99%	\$28,609.27	
Perimeter Fence and Gate Upgrades	Fencing	Highway, Street, and Bridge Construction	423390	\$324,000	67	9	13.43%	\$43,522.39	
3rd Floor Bypass Auto Exit Portal	Construction of Buildings	Construction of Buildings	236220	\$495,000	151	3	1.99%	\$9,834.44	
SRE 18' Front Mounted Bloom	Transportation	Runway maintenance services	488119	\$1,350,000	9	0	0.00%	\$0.00	
Gates 11,12,13 New Loading Bridges and Fixed Bridge Extensor	Construction of Buildings	Construction of Buildings	236220	\$9,642,500	151	9	5.96%	\$574,718.54	
				\$27,543,500			6.66%	\$1,834,799.50	
FFY25 10/1/2024 - 9/30/2025									
Project Name	Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE %	DBE (\$)	
Reconstruct Taxiway A, D, E, & F Phase 2	Construct Taxiway A, D, E, & F	Highway, Street, and Bridge Construction	237310	\$4,160,070	67	9	13.43%	\$558,815.37	
Relocate Service Access Road	Relocate Service Access Ro.	Highway, Street, and Bridge Construction	237310	\$630,000	67	9	13.43%	\$84,626.87	
FIS Facility	Construction of Buildings	Construction of Buildings	236220	\$13,110,000	151	3	1.99%	\$260,463.58	
				\$17,900,070			5.05%	\$903,905.81	
FFY26 10/1/2025 - 9/30/2026									
Project Name	Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE %	DBE (\$)	
Terminal Apron Construction	Terminal Apron Construction	Highway, Street, and Bridge Construction	237310	\$6,455,070	67	9	13.43%	\$867,098.96	
ARFF Station Improvements	Construction of Buildings	Construction of Buildings	236220	\$7,125,000	151	3	1.99%	\$141,556.23	
Expand Baggage Claim	Construction of Buildings	Construction of Buildings	236220	\$13,024,500	151	3	1.99%	\$258,764.90	
				\$26,604,570			4.76%	\$1,267,420.15	
				\$72,048,140			5.56%	\$4,006,125.46	

The base goal projection after weighting is as follows:

- Total Weighted DBE Availability: **\$4,006,125**
- Total for All Trades: **\$72,048,140**

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: 5.56%

Past History Participation One piece of data used to determine the adjustment to the base figure was the median of historical DBE accomplishments, as follows:

FY21 - .30%

FY23 - .50%

FY20 – 1.40%

FY22 – 3.00%

Arranging this historical data from low to high (.30%, .50%, 1.40%, 3.0%), the median is 1.4%. Step 1 Base averaged with historical median: $(5.56\% + 1.4\%) / 2 = 3.48\%$

Step 2. After calculating a base figure of the relative availability of DBEs, we examined evidence to determine what adjustment was needed to the Step 1 base figure in order to arrive at the overall goal. The Portland International Jetport did not adjust the base figure.

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

City of Portland will meet the maximum feasible portion of the overall goal by using race neutral 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 assistance in overcoming limitations such as inability to obtain bonding or financing;
3. Providing technical assistance and other services;
4. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs and other small businesses improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;
9. Assist DBEs and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

City of Portland estimates that in meeting the established overall goal of 3.48%, it will obtain 3.48% from RN participation and 0.0% through race conscious measures.

City of Portland will adjust the estimated breakout of race neutral and race conscious DBE participation as needed to reflect actual DBE participation (see §26.51(f)) and track and report race neutral and race conscious 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.

Consultation

No comments have been received.

Sample Public Notice Language

PUBLIC NOTICE

City of Portland hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of 3.48% for FAA-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2024 through 2026 (10/1/2023 - 9/30/2026).

The proposed goal and its attendant methodology are available for inspection at www.portlandjetport.org or between 8:00am and 4:30pm Monday through Friday at the Airport Administration Offices located in the Main Terminal 1001 Westbrook Street, Portland, Maine 04102 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:

Zachary R. Sundquist, A.A.E.
Assistant Airport Director OR
1001 Westbrook Street
Portland, ME 04102
zrs@portlandmaine.gov

Federal Aviation Administration
Office of Civil Rights
Kimberly Robinson Harris
202-267-8747
Kimberly.L.Robinson.Harris@FAA.Gov

Attachment 5

Forms 1 & 2 for Demonstration of Good Faith Efforts

[Forms 1 and 2 should be provided as part of the solicitation documents.]

Commented [RHKL14]: Please include the following attachments:
Sample Bidders List
DBE Monitoring and Enforcement Mechanisms
Small Business Element
DBE Certification Application Form

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

The bidder/offerer is committed to a minimum of _____ % DBE utilization on this contract.

___ The bidder/offerer (if unable to meet the DBE goal of_%) is committed to a minimum of % DBE utilization on this contract and should submit documentation demonstrating good faith efforts.

Name of bidder/offerer's firm: - - - - -

State Registration No. _____

By _____

(Signature)

_____ Title

FORM 2: LETTER OF INTENT

Name of bidder/offerer's firm: _____

Address: - - - - -

City: - - - - - State: ____ Zip: ____ -

Name of DBE firm: _ _ _ _ - - - - -

Address: _ _ _ _ - - - - -

City: _____ State: ____ Zip: _____

Telephone: _____

Description of work to be performed by DBE firm:

The bidder/offerer is committed to utilizing the above-named DBE firm for the work described above.
The estimated dollar value of this work is \$__

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By _____
(Signature) (Title)

If the bidder/offerer does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

[Submit this page for each DBE subcontractor.]

Attachment 6

DBE Certification Application Form
(New form November 18, 2014)
U.S. Department of Transportation web link to Uniform Certification Application

<https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/dbe-uniform-certification-application>

Attachment 7

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PORTLAND JETPORT

PAGE 02

AGREEMENT
Between the
MAINE DEPARTMENT OF TRANSPORTATION
OFFICE OF HUMAN RESOURCES

And
CITY OF PORTLAND, PORTLAND JETPORT

This Agreement is made this 12th day of APRIL, 2002, by and between the State of Maine, through its Department of Transportation (MDOT), with an address of 16 State House Station, Augusta, Maine, and Portland Int'l Jetport, with an address of 1001 WESTBANK ST PORTLAND, Maine.

I. AGREEMENT

MDOT and the named party hereby agrees as follows:

1. The named party agrees that as a recipient of USDOT financial assistance it will cooperate fully with the Maine Department of Transportation in the certification of Disadvantaged Business Enterprises.
2. The named party agrees it shall utilize the MDOT Disadvantaged Business Enterprise Certification program.
3. The named party agrees to refer potential applicants for DBE Certification to MDOT.
4. The named party agrees to honor the decisions made by MDOT with respect to certification decisions made in accordance with 49 CFR Parts 23 and 26 Subpart E Certification Procedures.
5. MDOT will accept, review, and make determinations about DBE Certification for those entities referred to it by the named party.

II TERMS

This Agreement remains in place indefinitely.

SEEN AND AGREED TO BY:

MAINE DEPARTMENT OF TRANSPORTATION

Penny Flourde

By: Penny Flourde Manager, Small Business Programs

By: Jeffrey Schiller

4/12/02
Title AGENT MANAGER

Signed UCP Agreement Form

ATTACHMENT 8
DBE Monitoring and Enforcement Mechanisms

Portland International Jetport has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

Breach of contract action, pursuant to the terms of the contract; Breach of contract action, pursuant to Maine Revised Statutes, Title 13, §2284.
Breach of contract; liquidated damages; costs. 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 pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

Attachment 9**Small Business Element****1. Objective/Strategies**

- (1) Establishing a race-neutral small business set-aside for prime contracts under a stated amount (e.g., \$1 million).*
- (2) In multi-year design-build contracts or other large contracts (e.g., for "megaprojects") requiring bidders on the prime contract to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform.*
- (3) On prime contracts not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.*
- (4) Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.*
- (5) To meet the portion of your overall goal you project to meet through race-neutral measures, ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.*

2. Definition

- *DBE firms should be identified in the Small Business element of the recipient's DBE program as eligible for the program unless there is a DBE micro-Small Business Program element in place.*
- *Size standard should be consistent with 49 CFR 26.5 and must be no larger than the Small Business Administration's size standards. DBE firms and small firms eligible for the program should be similarly sized to reduce competitive conflict between DBE and non-DBE firms.*
- *Personal Net Worth standards (optional) – should be consistent with 49 CFR Part 26 thresholds.*

3. Verification

- *Should diligently attempt to minimize fraud and abuse in the SB element of its DBE program by verifying program eligibility of firms.*

4. Monitoring/Record Keeping

- How will the information will be organized (for counting purposes)
- SB element should be reasonably monitored

5. Implementation Timeline

- Portland International Jetport Updated May 2024 DBE PROGRAM

6. Assurance

1. assurance that the program is authorized under state law;
2. *assurance that certified DBEs that meet the size criteria established under the program are presumptively eligible to participate in the program;*
3. *assurance that there are no geographic preferences or limitations imposed on any federally assisted procurement included in the program;*
4. *assurance that there are no limits on the number of contracts awarded to firms participating in the program but that every effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and*
5. *assurance that aggressive steps will be taken to encourage those minority and women owned firms that are eligible for DBE certification to become certified.*
6. *assurance that the program is open to small businesses regardless of their location (i.e., that there is no local or other geographic preference).*

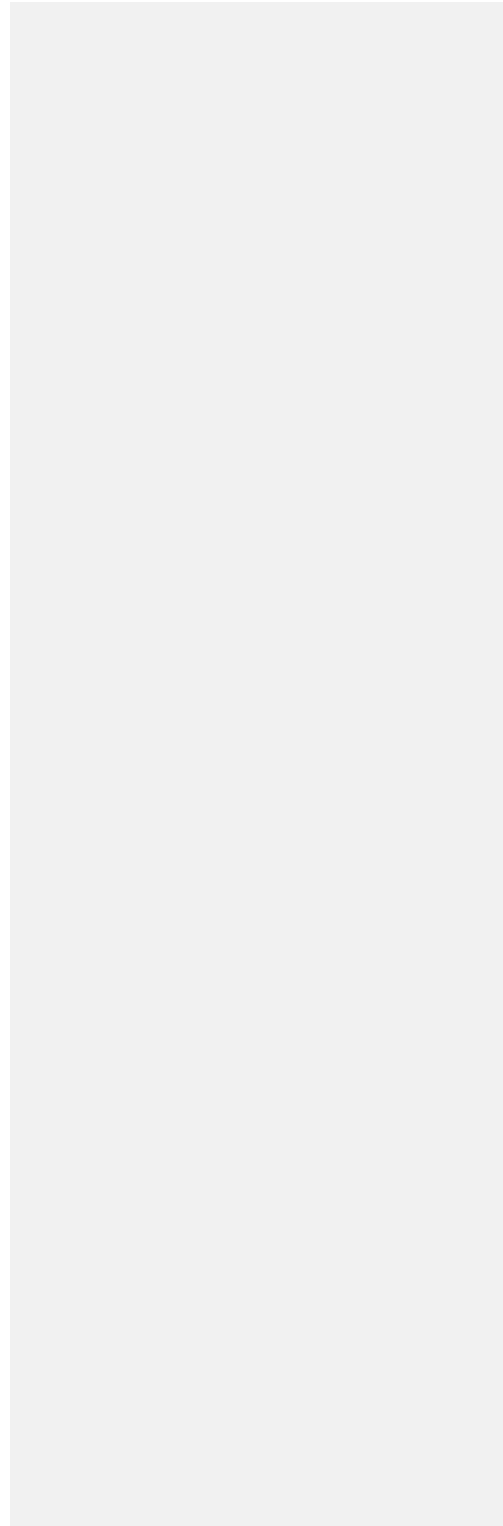
Bidder's List Collection Form
Attachment

(SAMPLE BIDDERS LIST COLLECTION FORM)

[Reminder: the information below must be collected from every bidder who submits a quote/bid to the recipient and every potential subcontractor who submitted a quote/bid to each bidder. §26.11(c) requires recipients to collect information from all bidders and subcontractors, including unsuccessful ones.]

Firm Name	Firm Address/ Phone #	DBE or Non-DBE Status (verify via State's UCP Directory)	Age of Firm	Annual Gross Receipts
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million

			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million



DBE Certification Form

Attachment 10

<https://www.maine.gov/mdot/civilrights/docs/dbe/2022/Uniform%20Certification%20Application.pdf>

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