

**CITY OF LEBANON, NH – LEBANON AIRPORT
ACDBE PROGRAM**

For the City Of Lebanon, NH, hereinafter referred to as “Recipient.” The use of personal pronouns “we” and “our”, refer to the City Of Lebanon, its officials or employees.

POLICY STATEMENT

Section 23.1, 23.23 Objectives/Policy Statement

The Recipient has established an Airport Concession Disadvantaged Business Enterprise (ACDBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 23. The Recipient is a primary airport and has received federal funds authorized for airport development after January 1988 (authorized under Title 49 of the United States Code). The Recipient has signed airport grant assurances that it will comply with 49 CFR Part 23.

It is the policy of the Recipient to ensure that ACDBEs as defined in Part 23, have an equal opportunity to receive and participate in concession opportunities. It is also our policy:

1. To ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance;
2. To create a level playing field on which ACDBEs can compete fairly for opportunities for concessions;
3. To ensure that our ACDBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part’s eligibility standards are permitted to participate as ACDBEs at our airport(s);
5. To help remove barriers to the participation of ACDBEs in opportunities for concessions at our airport(s); and
6. To provide appropriate flexibility to our airports in establishing and providing opportunities for ACDBEs.

The Airport Manager has been designated as the ACDBE Liaison Officer (ACDBELO). In that capacity, the Airport Manager is responsible for implementing all aspects of the ACDBE program. Implementation of the ACDBE program is accorded the same priority as compliance with all other legal obligations incurred by the Recipient in its financial assistance agreements with the Department of Transportation.

Recipient has disseminated this policy statement to the City Manager, City Council and all of the components of our organization. We have distributed this statement to ACDBE and non-ACDBE concessionaire communities in our area, as specified as posted on the airport and City websites (www.flyleb.com and www.lebanonnh.gov respectively) on 8/23/2017.


[Signature of Recipient’s Chief Executive Officer]

8/25/2017
Date

SUBPART A – GENERAL REQUIREMENTS

Section 23.1 Objectives

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

Section 23.3 Definitions

The Recipient will use terms in this program that have the meaning defined in Section 23.3 and Part 26 Section 26.5 where applicable.

Section 23.5 Applicability

The Recipient is a primary airport and the sponsor of federal airport funds authorized for airport development after January 1988 that was authorized under Title 49 of the United States Code.

Section 23.9 Non-discrimination Requirements

The Recipient 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 concession agreement, management contract or subcontract, purchase or lease agreement or other agreement covered by 49 CFR Part 23 on the basis of race, color, sex, or national origin.

In administering its ACDBE program, the Recipient 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 ACDBE program with respect to individuals of a particular race, color, sex, or national origin.

The Recipient acknowledges these representations are also in accordance with obligations contained in its Civil Rights, DBE and ACDBE Airport grant assurances.

The Recipient will include the following assurances in all concession agreements and management contracts it executes with any firm:

(1) "This agreement is subject to the requirements of the U.S. Department of Transportation's regulations, 49 CFR Part 23. The concessionaire or contractor agrees that it will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23.

(2) "The concessionaire or contractor agrees to include the above statements in any subsequent concession agreement or contract covered by 49 CFR part 23, that it

enters and cause those businesses to similarly include the statements in further agreements.”

Section 23.11 Compliance and Enforcement

The Recipient will comply with and is subject to the provisions of 49 CFR Part 26 (§§ 26.101, 26.105, 26.107 and 2 CFR parts 180 and 1200.

The Recipient will comply with this part or be subject to formal enforcement action under §26.105 or appropriate program sanctions, 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 actions consistent with 49 U.S.C. §§ 47106(d), 47111(d), and 47122.

2 C.F.R. Part 180, Government-wide Debarment and Suspension (Non-procurement), effective November 15, 2006, adopted and supplemented by DOT at 2 C.F.R. Part 1200, effective June 2, 2008, provides Office of Management and Budget (OMB) guidance for Federal agencies on the government-wide debarment and suspension system for non-procurement transactions, programs and activities. 2 C.F.R. Part 1200 adopts the OMB guidance in subparts A through I of 2 CFR part 180, as supplemented by part 1200, as the Department of Transportation policies and procedures for non-procurement suspension and debarment.

The Recipient’s compliance with all requirements of this part is enforced through the procedures of Title 49 of the United States Code, including 49 U.S.C. 47106(d), 47111(d), and 47122, and regulations implementing them.

The following enforcement actions apply to firms participating in the Recipient’s ACDBE program:

- (a) For a firm that does not meet the eligibility criteria of subpart D of this part and that attempts to participate as an ACDBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, the Department of Transportation (DOT) or the Federal Aviation Administration (FAA) may initiate suspension or debarment proceedings against the firm under 2 CFR parts 180 and 1200.
- (b) For a firm that, in order to meet ACDBE goals or other AC/DBE program requirements, uses or attempts to use, on the basis of false, fraudulent or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of subpart D of this part, DOT or FAA may initiate suspension or debarment proceedings against the firm under 2 CFR parts 180 and 1200.

(c) DOT may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the ACDBE program whose conduct is subject to such action under 49 CFR Part 31.

(d) DOT may refer to the Department of Justice, for prosecution under 18 U.S.C. §§ 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of an ACDBE in the [Sponsor's] ACDBE program or otherwise violates applicable Federal statutes.

Compliance reviews: The FAA may review the Recipient's compliance with this part at any time, including but not limited to, reviews of paperwork, on-site reviews, and review of the airport sponsor's monitoring and enforcement mechanism, as appropriate. The FAA Office of Civil Rights may initiate a compliance review based on complaints received.

Any person who knows of a violation of this part by the Recipient may file a complaint under 14 CFR Part 16 with the Federal Aviation Administration Office of Chief Counsel.

SUBPART B – ACDBE PROGRAMS

Section 23.21 ACDBE Program Updates

The Recipient is a Non-Hub, Primary airport required to have an ACDBE program.

As a condition of eligibility for FAA financial assistance, the Recipient will submit its ACDBE program and overall goals to FAA according to 23.45(a) of this section.

Until the Recipient's new ACDBE program is submitted and approved, we will continue to implement our ACDBE program that was in effect previously, except with respect to any provision that is contrary to 49 CFR Part 23.

This ACDBE program will be implemented at the Lebanon Municipal Airport (LEB).

When the Recipient makes significant changes to its ACDBE program, we will provide the amended program to the FAA for approval prior to implementing the changes.

Section 23.23 Administrative Provisions

Policy Statement: The Recipient is committed to operating its ACDBE program in a nondiscriminatory manner.

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

ACDBE Liaison Officer (ACDBELO): We have designated the following individual as our ACDBELO:

Airport Manager
Lebanon Municipal Airport
5 Airpark Road, Suite 1
W. Lebanon, NH 03784
T: (603) 298-8878 X 1651
F: (603) 298-5845
E: rick.dyment@lebcity.com

In that capacity, the ACDBELO is responsible for implementing all aspects of the ACDBE program and ensuring that the Recipient complies with all provision of 49 CFR Part 23. The ACDBELO has supervisory control over airport staff and access to consulting legal or engineering firms, and direct, independent access to the City Manager to assist in the administration of the program.

The City Manager is the Recipient's CEO concerning ACDBE program matters. An organizational chart displaying the ACDBELO's position in the organization is found in **Attachment 1** to this program.

The ACDBELO is responsible for developing, implementing and monitoring the ACDBE program, in coordination with other appropriate officials. The ACDBELO has a staff of 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 FAA or 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 ACDBEs in a timely manner.
5. Identifies contracts and procurements so that ACDBE goals are included in solicitations (both race-neutral methods and contract specific goals)
6. Analyzes Recipient's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the CEO/governing body on ACDBE matters and achievement.
9. Provides ACDBEs with information and assistance in preparing bids, obtaining bonding, financing, and insurance; acts as a liaison to the OSDBU-Minority Resource Center (MRC).
10. Plans and participates in ACDBE training seminars.
11. Acts as liaison to the Unified Certification Program (UCP) in New Hampshire.

12. Provides outreach to ACDBEs and community organizations to advise them of opportunities.
13. Maintains the Recipient's updated directory on certified ACDBEs and distinguishes them from DBEs.

Directory: The Recipient through the New Hampshire DOT (NH DOT) Unified Certification Program (UCP), maintains a directory identifying all firms eligible to participate as DBEs and ACDBEs. Recipient will also refer to and use the Airport Minority Council (AMAC) ACDBE Directory on its website (<https://amac.dbedirectory.com/FrontEnd/VendorSearchPublic.asp?TN=amac&XID=4602>). 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 an ACDBE.

The UCP (New Hampshire DOT / Vermont AOT and AMAC for DBE Directory and ACDBE Directory respectively) will ensure that the Directory lists each type of work for which a firm is eligible to be certified by using the most specific NAICS code available to describe each type of work. The UCP will make any changes to the current directory entries necessary to meet the requirements of this paragraph.

The UCPs revise the Directories frequently but at least annually. We make the DBE and ACDBE directories available on the airport's website as follows:

- DBE Directory: www.flyleb.com URL to <https://www.nh.gov/dot/org/administration/ofc/documents/dbe-directory.pdf>
- <http://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/directory>
- ACDBE Directory: <https://amac.dbedirectory.com/FrontEnd/VendorSearchPublic.asp?TN=amac&XID=4602>

The DBE and ACDBE directories can be found with the URLs below:

- DBE Directory: <https://www.nh.gov/dot/org/administration/ofc/documents/dbe-directory.pdf>
- <http://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/directory>
- ACDBE Directory: <https://amac.dbedirectory.com/FrontEnd/VendorSearchPublic.asp?TN=amac&XID=4602>

A copy of the DBE Directory or the ACDBE Directory can be e-mailed if requested by:

- e-mailing a request to rick.dyment@lebcity.com, or
- Calling the Lebanon Municipal Airport as (603) 298-8878

Section 23.25 Ensuring Nondiscriminatory Participation of ACDBEs

The Recipient will take the following measures to ensure nondiscriminatory participation of ACDBEs in concessions, and other covered activities (23.25(a)).

The Recipient will seek ACDBE participation in all types of concession activities, rather than concentrating participation in one category or a few categories to the exclusion of

others. (23.25(c)). In addition to advertising in a newspaper in general circulation in the area, the Recipient will also review the DBE Directory and/or the ACDBE Directories mentioned above as appropriate and contact those firms by e-mail to determine their interest and ability to serve as a concessionaire at LEB.

The Recipient's overall goal methodology and a description of the race-neutral measures it will use to meet the goals are described in Section 23.25 and **Attachment 5 and 6** of this plan. The goals are set consistent with the requirements of Subpart D. (23.25(b), (d))

If the Recipient projects that race-neutral measures alone, are not sufficient to meet an overall goal, it will use race-conscious measures as described in Section 23.25 (e) (1-2) and **Attachment 5 and 6** of this plan. (23.25(e))

The Recipient will not use set-asides or quotas as a means of obtaining ACDBE participation. (23.25(g)).

Section 23.27 Reporting

We will retain sufficient basic information about our ACDBE program implementation, ACDBE certification, and the award and performance of agreements and contracts to enable the FAA to determine our compliance with Part 23. This data will be retained for a minimum of 3 years following the end of the concession agreement or other covered contract.

Beginning August 2017, we will submit to the FAA Regional Civil Rights Office, an annual ACDBE participation report on the form in Appendix A of Part 23. We will submit the report to the FAA Regional Civil Right Office via hard copy of the form or electronically via the DBE Office Online Reporting System (DOORS).

Section 23.29 Compliance and Enforcement Procedures

The Recipient will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 23.

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. We have listed the regulations, provisions, and contract remedies available to us in the events of non-compliance with the ACDBE regulation by a participant in our procurement activities (See **Attachment 4**). (26.37).

The Concession agreements utilized at LEB will contain specific language requiring concessionaires to provide the data to show their compliance with the Recipient's ACDBE goals.

1. The Recipient 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. The Recipient will consider similar action under our own legal authorities, including responsibility determinations in future contracts.
 - a. The City will also implement a monitoring and enforcement mechanism to ensure that work committed to ACDBEs at contract award is actually performed by the ACDBEs. This mechanism will provide for a running tally of actual ACDBE attainments (e.g., payment actually made to ACDBE firms), including a means of comparing these attainments to commitments. This will be accomplished by:
Requiring quarterly ACDBE participation reports.
 - b. Performing on-site visits on a periodic basis to interview key employees on control, management and ownership of ACDBE concessions.
 - c. The ACDBELO will track and compare ACDBE accomplishments with Concession Program goals and contract provisions to determine compliance. If it is determined that a problem exists, then the City will work with the Concessionaire in resolving the issue.
3. In our reports of ACDBE participation to DOT, the City will show both commitments and attainments, as required by the DOT reporting form.

SUBPART C – CERTIFICATION AND ELIGIBILITY

Section 23.31 We will use the procedures and standards of Part 26, except as provided in 23.31, for certification of ACDBEs to participate in our concessions program and such standards are incorporated herein.

The UCP's directory of eligible DBEs specifies whether a firm is certified as a DBE for purposes of Part 26, but not ACDBE for purposes of part 23. The Recipient does not certify firms as DBE or ACDBE. That is why Recipient will consult the AMAC directory for ACDBE firms.

Prior to entering into a new contract, extension, or option with a currently certified ACDBE, we will review their eligibility at that time (i.e., "as soon as possible") rather than waiting until the latest date allowed under Part 23.: Within five (5) business days of submission of contract extension or bid submittal and no later than fourteen (14) days prior to submittal of the contract to the Lebanon City Council.

Recipient will treat a firm as a small business eligible to be certified as an ACDBE if it is so-certified by New Hampshire DOT, Vermont AOT, or AMAC; or if it is so-certified by

New Hampshire DOT, Vermont AOT, or AMAC as a DBE and has ensured to Recipient that the disadvantaged owners of a DBE-certified under part 26 are able to control the firm with respect to its activity in our concessions program. We are not obligated to certify a part 26 DBE as an ACDBE if the firm does not perform work relevant to our concessions program. (23.37).

Section 23.35 The personal net worth standard used in determining eligibility for purposes of Part 23 is \$1.32 million.

We recognize that Personal net worth means the net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth (PNW) does not include the following:

- (1) The individual's ownership interest in an ACDBE firm or a firm that is applying for ACDBE certification;
- (2) The individual's equity in his or her primary place of residence; and
- (3) Other assets that the individual can document are necessary to obtain financing or a franchise agreement for the initiation or expansion of his or her ACDBE firm (or have in fact been encumbered to support existing financing for the individual's ACDBE business) to a maximum of \$3 million.

The effectiveness of this paragraph (3) of this definition is suspended with respect to any application for ACDBE certification made or any financing or franchise agreement obtained after June 20, 2012. (23.3)

An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

Any person who has a personal net worth exceeding this amount is not a socially and economically disadvantaged individual, even if a member of a group otherwise presumed to be disadvantaged. (See 23.3 - *Personal Net Worth* definition and 23.35)

We will presume that a firm that is certified as a DBE under part 26 is eligible to participate as an ACDBE only if it is so-certified by the New Hampshire UCP or Vermont UCP.—However, before accepting such a firm not certified as ACDBE, we will ensure that the disadvantaged owners of a DBE certified under part 26 are able to control the firm with respect to its activity in our concessions program. We are not obligated to accept a part 26 DBE as an ACDBE if the firm does not perform work relevant to our concessions program. (23.37).

We recognize that the provisions of part 26, sections 26.83(c) (2-6) do not apply to certifications for purposes of part 23. We will obtain resumes or work histories of the principal owners of the firm and personally interview these individuals. We will analyze the ownership of stock of the firm, if it is a corporation. We will analyze the bonding and financial capacity of the firm. We will determine the work history of the firm, including any concession contracts or other contracts it may have received. We will compile a list of the licenses of the firm and its key personnel to perform the concession contracts or

other contracts it wishes to receive. We will obtain a statement from the firm of the types of concessions it prefers to operate or the type of other contracts it prefers to perform. We will ensure that the ACDBE firm meets the applicable size standard. (23.39(a)(b)).

We acknowledge that a prime contractor includes a firm holding a prime contract with an airport concessionaire to provide goods or services to the concessionaire or a firm holding a prime concession agreement with a recipient. We recognize that the eligibility of Alaska Native Corporations (ANC) owned firms for purposes of part 23 is governed by part 26 section 26.73(h). (23.39(c)(d)).

We will use the certification standards of part 23 to determine the ACDBE eligibility of firms that provide goods and services to concessionaires. (23.39(i))

In instances when the eligibility of a concessionaire is removed after the concessionaire has entered into a concession agreement because the firm exceeded the size standard or the owner has exceeded the PNW standard, and the firm in all other respects remains an eligible DBE, we may continue to count the concessionaire's participation toward ACDBE goals during the remainder of the current concession agreement. We will not count the concessionaire's participation toward ACDBE goals beyond the termination date for the concession agreement in effect at the time of the decertification. (23.39(e))

We will use the Uniform Application Form found in appendix F to part 26 with additional instruction as stated in 23.39(g).

SUBPART D – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 23.41 Basic Overall Goal Requirement

If the average annual concession revenues for car rentals over the preceding 3 years do not exceed \$200,000, we need not submit an overall goal for car rentals. Likewise, if the average annual concession revenues for concessions other than car rentals over the preceding 3 years do not exceed \$200,000, we need not submit an overall goal for concessions other than car rentals. We understand that "revenue" means total revenue generated by concessions, not the fees received by the airport from concessionaires.

The Recipient's LEB facility annual car rental revenues exceeded \$200,000 but annual other-than-car-rental revenue did not exceed \$200,000. Therefore, Recipient will establish one overall ACDBE goal for car rentals and forgo establishing a goal for other-than-car-rentals. The overall goal will cover a three year period and the Recipient will review the goal annually to make sure the goal continues to fit the sponsor's circumstances. We will report any significant overall goal adjustments to the FAA.

Section 23.43 Consultation in Goal Setting

The Recipient consults with stakeholders before submitting the overall goals to the FAA. Stakeholders will include, but not be limited to, minority and women’s business groups, community organizations, trade associations representing concessionaires currently located at the airport, as well as existing concessionaires themselves, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged businesses, the effects of discrimination on opportunities for ACDBEs, and the sponsors efforts to increase participation of ACDBEs.

When submitting our overall goals, we will identify the stakeholders that we consulted with and provide a summary of the information obtained from the stakeholders.

Section 23.45 Overall Goals

The sponsor is a non-hub primary, airport. As a condition of eligibility for FAA financial assistance, the sponsor will submit its overall goals according to the following schedule:

| Primary Airport Size | Region | Date Due | Period Covered | Next Goal Due |
|-----------------------------|--------------------|------------------------|-----------------------|---|
| Large/Medium Hubs | All regions | October 1, 2014 | 2015/2016/2017 | October 1, 2017 (2018/2019/2017) |
| Small Hubs | All regions | October 1, 2012 | 2013/2014/2015 | October 1, 2015 (2016/2017/2018) |
| Non-Hubs | All regions | October 1, 2013 | 2014/2015/2016 | October 1, 2016 (2017/2018/2019) |

If a new concession opportunity arises at a time that falls between the normal submission dates above and the estimated average of annual gross revenues are anticipated to be \$200,000 or greater, the sponsor will submit an appropriate adjustment to our overall goal to FAA for approval no later than 90 days before issuing the solicitation for the new concession opportunity. (23.45i)

The Recipient will establish overall goals in accordance with the 2-Step process as specified in section 23.51. After determining the total gross receipts for the concession activity, the first step is to determine the relative availability of ACDBEs in the market area, “base figure”. The second step is to examine all relevant evidence reasonably available in the sponsor’s jurisdiction to determine if an adjustment to the Step 1 “base figure” is necessary so that the goal reflects as accurately as possible the ACDBE participation the sponsor would expect in the absence of discrimination. Evidence may include, but is not limited to past participation by ACDBEs, a disparity study, evidence

from related fields that affect ACDBE opportunities to form, grow, and compete (such as statistical disparities in ability to get required financing, bonding, insurance; or data on employment, self-employment, education, training and union apprenticeship)

The Recipient will arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by ACDBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39 of this part.

A description of the methodology to calculate the overall goal for car rentals, the goal calculations, and the data we relied on can be found in **Attachment 6** to this program.

Projection of Estimated Race-Neutral & Race-Conscious Participation (23.45(f), 23.25(d-e))

The breakout of estimated race-neutral and race-conscious participation can be found with the goal methodology in **Attachment 6** to this program. This section of the program will be reviewed annually when the goal calculation is reviewed under 23.41(c).

Concession Specific Goals (Also include this language in the DBE goal attachment) (23.25 (c)(e)(1)(iv))

The Recipient will use concession specific goals to meet any portion of the overall goals it does not project being able to meet using race-neutral means. Concession specific goals are established so that, over the period to which the overall goals apply, 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 concession specific goals only on those concessions that have direct ownership arrangements (except car rentals), sublease, or subcontracting possibilities, If and when non-car rental concession revenue exceeds \$200,000 per year, we will require businesses subject to ACDBE goals at the airport (except car rental companies) to make good faith efforts to explore all available options to meet goals, to the maximum extent practicable, through direct ownership arrangements with DBEs (23.25 (f)). Car rental firms are not required to change their corporate structure to provide for direct ownership arrangements. In the case of a car rental goal, where it appears that all or most of the goal is likely to be met through the purchases by car rental companies of vehicles or other goods or services from ACDBEs, one permissible alternative is to structure the goal entirely in terms of purchases of goods and services.)

Should non-car rental concession revenue exceed \$200,000 per year, we need not establish a concession specific goal on every such concession, and the size of concession specific goals will be adapted to the circumstances of each such concession (e.g., type and location of concession, availability of ACDBEs.)

If the objective of a concession specific goal is to obtain ACDBE participation through direct ownership with an ACDBE, the Recipient will calculate the goal as a percentage of the total estimated annual gross receipts from the concession. (23.25(e)(1)(i))

If the concession specific goal applies to purchases and/or leases of goods and services, the Recipient will calculate the goal by dividing the estimated dollar value of such purchases and/or leases from ACDBEs by the total estimated dollar value of all purchases to be made by the concessionaire. (23.25(e)(1)(ii))

Good Faith Efforts on Concession Specific Goals (23.25(e)(1)(iii), (iv))

To be eligible to be awarded a concession that has a concession specific goal, bidders/offerors must make good faith efforts to meet the goal. A bidder/offeror may do so either by obtaining enough ACDBE participation to meet the goal or by documenting that it made sufficient good faith efforts to do so. (23.25(e)(1)(iv)). Examples of good faith efforts are found in Appendix A to 49 CFR Part 26. The procedures applicable to 49 CFR Sections 26.51 and 26.53, regarding contract goals apply to the Recipient's concession specific goals. Specifically, demonstration of good faith efforts (26.53(a) & (c)).

The ACDBELO is responsible for determining whether a concessionaire who has not met the concession specific goal has documented sufficient good faith efforts to be regarded as responsive.

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 concession agreement with the bidder/offeror.

Information To Be Submitted (26.53(b))

The Recipient treats bidder/offeror's compliance with good faith effort requirements as a matter of responsiveness.

Each solicitation for which a concession specific goal has been established will require the concessionaires to submit the following information:

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

Administrative reconsideration (26.53(d))

Within seven (7) days of being informed by the Recipient that it is not responsive because it has not documented sufficient good faith efforts, a concessionaire may request administrative reconsideration. Concessionaire should make this request in writing to the following reconsideration official:

Richard Dymant – Airport Manager

Lebanon Airport

5 Airpark Road, Suite 1

W. Lebanon, NH 03784

Tel: (603) 298-8878 X 1651

Tax: (603) 298-5845

E: rick.dymant@lebcity.com

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

As part of this reconsideration, the concessionaire 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 concessionaire 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 so. We will send the concessionaire a written decision on reconsideration, explaining the basis for finding that the concessionaire 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 an ACDBE is replaced on a concession (26.53(f))

The *Recipient* will require a concessionaire to make good faith efforts to replace an ACDBE that is terminated or has otherwise failed to complete its concession agreement, lease, or subcontract with another certified ACDBE, to the extent needed to meet the concession specific goal. We will require the concessionaire to notify the ACDBELO immediately of the ACDBEs inability or unwillingness to perform and provide reasonable documentation.

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

[If the concessionaire fails or refuses to comply within the specified time our contracting office will the Recipient's 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 Proposal/Bid Specification:

The requirements of 49 CFR Part 23, regulations of the U.S. Department of Transportation, applies to this concession. It is the policy of the Recipient 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 concession will be conditioned upon satisfying the requirements of this proposal/bid specification. These requirements apply to all concessions firms and suppliers, including those who qualify as an ACDBE. An ACDBE concession specific goal of five (5) percent of (annual gross receipts; value of leases and/or purchases of goods and services) has been established for this concession. The concession firm shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (**Attachment 6**), to meet the concession specific goal for ACDBE participation in the performance of this concession.

The concession firm will be required to submit the following information: (1) the names and addresses of ACDBE firms and suppliers that will participate in the concession, (2) A description of the work that each ACDBE will perform; (3) The dollar amount of the participation of each ACDBE firm participating; (4) Written and signed documentation of commitment to use a ACDBE whose participation it submits to meet a contract goal; (5) Written and signed confirmation from the ACDBE that it is participating in the concession as provided in the prime concessionaire's commitment; and (6) If the contract goal is not met, evidence of good faith efforts.

Section 23.53 Counting ACDBE Participation for Car Rental Goals

We will count ACDBE participation toward overall goals other than car rental as provided in 49 CFR 23.53.

Expression and calculation of goals (23.51) The City, in developing its overall goals and methodology, utilized the suggested procedures contained in Part 23.51, i.e., using DBE directories and census data NAICS/SIC Codes to establish the Base Figure for Step 1. Additionally, the regulations require consideration of additional "Step 2" adjustment factors, including the possibility of information from disparity studies and/or "the current capacity of DBEs to Part 23 to perform work in your concessions program, as measured by the volume of revenues DBEs have attained in recent years" were used as part of this methodology.

Counting ACDBE Participation for Car Rental Goals (23.53)The City will count ACDBE participation for car rentals in accordance with 49 CFR 23.53. Only participation from certified ACDBEs will be counted. Car rentals may count ACDBE participation in the following ways:

1. Direct ownership arrangements, which are not required by this program.
2. Purchases or leases of vehicles, the car rental company must submit to the City documentation of the good faith effort made to obtain ACDBE participation from other ACDBE providers of goods and services.

3. Cost of repairing vehicles, provided that it is reasonable and not excessive as compared with fees customarily allowed for similar services. The City will not count any portion of a fee paid by a manufacturer to a car dealership for reimbursement of work performed under the manufacturer's warranty.
4. Other goods and services, count participation as provided in part 26, sections 26.55 and 23.55 of part 23. In the event of any conflict between these two sections, section 23.55 controls.

Section 23.55 Counting ACDBE Participation for Concessions Other than Car Rentals

Not applicable for this ACDBE Program.

Section 23.57 (b) Goal shortfall accountability. If the awards and commitments on our Uniform Report of ACDBE Participation (found in Appendix A to this Part) at the end of any fiscal year are less than the overall goal applicable to that fiscal year, we will:

- (1) Analyze in detail the reasons for the difference between the overall goal and our awards and commitments in that fiscal year;
- (2) Establish specific steps and milestones to correct the problems we have identified in our analysis to enable us to fully meet our goal for the new fiscal year;

Section 23.61 Quotas or Set-asides

We will not use quotas or set-asides as a means of obtaining ACDBE participation.

SUBPART E – OTHER PROVISIONS

Section 23.71 Existing Agreements

We will assess potential for ACDBE participation when an extension or option to renew an existing agreement is exercised, or when a material amendment is made. We will use any means authorized by part 23 to obtain a modified amount of ACDBE participation in the renewed or amended agreement.

Section 23.73 Privately-Owned or Leased Terminal Buildings (Not Applicable)

Section 23.75 Long-Term Exclusive Agreements

We will not enter into a long-term and exclusive agreements for concessions without prior approval of the FAA Regional Civil Rights Office. We understand that a "long-term" agreement is one having a term of longer than 5 years. We understand that an "exclusive" agreement is one in which an entire category of a particular business opportunity is limited to a single business entity. If special, local circumstances exist

that make it important to enter into a long-term and exclusive agreement, we will submit detailed information to the FAA Regional Civil Rights Office for review and approval.

Section 23.79 Geographic Preferences

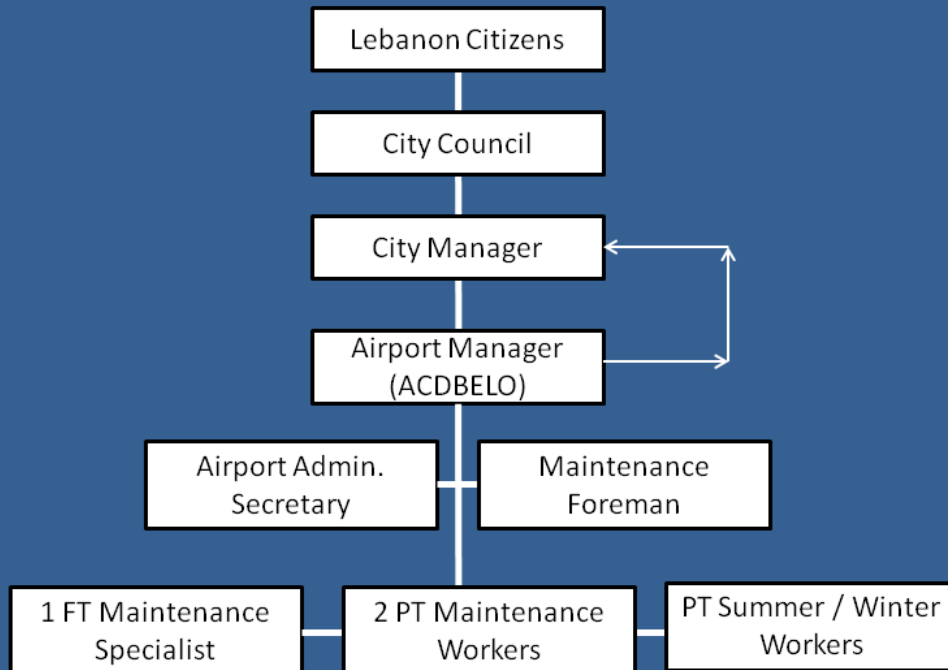
We will not use a “local geographic preference”, i.e., any requirement that gives an ACDBE located in one place (e.g., your local area) an advantage over ACDBEs from other places in obtaining business as, or with, a concession at your airport.

ATTACHMENTS

| | |
|---------------|---|
| Attachment 1 | Organizational Chart (Page 19) |
| Attachment 2 | DBE/ACDBE Directory (or website link) (Page 20) |
| Attachment 3 | New Hampshire and Vermont UCPs |
| Attachment 4 | Monitoring and Enforcement Mechanisms |
| Attachment 5 | Overall Goal for Concessions other than Car Rental Calculation, Consultation, Breakout of Estimated Race-Neutral & Race-Conscious Participation |
| Attachment 5 | Overall Goals for Car Rentals Calculation, Consultation, Breakout of Estimated Race-Neutral & Race-Conscious Participation |
| Attachment 6 | Form 1 & 2 for Demonstration of Good Faith Efforts |
| Attachment 7 | Certification Application Forms |
| Attachment 8 | Procedures for Removal of ACDBEs Eligibility |
| Attachment 9 | State’s UCP Agreement |
| Attachment 10 | Regulations: 49 CFR Part 23 |
| Attachment 11 | Goals and Elements for Privately-Owned or Leased Terminal Buildings |

Attachment 1

LEB Airport Management



Attachment 2

DBE Directory

NH DBE Directory:

<https://www.nh.gov/dot/org/administration/ofc/documents/dbe-directory.pdf>

VT DBE Directory

<http://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/directory>

Airport Minority Council (AMAC) ACDBE Directory:

<https://amac.dbedirectory.com/FrontEnd/VendorSearchPublic.asp?TN=amac&XID=4602>).

Attachment 3
New Hampshire and Vermont UCPs

New Hampshire UCP: <https://www.nh.gov/dot/org/administration/ofc/dbe.htm>

Vermont UCP: <http://vtrans.vermont.gov/civil-rights>

Attachment 4

Monitoring and Enforcement Mechanisms

The Recipient has several remedies available to enforce the ACDBE requirements contained in its contracts.

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the ACDBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR part 23 and 2 CFR parts 180 and 1200
2. Enforcement action pursuant to 49 CFR part 31; and
3. Prosecution pursuant to 18 USC 1001.

The Recipient will implement various mechanisms to monitor program participants to ensure they comply with Part 23, including, but not limited to the following:

1. The Recipient will insert the following provisions into concessions agreements and management contracts:
 - A. It is the requirement of the Federal Department Of Transportation (DOT) that Disadvantaged Business Enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of concession agreements with the City of Lebanon - Lebanon Municipal Airport. Consequently, the DBE requirements of 49 CFR Part 23 are hereby included in this Agreement. Concessionaire agrees to comply with the requirements of any such regulations applicable to this Agreement. Furthermore, Concessionaire agrees to submit information at the request of City concerning the DBE(s) that may participate in this agreement. This information will include the name and address of each DBE, a description of the work to be performed by each named DBE, and the dollar value of the DBE's contracted participation. The Concessionaire will also provide information as requested by City describing the purchase or lease of goods and services from DBE(s) including, but not limited to, the purchase or lease of automobiles, fuel, tires, maintenance, and janitorial services, and other services.
 - B. In the event of breach of any of Concessionaire's duties contained in this Paragraph (), subparagraphs (), the City shall have the right to terminate this Agreement and to re-enter and repossess the facilities and hold the same as if said Agreement had never been made or issued, provided, however, that the Concessionaire shall have the right to contest said alleged breach under applicable procedures, and any sanctions under or termination of this Agreement shall be withheld pending completion of such

procedures; and provided, however, that the Concessionaire will pursue these applicable procedures with diligence and dispatch.

2. Recipient will implement the following additional monitoring and compliance procedures.
 - None.
3. We will implement our compliance and monitoring procedures as follows:
 - Each year we will review leases and determine compliance with any DBE requirements. Since the Airport is small and the number of concessionaires is small; informal contact is easy and frequent. Informal meetings are held with concessionaires as needed.

Attachment 5

Section 23.45: Overall Goal Calculation for Concessions Other Than Car Rentals

Amount of Goal (submit if average annual gross receipts exceed \$200,000) (Not Needed As Other-Than-Car-Rental Revenue is less than \$200,000)

Gross Receipts (Revenue) for Previous 3 Years – Other Than Car Rental Concessions

| Fiscal Year | Soda / Vending | ATM | Concessions Revenue 1/ |
|--|-----------------------|------------|-------------------------------|
| 2014 | \$1,758 | \$1,270 | \$3,028 |
| 2015 | \$1,303 | \$1,050 | \$2,353 |
| 2016 | \$1,341 | \$1,000 | \$2,341 |
| Total | | | \$7,722 |
| Average | | | \$2,574 |
| 1/ Does not include advertising in terminal because no revenue is generated. Does not include Car Services (other than rental cars) because no revenue data are available. | | | |

Attachment 6

Section 23.45: Overall Goal Calculation for Car Rentals

Amount of Goal *(submit if average annual gross receipts exceed \$200,000)*

Name of Recipient:

Lebanon Municipal Airport

Goal Period: October 1, 2017 – September 30, 2020 (FFY 2017 – 2020)

Overall Three-Year Goal:

3% to be accomplished through 0% RC and 3% RN as

The Recipient has determined that its market area is Western, NH and eastern Vermont (specifically Grafton and Sullivan counties in New Hampshire and Windsor and Orange counties in Vermont).

The market area is the geographical area in which the substantial majority of firms which seek to do concessions business with the airport are located and the geographical area in which the firms receive a substantial majority of concessions related revenues are located.

Base of Car Rental Goal

To calculate the base of the goal Recipient considered the previous 3 years of gross concession receipts and the projected potential concession revenue (gross receipts) three years into the future including upcoming new opportunities. Gross revenues were calculated based monthly revenue reports from the Car Rental firms.

Gross Receipts (Revenue) for Previous 3 Years - Car Rental Concessions

| Fiscal Year | Concessions Revenue |
|--------------------|----------------------------|
| 2014 | \$1,151,938 |
| 2015 | \$1,304,079 |
| 2016 | \$1,238,473 |
| Total | \$3,694,490 |
| Average | \$1,231,497 |

The Recipient does not anticipate any major changes that would increase or decrease concession revenues over next three years. Therefore, the recipient's base of goal is the average car rental revenue of \$1,231,497.

The City is not aware of any DBE Car Rental firms, as any car rental firms operating at the airport in past years have been national affiliates (e.g. Avis, Hertz, Enterprise, etc.). There is no known market of DBE Car Rental firms.

There are also no known data to show historic expenses by the airport's Car Rental firms, e.g., Goods and Services such as Insurance, Automobiles, Automobile Repairs, etc.

If a new concession opportunity arises prior to the end of this goal period and the estimated average of annual gross revenues are anticipated to be \$200,000 or greater, the Recipient will submit to the FAA an appropriate adjustment to the overall goal. This will be submitted to FAA for approval no later than 90 days before issuing the solicitation for the new concession opportunity. (23.45(i)).

Methodology used to Calculate Overall Goal

Goods and Services

We can meet the percentage goal by including the purchase from ACDBEs of goods and services used by the airport's Car Rental firms. The dollar value from purchases of goods and services from ACDBEs may be added to the numerator, and the dollar value from purchases of goods and services from all firms (ACDBEs and non-ACDBEs) may be added to the denominator.

Step 1: 23.51(c)

From other ACDBE plans, we determined the NAICS codes applicable to those firms that would be providing goods and services to the airport's Car Rental firms. We then reviewed the US Census – County Business Patterns data for the 4-county area described previously and determined the number of firms that matched the relevant NAICS codes. We consulted the New Hampshire DOT and Vermont AOT directories and the Airport Minority Advisory Council of DBE firms that matched those same NAICS codes. This would show the number of DBE firms in the area that may be expected to serve the airport's Car Rental companies. Lastly, the number of DBE firms that matched the NAICS codes was divided by the total number of firms that matched the NAICS codes to estimate the percentage of Car Rental expenses for goods and services that could be expected to be spent on DBEs.

| NAICS | Description | Total In Market | | |
|--------|---|-----------------|----------|----------|
| | | 1/ | ACDBE 2/ | ACDBE 3/ |
| 423120 | Motor Vehicle Supplies and New Parts Merchant Wholesalers | 4 | 0 | 0 |
| 424720 | Gasoline Wholesalers | 1 | 0 | 0 |
| 441110 | Automobile Dealers, New Only or New Or Used | 4 | 0 | 0 |
| 441310 | Parts | 4 | 0 | 0 |
| 441320 | Tire Dealers | 4 | 0 | 0 |
| 453210 | Office Supplies | 3 | 0 | 0 |
| 488410 | Wrecker / Towing | 3 | 0 | 0 |
| 488490 | Other Support Activities For Road Transportation | 0 | 2 | 0 |
| 611430 | Management Development Training | 3 | 0 | 0 |
| 811111 | Auto Repair | 4 | 2 | 0 |
| 811121 | Upholstery, Paint, Body, Interior | 4 | 0 | 0 |
| 811122 | Auto Glass | 1 | 0 | 0 |
| 811191 | Oil Change & Lube | 2 | 0 | 0 |
| 811192 | Auto Washing | <u>4</u> | <u>0</u> | <u>0</u> |
| Total | | 41 | 4 | 0 |
| | | | 9.8% | 0.0% |

- 1/ : Source US Census County Business Patterns
- 2/: Source: New Hampshire and Vermont DBE Directories.
- 3/: Source: Airport Minority Advisory Council (AMAC) website.

In the County Business Patterns data were 41 relevant goods and services businesses, and only 4 (9.8%) relevant goods and services businesses that were DBE. The only relevant DBE businesses were two providing Support Activities For Road Transportation and two Auto Repair businesses.

Review of the New Hampshire and Vermont DBE directories showed the following regards to ACDBEs.

| | NH DBE Directory | VT DBE Directory |
|--------------------------|---|------------------|
| ACDBE Firms In State | 2 (Computer Services & Food Service Management) | 0 |
| ACDBE Firms Out Of State | 2 (Insurance & Gift Shops) | 0 |

Step 2: 23.51(d)

After calculating a base figure of the relative availability of ACDBEs, we examined evidence to determine what adjustment was needed to the Step 1 base figure in order to arrive at the overall goal.

Of the 14 categories above; only two categories has DBE firms. As such, the Recipient feels it would be an excessive burden to place a 9.8% DBE burden on the airport's Car Rental firms for procuring their goods and services. Due to the limited availability of certified ACDBEs in the area in the State DBE directories and the AMAC website; the Recipient feels a more realistic goal for car rental firms would be 3% of goods and services. Our overall goal for the airport's Car Rental firms for purchase of their goods and services is 3%.

Past History Participation

The Recipient does not have any data on recent ACDBE goals or conformance.

PUBLIC PARTICIPATION**Consultation:** Section 23.43.

Prior to submitting this goal to the FAA, Recipient consulted with the following stakeholders:

1. The Recipient called the NH Department Of Transportation - Office Of Federal Compliance and the Vermont Agency Of Transportation – Civil Rights Program , and was told that neither agency provided a directory or information on ACDBEs..
2. J.D. Larosiliere – Avis, 603-298-7753 agreed that our goals are reasonable.
3. Kelly Leighton Carbino - Hertz 603-298-8254 agreed that our goals are reasonable.
4. George Sylvester – Enterprise 603-540-2294 agreed that our goals are reasonable.

In conclusion, all three factors were looked at and none of them warranted an adjustment to Step 1 calculation, so the final goal is 3 %.

A summary of the information these stakeholders provided is as follows:

- No other comments were received.

**Breakout of Estimated Race-Neutral & Race Conscious Participation For Car
Rental Concessions**
Section 23.51

The Recipient will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating ACDBE participation. The Recipient has not had an ACDBE program in recent years so there is no historic information relating to past efforts in meeting ACDBE goals.

However, the Recipient will do the following measures to optimize ACDBE Car Rental participation:

1. Consult with the current two on-airport and one off-airport Car Rental firms to gain a better understanding of their requirements for goods and services and the process used for the procurement of those items.
2. Identify ACDBEs and other small businesses that appear to be supplies to the Car Rental trade through use of the New Hampshire and Vermont DBE Directories and consult with relevant stakeholders in the designated market and ensure that those businesses are aware of (a) the goods and services requirements of the Rental Car concessions at LEB and this ACDBE program.

A review of the NH and VT DBE directories relative to the availability of potential ACDBEs that may be potential suppliers to the Car Rental trade at LEB suggests that goal attainment through race-neutral means will be challenging at best. This fact, combined with no recent historical data regards to ACDBE participation at the airport will lead to the inclusion of contract goals in all Rental Car leases at LEB and the reliance on those goals for the attainment of the overall goal for Rental Car participation. However, we estimate that our entire overall goal of 3% for Car Rental firms will be met by race-neutral measures.

3. The Recipient will use the following race-neutral measures. We understand that we will be expected to actually take these steps, and this is not merely a paper exercise.
 1. Locating and identifying ACDBEs and other small businesses who may be interested in participating as concessionaires under 49 CFR Part 23;
 2. Notifying ACDBEs in the Lebanon Airport area defined above, of concession opportunities and encouraging them to compete, when appropriate;
 3. When practical, structuring concession activities so as to encourage and facilitate the participation of ACDBEs;
 4. Ensuring that competitors for concession opportunities are informed during pre-solicitation meetings about how the sponsor's ACDBE program will affect the procurement process; and
 5. Providing information concerning the availability of ACDBE firms to competitors to assist them in obtaining ACDBE participation.

If we project that race-neutral measures, standing alone, are not sufficient to meet an overall goal, we will use the following race-conscious measures to meet the overall goal:

1. We will establish concession-specific goals for particular concession opportunities.
2. We will negotiate with potential concessionaires to include ACDBE participation through direct ownership arrangements or measures, in the operation of the concession.

In order to ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination, if we use concession specific goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual ACDBE participation (see 26.51(f)) and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral ACDBE participation includes, but is not necessarily limited to, the following: ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures; ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal; ACDBE participation on a prime contract exceeding a concession specific goal; and ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

We will maintain data separately on ACDBE achievements in those contracts with and without concession specific goals, respectively.

Attachment 7

Forms 1 & 2 for Demonstration of Good Faith Efforts

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

FORM 1: AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) UTILIZATION

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

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

_____ The bidder/offeror (if unable to meet the ACDBE goal of _____%) is committed to a minimum of _____% ACDBE utilization on this contract and submitted documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: _____

State Registration No. _____

By _____ Title _____
(Signature)

FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Name of ACDBE firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Description of work to be performed by ACDBE firm:

The bidder/offeror is committed to utilizing the above-named ACDBE firm for the work described above. The estimated dollar value of this work is \$ _____.

Affirmation

The above-named ACDBE 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/offeror 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 ACDBE subcontractor.)

Attachment 8

ACDBE Certification Application Form

www.fyleb.com

Attachment 9

Procedures for Removal of ACDBEs Eligibility

The Recipient is using the New Hampshire UCP and the Vermont USP to certify firms as DBE. The procedures for removal of a DBE firm as required by the New Hampshire DOT and the Vermont AOT shall be followed in this program.

New Hampshire: https://www.nh.gov/dot/org/administration/ofc/dbe_overview.htm

Vermont:

<http://vtrans.vermont.gov/sites/aot/files/civilrights/documents/dbe/VTransDBEProgram.pdf> (Page 28)