

**EAST ALABAMA REGIONAL PLANNING  
AND DEVELOPMENT COMMISSION  
TRANSPORTATION DEPARTMENT  
DISADVANTAGED BUSINESS ENTERPRISE  
(DBE) PROGRAM**

**POLICY STATEMENT**

The East Alabama Regional Planning and Development Commission (“EARPDC”) hereby establishes a Disadvantaged Business Enterprise (DBE) Program (“Program”) in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26 for Areawide Community Transportation System (ACTS). This program is described in this DBE (Disadvantaged Business Enterprise) Plan ("Plan"). The EARPDC has received Federal financial assistance from the Federal Transit Administration (FTA), and as a condition of receiving this assistance, the EARPDC has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the EARPDC to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in USDOT–assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of USDOT–assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for USDOT-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 USDOT assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

The Program Manager has been delegated as the DBE Liaison Officer. In that capacity, that individual is responsible for implementing all aspects of the DBE Program and Plan. Implementation of the DBE Program and Plan is accorded the same priority as compliance with all other legal obligations incurred by the EARPDC in its financial assistance agreements with the cities of Anniston, Oxford, Jacksonville, Weaver, Hobson City and the Calhoun County Commission for the ACTS.

The EARPDC has disseminated this policy statement to all officials impacted by this Plan and all of the components of the organization. This policy statement has been or will be distributed to DBE and non-DBE business communities that may perform work for the EARPDC on USDOT-assisted contracts for the ACTS via public notice of the policy adoption.

## **SUBPART A – GENERAL REQUIREMENTS**

### **Section 26.1 Objectives**

The objectives of the DBE Program are found in the policy statement on the first page of this Plan.

### **Section 26.3 Applicability**

The EARPDC is the recipient of federal transit funds authorized by 49 U.S.C. 5307, 49 U.S.C. Section 5339 Funds and Section 5307 American Rescue Plan.

### **Section 26.5 Definitions**

The EARPDC adopts the definitions contained in 49 CFR Part 26.5 for this Program and Plan.

### **Section 26.7 Non-discrimination Requirements**

The EARPDC 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 this DBE program, the EARPDC 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**

Pursuant to USDOT: 49 CFR Part 26.11(b), as a FTA recipient, the EARPDC will report DBE participation to USDOT on a semi-annual basis, using the Uniform Report of DBE Commitments/Awards and Payments. These reports will reflect payments actually made to DBEs on USDOT-assisted contracts for the Transportation Department.

### **Bidders List: 26.11(c)**

The EARPDC will create a bidders list from its own information and supplemented by the ALUCP DBE List. The list will include information about all DBE and non-DBE firms that bid or quote on USDOT-assisted contracts for ACTS. The purpose of this requirement is to enable any required use of the bidder's list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms.

The EARPDC will collect this information in the following ways:

1. A solicitation-specific "tally sheet" showing all participating vendors under competitive EARPDC USDOT-assisted contract will be prepared with additional information identifying each responding vendor as a DBE or non-DBE. This solicitation-specific information will then be

used to assemble and maintain a master list of all vendors responding as potential prime contractors to EARPDC-assisted contracts for ACTS. The master list will include all the specific information items cited above, and will be supplemented with information obtained from the Alabama Department of Transportation certified DBE vendor list.

2. A contract clause will be included in all EARPDC-assisted contracts for the ACTS requiring prime bidders to report the names, addresses, and DBE status of all firms who quote to them on subcontracts, and the value of each specific subcontract awarded. This contract-specific information will then be used to assemble and maintain a master list of all vendors responding as potential subcontractors under EARPDC-assisted contracts for the ACTS. The master list will include all the specific information items cited above.

### **Section 26.13 Federal Financial Assistance Agreement**

EARPDC has signed the following assurances, applicable to all USDOT-assisted contracts for the ACTS and their administration:

#### Assurance: 26.13(a)

EARPDC shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. EARPDC 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 EARPDC 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 EARPDC of its failure to carry out its approved program, the EARPDC may impose sanction as provided for under 49 CFR 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 & Sanctions: 26.13(b)

*EARPDC will ensure that the following clause is placed in every DOT-assisted contract it signs with a contractor and subcontract:*

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

1. Withholding monthly progress payments;
2. Assessing sanctions; and/or
3. Disqualifying the contractor from future bidding as non-responsible.

Subrecipients must similarly require that each DOT-assisted contract that is signed with a contractor (and each subcontract that the prime contractor signs with a subcontractor) includes the above assurances.

## **SUBPART B - ADMINISTRATIVE REQUIREMENTS**

### **Section 26. 21 DBE Program Updates**

Since the EARPDC has received a grant of \$250,000 or more in FTA planning capital, and or operating assistance in a federal fiscal year, the ACTS will continue to carry out this program until all funds from USDOT financial assistance have been expended. We will provide to USDOT updates representing significant changes in the program.

### **Section 26. 23 Policy Statement**

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

### **Section 26. 25 DBE Liaison Officer (DBELO)**

The following individual has been designated as the EARPDC DBE Liaison Officer for the ACTS:

Shane Christian, Program Manager, EARPDC, 1130 Quintard Avenue Suite 300, Anniston, Alabama 36202.

Phone: 256-237-6741; E-mail: [shane.christian@earpdc.org](mailto:shane.christian@earpdc.org)

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

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO will have access to the full staff within the Legal Department 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 USDOT.

2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works 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 USDOT-assisted solicitations, and to identify measures intended to enable goal fulfillment.
6. Participates in pre-bid/proposal meetings under USDOT-assisted solicitations.
7. Advises the cities on DBE matters and achievement.
8. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
9. Plans and participates in DBE training seminars.
10. Acts as liaison to the Uniform Certification Process in Alabama.
11. Provides outreach to DBEs and community organizations to advise them of opportunities.
12. Maintains the EARPDC's process and information as described in the "Bidder's List" section of this document.

### **Section 26.27 DBE Financial Institutions**

It is the policy of the EARPDC 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 contract to make use of these institutions. We have made the following efforts to identify and use such institutions: search the ALDOT DBE Directory. None have been identified in Calhoun County.

### **Section 26.29 Prompt Payment Mechanisms**

The EARPDC will include the following clause in each USDOT-assisted prime contract in which the EARPDC participates:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than ten (10) calendar days from the receipt of each payment the prime contract receives from EARPDC. The prime contractor agrees further to return retainage payments, if applicable, to each subcontractor within ten (10) calendar days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the

EARPDC. This clause applies to both DBE and non- DBE subcontracts.

### **Section 26.31 Directory**

The EARPDC will utilize the State of Alabama Unified Certification Program to identify firms eligible to participate as DBEs for applicable USDOT-assisted procurements. The DBELO will be responsible for advising firms of the certification process associated with the Unified Certification Program.

### **Section 26.33 Over-concentration**

The EARPDC has not identified that over-concentration exists in the types of work that DBEs perform.

### **Section 26.35 Business Development Programs**

EARPDC has not established a business development program specifically tailored to the development of individual business enterprises for the Department of Transportation.

### **Section 26.37 Monitoring and Enforcement Mechanisms**

The EARPDC 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 USDOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the USDOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by monitoring field operations subsequent to award.
4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract or subcontract award.

## **SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING**

### **Section 26.43 Set-asides or Quotas**

The EARPDC does not use quotas in any way in the administration of this DBE program.

### **Section 26.45 Overall Goals**

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 2 to this program. This section of the program will be updated as the Federal Transit Administration requires.

In accordance with Section 26.45(f) the EARPDC will submit its overall goal to USDOT on an annual basis as determined by the applicable operating administration. Before establishing the overall goal each year, the EARPDC will consult with pertinent parties to obtain information concerning the availability of disadvantaged and non- disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the EARPDC's efforts to establish a level playing field for the participation of DBEs in EARPDC's contracts. EARPDC asked several local organizations that have access to minority owned, women owned, and other small local businesses to provide comment to the proposed goal and methodology and share information concerning the availability of disadvantaged and non-disadvantaged businesses, the effect of discrimination on opportunities for DBEs, and their efforts to establish a level playing field for the participation of DBEs. The Commission emailed the DBE Methodology and Goal for FY 2023-2025 to:

Calhoun County Chamber of Commerce  
Linda Hearn  
[lindah@calhouchamber.com](mailto:lindah@calhouchamber.com)

JSU Small Business Development Center  
Ken Grissom  
[kgrissom@jsu.edu](mailto:kgrissom@jsu.edu)  
Lindsey Frey  
[lsfrey@jsu.edu](mailto:lsfrey@jsu.edu)

West Anniston Business Association  
Tikoma Miller  
[tycoma.miller@bellsouth.net](mailto:tycoma.miller@bellsouth.net)

The proposed DBE Methodology and Goal is posted on the EARPDC website: [www.earpdc.org](http://www.earpdc.org) and shared on the transit Facebook page. The goal is made available for public inspection and comment during normal business hours, 8:00 am until 5:00 pm c.s.t., Monday – Friday at the offices of the East Alabama Regional Planning and Development Commission, 1130 Quintard Avenue, Suite 300, Anniston, AL 36201. The DBE Methodology and Goal will be distributed at the monthly Transit Advisory Board meeting scheduled for September 13, 2022. The meeting, open to the public, held monthly, will have its agenda reflect an opportunity for public comment specifically related to the DBE Methodology and Goal.

A screen shot of the webpage (<https://www.earpdc.org/dbe-goal/>) is below

## DISADVANTAGED BUSINESS ENTERPRISE GOAL

### PUBLIC NOTICES

East Alabama Regional Planning and Development Commission  
Areawide Community Transportation System

#### Disadvantaged Business Enterprise Goal

The East Alabama Regional Planning and Development Commission (EARPDC) transit program, Areawide Community Transportation System (ACTS) has established a Disadvantaged Business Enterprise (DBE) goal in accordance with DBE regulations and the Federal Transit Administration. The proposed DBE goal is .28%. The goal applies to EARPDC's contracts with federal transit funding and through federal fiscal years 2023-2024-2025.

The DBE goal and our methodology to establish the goal are available on EARPDC's website <https://www.earpdc.org/transportation-services/> You may also review the goal and methodology at the offices of EARPDC, 1130 Quintard Ave. Suite 300, Anniston, AL 36201 Monday through Friday 8:00 am until 5:00 pm.

The ACTS of EARPDC welcomes your comments and suggestions that may revise our proposed DBE goal. EARPDC will accept verbal and/or written comments on the proposed DBE goal through September 16, 2022.

 [DBE Methodology and Goal FY 2023-2025](#)

Our contact information:

 **SHANE CHRISTIAN**  
PROJECT DIRECTOR

 Email Shane  
 Call Shane | 256.237.6741

 **HEATH COMPTON**  
SENIOR HUMAN SERVICES COORDINATOR

 Email Heath  
 Call Heath | 256.237.6741

The DBE Methodology and Goal will be open for discussion during the Transit Advisory Board meeting on Tuesday September 13, 2022 at 9:00 am.

### Helpful Resources

[Apply for an RLF Loan](#)

[Area Agency on Aging](#)



The EARPDC will begin using its overall goal on October 1 of each year, unless other instructions are received from USDOT. If the EARPDC establishes a goal on a project basis, the EARPDC will begin using the goal by the time of issuance of the first solicitation for a USDOT-assisted project contract.

#### **Section 26.49 Transit Vehicle Manufacturers Goals**

The EARPDC will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, the EARPDC may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

#### **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 3 to this program. This section of the program will be updated whenever the goal calculation is required to be updated.

#### **Section 26.51 (d-g) Contract Goals**

The EARPDC will use contract goals to meet any portion of the overall goal the EARPDC 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. The EARPDC will establish contract goals only on those USDOT- assisted contracts in which the EARPDC participates that have subcontracting possibilities. A goal will not be established for 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). The EARPDC will express the contract goals as a percentage of the total amount of a USDOT- 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.

The DBELO 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 being in essential compliance with the pertinent contractual requirements.

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

### **Information to be submitted (26.53(b))**

EARPDC treats bidder/offeror compliance with good faith efforts requirements as a matter of responsibility.

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

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

### **Administrative reconsideration (26.53(d))**

Within five (5) working days of being informed by the EARPDC that it is not determined to be responsible because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offeror should make this request in writing to the EARPDC's Attorney. 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 the reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. The EARPDC 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 EARPDC.

### **Good Faith Efforts when a DBE is replace on a contract (26.53(f))**

EARPDC 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 EARPDC contract with another certified DBE, to the extent needed to meet the contract goal. EARPDC 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, the EARPDC will require the prime contractor to obtain EARPDC's 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, the EARPDC may issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the EARPDC may initiate a termination of the EARPDC contract for default.

### **Sample Bid Specification:**

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the EARPDC to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of \_\_\_\_\_ has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26, 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 (5) if the contract goal is not met, evidence of good faith efforts.

### **Section 26.55 Counting DBE Participation**

The EARPDC will count DBE participation toward overall and contract goals for the Transportation Department as provided in 49 CFR 26.55.

## **SUBPART D – CERTIFICATION STANDARDS**

### **Section 26.61 – 26.73 Certification Process**

ALDOT, a member of the ALUCP, will use the certification standards of Subpart D of 49 CFR Part 26 to determine the eligibility of firms to participate as DBEs on DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. ALDOT will make its certification decisions based on the facts as a whole.

For detailed information on applying for certification, the certification process, and certification standards, firms may contact ALDOT DBE Contract Manager, or they may contact any certifying participant in the ALUCP by visiting [www.dot.state.al.us](http://www.dot.state.al.us) →Doing Business →ALUCP DBE List.

The ALDOT DBE Program can be contacted at:

**Ms. Walter Carr  
DBE Contract Manager  
Alabama Department of Transportation  
Disadvantaged Business Enterprise (DBE) Program**

**1409 Coliseum Blvd, Suite G-101  
Montgomery, AL 36110**

**(334) 242-6238 or 1-888-297-5305**

ALDOT's certification application forms and documentation requirements are found by visiting [www.dot.state.al.us](http://www.dot.state.al.us) →Doing Business →ALUCP DBE List and in Attachment 6: Certification Application Forms of this document.

## **SUBPART E – CERTIFICATION PROCEDURES**

### **Section 26.81 Unified Certification Programs**

The EARPDC utilizes the Unified Certification Program (UCP) administered by the State of Alabama. The UPC will meet all of the requirements of this section.

### **Section 26.83 Procedures for Certification Decisions**

As directed by the terms and conditions associated with the State of Alabama's UCP.

## **SUBPART F – COMPLIANCE AND ENFORCEMENT**

### **Section 26.109 Information, Confidentiality, Cooperation**

The EARPDC will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law. Vendors are advised that the State of EARPDC has a very comprehensive public disclosure process, and it can be assumed that a document provided to a public official will generally be subject to release upon request by a third party.

### **Monitoring Payments to DBEs**

The EARPDC may require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of a contract with the EARPDC. These records will be made available for inspection upon request by any authorized representative of the EARPDC or DOT. This reporting requirement also extends to any certified DBE subcontractor.

The EARPDC may perform interim audits of EARPDC contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

**SUBPART G - INCORPORATION OF SMALL BUSINESS IN CONTRACTING OPPORTUNITIES**

When the total of a construction contract or a bus purchasing contract exceeds, \$2,000,000, the EARPDC will establish a race-neutral small business set-aside to ensure that projects let to bid utilizing Federal Transit Funding will require each successful bidder to utilize one or more and will establish—

(1) Separate percentage goals for using small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business and women-owned small business concerns as subcontractors.

(2) A statement of the total dollars planned to be subcontracted and a statement of the total dollars planned to be subcontracted to small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business and women-owned small business concerns.

(3) A description of the principal types of supplies and services to be subcontracted and an identification of types planned for subcontracting to small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.

(4) A small business is defined as a concern with total annual receipts of \$33.5 million or less, and/or less than 100-500 employees.

The EARPDC will also ensure that micro-purchases, those less than \$10,000 will utilize small businesses wherever possible.

**Type of Vendors utilized by the EARPDC size standards for SBA programs by NAICS Industry Codes.**

	<b>NAICS Code</b>	<b>NAICS U.S. Industry Title</b>	<b>Size standard (Million Dollars)</b>	<b>Size Standard # of employees</b>
<b>1)</b>	236220	Commercial & Institutional Building Construction		
<b>2)</b>	238220	Plumbing, Heating & Air Conditioning Contracts		
<b>3)</b>	334111	Electronic Computer Manufacturing		
<b>4)</b>	334220	Radio & Television Broadcasting & Wireless Communication Equipment Manufacturer		
<b>5)</b>	334220	Radio & Television		

		Broadcasting & Wireless Communication Equipment Manufacturer		
<b>6)</b>	336991	Motorcycle, Bicycle & Parts Manufacturing		
<b>7)</b>	423850	Service Establishment Equipment & Supplies Merchant Wholesalers		
<b>8)</b>	424120	Stationery & Office Supplies Merchant Wholesalers		
<b>9)</b>	424720	Petroleum & Petroleum Products Merchant Wholesalers		
<b>10)</b>	485113	Bus & Other Vehicle Motor Transit Systems		
<b>11)</b>	517122	Agents for Wireless Telecommunications Services		
<b>12)</b>	524126	Direct Property & Casualty Insurance Carriers		
<b>13)</b>	541850	Indoor & Outdoor Display Advertising		
<b>14)</b>	561622	Locksmiths		
<b>15)</b>	561720	Janitorial Services		
<b>16)</b>	561730	Landscaping Services		
<b>17)</b>	811111	General Automotive Repair		

## **ATTACHMENTS**

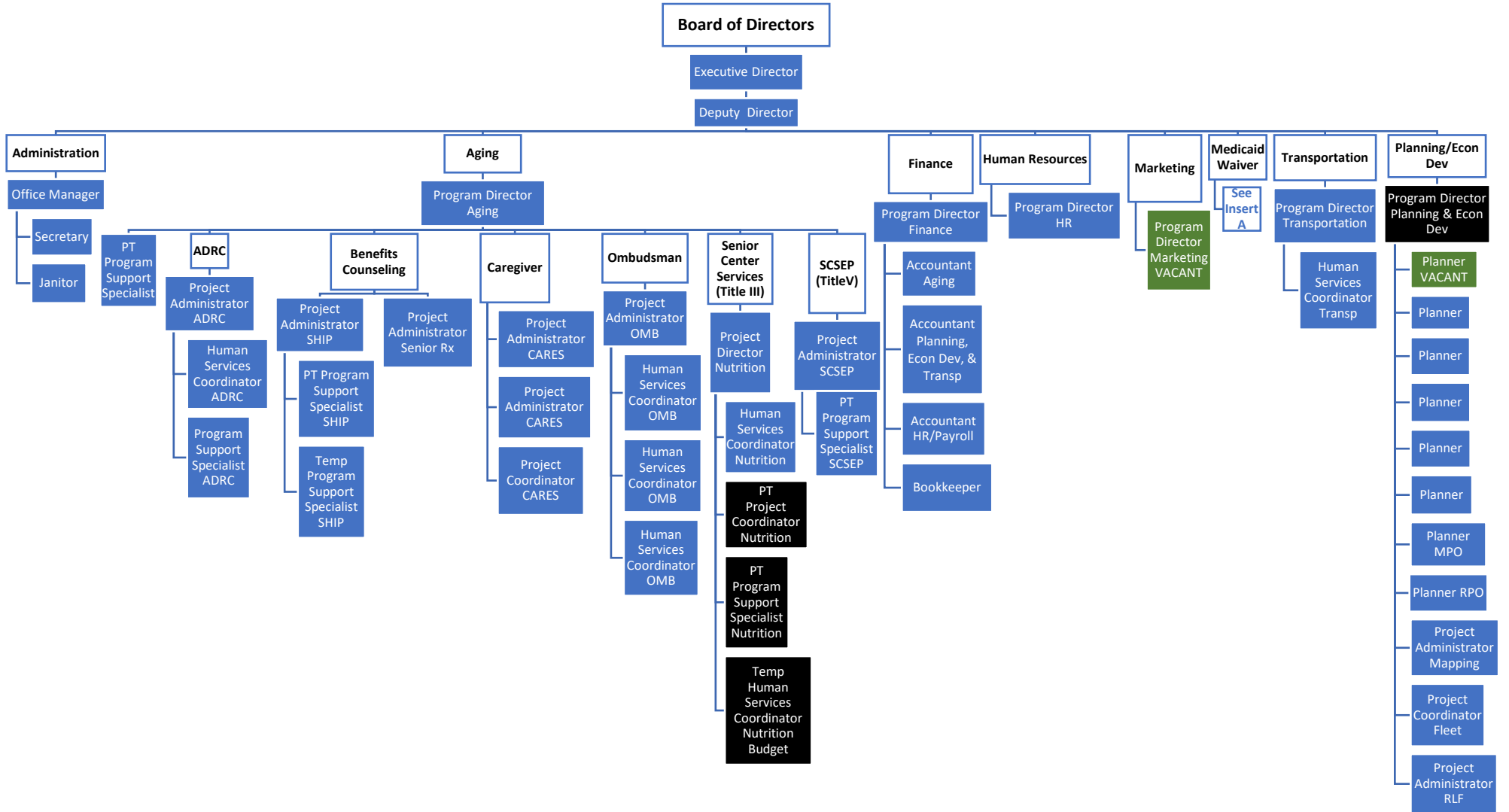
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- Alabama UCP Directory (Sample Page)
- Goal Methodology 2023 - 2025



# ORGANIZATIONAL PLAN

-Staffing-

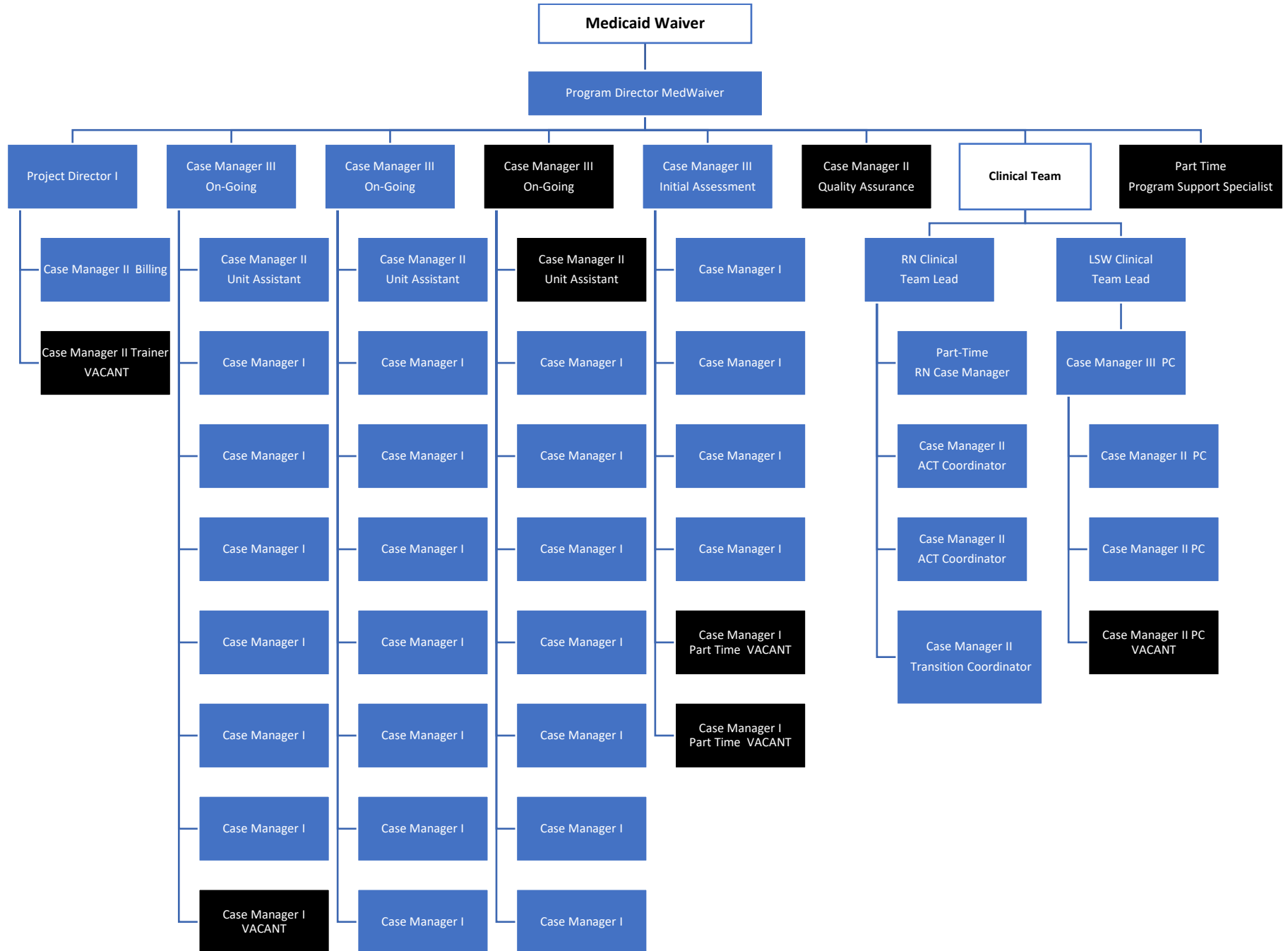
East Alabama Regional Planning and Development Commission



# ORGANIZATIONAL PLAN

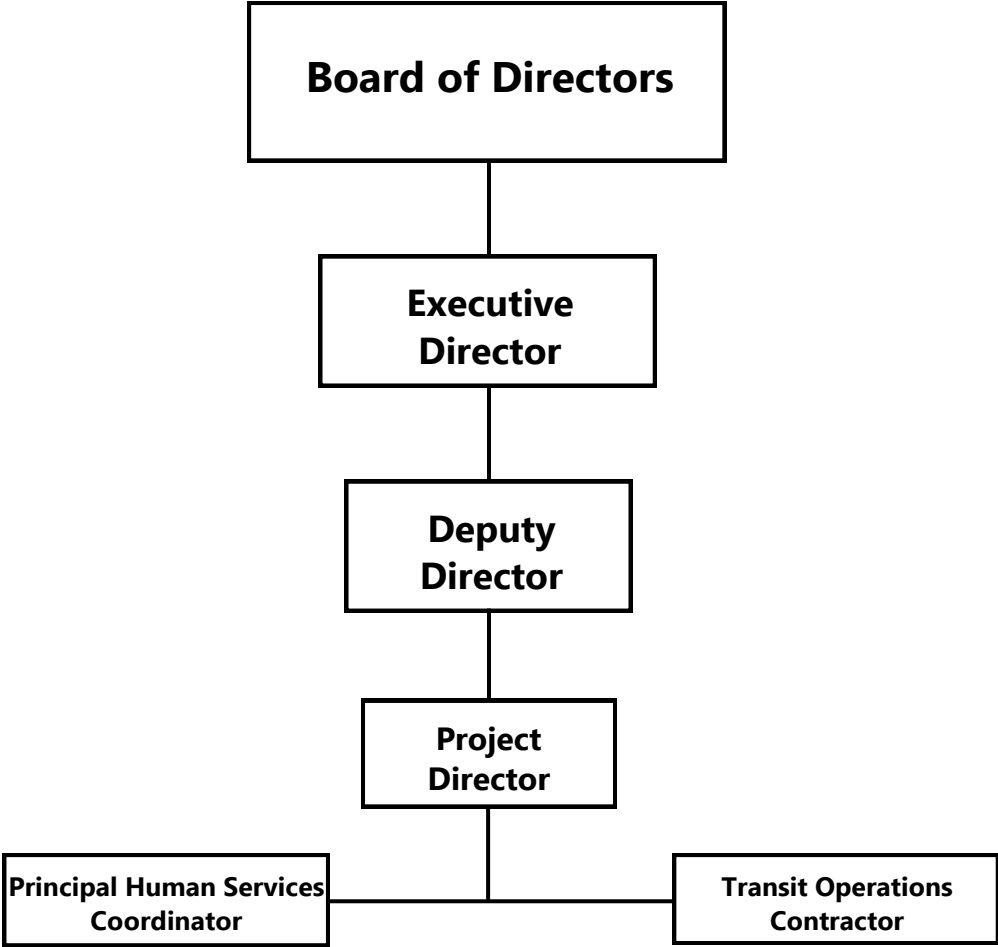
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HCBS Case Management Department of Aging and Disability Services



# East Alabama Regional Planning and Development Commission

## Transit Organizational Chart



Company Name	Contact	Address 1	Address 2	City	State	Zip Code	Phone	Fax	Email	Website
A CUSTOMER'S POINT OF VIEW, INC.	EVELYN ARNETTE BULL JOURNEY	522 HIGHWAY #1 EAST SUITE 164 PO BOX 7345		MCDONOUGH HUNTSVILLE	GA	30252	(770)288-2171	256-721-1900	ethoosce@bceview.com	www.amesourcesupplyand.com
A METRO SERVICE & TELECOM										
A NATIONAL LIMOUSINE SERVICE, INC. A VIEW2 ITS, INC.	DARRELL ANDERSON PATRICK HENRY	1990 METROPOLITAN PARKWAY 3221 NEW MACLAND ROAD SUITE 200-113		ATLANTA POWDER SPRINGS	GA	30315	(404)762-3007 (678)697-2753	404-762-5007 678-567-2753	danderson@nationallimo.com sales@view2its.com	www.nationallimo.com view2its.com
A. G. CALLINS INSPECTION SERVICES A. THOMAS LAW GROUP, LLC	ALDRICH G. CALLINS ALEXIS THOMAS	8836 VALLEY HILL DRIVE ONE PERIMETER PARK SOUTH, SUITE 100N		BIRMINGHAM BIRMINGHAM	AL	35206	205-836-3757	205-836-0098	agcallins@agcallins.com alexa@thomaslawgroup.com	www.agcallins.com www.freshstartatabama.com
A.G. GASTON CONSTRUCTION CO., INC. A.J. SMITH APPRAISAL SERVICES, INC.	WALTER HOWLETT A.J. SMITH	270 W 20th STREET NORTH, SUITE 150 226 HOLMES AVENUE SUITE 600		BIRMINGHAM HUNTSVILLE	AL	35203	(256)986-1850	205-876-1138	whowlett@agaston.com asmith@agaston.com	www.agaston.com
Abacus Construction Supply, Inc.	DEBRA ROCKWAY	PO Box 30899		Portland	OR	97030	(503)919-0128	503-620-5786	debb@basupply.net	www.basupply.net
AAA INSPECTION SERVICES, LLC	GREGORY WALKER	312 CRAWFORD STREET		FAIRFIELD	RI	05064	(401)283-9793	205-637-4829	greg@aaainspect.com	www.aaainspect.com
AAA QUEEN BEE CONSTRUCTION, INC.	PAMELA STEWERT-ALBERTSON	8656 Hickory Hill Trail		Morenoville	NC	27551	(760)813-8012	812-585-3763	aaaqueenbee@gmail.com	www.aaaqueenbee.com
ARSON BOONE TRUCKING, INC.	ARSON TIMOTHY BOONE	25271 RAWLS ROAD		LOVELY	AL	36551	251-984-8028	251-984-7308	arboone@arsontrucking.com	www.arsontrucking.com
ABBE JONES CONSULTING, PSC	ABBE JONES	1022 FONTAINE ROAD		LEXINGTON	KY	40502	(859)559-3343		abbie@abbie-tones.com	www.abbie-tones.com
ABEIL LLC	ANTHONY ADAMS	511 Spaulding NW		HUNTSVILLE	AL	35816	256-704-1788		antony@abeil.com	www.abeil.com
ABSOLUTE SOLUTIONS ARS, LLC	REBEKAH REGISTER	PO BOX 35746		PANAMA CITY	FL	32412	850-258-8782		register@absolutesolutions-ars.com	www.absolutesolutions-ars.com
AC DISASTER CONSULTING, LLC	ALYSSA CARRIER	2865 LAKE SHORE DRIVE		ARLINGTON	TX	76013	(840)367-8094		acarrier@acdisaster.com	www.acdisaster.com
ACACIA INDUSTRIES, LLC	CARLA MAYNARD	11507 OLD MANSFIELD ROAD		KEITHVILLE	LA	71047	318-470-1917	318-925-6709	carla@aciacorps.com	www.acaciaindustries.net
ACAP DRYWALL SUPPLY, INC	KENNETH O'CONNOR	3924 W. NORFOLK DRIVE		JACKSON	MS	39209	601-386-1196	601-366-7606	keno@acapsupply.com	www.acapsupply.com
ACCRESCENT MARKETING, LLC	ELUCIE CARTER	865 GALLANT WAY		SUWANEE	GA	30024	(404)850-4046		ecarter@accescentmarketing.com	www.accescent.com
ACSENTIAL TECHNOLOGIES, INC.	DEIDRE BROWN	PO BOX 312425		ATLANTA	GA	31132245	(404)349-9030	404-349-8848	deidre@acsential.com	www.acsential.com
ADAMS GRADING CO., INC	JUDY ADAMS	2971 LOVORN MIL ROAD		WACO	GA	30182	770-258-7876		adamsgrading@aol.com	www.adamsgrading.com
ADELPH SERVICES GROUP, LLC	CHARLES HORTON	3715 NORTH LAKE PKWY		ATLANTA	GA	30327	(256)924-4348		charles.horton@adelphservices.com	www.adelph.com
ADEPT TECHNOLOGIES, LLC	CHAD W. FIELDER	5838 Research Park Blvd NW		HUNTSVILLE	AL	35806	256-851-2932	251-851-2937	chad@adep.com	www.adep.com
ADVANCED ENVIRONMENTAL CONSULTANTS, INC.	JACKSON	5450 EXECUTIVE PLACE SUITE 2 A		JACKSON	MS	39206	601-362-1788		djackson@advancedenvironmental.com	www.advancedenvironmental.com
ADVANCED PLANNING SERVICES, LLC	GAYNELLE JACKSON	PO BOX 170327		BIRMINGHAM	AL	35217	(205)856-2776		gajackson@aplanning.com	www.aplanning.com
ADVANTAGE BUSINESS BROKERS, LLC	DAVID BISHOP	2305 FAMILY DRIVE		AUTTAUGVILLE	AL	36003	(334)216-2338		support@advantagebusinessbrokers.com	www.advantagebusinessbrokers.com
ADVANTAGE CONSULTING AND SOLUTIONS, LLC	KELVIN SELDON	102 COMMERCE DRIVE		ENTERPRISE	AL	36330	(334)475-0256		kelvin@advantagesolutions.com	www.advantagesolutions.com
ADVANTAGE GLOBAL LOGISTICS, INC.	MAUREEN POWERS	20 MAZZEO DRIVE, SUITE 224		RANDOLPH	MA	02368	(781)886-3822		maureen.powers@andamstarmail.com	www.andamstarmail.com
ADW TRUCKING, LLC	ANTHONY WILLIAMS	P.O. Box 3540		Semmes	AL	36675	(251)377-5154		adwtruck@gmail.com	www.adwtruck.com
AEROSTAR ENVIRONMENTAL & CONSTR. LLC	MICHAEL BOCK	106 Floyd Carter Court, STE 11		Oak Ridge	TN	37830	865-481-7837	865-481-0292	mbock@aerostar.net	www.aerostar.net
AFFILIATED MKTG LLC dba 24 COMMUNICATION	JENNIFER SOLT	423 S. HULL STREET, STE 201		MONTGOMERY	AL	36104	334-356-2426		csolt@24.com	www.24.com
AG HICKS CONSULTING, LLC	QWENDOLYN HICKS	8400 ALFORD CIRCLE		LITHONIA	GA	30058	(678)994-1492	678-609-1373	ahicks@agconsulting.com	www.agconsulting.com
AGRIUM PROJECT RESOURCES, LLC	CHARLES AGUIRRE	2955 WOOD LAKE TRAIL		GRAND PRAIRIE	TX	75054	972-293-6919	972-293-6919	charles.a@agrium.com	www.agrium.com
ARFORD INTERNATIONAL, LLC	RODERICK LEMON	14405 WALTERS ROAD STE. 1002		HOUSTON	TX	770141367	713-589-9888	281-764-1266	roderick@arf.com	www.arf.com
ARHCO ELEC. LLC	BEN GLENN	5215 VALLEY CREST DRIVE #127		CONCORD	NC	27015	(703)519-1149		ben@arhco.com	www.arhco.com
ARFIELD, ETC., INC.	SHERIE POOLE	3629 PRESPECT ROAD		MEMPHIS	TN	38118	901-362-3210	901-795-5519	sherie@arfield.com	www.arfield.com
ARPORT CONTRACTORS SERVICES LLC	SHERIE HARTMAN	5407 S STATE ROAD 434 UNIT #9504		ALTIMONTA SPRINGS	FL	32710	(904)262-1137		sherie@arport.com	www.arport.com
ARQUEST ENVIRONMENTAL, INC.	TRACIANNE BOYLE	6851 SW 45th STREET		FT LAUDERDALE	FL	33314	954-724-5449		tracianne@arquest.com	www.arquest.com
AJA MGT & TECHNICAL SERVICES, INC.	ANDREW JENKINS	912 N WEST STREET		ALBUQUERQUE	NM	87102	601-352-8800	601-352-8807	ajenkins@ajateservices.com	www.ajateservices.com
AKEMA CONSTRUCTION, INC.	ERIC MCGARR	1711 WEYMOUTH LAKE		HUNTSVILLE	AL	35894	(256)844-1034	256-721-6515	emcgar@akemaconstruction.com	www.akemaconstruction.com
ALABAMA COMMERCIAL MAINTENANCE CO., LLC	DAVID E. HUBBARD	348 Pleasant Grove Rd		Pleasant Grove	AL	35127	(205)632-4477		hubbard@alabamainst.com	www.alabamainst.com
ALABAMA INDUSTRIAL SUPPLIES & SERVICES	WLFRED L. TAYLOR	3648 VANN ROAD, STE 116		BIRMINGHAM	AL	35094	205-578-0043		wfaylor@alabamaindustrial.com	www.alabamaindustrial.com
ALABAMA TRAFFIC SYSTEMS, INC.	NANCY OWEN	3 WEST PARK DRIVE		BIRMINGHAM	AL	35211	205-943-0384		nancy@alabamatraffic.com	www.alabamatraffic.com
ALEGNA TECHNOLOGIES, INC.	ANGELA CABRERA	3700 KENNESAW S. INDUSTRIAL DR. NW		BIRMINGHAM	GA	30144	770-855-3328		acabrera@AlegnaTechnologies.com	www.AlegnaTechnologies.com
ALL N1 TRAFFIC CONTROL SOLUTIONS, LLC	MARY H PARKER	3915 CASCADE ROAD SW, SUITE 240		ATLANTA	GA	30331	404-681-4915	404-691-3279	mhparker@alln1.com	www.alln1.com
ALL PRO CLEANING SERVICE, LLC	LEQUIN CALLEN	1029 KELLY DRIVE		BIRMINGHAM	AL	35235	(205)760-0044		lcallen@allpro.com	www.allpro.com
ALLIED SECURITY SERVICES, INC.	MARY H. PARKER	3915 CASCADE ROAD SW, SUITE 240		ATLANTA	GA	30331	404-681-4915	404-691-3279	mhparker@alliedsecurity.com	www.alliedsecurity.com
ALLIANCE STRATEGIES CONSULTING, LLC	DANIELLE L. CROWE	400-4		COLLEGE PARK	GA	30046	(404)662-1128		dcrowe@alliances.com	www.alliances.com
ALLOI STEEL CORPORATION, INC.	CANDACE TATE	210 COMMERCE STREET		SARASOTA	FL	35711	(251)875-7570		candace@alloisteel.com	www.alloisteel.com
ALLIED SPORTS SERVICE GROUP, INC.	TROY OWENS	1029 HAWTHORNE CREEK DRIVE		CHULA VISTA	CA	91914	(619)852-6767		troy@alliedsports.com	www.alliedsports.com
ALL WORLD PROJECT MANAGEMENT, LLC	MICHAEL HOOKS, JR.	80 N B. KING BLVD		MEMPHIS	TN	38103	901-481-2985		mhooks@allworld.com	www.allworld.com
ALP OPERATIONS LLC	LENTA PRICE	645 WHEATLEWOOD ROAD		MONTGOMERY	AL	36117	(334)528-6677		lprice@alpoperations.com	www.alpoperations.com
ALPINE SYSTEMS, INC.	KATHLEEN CONE	1029 DEAN HILL ROAD		MEMPHIS	VT	05751	(802)422-3008		kcone@alpine.com	www.alpine.com
AM GEOTECHNICAL, INC.	ASHOK MANGLA	7520 TURNBERRY WAY		DULUTH	GA	30098	770-844-0964		amangla@amgeo.com	www.amgeo.com
AMERICAN CONSULTING, LLC	ELIOTE JACK ROATMAN	8652 W. WINDYBROOK ROAD		MOBILE	AL	36682	914-422-8038		erootman@americanconsulting.com	www.americanconsulting.com
AMERICA'S BEST CONCRETE CONSTRUCTION, LLC	SANDRA REEDER	2211 Kewley Way		BIRMINGHAM	AL	35242	205-288-0028	205-823-0002	reeder@americasbestconcrete.com	www.americasbestconcrete.com
AMERICAN CONSTRUCTION SUPPLIES, INC.	MELISSA THIEL	2373 60th AVENUE		OSCEOLA	WI	54020	(651)235-3325		melissa@americanconstruction.com	www.americanconstruction.com
AMERICAN CUSTOM MANUFACTURING, INC.	LEE OTS BURTON	1528 CLINCH STREET NE		CLEVELAND	TN	37311	423-476-5599	423-476-4360	lburton@americancustom.com	www.americancustom.com
AMERICAN SHORING, INC.	KELLI WILSON	PO BOX 7		CONLEY	GA	30288	(404)366-6879		kwilson@americanshoring.com	www.americanshoring.com
ANASTASIA BRENNAN COMMUNICATIONS GROUP, LLC	ANASTASIA BRENNAN	249 YACHT CLUB DRIVE		NICEVILLE	FL	32578	850-228-2667		swallace@anabcomm.com	www.anabcomm.com
ANDERSON TECHNICAL SOLUTIONS, LLC	MICHAEL ANDERSON	PO BOX 678		LITHA Chicago	IL	33547	(314)363-6205		michael@anderson.com	www.anderson.com
ANDREA MCNEIL, LLC	ANDREA MCNEIL	1645 West Ogden Avenue Unit 22		Chicago	IL	60612	504-621-2444		andrea@mcneil.com	www.mcneil.com
ANGELO HAULING, LLC	GERALD ASHFORD	5768 PICKETS TRILE		PHOENIX	AL	35126	(205)218-6062		angelohauling@gmail.com	www.angelohauling.com
ANNE MORRIS AND ASSOCIATES, LLC	ANNE MORRIS	425 HOLLY STREET		CONCORD	NC	27027	(703)525-3265		anne@annemorris.com	www.annemorris.com
APPLE DESIGNS, INC.	JESSICA GRAY	3739 NATIONAL DRIVE STE 228		RALEIGH	NC	27612	(301)434-4500	301-434-4500	jessica@apple-designs.com	www.apple-designs.com
AQUA DESIGN SYSTEMS, INC.	ROBERT CHANCY	207-A JEFF DAVIS PLACE		FAYETTEVILLE	GA	30214	678-300-8628		robert@aquadesignsystems.com	www.aquadesignsystems.com
ARC ALTERNATIVE & RENEWABLE CONSTR. LLC	LONNIE COPLIN	PO BOX 453		CRAGSMOOR	NY	12420	(917)577-4838		lonnie.coplin@arc-ny.com	www.arc-ny.com
ARCTIC TESTING & INSPECTION, LLC	JIM HILDEBRANDT	1501 W. Fountainhead Parkway Suite 509		Tempe	AZ	85282	281-456-8000	281-456-6526	jhildebrandt@arctic.com	www.arctictesting.com
ARELUSY TECHNOLOGIES, LLC	TERESA MANN	2801 QUEENSTOWN ROAD, SUITE 109		Birmingham	AL	35173	205-588-8008	866-588-0850	teresa@arelusy.com	www.arelusy.com
ARMAND RESOURCE GROUP, INC.	GREGORY A. JENFER	ONE UNIVERSITY PLAZA, SUITE 314		HACKENSACK	NJ	07601	201-357-8725		gjenfer@armand.com	www.armand.com
ARS MECHANICAL	SADAT NICHOLS	1941 GEES MILLS ROAD		CONYERS	GA	30013	770-760-1533		sad@arsmech.com	www.arsmech.com
ASAKURA ROBINSON COMPANY, LLC	KEIJI ASAKURA	2560 Summer St., Suite 3228		HOUSTON	TX	77007	713-337-6830		keiji@asakura-robinson.com	www.asakura-robinson.com
ASHTON AND COMPANY, INC.	LESLIE BRYAN	PO BOX 407		SARASOTA	AL	36571	251-680-4093	251-410-5601	leah@ashtonandco.com	www.ashtonandco.com
ASP INDUSTRIES, INC.	SUZANNE M. PHILLIPS	9 EVELYN STREET		ROCHESTER	NY	14606	585-254-9130	585-254-9139	sphilips@aspindustries.com	www.aspindustries.com
ASSOCIATED COST ENGR. OF DELAWARE, INC.	JAJA WADE	801 NORTH PINE HILLS ROAD		ORLANDO	FL	32808	(407)704-7803	407-704-7937	jwade@associatedcost.com	www.associatedcost.com
ATHENA CONSTRUCTION GROUP, LLC	GRETCHEN ORRIN	COLLEGE PARK		COLLEGE PARK	GA	30337	404-768-7975		gretchen.orrin@athenaconstruction.com	www.athenaconstruction.com
ATKINS & GOOLSBY, INC.	JUSTINE ATKINS	1128 Eastlake Blvd., Suite 110		Birmingham	AL	35217	205-849-1090		atkinsandgoolsby@gmail.com	www.atkinsandgoolsby.com
ATLANTIC MERIDIAN CONTRACTING CORP.	KENNETH CANTY	1101 CHATHAM PARKWAY		SAVANNAH	GA	31408	913-230-1179		ken@atlanticmeridian.com	www.atlanticmeridian.com
ATLANTIC PETROLEUM	1445 LOOP N #42			HOUSTON	TX	77028	(281)232-0775		atlanticpetroleum.com	www.atlanticpetroleum.com
ATWOOD FENCE COMPANY, INC.	KAY ATWOOD VAN SKIVER	PO BOX 565		KOSCIUSKO	MS	39090000	662-289-6338	662-289-7463	diane@atwoodfence.com	www.atwoodfence.com
AUTOREZE, LLC	DWIGHT ARMBURST, JR.	PO BOX 1633		COLOMBIA	SC	29022	(717)272-4477		dwight@autoreze.com	www.autoreze.com
AUTOTREAD, INC.	FRANK M. BILLIE	5962 LINDSEY DRIVE		STONE MOUNTAIN	GA	30087	(770)312-6815		frank@autotread.com	www.autotread.com
AVIATION ALLIANCE, INC.	CARL COLVIN	224 3rd AVENUE S		BIRMINGHAM	AL	35233	205-915-8155		carl@aviationalliance.com	www.aviationalliance.com
AVIATION ALLIANCE, INC.	SHIRLEY A. ROBERTS	PO BOX 799		COLLETTVILLE	TX	76034	817-498-0388	817-281-1867	shirley@aviationalliance.com	www.aviationalliance.com
AVIATION MANAGEMENT, LLC	WALLACE COLEMAN	910 Gtlin Avenue		WILMINGTON	DE	19806	(302)543-7403	302-543-7403	wcoleman@aviationmanagement.com	www.aviationmanagement.com
AWICK ENTERPRISES, INC.	CHAD HINES	PO BOX 2483		HUNTSVILLE	AL	35804	(256)656-7367		chad@awick.com	www.awick.com
B & L ASSOCIATES, INC.	LARRY WILLIAMS	4520 ALLATER ROAD		MONTGOMERY	AL	36108	334-244-1970	334-271-1851	lwilliams@b-l.com	www.b-l.com
B & M ROOFING & CONSTRUCTION, LLC	MUHAMMAD SIDDIQI	13170 AIRPORT BLVD		MOBILE	AL	36688	(251)376-7663		msiddiqi@b-m.com	www.b-m.com
B & P MANAGEMENT & SUPPORT SERVICES, LLC	OCEANNA PAPPLION	P.O. Box 491132		Lawrenceville	GA	30049	706-533-3348		admin@bpmanagement.com	www.bpmanagement.com
B & R PROJECT MANAGEMENT, INC.	BARBARA COLEMAN	7192 S. PERTH STREET		AURORA	CO	80016	303-394-2998	720-747-1001	bcoleman@br.com	www.br.com
B TOPS LANDSCAPING, INC.	BOBBY BENNETT	4255 CARMICHAEL ROAD		MONTGOMERY	AL	36106	334-845-7194	334-272-8003	bennett@bstops.com	www.bstops.com
BABBS ENGINEERING CONSULTANTS, LLC	TORRIS J. BABBS	1302 Noble Street, Suite 1D		Aniston	AL	36201	256-405-5001	888-835-6707	torris@babbs.com	www.babbs.com
BALDWIN ACCOUNTING SERVICES, LLC	LUCINDA BALDWIN	109 TEAL TRAIL		DOthan	AL	36305	(334)396-0600		lucinda@baldwin.com	www.baldwin.com
BALZHARZ ELECTRICS	FAUSTINA TINA BALZHARZ	3620 D HEMECOURT STREET		NEW ORLEANS	LA	70119	504-881-6590	504-891-5580	fbalzharz@balzhaz.com	www.balzhaz.com
BAMA PEST										

East Alabama Regional Planning and Development Commission  
Federal Transit Administration Disadvantaged Business Enterprise Methodology and Goal FY  
2023-2025

**Introduction**

In accordance with Federal Regulation 49 CFR §26.45(f)(3), the East Alabama Regional Planning and Development Commission (hereinafter referred to as “the Commission” or “the EARPDC”) submits its three-year Disadvantaged Business Enterprise (DBE) goal for FY 2023-2025 on projected contracting opportunities funded by the Federal Transit Administration (FTA) along with the methodology and supporting documentation for review.

EARPDC provides 4-route fixed-route transportation in the cities of Anniston, Oxford, Weaver, and Hobson City Alabama, along with Paratransit services within the cities, and public demand response in the urbanized unincorporated areas of Calhoun County. The service is the Areawide Community Transportation System (ACTS). The service area is an Urbanized Area of fewer than 200,000. The Commission awards a prime contract exceeding \$250,000 in federal fund annually and is therefore required to prepare and submit the DBE Methodology and Goal.

EARPDC has not previously been required to have a DBE Methodology and Goal. EARPDC has always been a sub-recipient of the State of Alabama Department of Transportation (ALDOT). The Commission has been subject to the ALDOT goal and reported its semi-annual DBE report to ALDOT. This document represents the first DBE Methodology and Goal submitted by EARPDC to FTA.

The EARPDC FTA DBE Goal & Methodology plan for FY 2023-2025 explains the Commission’s goal-setting process and methods, public outreach process and administration of the goal. In accordance with Section 26.45 of Part 26, the DBE goal-setting process requires the establishment of a base figure for the relative availability of DBEs in the market; describing the evidence with which it was calculated; making adjustments to and adjusting that figure to make it as precise as possible, where appropriate; and describing the evidence relied upon for such adjustments. As an extension of this process, Section 26.45 requires that the Commission must also include the project of the portions of the overall goal you expect to meet through race-neutral and race-conscious measures.

EARPDC shall make every effort to maximize DBE utilization on all contracts with FTA funding. If future projects are approved which contain additional construction or consulting related services, the Commission shall ensure measures are put in place for DBEs to obtain a level of utilization appropriate to the type of work absent discrimination.

**The Regulatory Mandate**

Pursuant to the United State Department of Transportation (USDOT) 49 CFR § 26.45, EARPDC will submit to the FTA the DBE goal and methodology at three-year intervals. This process is intended to address the following objectives of the DBE program as defined by 49 C.F.R. Part 26.1:

- Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- Ensure that the DOT's DBE program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs;
- Help remove barriers to the participation of DBEs in DOT-assisted contracts;
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
- Provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

EARPDC can make mid-cycle adjustments to its DBE goal if the Commission experiences circumstances that have a significant impact on the current stated goal. Any mid-cycle adjustment does not take effect until approved by the FTA.

#### Overview of the Goal-Setting Process

In order to produce accurate calculation and applicable methodology of the overall goal, EARPDC employed the 2-step process set forth in Section 26.45 of Part 26; the base figure for the relative availability of DBEs and any adjustments to the base figure based on available evidence.

To calculate Step-one, EARPDC can choose one or more of the following approaches:

- Use DBE Directories and Census Bureau Data.
- Use a bidders list.
- Use data from a disparity study.
- Use the goal of another DOT recipient.
- Alternative methods.

Method Selected: 49 CFR § 26.45 EARPDC chose the following to establish base goal: Alabama Department of Transportation Unified Certification Directory (ALUCP Directory), the United States Census Bureau Data and Bid Lists.

#### **FTA-Assisted Contracting Program for FY 2023-2025**

To determine if EARPDC was required to complete a DBE goal and methodology, the Commission identified the proposed FTA funded project in FY 2023-2025. EARPDC assessed that approximately \$2,056,384 in FTA funds will be used on 17 project categories throughout FY 2023-2025.

Table 1. represents the 17 categories of proposed projects, by North American Industry Classification System (NAICS) Code; amount of FTA funds proposed on the project category and the percentage of total FTA funds weighted by the project category values.

Table 1. Percent of FTA Funds by Category

	<b>NAICS Code</b>	<b>Description of Work</b>	<b>Amount of DOT funds on project</b>	<b>% of total FTA funds (weight)</b>
1)	236220	Bus Shelter Panels Repair	\$22,000.00	0.0107
2)	238220	Fire Protection	\$767.00	0.0004
3)	334111	Laptop Manufacturing	\$1,200.00	0.0006
4)	334220	GPS Tracking	\$12,000.00	0.0058
5)	334220	Cameras	\$64,000.00	0.0311
6)	336991	Bicycle Carriers	\$12,767.00	0.0062
7)	423850	Janitorial Supplest	\$4,327.00	0.0021
8)	424120	Office Supplies	\$777.00	0.0004
9)	424720	Fuel	\$160,340.00	0.0780
10)	485113	Transit Operations	\$1,352,011.00	0.6575
11)	517122	Phone	\$5,287.00	0.0026
12)	524126	Insurance	\$53,976.00	0.0262
13)	541850	Advertising	\$1,379.00	0.0007
14)	561622	Locksmith Services	\$525.00	0.0003
15)	561720	Janitorial Services	\$12,212.00	0.0059
16)	561730	Landscape Services	\$396.00	0.0002
17)	811111	Bus Maintenance	\$352,420.00	0.1714
	<b>Total FTA-Assisted Contracts</b>		<b>\$2,056,384.00</b>	<b>1.0000</b>

Based on the proposed level of \$2,056,384.00 in FTA allocations in FY 2023-2025, EARPDC prepared the DBE Goal and Methodology for FY 2023-2025.

**Overall DBE Goal Methodology**

Step 1: Determination of a Base Figure

To determine the DBE Base Figure, EARPDC had to first identify the availability of DBEs, the numerator, and the availability of non-DBE’s, the denominator.

- ⇒ For the numerator: DBEs found in the Alabama Department of Transportation Unified Certification Directory
- ⇒ For the denominator: Non-DBEs and DBEs found in the 2020 US Census County Business Patterns Data

To establish the base figure of the relative availability of DBEs to all comparable firms (DBE and Non-DBEs) available to propose on the FY 2023-2025 FTA assisted contracting opportunities, EARPDC had to identify its local market area in which potential DBEs and non-DBEs would be sought to bid on the 17 categories of proposed project opportunism. To define the local market area, EARPDC looked at where the majority of EARPDC’s vendors are that do business with the Commission’s urban transit program. The result was that the majority are from

2 counties: Calhoun and Etowah Counties. EARPDC considered expanding to Jefferson County, but looking at procurement history, the majority of contracting is in Calhoun and Etowah Counties.

EARPDC used the ALUCP Directory to identify the availability of DBEs that matched with any of the 17 NAICS codes and within the local market area. There were 5 identified DBEs. 5 became the numerator. EARPDC then sought the availability of non-DBEs in the 2 counties that matched the same 17 NAICS codes. Using the 2020 US Census County Business Patterns Data and bid lists 333 firms were found. The 333 + 5 became the denominator.

To determine the overall relative availability of DBEs, the Commission divided the numerator (5) representing the ratio of ready, willing and able DBE firms, by the denominator representing all non-DBEs available and including DBEs in each NAICS code. Application for this formula is:

$$\frac{\text{DBE Firms}}{\text{All Available Firms}}$$

The resulting data set for the numerator and denominator are:

$$\frac{5}{338}$$

EARPDC further divided the numerator by the denominator; per each NAICS Code to establish the “Relative Availability” percentage of DBEs, also known as establishing the Step 1 base figure.



Table 2. Base Goal

	NAICS Code	Project	Number of DBEs available to perform this work	Number of firms available (including DBEs)	Relative Availability
1)	238150	Bus Shelter Panel Repair	0	0	0.0000
2)	238220	Fire Protection	0	59	0.0000
3)	334220	GPS Tracking	0	9	0.0000
4)	336390	Bicycle Carriers	0	2	0.0000
5)	423850	Janitorial Supplies	0	14	0.0000
6)	424120	Office Supplies	1	7	0.1429
7)	424720	Fuel	0	20	0.0000
8)	432430	Laptop Manufacturing	0	12	0.0000
9)	485113	Transit Operations	0	6	0.0000
10)	517122	Phone	0	4	0.0000
11)	524210	Insurance	0	61	0.0000
12)	541810	Advertising	0	9	0.0000
13)	561621	Cameras	0	8	0.0000
14)	561622	Locksmith Services	0	0	0.0000
15)	561720	Janitorial Services	2	34	0.0588
16)	561730	Landscape Services	2	40	0.0500
17)	811111	Bus Maintenance	0	53	0.0000
		Total:	5	338	1.5%

$$5 \div 338 = 1.5\% \text{ Overall Availability of DBEs}$$

EARPDC next calculated a weighted base figure to help ensure our Step 1 calculation is as accurate as possible. Application of the weighted base figure is:

Weigh (% of total FTA funds per NAICS code) x Relative Availability of DBEs = Weighted Base Figure.

Table 3 calculates the weight (Table 1) time the relative availability (Table 2) for each of the 17 work categories in order to determine the total weighted base figure.

Table 3. Weighted Base Figure

NAICS Code	Description of Work	% of total FTA funds (weight)	Times	Relative Availability	Weighted Base Figure
238150	Bus Shelter Panel Repair	0.0107	x	0.0000	0.0000
238220	Fire Protection	0.0004	x	0.0000	0.0000
334220	GPS Tracking	0.0006	x	0.0000	0.0000
336390	Bicycle Carriers	0.0058	x	0.0000	0.0000
423850	Janitorial Supplies	0.0311	x	0.0000	0.0000
424120	Office Supplies	0.0062	x	0.1429	0.0009
424720	Fuel	0.0021	x	0.0000	0.0000
432430	Laptop Manufacturing	0.0004	x	0.0000	0.0000
485113	Transit Operations	0.0780	x	0.0000	0.0000
517122	Phone	0.6575	x	0.0000	0.0000
524210	Insurance	0.0026	x	0.0000	0.0000
541810	Advertising	0.0262	x	0.0000	0.0000
561621	Cameras	0.0007	x	0.0000	0.0000
561622	Locksmith Services	0.0003	x	0.0000	0.0000
561720	Janitorial Services	0.0059	x	0.0588	0.0003
561730	Landscape Services	0.0002	x	0.0500	0.0000
811111	Bus Maintenance	0.1714	x	0.0000	0.0000
				Total	0.0012
				Expressed as a % (*100)	0.125%

The weighted based figure is expressed as 0.125%

**Step 2: Adjust the Base Figure**

In accordance with prescribed narrow tailoring provisions set forth under 49 CFR Part 26.45 Step 2: DBE Goal Adjustment guidelines, the DBE regulations direct that all available evidence must be examined to determine if an adjust to the base figure is needed before arriving at the final overall DBE goal. Evidence considered in making an adjustment to the Base Figure include Past DBE Goal Attainments, Disparity Studies, and Public Participation.

**Past DBE Goal Attainments**

EARPDC considered an adjustment to the 0.125% Step 1 Base Figure, by analyzing our historical past DBE goal attainment for FYs 2019-2020-2021. EARPDC followed the *Tips for Goal Setting in the DBE Program*, to establish the median past participation. The steps we used to determine the median past participation percentage are:

1. Arrange the past participation values in order from low to high.
2. Take the middle percentage to obtain the median past participation percentage.
3. Add the Step 1 base figure and the median past participation and divide by 2.
4. The end result is the median past participation percentage.

Table 4 displays the Commission’s past three years of DBE goal percentage attainment, and the resulting adjusted base figure when applying the median past participation steps.

Table 4. Past DBE Percentages

Fiscal Year	Total FTA Urban Funds Received	Total DBE Awards in Dollars	DBE Goal %
2019	\$592,311	\$82	0.01%
2020	\$1,253,106	\$10,597	0.85%
2021	\$1,117,154	\$4,864	0.44%
Results from arranging DBE goal percentage from low to high:			
0.01%   0.44 % 0.85%			
Results from identifying the "middle" percentage:			
0.44%			
Results of adding the base figure and the median past percentage and divided by 2:			
$0.125\% + 0.44\% = .565\% \div 2 = 0.28\%$			

Using the 3-years past participation calculations, the adjusted base figure is 0.28%

**Disparity Study**

EARPDC did not conduct a disparity study. EARPDC is a small transit program with limited FTA grants. EARPDC did research the State of Alabama to determine if there were any comparable transit agencies that had completed a disparity study for consideration in adjusting the base figure. EARPDC did not find a transit agency that had completed a disparity study. Absent a disparity study, no additional adjustment to the base figure was considered.

## **Race-Neutral/Race-Conscious**

EARPDC shall make every effort to meet the maximum feasible portion of its overall DBE goal by using race-neutral means of facilitating DBE participation. EARPDC's overall DBE goal for FY 2023-2025 is .28% race neutral. The .28% race neutral DBE goal is expressed as a percentage of FTA-assisted funds that EARPDC will expend in FY 2023-2025.

EARPDC determined the .28% adjusted based figure meets the strict scrutiny of establishing a narrowly tailored DBE goal. Further the .28% DBE goal is based on using the median past participation date that is a more accurate assessment of EARPDC's probability to meet the DBE goal. The process of determining the median of the past 3-years of DBE participation is a great indicate of future participation.

EARPDC considered the application of a race-conscious component on the .28% overall goal. EARPDC anticipated that the relatively small individual contract values and the absence of subcontracting opportunities in the 17 categories of work are the reasons why a race-conscious component is not practical and will not be applied on the .28% goal.

In conformance with 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs" EARPDC proposed to implement a strictly Race-neutral DBE Goal for FY 2023-2025. The race-neutral positioning is due in part to contract opportunities that generally do not have subcontracting opportunities to establish an individual DBE subcontract goal.

In accordance with 49 CFR 26.51(a), EARPDC will implement race-neutral measures to meet the .28% race-neutral DBE goal. The measures include but are not limited to:

- Arranging solicitations, times for presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
- Providing assistance in overcoming limitations such as inability to obtain bonding or financing (i.e. simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids and providing services to help DBE's and other small business obtain bonding and financing).
- Providing technical assistance and other services.
- Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBE's and other small business on mailing lists for bidders, ensuring the dissemination to bidders on prime contractors of lists of potential sub-contractors, and provision of information in languages other than English, where appropriate).
- Ensuring distribution of the DBE directory to the widest group of potential prime contractors.

## **Public Participation**

EARPDC asked several local organizations that have access to minority owned, women owned, and other small local businesses to provide comment to the proposed goal and methodology and share information concerning the availability of disadvantaged and non-disadvantaged

businesses, the effect of discrimination on opportunities for DBEs, and their efforts to establish a level playing field for the participation of DBEs. The Commission emailed the DBE Methodology and Goal for FY 2023-2025 to:

Calhoun County Chamber of Commerce  
Linda Hearn  
[lindah@calhouchamber.com](mailto:lindah@calhouchamber.com)

JSU Small Business Development Center  
Ken Grissom  
[kgrissom@jsu.edu](mailto:kgrissom@jsu.edu)  
Lindsey Frey  
[lsfrey@jsu.edu](mailto:lsfrey@jsu.edu)

West Anniston Business Association  
Tikoma Miller  
[tycoma.miller@bellsouth.net](mailto:tycoma.miller@bellsouth.net)

The proposed DBE Methodology and Goal is posted on the EARPDC website: [www.earpdc.org](http://www.earpdc.org) and shared on the transit Facebook page. The goal is made available for public inspection and comment during normal business hours, 8:00 am until 5:00 pm c.s.t., Monday – Friday at the offices of the East Alabama Regional Planning and Development Commission, 1130 Quintard Avenue, Suite 300, Anniston, AL 36201. The DBE Methodology and Goal will be distributed at the monthly Transit Advisory Board meeting scheduled for September 13, 2022. The meeting, open to the public, held monthly, will have its agenda reflect an opportunity for public comment specifically related to the DBE Methodology and Goal.

A screen shot of the webpage (<https://www.earpdc.org/dbe-goal/>) is below.

## DISADVANTAGED BUSINESS ENTERPRISE GOAL

### PUBLIC NOTICES

East Alabama Regional Planning and Development Commission  
Areawide Community Transportation System

#### Disadvantaged Business Enterprise Goal

The East Alabama Regional Planning and Development Commission (EARPDC) transit program, Areawide Community Transportation System (ACTS) has established a Disadvantaged Business Enterprise (DBE) goal in accordance with DBE regulations and the Federal Transit Administration. The proposed DBE goal is .28%. The goal applies to EARPDC's contracts with federal transit funding and through federal fiscal years 2023-2024-2025.

The DBE goal and our methodology to establish the goal are available on EARPDC's website <https://www.earpdc.org/transportation-services/> You may also review the goal and methodology at the offices of EARPDC, 1130 Quintard Ave. Suite 300, Anniston, AL 36201 Monday through Friday 8:00 am until 5:00 pm.

The ACTS of EARPDC welcomes your comments and suggestions that may revise our proposed DBE goal. EARPDC will accept verbal and/or written comments on the proposed DBE goal through September 16, 2022.

[DBE Methodology and Goal FY 2023-2025](#)

Our contact information:

 **SHANE CHRISTIAN**  
PROJECT DIRECTOR

 Email Shane

 Call Shane | 256.237.6741

 **HEATH COMPTON**  
SENIOR HUMAN SERVICES COORDINATOR

 Email Heath

 Call Heath | 256.237.6741

The DBE Methodology and Goal will be open for discussion during the Transit Advisory Board meeting on Tuesday September 13, 2022 at 9:00 am.

### Helpful Resources

[Apply for an RLF Loan](#)

[Area Agency on Aging](#)

**Resolution No. 6590**

**BE IT RESOLVED** by the Board of Directors of the East Alabama Regional Planning and Development Commission that the Commission's *Disadvantage Business Enterprise Program* for Section 5307 urban transit is adopted.

Passed and adopted this 20<sup>th</sup> day of March, 2024.

DocuSigned by:  
*Judge Dean*  
797BED003EAF4A5...

Richard Dean, Probate Judge Coosa County  
Chairperson

**CERTIFICATION:**

I, the undersigned, hereby certify that the foregoing is a true and correct copy of a resolution passed and adopted by the Board of Directors of the Commission stated therein, in a meeting of such Board called and held in accordance with its Bylaws and the laws of Alabama on the 20<sup>th</sup> day of March, 2024.

Witness my hand this 20<sup>th</sup> day of March, 2024.

**ATTEST:**

DocuSigned by:  
*Mayor Dana Snyder*  
4492AE3670E6438  
Dana Snyder, Mayor, City of Southside  
Secretary