

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

FOR

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT BOARD

FEDERAL FISCAL YEARS 2024 - 2026

AT

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)

MT. STERLING, KENTUCKY

Prepared By:



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Submitted to FAA: March of 2024

March 13, 2024

Ms. Renee Standing Tree
DBE/ACDBE Program Compliance Specialist
Federal Aviation Administration (FAA)
800 Independence Ave SW
Washington, DC 20591

RE: Mount Sterling-Montgomery County Airport (IOB) DBE Program, Federal FY 2024-2026

Dear Ms. Standing Tree,

The package enclosed with this letter contains the Mount Sterling-Montgomery County Airport Board's Disadvantaged Business Enterprise (DBE) Program for Federal fiscal years 2024, 2025, and 2026. This program and goal methodology report was uploaded to the FAA Civil Rights Connect website (faa.civilrightsconnect.com) on March 13, 2024, and the public comment period will close on March 27, 2024.

The Mount Sterling-Montgomery County Airport Board has established a goal of overall DBE participation of 8.5% for FY2024-2026. This goal is calculated based on the expected professional consulting and construction services to be utilized at the Airport, in Mt. Sterling, Kentucky, for the anticipated Federally-sponsored projects during the 2024-2026 triennium. My Airport Board has a long history of gratefully receiving federal funding, and it is our intention to continue that successful relationship by submitting this Triennial DBE Report for your review, to remain in compliance with 49 CFR Part 26.

At your convenience, please review the enclosed package for FAA approval and use on projects at the Mount Sterling-Montgomery County Airport (IOB). If any questions or comments arise from your review, please do not hesitate to contact me or the Board's Consultant, Plane & Simple Engineering.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catesby Woodford", with a stylized flourish at the end.

Catesby Woodford, Chairman
Mount Sterling-Montgomery County Airport Board

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INTRODUCTION

The U.S. Department of Transportation's (DOT) Disadvantaged Business Enterprise (DBE) program is implemented by recipients of DOT Federal Financial Assistance. Recipients are primarily state highway, transit, and airport agencies that receive funds subject to Title 49 Code of Federal Regulations part 26 (49 CFR 26).

DOT published Title 49 of the Code of Federal Regulations (49 CFR) Part 26 in the Federal Register on February 2, 1999, and it became effective March 4, 1999 (64 F.R. 5096). It made extensive revisions to DOT's DBE program, which was formerly codified under 49 CFR Part 23. The Final Rule to 49 CFR Part 26 was published in the Federal Register, Volume 68, No. 115 on June 16, 2003. Five (5) subsequent Final Rules to 49 CFR Part 26 were published in the Federal Register on April 2, 2007, April 3, 2009, February 3, 2010, January 28, 2011 and November 3, 2014, which made additional revisions to the regulation. The current version of the regulations is available online in the Electronic Code of Federal Regulations: <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>.

The DBE program was reauthorized by Congress several times since its inception; most recently in the Infrastructure Investment and Jobs Act, Pub. L. 117-58, November 15, 2021, 135 Stat. 429 (23 U.S.C. 101 note), Also known as the Bipartisan Infrastructure Law (BIL). The Act describes Congress's findings regarding the continued need for the DBE program due to the discrimination and related barriers that pose significant obstacles for minority and women-owned businesses seeking federally-assisted surface transportation work.

To meet the stated 8 objectives of the DBE Program Regulation, recipients of DOT funds must develop and implement a DBE program that conforms to DOT standards set forth in 49 CFR Part 23 (for airport concessionaires) and 49 CFR Part 26. The integrity of DOT's DBE program depends upon systematic procedures to ensure that only bona fide small firms, owned and controlled by a socially and economically disadvantaged individual(s), are certified to participate as DBEs in DOT federally assisted programs. The DOT DBE Regulations 49 C.F.R. Part 23 and 49 C.F.R. Part 26 place primary responsibility for the certification process upon State Transportation Agencies.

Pursuant to the regulation, the Mount Sterling-Montgomery County Airport Board, operating authority for the Mount Sterling-Montgomery County Airport (IOB), has set its annual overall DBE participation goal at 8.5% and anticipates achieving the goal in its DOT-assisted contracts by utilizing both race/gender-neutral and race/gender-conscious measures available within the parameters of the regulations. The Airport Board will also assure the following:

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 26.109.
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. Attachment 1 lists the regulation, provisions, and contract remedies available to us in the event of non-compliance with the DBE regulation by a participant in our procurement activities.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBE's at contract award is actually performed by the DBE's. This is described in Attachment 7.
4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

POLICY STATEMENT

Section 26.1, 26.23

Objectives/Policy Statement

The Mount Sterling-Montgomery County Airport Board, owner of the Mount Sterling-Montgomery County Airport (IOB), has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Airport Board has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, has signed an assurance that it will comply with 49 CFR Part 26 (hereafter referred to as "Part 26").

It is the policy of the Mount Sterling-Montgomery County Airport Board to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also policy to engage in the following actions on a continuing basis:

1. Ensure nondiscrimination in the award and administration of DOT- assisted contracts;
2. Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. Help remove barriers to the participation of DBEs in DOT assisted contracts;
6. Promote the use of DBEs in all types of federally-assisted contracts and procurement activities;
7. Assist the development of firms that can compete successfully in the marketplace outside the DBE Program; and
8. Make appropriate use of the flexibility afforded to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

The Airport Board Chairman, Catesby Woodford, has been delegated as the DBE Liaison Officer. In that capacity, he is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Airport Board in its financial assistance agreements with the Department of Transportation.

The Mount Sterling-Montgomery County Airport Board has disseminated this policy statement to the Kentucky Transportation Cabinet (KYTC) Department of Aviation, the FAA Memphis Airports District Office (ADO), the FAA Southern Region Office of Civil Rights representative, and all of the components of our organization. This statement has been distributed to DBE and non-DBE business communities that may perform work on DOT-assisted contracts. The distribution was accomplished by means of a public notice on the FAA Civil Rights Connect website. The Airport Board will accept comments from the general population for 14 days from the date of publication.


Catesby Woodford, Chairman

3-13-2024
Date

SUBPART A - GENERAL REQUIREMENTS

Section 26.1 Objectives

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

Section 26.3 Applicability

The Mount Sterling-Montgomery County Airport Board is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, et seq.

Section 26.5 Definitions

The Mount Sterling-Montgomery County Airport Board will use terms in this program that have their meanings defined in Part 26, §26.5.

Section 26.7 Non-discrimination Requirements

The Mount Sterling-Montgomery County Airport Board will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

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

Section 26.11 Record Keeping Requirements

Reporting to DOT

The Mount Sterling-Montgomery County Airport Board will provide data about its DBE Program to the Department as directed by DOT operating administrations.

DBE participation will be reported to the FAA as follows:

The Mount Sterling-Montgomery County Airport Board will transmit to the FAA annually, by or before December 1, the information required for the "Uniform Report of DBE Awards or Commitments and Payments", as described in Appendix B to Part 26. The Airport Board will similarly report the required information about participating DBE firms. All reporting will be done through FAA Civil Rights Connect official reporting system, or another format acceptable to the FAA as instructed thereby.

Bidders List

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

This information will be collected by the Mount Sterling-Montgomery County Airport Board by summarizing information received from bidding questionnaires received during the bidding process. The survey to be used in bidding documents can be found in Attachment 3.

Section 26.13 Federal Financial Assistance Agreement

The Mount Sterling-Montgomery County Airport Board has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

1. The Mount Sterling-Montgomery County Airport Board shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Mount Sterling-Montgomery County Airport Board 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 Mount Sterling-Montgomery County Airport Board 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 Mount Sterling-Montgomery County Airport Board of its failure to carry out its approved program, the Department may impose sanctions 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.).
2. The Mount Sterling-Montgomery County Airport Board will ensure that the following clause is included in each DOT-funded contract it signs with a contractor (and each subcontract the prime contractor signs with a subcontractor):

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:

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

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

The Mount Sterling-Montgomery County Airport Board is required to have a DBE program meeting the requirements of this part as it will receive grants for airport planning or development and will award prime contracts, cumulative total value of which exceeds \$250,000 in FAA funds in a federal fiscal year. The Board is not eligible to receive DOT financial assistance unless DOT has approved this DBE program and the Board is in compliance with it and Part 26. The Board will continue to carry out this program until all funds from DOT financial assistance have been expended. Additionally, the Board does not have to submit regular updates of the DBE program document, as long as it remains in compliance. However, significant changes in the program, including those required by regulatory updates, will be submitted for DOT approval.

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer (DBELO)

The following individual has been designated as the DBE Liaison Officer for the Mount Sterling-Montgomery County Airport Board:

Catesby Woodford
Board Chairman
709 Airport Road
Mt. Sterling, KY 40353
(859) 229-4943
catesby@bellsouth.net

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Mount Sterling-Montgomery County Airport Board complies with all provisions of 49 CFR Part 26. An organizational chart displaying the DBELO's position in the organization is included in Attachment 2 to this program.

The Mount Sterling-Montgomery County Airport Board consists of volunteer members, so they do not have support staff beyond their own abilities to assist with staying in compliance. The Board believes, however, in the absence of professional/permanent staff, the assistance from the below Board members is adequate for the purpose of implementing the DBE program:

1. Catesby Woodford, Chairman
2. Robert Reynolds, Vice-Chairman
3. Lisa Hill, Secretary-Treasurer
4. Bill Pirschel, Board Member
5. Tom Cannon, Board Member
6. Tom McCormick, Board Member
7. Gary Cockrell, Board Member
8. Danny Hill, Airport Manager

The duties and responsibilities of implementing the DBE program include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.

5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results.
6. Analyzes [Recipient's] progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the CEO/governing body on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Determine contractor compliance with good faith efforts.
11. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plans and participates in DBE training seminars.
13. Acts as liaison to the Uniform Certification Process. [certifying agencies only]
14. Provides outreach to DBEs and community organizations to advise them of opportunities.
15. Maintains the agency's updated directory on certified DBEs. [certifying agencies only]

Section 26.27 DBE Financial Institutions

It is the policy of the Mount Sterling-Montgomery County Airport Board to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Information was taken from the Federal Reserve Website (www.federalreserve.gov), which confirmed that there is 1 institution located within Mount Sterling or the Commonwealth of Kentucky that is owned and controlled by socially and economically disadvantaged individuals. The Mount Sterling-Montgomery County Airport Board will periodically investigate the matter of new banks being established in the community and shall implement the use of socially and economically controlled and owned facilities should it become feasible. The Airport Board shall encourage prime contractors/consultants to utilize the available institution listed below.

Metro Bank
900 S 12th Street
Louisville, KY 40210
502-778-7000

Section 26.29 Prompt Payment Mechanisms

The Mount Sterling-Montgomery County Airport Board requires that all subcontractors performing work on DOT-assisted contracts shall be promptly paid for work performed pursuant to their agreements, in accordance with all relevant federal, state, and local law.

Engineering and Professional Services

The prime consultant agrees to pay each sub-consultant under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime consultant receives from the Mount Sterling-Montgomery County Airport Board. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Mount Sterling-Montgomery County Airport Board. This clause applies to both DBE and non-DBE sub-consultants.

Construction Contracts

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from the Mount Sterling-Montgomery County Airport Board. The Airport Board shall hold retainage from prime contractors and will allow prompt and regular incremental acceptances of portions of the contract and will pay retainage to the prime contractor as a condition of these acceptances. The prime contractor, as a matter of contractual obligation shall agree to pay all retainage owed to each subcontractor within 30 days for satisfactory completion of the accepted work after the Airport Board makes payment to the prime contractor. Any delay or postponement of payment from

the above referenced time frame may occur only for good cause following written approval of the Board. This clause applies to both DBE and non-DBE subcontractors.

Section 26.31 Directory

The Mount Sterling-Montgomery County Airport Board will continue to utilize the Kentucky Transportation Cabinet's (KYTC's) Office of Civil Rights and Small Business Development directory to identify all firms eligible to perform work as a DBE. The directory is available online at the KYTC Certified DBE Directory website (<https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>). Information collected shall include: firm name, address, phone number, effective dates of DBE certification, and type of work performed by the firm that they have been certified under DBE status.

Other directories of agencies outside of KYTC may be used when a specific project requires a search for DBEs beyond the normal recruiting area. If needed, the DBELO for the Airport Board will contact the appropriate official within the targeted agency for a copy of the directory (i.e. that agency's DBELO or his/her authorized agent), and will, upon receipt, required that the Airport Board review the information contained within.

Attachment 4 of this document contains a summary of the directory used in overall DBE goal calculations.

Section 26.33 Over-Concentration

The Mount Sterling-Montgomery County Airport Board has identified that over-concentration exists in the area of work that DBE's perform.

Section 26.35 Business Development Programs

The Mount Sterling-Montgomery County Airport Board has not established a Business Development Program.

Section 26.37 Monitoring Responsibilities

The Mount Sterling-Montgomery County Airport Board implements and carries out appropriate mechanisms to ensure compliance with 49 CFR Part 26 program requirements by all program participants, including prompt payment, and describes and set forth these mechanisms in the Board's DBE program.

The Mount Sterling-Montgomery County Airport Board actively monitors participation by maintaining a running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments.

Monitoring Payments to DBEs and Non-DBEs

The Mount Sterling-Montgomery County Airport Board undertakes ongoing monitoring of prime payments to subcontractors over the course of any covered contract. Such monitoring activities will be accomplished through the following method(s):

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

Prompt Payment Dispute Resolution

The Mount Sterling-Montgomery County Airport Board will take the following steps to resolve disputes as to whether work has been satisfactorily completed for purposes of §26.29.

The Board will regularly hold progress meetings with the prime contractor and sub-contractors currently performing work on the project, at least once a month during the contract or as deemed necessary by the Airport Board. Disputes that arise as to whether work has been satisfactorily completed will be discussed and resolved during these meetings.

The Mount Sterling-Montgomery County Airport Board has established, as part of its DBE program, the following mechanism(s) to ensure prompt payment and return of retainage:

(1) A contract clause providing that the prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors are promptly paid for the work they have performed.

Prompt Payment Complaints

Complaints by subcontractors regarding the prompt payment requirements are handled according to the following procedure:

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

Enforcement Actions for Noncompliance of Participants

The Mount Sterling-Montgomery County Airport Board will provide appropriate means to enforce the requirements of §26.29. These means include any of the following:

1. In accordance with the contract, assessing liquidated damages against the prime contractor for each day beyond the required time period the prime contractor fails to pay the subcontractor.
2. Advise subcontractors of the availability of the payment and performance bond to assure payment for labor and materials in the execution of the work provided for in the contract.
3. Pay subcontractors directly and deduct this amount from the retainage owed to the prime
4. Issue a stop-work order until payments are released to subcontractors, specifying in the contract that such orders constitute unauthorized delays for the purposes of calculating liquidated damages if milestones are not met.
5. Other penalties for failure to comply, up to and including contract termination.

Monitoring Contracts and Work Sites

The Mount Sterling-Montgomery County Airport Board reviews contracting records and engages in active monitoring of work sites to ensure that work committed to DBEs at contract award or subsequently (e.g., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed. Work site monitoring is performed by the Airport Board's Consultant, Plane & Simple Engineering. Contracting records are reviewed by the Airport Board's Consultant, Plane & Simple Engineering. The Airport Board will maintain written certification that contracting records have been reviewed and work sites have been monitored for this purpose.

Section 26.39 Fostering Small Business Participation

Pursuant to the 49 CFR Part 26 Final Rule issued on January 28, 2011, all airport recipients that have a DBE Program must include a small business element in accordance with applicable law. This serves as a race and gender-neutral method to structure contracting requirements to facilitate competition and expand opportunities for small businesses, including DBEs. While this has always been an option for recipients, the rule now makes the small business element mandatory.

The Mount Sterling-Montgomery County Airport is committed to taking all reasonable steps to eliminate obstacles to small businesses that may preclude their participation in procurements as prime

contractors or subcontractors. The Board will meet its objectives using a combination of the following methods and strategies:

1. Set Asides: Where feasible, the Mount Sterling-Montgomery County Airport Board will establish a percentage of the total value of all prime contract and subcontract awards to be set aside for participation by small businesses on FAA-assisted contracts. A “set-aside” is the reserving of a contract or a portion of a contract exclusively for participation by small businesses. This requires that the Mount Sterling-Montgomery County Airport Board and its prime contractors/ consultants set aside a portion of the value of each contract for participation by small businesses. A small business set-aside is open to all small businesses regardless of the owner’s gender, race or geographic location. The project manager and DBELO will review FAA-assisted purchases and contracts to assess the small business opportunities, giving consideration to the size and scope of each purchase or contract to establish the set aside percentage. This determination will be made based on the estimated availability of small businesses able to provide the requisite scopes of work regardless of DBE status. This set aside is in addition to the DBE contract goals which may be required pursuant to applicable law or policy. In the event that a set-aside is not established on an FAA-assisted contract, the project manager and DBELO will document why a small business set-aside is inappropriate and the factors which were considered in making that determination, including project scope and estimated availability of firms.
2. Unbundling: The Mount Sterling-Montgomery County Airport Board, where feasible, may “unbundle” projects or separate large contracts into smaller contracts which may be more suitable for small business participation. The Board will conduct contract reviews on each FAA-assisted contract to determine whether portions of the project could be “unbundled” or bid separately. This determination will be made based on the estimated availability of small businesses able to provide specific scopes of work and will consider any economic or administrative burdens which may be associated with unbundling. Similarly, the Airport Board will encourage its prime contractors or prime consultants to unbundle contracts to facilitate participation by small businesses. They will assist prime contractors or prime consultants in identifying portions of work which may be unbundled and performed by small businesses. The Board will document the factors used to determine whether or not an FAA-assisted contract will be unbundled or bid separately.
3. Outreach and Technical Assistance: The Mount Sterling Airport sponsors and participates in outreach and training opportunities for small businesses through various partnerships. Furthermore, the Airport staff participates in business outreach sessions conducted by local Municipalities and non-profit agencies which are designed to introduce small and minority-owned businesses to the Airport Board’s procurement processes and practices. Additionally, the Board advertises contracting opportunities through various outlets, including local newspapers, minority-based publications, and trade publications as well as on its website.

As described above, the Airport Board will utilize a variety of methods to facilitate small business participation. In each FAA-assisted contract, the DBELO will document the method in which the small business element will be implemented (i.e. set-aside, unbundling and/or outreach) and the process by which those methods were considered.

SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-Asides or Quotas

The Mount Sterling-Montgomery County Airport Board does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

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

FAA:

https://www.faa.gov/sites/faa.gov/files/2021-12/FAAGoalsDueChart%20New_Final.pdf

The DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45. If The Mount Sterling-Montgomery County Airport Board does not anticipate awarding prime contracts the cumulative total value of which exceeds \$250,000 in DOT funds during any of the years within the three-year reporting period, an overall goal will not be developed. However, this DBE Program will remain in effect and the Airport Board will seek to fulfill the objectives outlined in 49 CFR Part 26.1.

Step 1. The first step is to determine a base figure for the relative availability of DBEs in the market area. The Mount Sterling-Montgomery County Airport Board will use DBE Directory information and Census Bureau Data as a method to determine the base figure. The Airport Board understands that the exclusive use of a list of prequalified contractors or plan holders, or a bidders list that does not comply with the requirements of 49 CFR Part 26.45(c)(2), is not an acceptable alternative means of determining the availability of DBEs.

Step 2. The second step is to adjust, if necessary, the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination. Adjustments may be made based on past participation, information from a disparity study (to the extent it is not already accounted for in the base goal), and/or information about barriers to entry to past competitiveness of DBEs on contracts. The Mount Sterling-Montgomery County Airport Board will examine all of the evidence available in its jurisdiction to determine what adjustment, if any, is needed. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

Any methodology selected will be based on demonstrable evidence of local market conditions and be designed to ultimately attain a goal that is rationally related to the relative availability of DBEs in the Airport Board’s market.

In establishing the overall goal, the Mount Sterling-Montgomery County Airport Board will provide for consultation and publication. This includes consultation with minority, women’s and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the efforts by the Airport Board to establish a level playing field for the participation of DBEs. The consultation will include a scheduled, direct, interactive exchange (e.g., a face-to-face meeting, video conference, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process, and it will occur before the Airport Board is required to submit the goal methodology to the

operating administration for review pursuant to §26.45(f). The goal submission will document the consultation process in which the Airport Board engaged. Notwithstanding paragraph (f)(4) of §26.45, the proposed goal will not be implemented until this requirement is met.

In addition to the consultation described above, The Mount Sterling-Montgomery County Airport Board will publish a notice announcing the proposed overall goal before submission to the FAA. The notice will be posted on the FAA's Civil Rights Connect official internet web site and may be posted in other sources (e.g., minority-focused media, trade association publications). If the proposed goal changes following review by the FAA, the revised goal will be posted on the official internet web site.

The public will also be informed that the proposed overall goal and its rationale are available for inspection during normal business hours at the principal office of The Mount Sterling-Montgomery County Airport Board. This notice will provide that the Airport Board and the FAA will accept comments on the goals for 14 days from the date of the notice. Notice of the comment period will include the addresses to which comments may be sent (including offices and websites) where the proposal may be reviewed. The public comment period will not extend the August 1st deadline.

The Overall Three-Year DBE Goal submission to the FAA will include a summary of information and comments received, if any, during this public participation process and The Mount Sterling-Montgomery County Airport Board responses.

The Mount Sterling-Montgomery County Airport Board will begin using the overall goal on October 1 of the relevant period unless other instructions from the FAA have been received.

Project Goals

If permitted or required by the FAA Administrator, an overall goal may be expressed as a percentage of funds for a particular grant or project or group of grants and/or projects, including entire projects. Like other overall goals, a project goal may be adjusted to reflect changed circumstances, with the concurrence of the appropriate operating administration. A project goal is an overall goal, and must meet all the substantive and procedural requirements of this section pertaining to overall goals. A project goal covers the entire length of the project to which it applies. The project goal will include a projection of the DBE participation anticipated to be obtained during each fiscal year covered by the project goal. The funds for the project to which the project goal pertains are separated from the base from which the regular overall goal, applicable to contracts not part of the project covered by a project goal, is calculated.

If a goal is established on a project basis, the goal will be used by the time of the first solicitation for a DOT-assisted contract for the project.

Prior Operating Administration Concurrence

The Mount Sterling-Montgomery County Airport Board understands that prior FAA concurrence with the overall goal is not required. However, if the FAA review suggests that the overall goal has not been correctly calculated or that the method employed by the Airport Board for calculating goals is inadequate, the FAA may, after consulting with the Board, adjust the overall goal or require that the goal be adjusted by the Board. The adjusted overall goal is binding. In evaluating the adequacy or soundness of the methodology used to derive the overall goal, the U.S. DOT operating administration will be guided by the goal setting principles and best practices identified by the Department in guidance issued pursuant to §26.9.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 5 to this program.

Section 26.47 Failure to Meet Overall Goals

The Mount Sterling-Montgomery County Airport Board cannot be penalized, or treated by the Department as being in noncompliance with Part 26, because DBE participation falls short of an overall goal, unless the Airport Board fails to administer its DBE program in good faith.

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

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

1. Analyze in detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year;
2. Establish specific steps and milestones to correct the problems identified in the analysis to enable the goal for the new fiscal year to be fully met;
3. The Mount Sterling-Montgomery County Airport Board will prepare, within 90 days of the end of the fiscal year, the analysis and corrective actions developed under paragraph (c)(1) and (2) of this section. We will retain copy of analysis and corrective actions in records for a minimum of three years, and will make it available to the FAA upon request.

Section 26.51 Means Recipients Use to Meet Overall Goals

Breakout of Estimated Race-Neutral & Race-Conscious Participation

The Mount Sterling-Montgomery County Airport Board will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating race-neutral DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

Race-neutral means include, but are not limited to the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under §26.39.
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of the DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

The breakout of estimated race-neutral and race-conscious participation can be found in Attachment 5 to this program.

The Mount Sterling-Montgomery County Airport Board will arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under §26.39.

Contract Goals

If the approved projection under paragraph (c) of §26.51 estimates that the entire overall goal for a given year can be met through race-neutral means, contract goals will not be set during that year, unless the use of contract goals becomes necessary in order meet the overall goal.

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

Contract goals will be expressed as a percentage of the total amount of a DOT-assisted contract (i.e. an adjustment will be made to apply the calculated goal to the entire project). The Mount Sterling-Montgomery County Airport Board understands that DBE goals apply only to the federally-funded portion of the contract.

Section 26.53 Good Faith Efforts Procedures in Situations where there are Contract Goals

Demonstration of Good Faith Efforts (Pre-Award)

In cases where a contract goal has been established, the contract in question will only be awarded to a bidder/offeror that has made good faith efforts to meet the contract goal. The bidder/offeror can demonstrate that it has made good faith efforts by either meeting the contract goal or documenting that it has made adequate good faith efforts to do so. 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 responsive.

The Mount Sterling-Montgomery County Airport Board will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before committing to the performance of the contract by the bidder/offeror.

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

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

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

Administrative Reconsideration

Within 7 days of being informed by the Mount Sterling-Montgomery County Airport Board that it is not responsive because it has not documented adequate good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Lisa Hill
Secretary-Treasurer
Mount Sterling-Montgomery County Airport Board
709 Airport Road
Mt. Sterling, KY 40353
(859) 585-0808
lhill1967@hotmail.com

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 the goal was met or the bidder/offeror made adequate good faith efforts to do so. The bidder/offeror will be sent a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts Procedural Requirements (Post-Solicitation)

The awarded contractor will be required to make available upon request a copy of all DBE subcontracts. The contractor shall ensure that all subcontracts or agreements with DBEs to supply labor or materials include all required contract provisions and mandate that the subcontractor and all lower tier subcontractors perform in accordance with the provisions of Part 26.

Prime contractors will be prohibited from terminating a DBE subcontractor listed in response to a covered solicitation (or an approved substitute DBE firm) without the prior written consent of the Mount Sterling-Montgomery County Airport Board. This includes, but is not limited to, instances in which a prime contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or another DBE firm.

Such written consent will be provided only if the Mount Sterling-Montgomery County Airport Board agrees, for reasons stated in the concurrence document, that the prime contractor has good cause to terminate the DBE firm. For purposes of this paragraph, good cause includes the following circumstances:

1. The listed DBE subcontractor fails or refuses to execute a written contract;
2. The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
3. The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, non-discriminatory bond requirements.
4. The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
5. The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR Parts 180, 215 and 1,200 or applicable state law;

6. The Mount Sterling-Montgomery County Airport Board determined that the listed DBE subcontractor is not a responsible contractor;
7. The listed DBE subcontractor voluntarily withdraws from the project and provides the Mount Sterling-Montgomery County Airport Board written notice of its withdrawal;
8. The listed DBE is ineligible to receive DBE credit for the type of work required;
9. A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract;
10. Other documented good cause that the Mount Sterling-Montgomery County Airport Board has determined compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

Before transmitting to the Mount Sterling-Montgomery County Airport Board a request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to the Airport Board, of its intent to request to terminate and/or substitute the DBE, and the reason(s) for the request.

The prime contractor must give the DBE five (5) days to respond to the prime contractor's notice and advise the Mount Sterling-Montgomery County Airport Board and the prime contractor of the reasons, if any, why the DBE objects to the proposed termination of its subcontract and why the prime contractor's action should not be approved. If required in a particular case as a matter of public necessity (e.g., safety), a response period shorter than five (5) days may be provided.

In addition to post-award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms put forward by offerors in negotiated procurements.

Each prime contract will include a provision stating:

The contractor shall utilize the specific DBEs listed in the contractor's bid response to perform the work and supply the materials for which each is listed unless the contractor obtains prior written consent of the Mount Sterling-Montgomery County Airport Board as provided in 49 CFR Part 26, §26.53(f). Unless such consent is provided, the contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

The Mount Sterling-Montgomery County Airport Board will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal that was established for the procurement. The good faith efforts shall be documented by the contractor. If the Mount Sterling-Montgomery County Airport Board requests documentation from the contractor under this provision, the contractor shall submit the documentation within seven (7) days, which may be extended for an additional seven (7) days if necessary at the request of the contractor. The Mount Sterling-Montgomery County Airport Board shall provide a written determination to the contractor stating whether or not good faith efforts have been demonstrated.

If the contractor fails or refuses to comply in the time specified, the contracting office/representative of the Mount Sterling-Montgomery County Airport Board 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 contracting officer may issue a termination for default proceeding.

Section 26.55 Counting DBE Participation

DBE participation will be counted toward overall and contract goals as provided in §26.55. The participation of a DBE subcontractor will not be counted toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

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

Pursuant to Sec. 150 of the FAA Reauthorization Act of 2018, firms that exceed the business size standard in § 26.65(b) will remain eligible for DBE certification and credit on FAA-funded projects as long as they do not exceed the small business size standard, as adjusted by the United States Small Business Administration, for the NAICS code(s) in which they are certified.

In determining participation to be counted, the Mount Sterling-Montgomery County Airport Board shall act in accordance with the guidelines outlined below.

1. The Mount Sterling-Montgomery County Airport Board will count the dollar value of the portion of a contract that is performed by a DBE and its own forces. The cost of supplies, equipment, and materials (purchased or leased) obtained by the DBE intended for performing the work established by the contract shall be included. Exempt, however, will be supplies and equipment purchased or leased by the DBE subcontractor from the prime contractor or its affiliates.
2. The Mount Sterling-Montgomery County Airport Board shall count the entire amount of fees or commissions charged by a DBE for providing bona fide services, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specific to the contract, provided that the fees or commission are deemed reasonable and not excessive as compared to those customarily allowed for similar services.
3. When a DBE subcontracts a portion of its contracted work to another firm, the Mount Sterling-Montgomery County Airport Board shall count the value of the subcontracted work only if the DBE's subcontractor is, itself, a DBE.
4. Participation of a DBE firm owned and controlled by two socially and economically disadvantaged individuals, each with 50% interest in the firm, will be counted toward the goals.
5. In the situation that a DBE performs as a part of a joint venture, the Mount Sterling-Montgomery County Airport Board shall count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work performed by the DBE and its own forces.
6. The Mount Sterling-Montgomery County Airport Board will count a DBE's expenditures only if the DBE is performing a commercially useful function in the work of a contract. A DBE is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a DBE is performing a commercially useful function, the Airport Board will evaluate the amount of work subcontracted, industry practices, and other relevant factors.
7. Consistent with normal industry practices, a DBE may enter into subcontracts. If a DBE contractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of normal industry practices, the DBE shall be presumed not to be performing a commercially useful function. The DBE may present evidence to the Mount Sterling-Montgomery County Airport Board to rebut this presumption. The decision of the Airport Board is subject to review by the Department of Transportation.
8. The Mount Sterling-Montgomery County Airport Board will count DBE expenditures for materials and supplies at the following rates:
 - a. 60 percent if purchased from a DBE regular dealer
 - b. 100 percent if obtained from a DBE manufacturer
9. The Mount Sterling-Montgomery County Airport Board shall count the fees charged for delivery of materials and supplies required on a job site (but not the cost of the materials and supplies themselves) when the hauler, trucker, or delivery service is not also the manufacturer of or a regular dealer in the materials and supplies, provided the fee is deemed to be reasonable and not excessive as compared with fees customarily allowed for similar services.
10. By definition under 49 CFR part 26, a manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles or equipment required under the contract and of the general character described by the specifications.
11. By definition under 49 CFR part 26, a regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles, or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a

regular dealer, the firm must be an established, regular business that engages in, as its principal business and under its own name, the purchase and sale or lease of the products in question. A person may be a regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt, without owning, operating, or maintaining a place of business if he or she both owns and operates distribution equipment for the products. Any supplement to a regular dealer's distribution equipment shall be by long-term lease agreement and not on an ad hoc or contract-by-contract basis. Packagers, brokers, manufacturer's representatives, or other persons who arrange or expedite transactions are not regular dealer under this DBE program.

SUBPART D - CERTIFICATION STANDARDS

The Mount Sterling-Montgomery County Airport Board is a non-certifying member of the Kentucky Unified Certification Program (UCP). Kentucky UCP will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. Certifying Kentucky UCP members make all certification decisions based on the facts as a whole.

For information about the certification process or to apply for certification, firms should contact:

Kentucky Transportation Cabinet (KYTC)
Office for Civil Rights and Small Business Development
200 Mero Street
Frankfort, KY 40601
Phone: (502) 564-3601
Fax: (502) 564-2112
kytc.ocrsbd@ky.gov

The Uniform Certification Application form and documentation requirements are found in Attachment 8 to this program.

SUBPART E - CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

The Kentucky Transportation Cabinet (KYTC) Office for Civil Rights and Small Business Development (OCRSBD) administers the Kentucky Unified Certification Program (UCP), under an agreement with the USDOT. KYTC's Disadvantaged Business Enterprise (DBE) Program Plan, as revised and effective on December 13, 2019, states, "The Kentucky Transportation Cabinet (Transportation Cabinet or Cabinet), in accordance with the requirements of 49 Code of Federal Regulations Part 26 (49 CFR 26), has developed the Kentucky Disadvantaged Business Enterprise Program (DBE Program) for the purpose of leveling the playing field for DBEs with respect to projects funded in whole or part by the US Department of Transportation (USDOT or DOT). The provisions of the Transportation Cabinet's DBE Program shall apply to all recipients and subrecipients, including.....Airport funds authorized by 49 U.S.C. 47101, et seq."

The Mount Sterling-Montgomery County Airport Board has not been asked by the KYTC to sign a memorandum of agreement, nor have they been asked to sign up as a member of the UCP. The Airport Board, however, will utilize the Kentucky UCP to administer its own DBE Plan.

Section 26.83 Procedures for Certification Decisions

Only firms certified as eligible DBEs under §26.83 may participate as DBEs in this program. The Mount Sterling-Montgomery County Airport Board will take all required steps outlined in §26.83(c) in determining whether a DBE firm meets the standards of subpart D of Part 26. Once a firm has been certified as a DBE, it shall remain certified until and unless its certification has been removed, in whole or in part, through the procedures of §26.87, except as provided in §26.67(b)(1).

DBEs will not be required to reapply for certification or undergo a recertification process. However, a certification review of a certified DBE firm may be conducted, including a new onsite review, if appropriate in light of changed circumstances (e.g., of the kind requiring notice under paragraph (i) of this section or relating to suspension of certification under §26.88), a complaint, or other information concerning the firm's eligibility. If information comes to the attention of the Mount Sterling-Montgomery County Airport Board that leads to questions regarding the firm's eligibility, an on-site review may be conducted on an unannounced basis, at the firm's offices and job sites.

"No Change" Affidavits and Notices of Change

The UCP requires all DBEs owners to provide a written affidavit of any change in its circumstances affecting its ability to meet size, disadvantaged status, ownership, or control criteria of 49 CFR Part 26, or of any material changes in the information provided with the DBE firm's original application for certification.

The UCP also requires all DBE owners to submit every year, on the anniversary date of their certification, a "no change" affidavit meeting the requirements of §26.83(j). The text of this affidavit is the following:

I swear (or affirm) that there have been no changes in the circumstances of [name of DBE firm] affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR Part 26. There have been no material changes in the information provided with [name of DBE]'s application for certification, except for any changes about which [name of DBE firm] has provided written notice to the Mount Sterling-Montgomery County Airport Board, pursuant to §26.83(i). [Name of DBE firm] meets Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts (as defined by SBA rules) over the firm's previous three fiscal years do not exceed \$23.98 million.

The UCP requires DBEs to submit documentation with this affidavit regarding the firm's size and gross receipts (e.g., submission of federal tax returns).

The UCP will notify all currently certified DBE firms of these obligations. This notification will inform DBEs that to submit the “no change” affidavit, their owners must swear or affirm that they meet all regulatory requirements of Part 26, including personal net worth. The notification will likewise inform the DBE that if a firm's owner knows or should know that he or she, or the firm, fails to meet a Part 26 eligibility requirement (e.g. personal net worth, business size), the obligation to submit a notice of change applies.

Section 26.85 Interstate Certification

When a firm currently certified in its home state (“State A”) applies to a member of this State’s UCP (“State B”) for DBE certification, the UCP will follow the procedures defined in §26.85 [specify §26.85(b) or (c) as appropriate].

Section 26.86 Denials of Initial Requests for Certification

If a currently certified DBE firm is decertified, or if an applicant firm’s initial application is denied, the affected firm may not reapply until 12 months have passed from such action. The time period for reapplication begins to run on the date the explanation required by paragraph (a) of §26.86 is received by the firm. If an applicant appeals this decision to the Department of Transportation pursuant to §26.89, such an appeal does not extend the waiting period.

Section 26.87 Removal of a DBE’s Eligibility

If the Mount Sterling-Montgomery County Airport Board finds that a firm participating in a Federally assisted project is no longer eligible, it shall take under advisement the determinations of KYTC and act in accordance with the provisions of Section §26.87. Attachment 9 to this program sets forth these procedures in detail.

In the event that a subcontractor participating in work issued by the Airport Board becomes ineligible, the DBELO will confirm that KYTC has created an administrative “firewall” to ensure that its decision maker in decertification matters has not in any way participated in the decertification proceedings against the DBE firm (including the decision to initiate such a proceeding).

Section 26.89 Certification Appeals

Any firm or complainant may appeal a decision of KYTC in a certification matter to U.S. DOT. A firm that wants to file an appeal must send a letter to the U.S. DOT within 90 days of the date of the final decision of KYTC, including information and setting forth a full and specific statement as to why the decision is erroneous, what significant fact(s) KYTC failed to consider, or what provisions of Part 26 were not properly applied. The U.S. DOT may accept an appeal filed later than 90 days after the date of the decision if the U.S. DOT determines that there was good cause for the late filing of the appeal, or in the interest of justice.

Appeals may be sent to:

U.S. Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Ave., S.E.
Washington, DC 20590-0001

The U.S. DOT makes its decision based solely on the entire administrative record as supplemented by the appeal. The U.S. DOT does not make a de novo review of the matter and does not conduct a hearing. The U.S. DOT may also supplement the administrative record by adding relevant information made available by the DOT Office of Inspector General; Federal, State, or local law enforcement

authorities; officials of a DOT operating administration or other appropriate DOT office; a recipient; or a firm or other private party.

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

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.101 Compliance Procedures Applicable to the Mount Sterling-Montgomery County Airport Board

The Mount Sterling-Montgomery County Airport Board understands that if it fails to comply with any requirement of this part, they may be subject to formal enforcement action under §26.103 or §26.105 or appropriate program sanctions by the concerned operating administration, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include actions consistent with 49 U.S.C. 47106(d), 47111(d), and 47122;.

Section 26.109 Information, Confidentiality, Cooperation and Intimidation or Retaliation

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

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

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

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

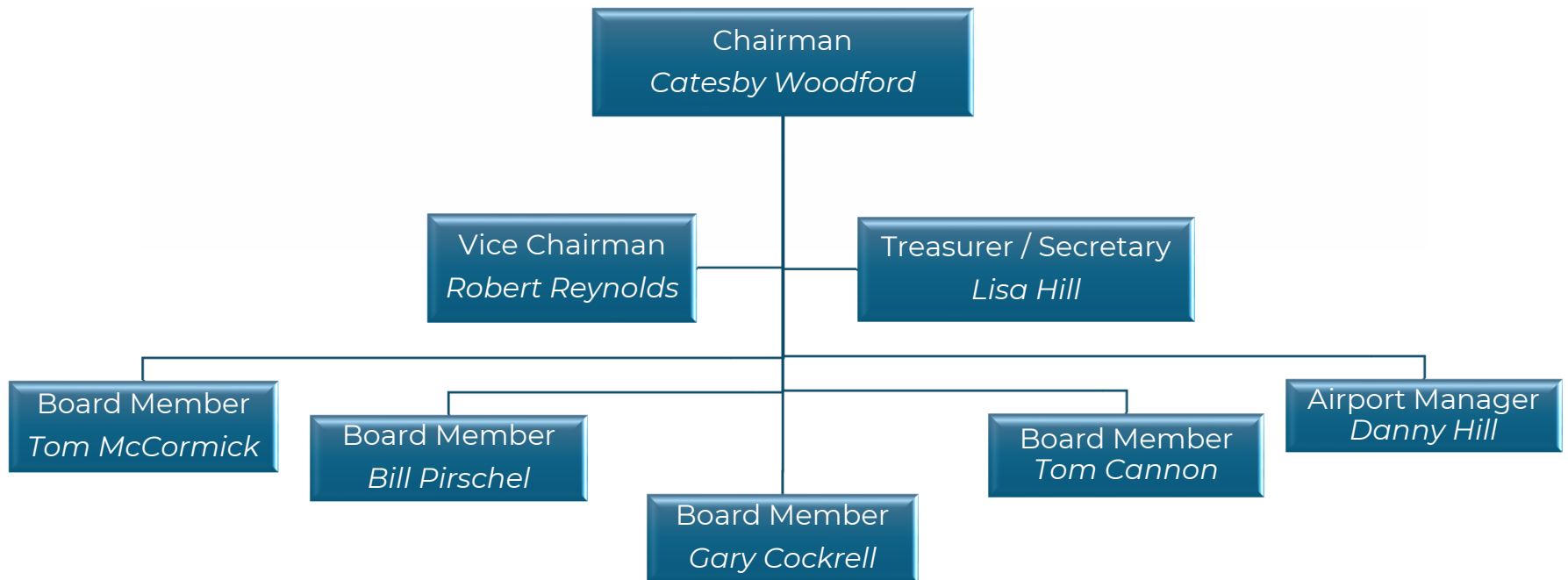
ATTACHMENT 1 – REGULATIONS 49 CFR PART 26

The regulations of 49 CFR Part 26 are hosted on the U.S. Government Printing Office website at the following address:

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

ATTACHMENT 2 – ORGANIZATIONAL CHART

The Mount Sterling-Montgomery County Airport Board currently has the following structure:



ATTACHMENT 3 – BID QUESTIONNAIRE

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

ATTACHMENT 4 – SUMMARY OF DBE DIRECTORY

On March 7, 2024, the Mount Sterling-Montgomery County Airport Board completed a search of the KYTC Certified DBE directory to compile a list of potential DBE firms who may complete work on the federal projects anticipated to receive grant funding for. The search provided the following results:

Total Number of Certified DBEs = 381 entities

Certified DBE Consultants = 38 entities

Certified DBE Suppliers = 36 entities

Certified DBE Service Providers = 334 entities

(NOTE: some entities may appear in more than one category)

The DBE Directory for the State of Kentucky can be found at:

<https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>

or by contacting the authority in charge of producing/maintaining the directory at:

Kentucky Transportation Cabinet (KYTC)
Office for Civil Rights & Small Business Development
200 Mero Street
Frankfort, KY 40601
(502) 564-3601

ATTACHMENT 5 – OVERALL DBE THREE-YEAR GOAL METHODOLOGY

Name of Recipient: Mount Sterling-Montgomery County Airport Board (authority presiding over the Mount Sterling-Montgomery County Airport (IOB) in Mt. Sterling, Kentucky).

Goal Period: The period for establishment of the overall DBE participation goal is for federal fiscal years 2024, 2025, and 2026 (October 1, 2023 – September 30, 2026).

DOT-Assisted Contract Amount: FY 2024: \$1,000,000 – New Terminal Building (Construction) Project
FY 2024: \$806,430 – 3-Unit Box Hangar (Construction) Project
FY 2024: \$175,500 – Airport Layout Plan (ALP) Update Project
FY 2025: \$1,600,000 – Airfield Pavement and Electrical Upgrade (Construction) Project
FY 2026: \$76,500 – 6-Unit T-Hangar (Design) Project

TOTAL: \$3,658,430

Overall Three-Year Goal: 8.5% to be accomplished through 6.5% race/gender-conscious means and 2.0% race-neutral means.

Total Weighted Dollar Amount to be Expended on DBEs: \$310,470

Market Area: When researching projects of similar nature in Central Kentucky, it was found that roughly 90% of contractors and subcontractors who performed work on similar projects were firms who came from within the state of Kentucky. For the purpose of this report, the market area of both certified DBE firms and total number of firms by NAICS code excludes all out-of-state firms.

The federal assistance to be received by the Mount Sterling-Montgomery County Airport Board during the FY24 – FY26 triennium is expected to be expended in the following areas:

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)			
FY2024 FAA GRANT - NEW TERMINAL (CONSTRUCTION)			
TASK	NAICS	AMOUNT	PERCENTAGE
2362	Nonresidential Building Construction	\$ 250,000.00	25.00%
2371	Utility System Construction	\$ 50,000.00	5.00%
2373	Highway, Street, and Bridge Construction	\$ 150,000.00	15.00%
2381	Foundation, Structure, and Building Exterior Contractors	\$ 150,000.00	15.00%
2382	Building Equipment Contractors	\$ 300,000.00	30.00%
2383	Building Finishing Contractors	\$ 100,000.00	10.00%
	TOTAL	\$ 1,000,000.00	100.00%

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)			
FY2024 FAA GRANT - UPDATE AIRPORT LAYOUT PLAN			
TASK	NAICS	AMOUNT	PERCENTAGE
5413	Architectural, Engineering, and Related Services	\$ 175,500.00	100.00%
	TOTAL FAA GRANT AMOUNT	\$ 175,500.00	100.00%

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)			
FY2024 FAA GRANT - 3-UNIT BOX HANGAR (CONSTRUCTION)			
TASK	NAICS	AMOUNT	PERCENTAGE
2362	Nonresidential Building Construction	\$ 120,964.50	15.00%
2371	Utility System Construction	\$ 40,321.50	5.00%
2373	Highway, Street, and Bridge Construction	\$ 40,321.50	5.00%
2381	Foundation, Structure, and Building Exterior Contractors	\$ 403,215.00	50.00%
2382	Building Equipment Contractors	\$ 120,964.50	15.00%
5413	Architectural, Engineering, and Related Services	\$ 80,643.00	10.00%
	TOTAL FAA GRANT AMOUNT	\$ 806,430.00	100.00%

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)			
FY2025 FAA GRANT - PAVEMENT AND ELECTRICAL IMPROVEMENTS			
TASK	NAICS	AMOUNT	PERCENTAGE
2371	Utility System Construction	\$ 240,000.00	15.00%
2373	Highway, Street, and Bridge Construction	\$ 1,280,000.00	80.00%
5413	Architectural, Engineering, and Related Services	\$ 80,000.00	5.00%
	TOTAL FAA GRANT AMOUNT	\$ 1,600,000.00	100.00%

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)			
FY2026 FAA GRANT - 6-UNIT T-HANAGAR (DESIGN)			
TASK	NAICS	AMOUNT	PERCENTAGE
5413	Architectural, Engineering, and Related Services	\$ 76,500.00	100.00%
	TOTAL FAA GRANT AMOUNT	\$ 76,500.00	100.00%

(NOTE: the estimates provided above are not based on actual bid prices or engineering service fees received of the NAICS categories listed. Their estimated amounts will be used for establishing an overall DBE goal, which will be summarized and reported at the end of each calendar year based on actual expenses as required by the FAA in the FAA Civil Rights Connect system).

STEP 1: Determine a Base Figure for DBE Goal of Each Year: The basic formula to be used to calculate the base figure for DBE goal calculations is:

$$\text{Base Figure} = \frac{\text{Total DBE Firms in the State by NAICS Code of Work to be Performed}}{\text{Total Firms in the State by NAICS Code of Work to be Performed}} \times 100\%$$

A series of agencies within Kentucky were contacted to ensure the appropriate DBE directory was utilized in determining the numerator of our base figure calculation. The Kentucky Association of Highway Contractors, the Tri-State Minority Supplier Development Council, and the Kentucky Minority Business Council were all contacted to inquire which DBE directory would be best to apply. All of the agencies unanimously agreed that the DBE directory to use that would be all-encompassing of certified DBE firms is the Kentucky Transportation Cabinet's Office of Civil Rights and Small Business Development DBE directory. This directory was narrowed down by excluding out-of-state firms and by filtering NAICS work codes to be utilized on projects:

Firm	Status	NAICS
7PM GROUP, LLC Mr. Carl Brazley, Owner/Principal 10327 Linn Station Road Louisville KY 40223 (502) 550-2547 or (502) 417-4249 Cbrazley@7pmgroup.com vanthony@7pmgroup.com www.7pmgroup.com	DBE	236220; 237310
A D E CONTRACTING, INC. Ms. Angela English, President 1044 Duncan Road Lawrenceburg KY 40342 (859) 621-7941 or (859) 879-0164 Fax: (502) 839-3224 ADEINC1@aol.com	DBE	237110; 237310
ABBIE JONES CONSULTING, PSC d/b/a ABBIE JONES CONSULTING Ms. Abbie Jones, Owner 1022 Fontaine Drive Lexington KY 40502 (859) 699-3440 office@abbie-jones.com www.abbie-jones.com	DBE	541330; 541360; 541370
AEQUITAS POWER COMPANY, LLC Mr. Jorge Diaz, Managing Director PO Box 1407 Shelbyville KY 40065 jorge.diaz@aequitaspower.com www.aequitaspower.com	DBE	237310
AGRADE CONSTRUCTION, INC. Ms. Mary Anne Belcher, President PO Box 1227 Elkhorn City KY 41522 (606) 369-5044 or (606) 754-8548 Fax: (606) 754-5775 agradeconstruct@gmail.com	DBE	237110; 237310
AK SERVICES, LLC Mrs. Kristin Kaufman, President 310 Evergreen Road, Suite 105 Louisville KY 40243 (270) 556-0053 akservices502@gmail.com www.akservicesllc.com	DBE	237110; 237310
ALLEN ENGINEERING, INC. Ms. Lilli Allen, President 2509 Lenlake Court Lexington KY 40513 (859) 229-7362 lmallen2509@yahoo.com	DBE	237310
ANDIS, LLC Ms. Dori Schweitzer, Owner 7897 Tippenhauer Road Highland Heights KY 41076 (859) 743-2502 dori@andisllc.com www.andisllc.com	DBE	237130
ARCG CONSTRUCTION GROUP, LLC Ms. Alisia Richardson, Owner 3220 Tara Gale Drive Louisville KY 40204 (502) 593-2881 or (502) 510-9080 admin@ARGCConstructiongroup.com www.ARCGConstructiongroup.com	DBE	236220
AYOROA SIMMONS, LLC Mr. Joshua Ayoroa, Manager/Member 620 Euclid Avenue, Suite 300 Lexington KY 40502 (859) 324-0493 jayoroa@ayoroasimmons.com www.ayoroasimmons.com	DBE	541310; 541340; 541370
BAR-TIE REINFORCING, INC. Ms. Cindy J. Kincaid, President 1520 Adams Road Owingsville KY 40360 (606) 674-9413 Fax: (606) 674-9413 cindy@bartiereinforcing.com	DBE	238120
BLUEGRASS LIGHTNING CONSULTANTS, INC. Ms. Kris Phillips, President 315 Chaplain Road (P) PO Box 308 (M) Bloomfield KY 40008 (502) 673-8866 Fax: (502) 673-8833 bluegrass@bardstown.com www.bluegrasslightning.com	DBE	238290
CEDAR VALLEY SEEDING, INC. Ms. Susan D. Redmon, President 851 Redmon Road Paris KY 40361 (859) 749-8006 cvseeding@outlook.com	DBE	237310
CHARLES K. MOORE EXCAVATING, PAVING AND CONCRETE, LLC Charles Moore, Owner 4209 Gingerwood Drive Louisville KY 40220 (502) 356-8872 charliemooreasphalt@gmail.com	DBE	237310; 238110

Firm	Status	NAICS
CIVIL DESIGN, INC. Ms. Vicki LaRose, PE, President 9400 Bunsen Parkway, Suite 150 Louisville KY 40220 (314) 863-5570 Fax: (314) 863-5578 vlarose@civildesigninc.com www.civildesigninc.com	DBE	541330; 541370
CONRAD FLOORS, INC. Mrs. Mary Beth Conrad, President 190 E. 6th Street Smiths Grove KY 42171 (270) 563-4753 Fax: (270) 563-9993 conradfloors@twc.com	DBE	238330
CORNERSTONE ENGINEERING, INC. Mr. Chella Subram, P.E., SECB, President 2302 Hurstbourne Village Drive, Suite 1000 Louisville KY 40299 (502) 493-2717 Fax: (502) 491-4824 chella@cei-engineering.com www.cei-engineering.com	DBE	236220; 237110; 237310; 238110; 238140; 238190; 541330; 541340; 541350
COULTER MAPPING SOLUTIONS, INC. Mrs. Scarlett Mattingly, CEO PO Box 43878 Louisville KY 40223 (502) 429-8435 scarlett@cmsgis.com www.cmsgis.com	DBE	541370
CUNDIFF STEEL FABRICATORS & ERECTORS, INC. Mrs. Pat Cundiff, President 4558 Knopp Avenue Louisville KY 40213 (502) 366-9133 Fax: (502) 366-9957 patcundiff@live.com sandyrobison@cundiffsteel.com lisacundiff@cundiffsteel.com www.cundiffsteel.com	DBE	238120
D.A.D.S. BOBCAT SERVICE, LLC Ms. April Webster, Owner PO Box 117 California KY 41007 (859) 743-0631 aprilmain@rocketmail.com	DBE	237310
DALLAS DEAN, INC. Ms. Cindy Dean Bush, CEO PO Box 296 Harrodsburg KY 40330 (859) 734-7071 Fax: (859) 734-7072 ddeaninc@outlook.com	DBE	237120; 237310
DK BAST FOUNDATION SERVICES, LLC Ms. Janet Ragland, Owner PO Box 635 Leitchfield KY 42754 (615) 355-4773 or (270) 230-2474 dkbastfoundationservices@gmail.com www.dkbastfoundation.net	DBE	237110; 237310; 238110; 238120; 238190
E. TABB DESIGN CONSTRUCTION & DEVELOPMENT, LLC Mrs. Alison Snider, CEO 1330 W. Breckenridge Street, Suite A Louisville KY 40210 (502) 749-2004 or (502) 232-0655 info@etabblc.com www.etabblc.com	DBE	236220; 237310; 238110
EH CONSULTANTS Mr. Edward J. Holmes, President 333 W. Vine Street, Suite 300 Lexington KY 40507-1626 (859) 425-4881 or (502) 992-3194 Fax: (859) 254-8639 holmes@ehiconsultants.com www.ehiconsultants.com	DBE	541330
ELAINE ALLEN, LLC Mr. Bishop Carter, IV, Owner 1200 North Limestone Lexington KY 40505 (859) 368-7790 bishop.carter@elaineallenllc.com www.elaineallenllc.com	DBE	236210; 236220
ELEMENT DESIGN, PLLC Ms. Ramona Fry, Managing Member 366 S. Broadway Lexington KY 40508 (502) 489-4221 or (859) 389-6533 Fax: (859) 389-6534 ramona@element-site.com www.element-site.com	DBE	541320; 541330
FACILITY MAINTENANCE & SERVICES GROUP, LLC Mr. Frank Hall, Manager 2121 Richmond Road, Suite 227 Lexington KY 40502 (859) 554-6584 or (859) 333-1610 Fax: (859) 201-1359 info@facilitymsg.com www.facilitymsg.com	DBE	238320
G & L FARM, LLC Mr. Nathan Lasley, Member PO Box 1448 Columbia KY 42728 (270) 250-5700 or (270) 250-1768 gandlfarmllc@gmail.com	DBE	237310
GECO ENTERPRISES, INC. Ms. Georgia (Gigi) Bacon, President PO Box 463 (M) 1221 East 4th Street (P) London KY 40743 (606) 864-7550 Fax: (606) 864-6390 GigiBacon@Windstream.net www.GecoEnterprisesInc.com	DBE	237310
GEISLER DOMIGAN ENGINEERS, PLLC Mrs. Mary Geisler Domigan, Owner 2297 Shannon Road Paris KY 40361 (859) 494-4540 mary@gde-net.com www.geislerdomiganeng.com	DBE	541330
GOULD ELECTRIC, LLC d/b/a GOULD SUPPLY Mr. Christopher Gould, President 3312 Calais Drive Louisville KY 40299 (502) 290-5751 or (502) 741-3804 Fax: (502) 290-5751 christina@gouldelectric.com www.gouldelectric.com	DBE	238210

Firm	Status	NAICS
HARVEST DEVELOPMENT, LLC Mr. Richard A. Wilson, Owner 12406 Valley Park Court Louisville KY 40299 (502) 500-8828 harvdev357@gmail.com	DBE	541330
HB MASONRY, LLC Mrs. Sherry Alexander, Member 1024 Fortune Drive Richmond KY 40475 (859) 624-0741 or Cell Phone (859) 661-5313 Fax: (859) 624-0744 Info@hbmasonryky.com www.hbmasonryky.com	DBE	238140
HOEWORX, LLC Mrs. Janine Cunningham, President PO Box 455 (M) 1908 Ridge Road (P) Shepherdsville KY 40165 (502) 492-1879 or (502) 553-8552 Fax: (502) 543-1620 hoeworx@hotmail.com www.hoeworx.com	DBE	237110; 237310; 541330
HTA ENTERPRISES, INC. Mr. Harold Valentine, President 5923 Pendleton Road Louisville KY 40272 (502) 933-5900 Fax: (502) 933-0501 harold.valentine@htaenterprises.com	DBE	237110
INTERTECH GENERAL CONTRACTING SERVICES, INC. Mrs. Lynzie Young, President 5836 Fern Valley Road Louisville KY 40228 (502) 434-9874 Lyoung@igcky.com www.igcky.com	DBE	236210; 236220
JAG, INC. Ms. Jeanne Tuttle, President 7601 Maysville Road Mt. Sterling KY 40353 (859) 520-3485 Fax: (859) 520-3485 Jeanne@jagincorporated.com	DBE	237310
JAVIER STEEL CORPORATION Mr. Nilo A. Javier, President PO Box 7448 (M) 1301 Clear Springs Trace, Suite 110 (P) Louisville KY 40257-0448 (502) 426-2008 Fax: (502) 426-1538 njavier1@bellsouth.net	DBE	238120
JEAN HENRY WBE, LLC d/b/a LAWRENCE & ASSOCIATES CONCRETE DESIGN Ms. Jean Henry, Owner 1437 Hugh Avenue Louisville KY 40213 (502) 899-9588 or (502) 550-9266 jhenry@lawrenceconcrete.com www.lawrenceconcrete.com	DBE	237310; 238110
JOASH INCORPORATED Mr. Joseph T. Scott, President PO Box 11381 Louisville KY 40251 (502) 953-4005 or (502) 664-9737 Fax: (502) 333-0461 Jscott@joashconstruction.com www.joashconstruction.com	DBE	238110; 238170; 238310; 238320
JOHNSON GROUP OF KY, LLC d/b/a GENESIS PRECAST Mr. Jeff Johnson, Member PO Box 261 Williamstown KY 41097 jeff@johnsongroupky.org (859) 307-3832	DBE	237110; 237120; 237130; 237310; 238120
JONES LANDSCAPE ARCHITECTURE, PLLC Mrs. Sarah Kopke-Jones, Owner PO Box 193 (M) 7204 Highway 329 (P) Crestwood KY 40014 (502) 419-0305 sarah@joneslandscapearchitecture.com www.joneslandscapearchitecture.com	DBE	541320
K. HAYES LIMITED Mr. Kunte Hayes, President 301 United Court, Suite 9 Lexington KY 40509 (859) 333-8887 Fax: (859) 475-0170 kunte@khayeslimited.com	DBE	237110
K.V.WV TRAFFIC CONTROL HOLDINGS, INC. Ms. Sondra Robinson, President PO Box 355 (M) 319 Daniels Creek (P) Allen KY 41601-0355 (606) 874-4050 or (606) 794-4788 sondra@kvwvtraffic.com www.kvwvtraffic.com	DBE	237310
KERSEY & KERSEY, INC. Mrs. Cheryl Kersey, President 839 East Gray Street Louisville KY 40204 (502) 583-0094 or (502) 767-4844 Fax: (502) 585-2728 ckersey@kerseyandkersey.com www.kerseyandkersey.com	DBE	541310; 541340
KLB PROPERTY MAINTENANCE, INC. Mr. Keith L. Booker, Owner 713 S. 26th Street Louisville KY 40211 (502) 776-5606 Fax: (502) 776-5607 KeithBooker865@gmail.com	DBE	238160
KOFI CONSULTING, INC. d/b/a MARTIN CONSTRUCTION COMPANY Mr. Kofi Frempong, President 1207 Durrett Lane Louisville KY 40213-2021 (502) 375-3701 Fax: (502) 375-3703 kofi@martinconc.com joe@martinconc.com www.martinconc.com	DBE	236220; 238320; 238350

Firm	Status	NAICS
LECGI, INC. Mr. Dongfa "Don" Liu, President 13113 East Point Park Blvd., Suite D Louisville KY 40223 (502) 425-1647 Fax: (502) 241-4103 dliu@lecg.us www.lecg.us	DBE	541330
LOTS & MORE, INC. Mr. Noah Lockhart, President 9462 Brownsboro Road Louisville KY 42041 (502) 821-8787 nlockhart@lotsandmore.net	DBE	236220
MARINE SOLUTIONS, INC. Mrs. Amy Wilkins, President 225 Industry Parkway Nicholasville KY 40356 (859) 260-1055 Fax: (859) 554-4100 awilkins@MSImarinesolutions.com www.MSImarinesolutions.com	DBE	237310; 541330
MESSIER & ASSOCIATES, INC. Mr. Fernando Messier, CEO 1505 Fabrice Blvd. Jeffersonville IN 47130 (502) 515-2451 Fax: (502) 213-9040 fermessier@messainc.com juanmessier@messainc.com www.messainc.com	DBE	237310; 541330
METRIC ENVIRONMENTAL, LLC Mr. Kenneth Beache, President 6958 Hillsdale Court Indianapolis IN 46250 (317) 400-1633 Fax: (855) 808-8227 kennethb@metricenv.com marketing@metricenv.com accounting@metricenv.com www.metricenv.com	DBE	541330
METRO FENCE INDUSTRIES, INC. Mr. David Johnson, President 4521 Bishop Lane Louisville KY 40220 (502) 458-8701 david@metrofenceinc.com www.metrofenceinc.com	DBE	237310
N. H. STONE, INC. Mrs. Vicki Quisenberry, President PO Box 239 Sharpsburg KY 40374 (606) 247-2311 or (859) 644-2288 Fax: (606) 247-2153 Vickiq@nhstone.com	DBE	237310
NATIONAL CONTRACTING SERVICES, LLC Mr. Miguel Montano, CEO 11501 Plantside Drive, Suite 4 Louisville KY 40299-6334 (502) 614-8646 or (502) 500-4480 Fax: (866) 750-1364 MiguelMontano@ncssuccess.com www.ncssuccessllc.com	DBE	236220; 238130; 238160; 238170; 238310; 238320; 238330; 238340; 238350; 238390
NEW TOWNE CONSULTANTS, LLC Ms. Robin K. Hall, Managing Member 4720 Pinewood Road Louisville KY 40218-2932 (502) 931-3638 or (502) 384-2125 Fax: (502) 688-6557 robin@ntctraffic.com info@ntctrafficcontrol.com www.ntctrafficcontrol.com	AC/DBE	236220; 238110; 238390
NWK CONSTRUCTION, INC. Mrs. Nikki Kendrick, President PO Box 486 Harrodsburg KY 40330 (859) 733-0763 Fax: (859) 733-0768 nickiekendrick@nwkconstruction.com	DBE	237310
PERFORMANCE EXTERIORS, INC. Ms. Laura Wade, President 2400 Arnoldtown Woods Road Louisville KY 40214 (502) 935-5521 or (502) 817-4381 Fax: (502) 935- 5567 info@performanceexterior.com www.performanceexterior.com	DBE	238140
PINAKIN DESIGNS, LLC Mrs. Monika Dixit, Owner 5406 Merribrook Lane Prospect KY 40059 (502) 415-4476 monikadixit@decoratingden.com www.pinakindesigns.decoratingden.com	DBE	238390
PRO-MARK, INC. Ms. Amy Hibben, President PO Box 1421 (M) 2181 Stepstone Road (P) Mt. Sterling KY 40353 (859) 497-0533 Fax: (859) 498-7827 amyhibben@gmail.com	DBE	237310
PROMETHEUS FOUNDRY, LLC d/b/a PROMETHEUS ART Ms. Amanda Matthews, CEO PO Box 12023 Lexington KY 40579 (502) 592-3774 prometheusartfoundry@gmail.com www.prometheusart.com	DBE	238190
RAVIAN ENGINEERING, LLC Mr. Darion George, Principal PO Box 802 Paducah KY 42002 (618) 638-4788 dgeorge@ravianeng.com www.ravianeng.com	DBE	541330

Firm	Status	NAICS
S & M CONTRACTING, LLC Mrs. Melanie Barker, President 5979 Highway 711 West Liberty KY 41472 (606) 743-7090 or (606) 477-1639 Fax: (606) 743-3508 mbarker@mrtc.com	DBE	237110; 237310; 238110; 238120; 238190; 238390;
S and D CONSTRUCTION MANAGEMENT, INC. Mr. D. Sean Edwards, President 252 N. Upper Street Lexington KY 40507 (859) 226-0083 Fax: (859) 721-1344 sdcmtg@gmail.com seanedwards89@gmail.com	DBE	236220; 238110; 238120; 238160; 238170
S-WALK CORPORATION d/b/a SEVEN SEAS CONSTRUCTION Mr. Soran Walker, President PO Box 16997 (M) 3825 Fitzgerald Road (P) Louisville KY 40216 (502) 231-7395 Fax: (502) 409-9582 swalker@sevensc.net cjransom@sevensc.net www.sevenseasconstruction.net	DBE	237110; 237310; 238110
SPARTAN CONSTRUCTION, INC. Ms. Dianne Brossart, President 1619 Distribution Drive Burlington KY 41005 (859) 371-3538 Fax: (859) 371-2786 office@spartanconstruction.com www.spartanconstruction.com	DBE	237110; 237310;
SPRINGFIELD PLUMBING, INC. Mr. Robert A. Springfield, President 1903 W. Market Street Louisville KY 40203 (502) 587-8281 Fax: (502) 587-8289 springfieldplumbing@gmail.com	DBE	237110; 238220
T.E.M. GROUP, INC. Mr. Thomas E. Masterson, President 3560 Bashford Avenue, Suite 100 Louisville KY 40218 (502) 454-0101 or (859) 259-2660 Fax: (502) 454-0110 or (859) 259-2680 tmasterson@temgroupinc.com rboughey@temgroupinc.com	DBE	236210; 236220; 237130; 238210
TAYLOR SIEFKER WILLIAMS DESIGN GROUP, LLC Mrs. Amy Williams, Chief Executive Member 734 W. Main Street, Suite 100 Louisville KY 40202 (502) 595-7432 or (502) 276-8812 Fax: (502) 276-8812 awilliams@TSWDesignGroup.com www.TSWDesignGroup.com	DBE	541320
TCR RAIL SYSTEMS, LLC Mrs. Sandra Ramey, President 211 East Main Street Simpsonville KY 40067 (502) 405-3004 Fax: (502) 405-3076 sramey@tcrrailsystems.com www.tcrrailsystems.com	DBE	238210
THIRD ROCK CONSULTANTS, LLC Ms. Molly Foree Cummins, President 2526 Regency Road, Suite 180 Lexington KY 40503 (859) 977-2000 mforee@thirdrockconsultants.com www.thirdrockconsultants.com	DBE	541330
TOBACCO ROSE FARM CONSTRUCTION & DEVELOPMENT SERVICES, LLC Mrs. Shelia Baker, President PO Box 4304 (M) 770 McKinney Avenue (P) Midway KY 40347 (859) 846-4002 or (859) 421-1948 Fax: (859) 201-0031 sbaker@tobaccorose.com www.tobaccorose.com	DBE	237110; 238910; 561730
TONI LEVY & ASSOCIATES, INC. d/b/a LEVY ELECTRICAL AND PLUMBING SUPPLY Ms. Toni Levy, Owner 1608 W. Broadway, Suite 100 Louisville KY 40203-3518 (502) 566-3030 Fax: (502) 566-3035 tl@tonilevya.com www.levyeps.com	DBE	236220; 423390; 423610; 423720; 444180; 541211; 541213; 541214; 541219
VIC ENTERPRISES, INC. Mrs. Vicki Penney, President 9750 Childress Road West Paducah KY 42086 (270) 210-5324 Fax: (270) 557-7534 vicenterprises@yahoo.com	DBE	237210; 237310; 238120; 238140; 238910; 561730
WAYPOINT, LLC Mrs. Elizabeth Robinson, Principal 2343 Alexandria Drive, Suite 140 Lexington KY 40504 (859) 219-7880 elizabeth@waypointllc.com www.waypointllc.com	DBE	541370; 541620; 541720
WESTATE CONSTRUCTION, INC. Ms. Andrea P'Pool, President PO Box 25 Hopkinsville KY 42241 (270) 886-5364 or (270) 841-7055 appool.westate@mail.com	DBE	237310; 237990; 238110; 238120; 238910
WORKMAN WATER AND WASTE, LLC Mrs. Constance Willis, Owner PO Box 113 Bronston KY 42518 (606) 872-2396 mwbe@workmanwaterservices.com www.workmanswaterservices.com	DBE	237110

The denominator in the base figure calculation is based on data from the 2021 U.S. Census Bureau County Business Pattern (CBCBP). The market area for including firms on this list was also narrowed down to the available firms within the state of Kentucky to match historical patterns and to ensure a realistic base figure is achieved. The number of firms eligible to perform work by NAICS code were:

Geographic Area Name	2017 NAICS code	Meaning of NAICS Code	Meaning of Legal form of organization code	Year	Number of establishments
NAME	NAICS2017	NAICS2017_LABEL	LFO_LABEL	YEAR	ESTAB
Kentucky	2362	Nonresidential building construction	All establishments	2021	487
Kentucky	2371	Utility system construction	All establishments	2021	231
Kentucky	2373	Highway, street, and bridge construction	All establishments	2021	116
Kentucky	2381	Foundation, structure, and building exterior contractors	All establishments	2021	1037
Kentucky	2382	Building equipment contractors	All establishments	2021	2307
Kentucky	2383	Building finishing contractors	All establishments	2021	1017
Kentucky	5413	Architectural, Engineering, and Related Services	All establishments	2021	970

Base Figure Calculation: Fiscal Year 2024:

Base Figure, New Terminal (Construction)

$$\begin{aligned}
 &= \frac{0.25(DBE\ 2362)}{NAICS\ 2362} + \frac{0.05(DBE\ 2371)}{NAICS\ 2371} + \frac{0.15(DBE\ 2373)}{NAICS\ 2373} + \frac{0.15(DBE\ 2381)}{NAICS\ 2381} \\
 &\quad + \frac{0.30(DBE\ 2382)}{NAICS\ 2382} + \frac{0.10(DBE\ 2383)}{NAICS\ 2383} \times 100\% \\
 &= \frac{0.25(13)}{487} + \frac{0.05(18)}{231} + \frac{0.15(20)}{116} + \frac{0.15(21)}{1037} + \frac{0.30(6)}{2307} + \frac{0.10(8)}{1017} \times 100\% \\
 &= 0.0067 + 0.0039 + 0.0259 + 0.0030 + 0.0008 + 0.0008 \times 100\% \\
 &= 4.1\% \text{ (rounded)}
 \end{aligned}$$

Base Figure, Update Airport Layout Plan

$$\begin{aligned}
 &= \frac{DBE\ 5413}{NAICS\ 5413} \times 100\% \\
 &= \frac{20}{970} \times 100\% \\
 &= 2.1\% \text{ (rounded)}
 \end{aligned}$$

Base Figure, 3 – Unit Box Hangar (Construction)

$$\begin{aligned} &= \frac{0.15(DBE\ 2362)}{NAICS\ 2362} + \frac{0.05(DBE\ 2371)}{NAICS\ 2371} + \frac{0.05(DBE\ 2373)}{NAICS\ 2373} + \frac{0.50(DBE\ 2381)}{NAICS\ 2381} \\ &\quad + \frac{0.15(DBE\ 2382)}{NAICS\ 2382} + \frac{0.10(DBE\ 5413)}{NAICS\ 5413} \times 100\% \\ &= \frac{0.15(13)}{487} + \frac{0.05(18)}{231} + \frac{0.05(20)}{116} + \frac{0.50(21)}{1037} + \frac{0.15(6)}{2307} + \frac{0.10(20)}{970} \times 100\% \\ &= 0.0040 + 0.0039 + 0.0086 + 0.0101 + 0.0004 + 0.0021 \times 100\% \\ &= 2.9\% \text{ (rounded)} \end{aligned}$$

Base Figure, Weighted Average (2024)

$$\begin{aligned} &= 4.1\% \times \frac{\$1,000,000}{\$1,981,930} + 2.1\% \times \frac{\$175,500}{\$1,981,930} + 2.9\% \times \frac{\$806,430}{\$1,981,930} \\ &= 3.4\% \text{ (rounded)} \end{aligned}$$

Base Figure Calculation: Fiscal Year 2025:

Base Figure, Pavement and Electrical Improvements

$$\begin{aligned} &= \frac{0.15(DBE\ 2371)}{NAICS\ 2371} + \frac{0.80(DBE\ 2373)}{NAICS\ 2373} + \frac{0.05(DBE\ 5413)}{NAICS\ 5413} \times 100\% \\ &= \frac{0.15(18)}{231} + \frac{0.80(20)}{116} + \frac{0.05(20)}{970} \times 100\% \\ &= 0.0117 + 0.1380 + 0.0010 \times 100\% \\ &= 15.0\% \text{ (rounded)} \end{aligned}$$

Base Figure Calculation: Fiscal Year 2026:

Base Figure, 6 – Unit Box Hangar (Design)

$$\begin{aligned} &= \frac{DBE\ 5413}{NAICS\ 5413} \times 100\% \\ &= \frac{20}{970} \times 100\% \\ &= 2.1\% \text{ (rounded)} \end{aligned}$$

Base Figure Calculation: Triennium 2024 - 2026:

Now that the average base figure for each fiscal year has been calculated, the overall base figure for the triennium must be established before looking at possible adjustments to the published goal. To accomplish this, the base figure for each year was weighted by the amount of anticipated federal dollars. This ensures that the overall goal is reflected evenly when looking at the expected total in federal funds to be received by the Mount Sterling-Montgomery County Airport Board. The overall base figure for the triennium is:

$$\begin{aligned} & \text{Base Figure, FY2024 – FY2026} \\ &= 3.4\% \times \frac{\$1,981,930}{\$3,658,430} + 15.0\% \times \frac{\$1,600,000}{\$3,658,430} + 2.1\% \times \frac{\$76,500}{\$3,658,430} \\ &= 1.8419\% + 6.5602\% + 0.0439\% \\ &= 8.5\% \text{ (rounded)} \end{aligned}$$

STEP 2: Adjustments to Base Figure: After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what, if any, adjustment to the base figure was needed in order to arrive at the overall goal. The three possible adjustments to the base figure were examined for history of DBE participation, comparison of goals for other nearby federal assistance recipients, and existing disparity studies in the market area.

Past DBE Participation:

The Mount Sterling-Montgomery County Airport Board has received the following FAA Airport Improvement (AIP) and BIL (Bipartisan Infrastructure Law) grants in the last ten (10) years:

MOUNT STERLING-MONTGOMERY COUNTY AIRPORT (IOB)				
FEDERAL AIRPORT GRANT HISTORY (2013-2023)				
AIP/BIL GRANT #	DESCRIPTION	GRANT AMOUNT	DBE GOAL %	DBE ACTUAL %
3-21-0038-016-2013	Pavement Rehabilitation, Apron and Taxiways	\$ 519,723.00	9.00%	4.41%
3-21-0038-017-2014	Update Master Plan Study	\$ 21,462.00	9.00%	Not Required
3-21-0038-018-2016	Rehabilitate Runway	\$ 163,707.00	No Goal	Not Required
3-21-0038-019-2018	Rehabilitate Apron	\$ 236,957.00	No Goal	Not Required
3-21-0038-020-2019	Taxilane Expansion	\$ 365,187.00	10.00%	8.85%
3-21-0038-021-2020	CATES Act Funds	\$ 69,000.00	No Goal	Not Required
3-21-0038-022-2021	CRRSA Act Funds	\$ 23,000.00	No Goal	Not Required
3-21-0038-023-2022	ARPA Funds	\$ 59,000.00	No Goal	Not Required
3-21-0038-024-2022	Strengthen Apron	\$ 162,732.00	No Goal	71.84%*
3-21-0038-025-2023	3-Unit Box Hangar (Design)	\$ 72,570.00	No Goal	Not Required

* prime contractor was a certified DBE at time of bidding, but has since graduated from the DBE program; information unavailable to determine DBE status at time of payment.

Nearby DBE Goal Comparison:

The Mount Sterling-Montgomery County Airport Board conducted searches with various plan holders, bidders, and information made available by the KYTC Kentucky Department of Aviation to review DBE goals of other Airport Boards around the vicinity of the Mount Sterling-Montgomery County Airport. The following DBE goals have been set by nearby Airport Sponsors for recent projects:

AIRPORT SPONSOR		
FEDERAL AIRPORT GRANT GOALS		
AIRPORT SPONSOR	DESCRIPTION AND YEAR	DBE GOAL %
Cynthiana-Harrison County Airport Board	8-Unit T-Hangar (2023)	3.12%
Fleming-Mason Airport Board	Improve Runway Safety Area (2022)	10.14%
Morehead-Rowan County Airport Board	Apron Expansion (2022)	8.91%
Pikeville/Pike County Airport Board	Box Hangar Construction (2023)	5.00%

Disparity Studies:

Lexington-Fayette Urban County Government (LFUCG) Disparity Study –

In September of 2022, the Lexington-Fayette Urban County Government (LFUCG) published their final report on a disparity study focused on percentage of contract and procurement dollars – including subcontract dollars – that LFUCG awarded to minority and women-owned businesses during the period of 2016 through 2021. It was concluded that the number of available MBEs and WBEs (16.5%) did not equate to the same dollar amount of awarded contracts (12%) during that period. In addition, it was found that approximately 75% of the contract dollars awarded to MBEs and WBEs was spread across relatively few businesses (19% of available firms).

Louisville Metropolitan Sewer District (MSD) Disparity Study –

In July of 2018, the Louisville Metropolitan Sewer District (MSD) published their final report on a disparity study in Louisville and Jefferson County for prime contracts awarded during the projects occurring from 2010 through 2015. It was concluded that minority and women-owned businesses were underutilized for prime contracts during that period, and overall goals of 15% DBE and 6% WBE were set.

Base Figure Adjustments:

After reviewing the past DBE performance on projects at the Mount Sterling-Montgomery County Airport (IOB), other airport sponsor goals for recent projects nearby, and examining available disparity studies, the Mount Sterling-Montgomery County Airport Board supports no adjustment to their base figure. Additionally, the Board concludes that an appropriate race/gender-conscious goal percentage must be established to help alleviate disparities that exist in the market area.

Past DBE participation on the last two (2) projects with a federal grant over \$250,000 showed that an average participation of 6.6% was achieved, and both projects fell short of their established DBE goals. This evidence would help support a decrease in the base figure to adjust for previous performance. In a similar way, examining the DBE goals of nearby Airport Sponsors with similar projects in the last few years yielded an average goal of 6.8%. This evidence would also suggest that a decrease in the base figure is necessary. However, the Mount Sterling-Montgomery County Airport Board believes that the recent disparity studies by LFUCG and Louisville MSD support an increase in the base figure. When taking in all three (3) factors listed above, the Airport Board feels that no adjustment to the base figure is necessary. Therefore, it is recommended by the Board that the overall DBE goal for the FY2024 – FY2026 triennium be **8.5%**.

Step 3: Breakout of Estimated “Race and Gender Neutral (RN)” and “Race and Gender Conscious (RC)” Participation

The Mount Sterling-Montgomery County Airport Board will meet the maximum feasible portion of the overall goal by using RN means of facilitating DBE participation by:

1. Arranging solicitations, times for presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation;
2. Providing technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
4. Holding pre-bid/pre-proposal conferences to provide firms with an opportunity to inquire about the DBE requirements.

These procedures shall be applied to FAA-assisted contracts, such as those including professional, technical, consultant, or managerial services; construction, and the procurement of materials, supplies, personnel, facilities, and equipment, depending on the Airport Capital Improvement Plan. In all instances, efforts will be made to facilitate DBE and small business participation in prime and subcontract opportunities.

Additionally, the Mount Sterling-Montgomery County Airport Board may use additional race/gender-neutral means to facilitate DBE and small business participation by:

1. Providing information to DBE firms and small businesses about the organization, functions, and full range of contractual needs.
2. Offering instructions and clarification on bid specifications, the organization's procurement policy, procedures, and general bidding requirements.
3. Maintaining a file of successful bid documents from past procurements and permitting DBE's and other small businesses to review and evaluate these documents.
4. Conducting debriefing sessions to explain why certain bids were unsuccessful.
5. Providing DBE and other small firms with information on future procurements and contracting schedules.
6. Providing instructions about job performance requirements.
7. Providing information on certification procedures, subcontracting, and bonding requirements.
8. Placing bid notices in the Commerce Business Daily, Dodge Bulletin, DBE trade association newsletters, major local newspaper, and other trade journals.
9. To the extent possible, sending bid notices to DBE and small business trade associations, technical assistance agencies, DBE economic development groups, and to DBE's and small businesses with capabilities relevant to the bid notice.
10. Providing DBE firms and small businesses with lists of majority firms bidding as prime contractors.
11. Using sufficient lead-time for advertisement of all invitations to bid so that all firms have ample time to develop a complete bid package or proposal and secure necessary assistance.

The Mount Sterling-Montgomery County Airport Board estimates that in meeting the established overall goal of 8.5%, it will obtain 2.0% from race/gender-neutral measures and 6.5% from race/gender-conscious measures. Since the Board does not have a history of over-achievement of goals, they feel that an estimation of 2.0% race/gender-neutral means of obtaining DBE participation is an attainable goal, and that 6.5% participation via race/gender conscious measures is necessary to achieve the overall goal. This conscious measure aligns with the historical DBE participation at the Mount Sterling-Montgomery County Airport and other surrounding airports when utilizing contract goals.

The Airport Board will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation (§26.51(f)) and track and report RN and RC participation separately. For reporting purposes, RN DBE participation includes, but is not necessarily limited to the following: DBE participation through a prime contract obtained through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal, DBE participation on a prime contract exceeding a contract goal, and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

ATTACHMENT 6 – FORM 1 & 2 FOR DEMONSTRATION OF GOOD FAITH EFFORTS

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner:

- ☐ Bidder/offeror has met the DBE contract goal
The bidder/offeror is committed to a minimum of ____ % DBE utilization on this contract.
- ☐ Bidder/offeror has not met the DBE contract goal
The bidder/offeror is committed to a minimum of ____% DBE utilization on this contract and has submitted [or “will submit,” if recipient made compliance a matter of responsibility] documentation demonstrating good faith efforts.

Legal name of bidder/offeror's firm: _____

Bidder/Offeror Representative:

Name & Title

Signature

Date

FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: _____

Name & title of firm's authorized representative: _____

Phone: _____ Email: _____

Name of DBE firm: _____

Name & title of DBE firm's authorized representative: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Work to be performed by DBE firm:

Description of Work	NAICS	Dollar Amount / %*	Dealer/Manufacturer**

*Percentage is to be used only in negotiated procurements, including design-build contracts

**For material suppliers only, indicate whether the DBE is a manufacturer or a regular dealer as defined by §26.55.

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

The bidder/offeror understands that if it is awarded the contract/agreement resulting from this procurement, it must enter into a subcontract with the DBE firm identified above that is representative of the type and amount of work listed. Bidder/offeror understands that upon submitting this form with its bid/offer, it may not substitute or terminate the DBE listed above without following the procedures of 49 CFR Part 26, §26.53.

Signature of Bidder/Offeror's Authorized Representative

Date: _____

The undersigned DBE affirms that it is ready, willing, and able to perform the amount and type of work as described above, and is properly certified to be counted for DBE participation, therefore.

Signature of DBE's Authorized Representative

Date: _____

Submit this page for each DBE subcontractor

ATTACHMENT 7 – DBE MONITORING AND ENFORCEMENT MECHANISIMS

The Mount Sterling-Montgomery County Airport Board has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract;
2. Breach of contract action, pursuant to Kentucky Revised Statutes (KRS) Chapters 376, 411, 421, 413, 425 and 426; and
3. Violation of the Rules and Regulations of the Mount Sterling-Montgomery County Airport Board.

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

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26;
2. Enforcement action pursuant to 49 CFR Part 31; and
3. Prosecution pursuant to 18 USC 1001.

ATTACHMENT 8 – UNIFORM CERTIFICATION APPLICATION

To obtain certified DBE status in Kentucky, first time applicants may apply in one of two ways:

1. Submit an online application through the KYTC Office for Civil Rights & Small Business Development DBE/ACDBE Online Application Portal (<https://apps.transportation.ky.gov/dbe/>)
2. Submit a paper DBE/ACDBE UCP Application and all supporting documents through the mail to the KYTC Office for Civil Rights & Small Business Development. The application and guidelines on how to apply can be found at <https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Documents/uniform-certification-application.pdf>.

Firms already certified as a DBE in their home state outside of Kentucky are required to follow the Interstate Certification expectations as outlined in 49 CFR §26.85(c) of the Code of Federal Regulations. You MUST provide a copy of your initial application form, supporting documents, and any other information you submitted to your home state as well as the Kentucky Interstate Affidavit. If you fail to submit the required documents, your application may be delayed and/or denied. The link to the Kentucky Interstate DBE Affidavit is <https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Documents/Interstate%20Certification%20Affidavit.pdf>

If you have any questions regarding DBE certification or how to apply, you may contact:

Kentucky Transportation Cabinet (KYTC)
Office for Civil Rights and Small Business Development
200 Mero Street
Frankfort, KY 40601
Phone: (502) 564-3601
Fax: (502) 564-2112
kytc.ocrsbd@ky.gov

ATTACHMENT 9 – PROCEDURES FOR REMOVAL OF DBE'S ELIGIBILITY

Pursuant to § 26.87, the Mount Sterling-Montgomery County Airport Board may use the following procedures to remove a DBE's eligibility:

(a) Ineligibility complaints.

1. Any person may file with you a written complaint alleging that a currently-certified firm is ineligible and specifying the alleged reasons why the firm is ineligible. You are not required to accept a general allegation that a firm is ineligible or an anonymous complaint. The complaint may include any information or arguments supporting the complainant's assertion that the firm is ineligible and should not continue to be certified. Confidentiality of complainants' identities must be protected as provided in § 26.109(b).
2. You must review your records concerning the firm, any material provided by the firm and the complainant, and other available information. You may request additional information from the firm or conduct any other investigation that you deem necessary.
3. If you determine, based on this review, that there is reasonable cause to believe that the firm is ineligible, you must provide written notice to the firm that you propose to find the firm ineligible, setting forth the reasons for the proposed determination. If you determine that such reasonable cause does not exist, you must notify the complainant and the firm in writing of this determination and the reasons for it. All statements of reasons for findings on the issue of reasonable cause must specifically reference the evidence in the record on which each reason is based.

(b) Recipient-initiated proceedings. If, based on notification by the firm of a change in its circumstances or other information that comes to your attention, you determine that there is reasonable cause to believe that a currently certified firm is ineligible, you must provide written notice to the firm that you propose to find the firm ineligible, setting forth the reasons for the proposed determination. The statement of reasons for the finding of reasonable cause must specifically reference the evidence in the record on which each reason is based.

(c) DOT directive to initiate proceeding.

1. If the concerned operating administration determines that information in your certification records, or other information available to the concerned operating administration, provides reasonable cause to believe that a firm you certified does not meet the eligibility criteria of this part, the concerned operating administration may direct you to initiate a proceeding to remove the firm's certification.
2. The concerned operating administration must provide you and the firm a notice setting forth the reasons for the directive, including any relevant documentation or other information.
3. You must immediately commence and prosecute a proceeding to remove eligibility as provided by paragraph (b) of this section.

(d) Hearing. When you notify a firm that there is reasonable cause to remove its eligibility, as provided in paragraph (a), (b), or (c) of this section, you must give the firm an opportunity for an informal hearing, at which the firm may respond to the reasons for the proposal to remove its eligibility in person and provide information and arguments concerning why it should remain certified.

1. In such a proceeding, you bear the burden of proving, by a preponderance of the evidence, that the firm does not meet the certification standards of this part.
2. You must maintain a complete record of the hearing, by any means acceptable under state law for the retention of a verbatim record of an administrative hearing. If there is an appeal to DOT under § 26.89, you must provide a transcript of the hearing to DOT and, on request, to the firm.

You must retain the original record of the hearing. You may charge the firm only for the cost of copying the record.

3. The firm may elect to present information and arguments in writing, without going to a hearing. In such a situation, you bear the same burden of proving, by a preponderance of the evidence, that the firm does not meet the certification standards, as you would during a hearing.
- (e) **Separation of functions.** You must ensure that the decision in a proceeding to remove a firm's eligibility is made by an office and personnel that did not take part in actions leading to or seeking to implement the proposal to remove the firm's eligibility and are not subject, with respect to the matter, to direction from the office or personnel who did take part in these actions.
1. Your method of implementing this requirement must be made part of your DBE program.
 2. The decisionmaker must be an individual who is knowledgeable about the certification requirements of your DBE program and this part.
 3. Before a UCP is operational in its state, a small airport or small transit authority (i.e., an airport or transit authority serving an area with less than 250,000 population) is required to meet this requirement only to the extent feasible.
- (f) **Grounds for decision.** You may base a decision to remove a firm's eligibility only on one or more of the following grounds:
1. Changes in the firm's circumstances since the certification of the firm by the recipient that render the firm unable to meet the eligibility standards of this part;
 2. Information or evidence not available to you at the time the firm was certified;
 3. Information relevant to eligibility that has been concealed or misrepresented by the firm;
 4. A change in the certification standards or requirements of the Department since you certified the firm;
 5. Your decision to certify the firm was clearly erroneous;
 6. The firm has failed to cooperate with you (see § 26.109(c));
 7. The firm has exhibited a pattern of conduct indicating its involvement in attempts to subvert the intent or requirements of the DBE program (see § 26.73(a)(2)); or
 8. The firm has been suspended or debarred for conduct related to the DBE program. The notice required by paragraph (g) of this section must include a copy of the suspension or debarment action. A decision to remove a firm for this reason shall not be subject to the hearing procedures in paragraph (d) of this section.
- (g) **Notice of decision.** Following your decision, you must provide the firm written notice of the decision and the reasons for it, including specific references to the evidence in the record that supports each reason for the decision. The notice must inform the firm of the consequences of your decision and of the availability of an appeal to the Department of Transportation under § 26.89. You must send copies of the notice to the complainant in an ineligibility complaint or the concerned operating administration that had directed you to initiate the proceeding. Provided that, when sending such a notice to a complainant other than a DOT operating administration, you must not include information reasonably construed as confidential business information without the written consent of the firm that submitted the information.

(h) **Status of firm during proceeding.**


1. A firm remains an eligible DBE during the pendency of your proceeding to remove its eligibility.
2. The firm does not become ineligible until the issuance of the notice provided for in paragraph (g) of this section.

(i) **Effects of removal of eligibility.** When you remove a firm's eligibility, you must take the following action:

1. When a prime contractor has made a commitment to using the ineligible firm, or you have made a commitment to using a DBE prime contractor, but a subcontract or contract has not been executed before you issue the decertification notice provided for in paragraph (g) of this section, the ineligible firm does not count toward the contract goal or overall goal. You must direct the prime contractor to meet the contract goal with an eligible DBE firm or demonstrate to you that it has made a good faith effort to do so.
2. If a prime contractor has executed a subcontract with the firm before you have notified the firm of its ineligibility, the prime contractor may continue to use the firm on the contract and may continue to receive credit toward its DBE goal for the firm's work. In this case, or in a case where you have let a prime contract to the DBE that was later ruled ineligible, the portion of the ineligible firm's performance of the contract remaining after you issued the notice of its ineligibility shall not count toward your overall goal, but may count toward the contract goal.
3. **Exception:** If the DBE's ineligibility is caused solely by its having exceeded the size standard during the performance of the contract, you may continue to count its participation on that contract toward overall and contract goals.

(j) **Availability of appeal.** When you make an administratively final removal of a firm's eligibility under this section, the firm may appeal the removal to the Department under § 26.89.

ATTACHMENT 10 – PERSONAL NET WORTH STATEMENT

	U.S. Department of Transportation	Personal Net Worth Statement For DBE/ACDBE Program Eligibility As of _____	OMB APPROVAL NO: 2105-0510 EXPIRATION DATE: 03/31/2025		
<p>This form is used by all participants in the U.S. Department of Transportation's Disadvantaged Business Enterprise (DBE) and Airport Concession DBE (ACDBE) Programs. Each individual owner of a firm applying to participate as a DBE or ACDBE, whose ownership and control are relied upon for DBE certification must complete this form. Each person signing this form authorizes the certifying agency to make inquiries as necessary to verify the accuracy of the statements made. The agency you apply to will use the information provided to determine whether an owner is economically disadvantaged as defined in the DBE program regulations 49 C.F.R. Parts 23 and 26. Return form to appropriate certifying agency, not U.S. DOT.</p>					
Applicant Name:					
Residence: (As reported to the IRS) Address, City, State and Zip Code			Residence Phone		
Business Name of Applicant Firm			Business Phone		
Marital Status: Single, Married, Divorced, Union		Spouse's Full Name:			
ASSETS (Omit Cents)		LIABILITIES (Omit Cents)			
Cash and Cash Equivalents	\$	Loan on Life Insurance (Complete Section 5)	\$		
Retirement Accounts (IRAs, 401Ks, 403Bs, Pensions, etc.) (Report full value minus tax and interest penalties that would apply if assets were distributed today) (Complete Section 3)	\$	Mortgages on Real Estate Excluding Primary Residence Debt (Complete Section 4)	\$		
Brokerage, Investment Accounts	\$	Notes, Obligations on Personal Property (Complete Section 6)	\$		
Assets Held in Trust	\$	Notes & Accounts Payable to Banks and Others (Complete Section 2)	\$		
Loans from You to the Firm, Other Entities, Individuals, & Other Receivables (Complete Section 6)	\$	Other Liabilities (Complete Section 8)	\$		
Real Estate Excluding Primary Residence (Complete Section 4)	\$	Unpaid Taxes (Complete Section 8)	\$		
Life Insurance (Cash Surrender Value Only) (Complete Section 5)	\$				
Other Personal Property and Assets (Complete Section 6)	\$				
Business Interests Other Than the Applicant Firm (Complete Section 7)	\$				
Total Assets	\$	Total Liabilities	\$		
		NET WORTH			
Section 2. Notes Payable to Banks and Others					
Name of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)	How Secured or Endorsed Type of Collateral

Section 3. Brokerage and custodial accounts, stocks, bonds, retirement accounts. (Full Value) (Use attachments if necessary).

Name of Security / Brokerage Account / Retirement Account	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned (Including Primary Residence, Investment Properties, Personal Property Leased or Rented for Business Purposes, Farm Properties, or any Other Income Producing property). (List each parcel separately. Add additional sheets if necessary).

	Primary Residence	Property B	Property C
Type of Property			
Address			
Date Acquired and Method of Acquisition (purchase, inherit, divorce, gift, etc.)			
Names on Deed			
Purchase Price			
Present Market Value			
Source of Market Valuation			
Name of all Mortgage Holders			
Mortgage Acc. # and balance (as of date of form)			
Equity line of credit balance			
Amount of Payment Per Month/Year (Specify)			

Section 5. Life Insurance Held (Give face amount and cash surrender value of policies, name of insurance company and beneficiaries).

Insurance Company	Face Value	Cash Surrender Amount	Beneficiaries	Loan on Policy Information

Section 6. Other Personal Property and Assets (Use attachments as necessary)

Type of Property or Asset	Total Present Value	Amount of Liability (Balance)	Is this asset insured?	Lien or Note amount and Terms of Payment
Automobiles and Vehicles (including recreation vehicles, motorcycles, boats, etc.) Include personally owned vehicles that are leased or rented to businesses or other individuals.				
Household Goods / Jewelry				
Loans from Owner to Firm, Other Entities, Individuals				
Other (List)				
Accounts and Notes Receivables				

Section 7. Value of Other Business Investments, Other Businesses Owned (excluding applicant firm)

Sole Proprietorships, General Partners, Joint Ventures, Limited Liability Companies, Closely-held and Public Traded Corporations

--

Section 8. Other Liabilities and Unpaid Taxes (Describe)

--

Section 9. Transfer of Assets: Have you within 2 years of this personal net worth statement, transferred assets to a spouse, domestic partner, relative, or entity in which you have an ownership or beneficial interest including a trust? Yes ☐ No ☐ If yes, describe.

--

I declare under penalty of perjury that the information provided in this personal net worth statement and supporting documents is complete, true and correct. I certify that no assets have been transferred to any beneficiary for less than fair market value in the last two years. I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application and this personal net worth statement, and I authorize such agency to contact any entity named in the application or this personal financial statement, including the names banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility. I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

NOTARY CERTIFICATE:

(Insert applicable state acknowledgment, affirmation, or oath)

Signature (DBE/ACDBE Owner)

Date

In collecting the information requested by this form, the Department of Transportation complies with Federal Freedom of Information and Privacy Act (5 U.S.C. 552 and 552a) provisions. The Privacy Act provides comprehensive protections for your personal information. This includes how information is collected, used, disclosed, stored, and discarded. Your information will not be disclosed to third parties without your consent. The information collected will be used solely to determine your firm's eligibility to participate in the Disadvantaged Business Enterprise (DBE) Program or Airport Concessionaire DBE Programs as defined in 49 C.F.R. Parts 23 and 26. You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477).



General Instructions for Completing the Personal Net Worth Statement for DBE/ACDBE Program Eligibility

Please do not make adjustments to your figures pursuant to U.S. DOT regulations 49 C.F.R. Parts 23 and 26. The agency that you apply to will use the information provided on your completed Personal Net Worth (PNW) Statement to determine whether you meet the economic disadvantage requirements of 49 C.F.R. Parts 23 and 26. If there are discrepancies or questions regarding your form, it may be returned to you to correct and complete again.

An individual's personal net worth according to 49 C.F.R. Parts 23 and 26 includes only his or her own share of assets held separately, jointly, or as community property with the individual's spouse and excludes the following:

- Individual's ownership interest in the applicant firm;
- Individual's equity in his or her primary residence;
- Federal Tax and penalties, if applicable, that would accrue if retirement savings or investments (e.g., pension plans, Individual Retirement Accounts, 401(k) accounts, etc.) were distributed at the present time.

Indicate on the form if any items are jointly owned. If the personal net worth of the majority owner(s) of the firm exceeds \$1.32 million, as defined by 49 C.F.R. Parts 23 and 26, the firm is not eligible for DBE or ACDBE certification. If the personal net worth of the majority owner(s) exceeds the \$1.32 million cap specified in §26.67(a)(2)(i) at any time after your firm is certified, the firm is no longer eligible for certification. Should that occur, it is your responsibility to contact your certifying agency in writing to advise that your firm no longer qualifies as a DBE or ACDBE. You must fill out all line items on the Personal Net Worth Statement.

If necessary, use additional sheets of paper to report all information and details. If you have any questions about completing this form, please contact the certifying agency.

Assets

All assets must be reported at their current fair market values as of the date of your statement. Assessor's assessed value for real estate, for example, is not acceptable. Assets held in a trust should be included.

Cash and Cash Equivalents: On page 1, enter the total amount of cash or cash equivalents in bank accounts, including checking, savings, money market, certificates of deposit held domestic or foreign. Provide copies of the bank statement.

Retirement Accounts, IRA, 401Ks, 403Bs, Pensions: On page 1, enter the full value minus Federal tax and penalties that would apply if assets were distributed as of the date of the form. Describe the number of shares, name of securities, cost market value, date of quotation, and total value in section 3 on page 2.

Brokerage and Custodial Accounts, Stocks, Bonds, Retirement Accounts: Report total value on page 1, and on

page 2, section 3, enter the name of the security, brokerage account, retirement account, etc.; the cost; market value of the asset; the date of quotation; and total value as of the date of the PNW statement.

Assets Held in Trust: Enter the total value of the assets held in trust on page 1, and provide the names of beneficiaries and trustees, and other information in Section 6 on page 3.

Loans from you to the firm, other Entities, Individuals, and Other Receivables not listed: Enter current balances of loans you have extended to this firm and to other entities or individuals, plus interest payable on those loans; and other receivables not listed above. Complete Section 6 on page 3.

Real Estate: The total value of real estate excluding your primary residence should be listed on page 1. In section 4 on page 2, please list your primary residence in column 1, including the address, method of acquisition, date of acquired, names of deed, purchase price, present fair market value, source of market valuation, names of all mortgage holders, mortgage account number and balance, equity line of credit balance, and amount of payment. List this information for all real estate held. Please ensure that this section contains all real estate owned, including rental properties, vacation properties, commercial properties, personal property leased or rented for business purposes, farm properties and any other income producing properties, etc. Attach additional sheets if needed.

Life Insurance: On page 1, enter the cash surrender value of this asset. In section 5 on page 2, enter the name of the insurance company, the face value of the policy, cash surrender value, names of beneficiaries, and loans on the policy.

Other Personal Property and Assets: Enter the total value of personal property and assets you own on page 1. Personal property includes motor vehicles, boats, trailers, jewelry, furniture, household goods, collectibles, clothing, and personally owned vehicles that are leased or rented to businesses or other individuals. In section 6 on page 3, list these assets and enter the present value, the balance of any liabilities, whether the asset is insured, and lien or note information and terms of payments. For accounts and notes receivable, enter the total value of all monies owed to you personally, if any. You may also be asked to provide a copy of any liens or notes on the property.

Other Business Interests Other than Applicant Firm: On page 1, enter the total value of your other business investments (excluding the applicant firm). In section 7 on page 3, enter information concerning the businesses you hold an ownership interest in, such as sole proprietorships, partnerships, joint ventures, corporations, or limited liability corporations (other than the applicant firm). Do not reduce the value of these entries by any loans from the outside firm to the DBE/ACDBE applicant business.

Liabilities

Mortgages on Real Estate: Enter the total balance on all mortgages payable on real estate on page 1.

Loans on Life Insurance: Enter the total value of all loans due on life insurance policies on page 1, and complete section 5 on page 2.

Notes & Accounts Payable to Bank and Others: On page 1, section 2, enter details concerning any liability, including name of noteholders, original and current balances, payment terms, and security/collateral information. The entries should include automobile installment accounts. This should not, however, include any mortgage balances as this information is captured in section 4. Do not include loans for your business or mortgages for your properties in this section. You may be asked to submit copy of note/security agreement, and the most recent account statement.

Other Liabilities: On page 1, enter the total value due on all other liabilities not listed in the previous entries. In section 8, page 3, report the name of the individual obligated, names of co-signers, description of the liability, the name of the entity owed, the date of the obligation, payment amounts and terms. Note: Do not include contingent liabilities in this section. Contingent liabilities are liabilities that belong to you only if an event(s) should occur. For example, if you have co-signed on a relative's loan, but you are not responsible for the debt until your relative defaults, that is a

contingent liability. Contingent liabilities do not count toward your net worth until they become actual liabilities.

Unpaid Taxes: Enter the total amount of all taxes that are currently due, but are unpaid on page 1, and complete section 8 on page 3. Contingent tax liabilities or anticipated taxes for current year should not be included. Describe in detail the name of the individual obligated, names of co-signers, the type of unpaid tax, to whom the tax is payable, due date, amount, and to what property, if any, the tax lien attaches. If none, state "NONE." You must include documentation, such as tax liens, to support the amounts.

Transfers of Assets:

Transfers of Assets: If you checked the box indicating yes on page 3 in this category, provide details on all asset transfers (within 2 years of the date of this personal net worth statement) to a spouse, domestic partner, relative, or entity in which you have an ownership or beneficial interest including a trust. Include a description of the asset; names of individuals on the deed, title, note or other instrument indicating ownership rights; the names of individuals receiving the assets and their relation to the transferor; the date of the transfer; and the value or consideration received. Submit documentation requested on the form related to the transfer.

Affidavit

Be sure to sign and date the statement. The Personal Net Worth Statement must be notarized.

ATTACHMENT 11 – PUBLIC NOTICE

The Mount Sterling-Montgomery County Airport Board hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of 8.5% for FAA-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2024 through 2026. The proposed goal and its attendant methodology are available for inspection between 8:00 a.m. and 5:00 p.m. Monday through Friday at the Mount Sterling-Montgomery County Airport (IOB) for 14 days from the date of this publication.

Comments on the DBE goal will be accepted for 14 days from the date of this publication and can be sent to the following:

Catesby Woodford
Board Chairman
709 Airport Road
Mt. Sterling, KY 40353
(859) 498-1000
catesby@bellsouth.net

AND

Ms. Renee Standing Tree
DBE/ACDBE Program Compliance Specialist
Federal Aviation Administration (FAA)
800 Independence Ave SW
Washington, DC 20591
(202) 267-8925
renee.l.standing.tree@faa.gov

A public meeting will be held at the Mount Sterling-Montgomery County Airport (IOB) in Mt. Sterling, Kentucky on Monday, March 25 at 10:00am ET. The meeting will take place in the Airport Terminal conference room.

ATTACHMENT 12 – REPORTING FORMS

FAA REPORT OF CERTIFIED DBE CONTRACTORS USED ON AWARDED AND COMMITTED FAA-ASSISTED CONTRACTS

Name of Airport:

Name of Recipient:

City/State/Zip:

Goal Period Dates:

Preparer's Name:

Email address and
Telephone No:

Date Prepared:

DBE Firm:

Address:

City/State/Zip:

Telephone No.:

Type of Work and NAICS:

Dollar Amount of Work:

AIP Grant #s:

Disadvantaged Group (check one):

Black American <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	Hispanic American <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	Native American <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	Subcontinent Asian American <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>
Asian Pacific American <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	Non-Minority <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	Other (not of any group listed here) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>	

General Reporting

	UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS									
	Please refer to the Instructions sheet for directions on filling out this form									
1	Submitted to (check only one): <input type="checkbox"/> FHWA <input type="checkbox"/> FAA <input type="checkbox"/> FTA--Recipient ID Number									
2	AIP Numbers (FAA Recipients); Grant Number (FTA Recipients):									
3	Federal fiscal year in which reporting period falls:					4. Date This Report Submitted:				
5	Reporting Period		<input type="checkbox"/> Report due June 1 (for period Oct. 1-Mar. 31)			<input type="checkbox"/> Report due Dec. 1 (for period April 1-Sept. 30)			<input type="checkbox"/> FAA annual report due Dec. 1	
6	Name and address of Recipient:									
7	Annual DBE Goal(s):		Race Conscious Projection		Race Neutral Projection		OVERALL Goal			

Awards/Commitments this Reporting Period

A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (total contracts and subcontracts committed during this reporting period)	A	B	C	D	E	F	G	H	I
		Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs /Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
8	Prime contracts awarded this period									
9	Subcontracts awarded/committed this period									
10	TOTAL									

B	BREAKDOWN BY ETHNICITY & GENDER	Contracts Awarded to DBEs this Period					
		A	B	C	D	E	F
		Total to DBE (dollar amount)	Total to DBE (number)		Total to DBE (number)		
		Women	Men	Total	Women	Men	Total
11	Black American						
12	Hispanic American						
13	Native American						
14	Asian-Pacific American						
15	Subcontinent Asian Americans						
16	Non-Minority						
17	TOTAL						

Payments Made this Period

C	PAYMENTS ON ONGOING CONTRACTS (report activity of ongoing contracts)	A	B	C	D	E	F
		Total Number of Contracts	Total Dollars Paid	Total Number of Contracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs
18	Prime and sub contracts currently in progress						
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A	B	C	D		
		Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs	
		19 Race Conscious					
		20 Race Neutral					
21	Totals						
22	Submitted By:	24. Signature:				25. Phone Number:	