

# Memorandum

# TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: John Aitken

**SUBJECT:** SEE BELOW

**DATE:** June 17, 2022

| Approved | 11/1 | Date     |  |  |
|----------|------|----------|--|--|
|          | Jer  | 06/20/22 |  |  |

# **SUPPLEMENTAL**

## SUBJECT: AIRPORT DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR GRANT FUNDED AIRPORT DEVELOPMENT PROJECTS FOR FEDERAL FISCAL YEARS 2023-2025

The purpose of this supplemental memorandum is to transmit any public comments received during the 30-day comment period and to provide details on the stakeholder meeting that took place on May 31, 2022.

A notice of the proposed goal and methodology was published on May 10, 2022 on the Airport's website, FAA Disadvantaged Business Enterprise (DBE) opportunities website, and the Airport Minority Advisory Council's Events Page. Additionally, this notice was forwarded to DBE's in our market area and to all vendors and parties on our interested party list, that includes primes, small and local businesses.

The notice informed the public of the upcoming DBE Federal Fiscal Year (FFY) 2023-2025 proposed goal for the Norman Y. Mineta San José International Airport. The notice to the public included information on:

- Who to contact about the goal
- How to inspect the details about the goal and methodology
- The Deadline for providing comments
- Notice of the May 31 Stakeholder meeting

The Stakeholder meeting that took place on May 31, 2022 was presented by Sarah Mee, the Airport's DBE consultant from GCAP Services. Sarah presented on the proposed goal and methodology. During the stakeholder meeting, there were no questions or comments received.

Two similar presentations related to the Goal Process and Proposed Goal were given to:

• The Airport Commission on May 9, 2022, included a notification about the May 31, 2022 Stakeholder's Meeting.

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• The Small Business Task Force on June 9, 2022, which included not only the goal process and calculations but also the specific project list and breakdown for the upcoming DBE FFY 2023-2025 time period.

The comments we have received are as follows:

#### From Commission Meeting:

Commissioners voted to accept the goal setting process, including the acknowledgement of the proposed three-year DBE goal.

#### From Stakeholder Meeting:

The Airport received one comment during the stakeholder meeting from Silicon Valley Minority Business Consortium regarding the concern for utilizing small businesses on projects. SJC agreed with the Consortium on the importance of small business utilization and stated that they will continue to review future projects to ascertain if they could be broken down into opportunities for small businesses and DBEs and noted that primes are reminded and encouraged to utilize small businesses and DBE firms at pre-bid/pre-proposal meetings.

#### From Task Force Meeting:

The Airport received a variety of comments during the Task Force meeting. One comment specific to the goal setting process was from the President of the Silicon Valley Minority Business Consortium who expressed concern for utilizing project specific DBE Goals and advocated for a higher goal. The Airport has a program that seeks to provide opportunities for DBE participation across both FAA-funded and City-funded projects. The required FAA DBE goal is set using the required FAA standard methodology, and the Airport sees this goal as the floor not the ceiling for DBE participation. The FAA use of this DBE goal does not include all local, small, minority or veteran owned businesses. The Airport seeks to provide opportunities for all small and/or local and/or disadvantaged businesses certified or not and encourages those firms eligible for DBE certification to apply.

Other Comments: None

/s/ JOHN AITKEN, A.A.E. Director of Aviation

For questions, please contact Magdelina Nodal, Senior Analyst, at 408-392-3673.

Attachment



# NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT

Federal Aviation Administration (FAA) Overall Disadvantage Business Enterprise (DBE) Goal-Setting Methodology

> Fiscal Federal Years (FFY) 2023-2025 Goal Period

> > Submitted in fulfillment of: Title 49 Code of Federal Regulations Part 26



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# DBE GOAL METHODOLOGY

## I. INTRODUCTION

The City of San Jose/Norman Y. Mineta San Jose International Airport (SJC) herein sets forth its Overall Disadvantaged Business Enterprise (DBE) Goal and corresponding federally prescribed goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2023-2025 (October 1, 2022 through September 30, 2025), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26 "Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs." The purpose of the DBE goal-setting process is to level the playing field so that DBEs can compete fairly for Department of Transportation-assisted contracts, however, the program must be narrowly tailored in accordance with applicable law.

## II. BACKGROUND

SJC is a recipient of U.S. Department of Transportation (USDOT), Federal Aviation Administration (FAA), funding. As a condition of receiving this assistance, SJC signed an assurance that it will comply with FAA's DBE requirements. In accordance with Title 49 CFR Part 26 provisions: Participation by DBEs in USDOT Programs, SJC is required to develop and submit a Triennial Overall DBE Goal for its FAA-assisted projects.

SJC herein presents its Overall DBE Goal Methodology for FFY 2023-2025.

# III. FAA-ASSISTED CONTRACTING PROGRAM FOR FFY 2023-2025

#### Market Area

The Federal DBE program requires agencies to implement the DBE program based on information from the relevant geographic market area—the area in which the agency spends the substantial majority of its contracting dollars.

The SJC local market for contracts consists of a geographic area that is:

- where a large majority of contracting dollars is expended, and
- where a substantial number of contractors and subcontractors are located and available to submit bids or quotes.

The SJC bidder's list was reviewed and analyzed to determine where SJC spends the substantial majority of its contracting dollars. The previously established market area of Alameda and Santa Clara counties remain the valid market area

#### **Anticipated Projects**

SJC has five (5) FAA-assisted projects that are anticipated to be awarded during the triennial period and which were considered in preparing this goal methodology. The projects, which include construction and professional services contracting opportunities, are anticipated to be awarded during the triennial period and have potential subcontracting opportunities. These projects and their federal share are listed in Table 1.



| TABLE 1                                   |  |
|---|--|
| (amounts subject to rounding differences) |  |

| PROJECT NAME/DESCRIPTION <sup>1</sup>  | EST. TOTAL<br>PROJECT COST | EST. FAA \$         | EST. FAA %                |
|--|----------------------------|---------------------|---------------------------|
| PROJECT NAME/DESCRIPTION   | 2                          | SHARE <sup>3</sup>  | <b>SHARE</b> <sup>4</sup> |
| General Aviation Run-Up Pad Relocation - REBID - The   | \$1,209,566                | \$967,653           | 80.00%                    |
| General Aviation (GA) Run-up Pad Relocation project  |                            |                     |                           |
| will improve airfield safety by eliminating a designated   |                            |                     |                           |
| airfield incursion hotspot. The project is addressing the  |                            |                     |                           |
| current hotspot at the intersection of Taxiway D and   |                            |                     |                           |
| Taxiway W by relocating the existing run-up pad to the apron area between Taxiway B and Taxiway C on the |                            |                     |                           |
| southwestern end of the Airport. The scope of work   |                            |                     |                           |
| includes removal of existing pavement and tie-downs,   |                            |                     |                           |
| unclassified excavation, lime treated subgrade   |                            |                     |                           |
| stabilization, crushed Aggregate Base Course,  |                            |                     |                           |
| bituminous Surface Course, drainage Improvements,  |                            |                     |                           |
| striping, lighting, directional Signage, and removal of  |                            |                     |                           |
| Existing Run-up.   |                            |                     |                           |
| New Taxiway Victor Phase 1 The New Taxiway Victor-   | \$9,835,444                | \$7,868,355         | 80.00%                    |
| Phase 1 Project includes approximately 1,100 LF of   |                            |                     |                           |
| New Taxiway V pavement and a taxiway connector   |                            |                     |                           |
| stub approximately 457 LF, and includes installation of  |                            |                     |                           |
| drainage improvements, grading improvements, and   |                            |                     |                           |
| installation of new airfield lighting and signage.   | ¢C 505 254                 | ¢5 276 204          | 00.00%                    |
| Terminal B South Ramp - phase 4 Removal and  | \$6,595,351                | \$5,276,281         | 80.00%                    |
| Replacement of approx. 100K SF of existing apron south of terminal b (gate positions 37 and 38) and      |                            |                     |                           |
| replace with new DG-V rated PCC Pavement   |                            |                     |                           |
| Terminal B South Ramp - phase 5 Removal and  | \$6,595,351                | \$5,276,281         | 80.00%                    |
| Replacement of approx. 76K SF of existing apron south  | <i>v</i> 0,000,001         | <i>43,2, 0,2</i> 01 | 00.0070                   |
| of terminal b (gate positions 39 &40)  |                            |                     |                           |

<sup>&</sup>lt;sup>1</sup> The name and brief description of each project.

<sup>&</sup>lt;sup>2</sup> The total estimated cost of each project.

<sup>&</sup>lt;sup>3</sup> The estimated FAA dollar share for each project.

<sup>&</sup>lt;sup>4</sup> The estimated FAA percentage share for each project.



| PROJECT NAME/DESCRIPTION <sup>1</sup>                    | EST. TOTAL<br>PROJECT COST<br>2 | EST. FAA \$<br>SHARE <sup>3</sup> | EST. FAA %<br>SHARE⁴ |
|--|---------------------------------|-----------------------------------|----------------------|
| New Taxiway Victor Phase 2 and 3 Phase 2 will consist    | \$9,835,444                     | \$7,868,355                       | 80.00%               |
| of the demolition of existing airfield pavement          |                                 |                                   |                      |
| between existing Taxiway V and Taxiway W,                |                                 |                                   |                      |
| demolition of portions of existing Taxiway W1, and the   |                                 |                                   |                      |
| construction of up to 325,600 square feet of new         |                                 |                                   |                      |
| portland cement concrete (PCC) pavement. Other           |                                 |                                   |                      |
| improvements include site grading, drainage              |                                 |                                   |                      |
| improvements, airfield electrical improvements           |                                 |                                   |                      |
| (signage and lighting), existing utility protection, and |                                 |                                   |                      |
| FAA NAVAID and infrastructure protection.                |                                 |                                   |                      |
| Total  | \$34,071,155                    | \$27,256,924                      | 80.00%               |

#### **Subrecipients**

SJC does not reallocate any FAA funds to subrecipients.

#### **Categories of Work**

SJC reviewed each project anticipated to be awarded in the triennial period and determined the applicable categories of work applicable for each project using North American Industry Classification System (NAICS) codes. The corresponding dollar values for each NAICS code for each project were summarized for purposes of weighting the categories of work based on the staff estimates. Table 2 provides a summary of the categories of work with estimated dollars for each.

| PROJECT<br>NAME         | EST. FAA \$<br>SHARE⁵ | NAICS<br>CODE <sup>6</sup> | NAICS TITLE <sup>7</sup>  | EST. FAA \$<br>SHARE NAICS <sup>8</sup> |
|-------------------------|-----------------------|----------------------------|---|---|
| General                 | \$967,652.80          | 237310                     | Highway, Street, and Bridge Construction                            | \$308,904.43                            |
| Aviation Run-<br>Up Pad |                       | 237990                     | Other Heavy and Civil Engineering<br>Construction                   | \$4,719.91                              |
| Relocation -<br>REBID   |                       | 238120                     | Structural Steel and Precast Concrete<br>Contractors                | \$1,890.13                              |
|                         |                       | 238210                     | Electrical Contractors and Other Wiring<br>Installation Contractors | \$409,103.15                            |
|                         |                       | 238390                     | Other Building Finishing Contractors                                | \$6,731.88                              |
|                         |                       | 238910                     | Site Preparation Contractors  | \$105,916.69                            |
|                         |                       | 238990                     | All Other Specialty Trade Contractors                               | \$5,938.27                              |
|                         |                       | 541330                     | Engineering Services  | \$12,517.43                             |
|                         |                       | 541360                     | Geophysical Surveying and Mapping Services                          | \$10,706.58                             |

# TABLE 2: Project NAICS Codes

<sup>(</sup>amounts subject to rounding differences)

<sup>&</sup>lt;sup>5</sup> The estimated FAA dollar share for each project.

<sup>&</sup>lt;sup>6</sup> The category of work (NAICS) code for each project.

<sup>&</sup>lt;sup>7</sup> The category of work (NAICS) title.

<sup>&</sup>lt;sup>8</sup> The estimated FAA dollars for each NAICS code in each project.



| PROJECT<br>NAME         | EST. FAA \$<br>SHARE⁵ | NAICS<br>CODE <sup>6</sup> | NAICS TITLE <sup>7</sup>  | EST. FAA \$<br>SHARE NAICS <sup>8</sup> |
|-------------------------|-----------------------|----------------------------|---|---|
|                         |                       | 541620                     | Environmental Consulting Services                                       | \$23,198.98                             |
|                         |                       | 541690                     | Other Scientific and Technical Consulting<br>Services                   | \$46,314.51                             |
|                         |                       | 561730                     | Landscaping Services  | \$31,710.84                             |
| New Taxiway             | \$7,868,355.14        | 237310                     | Highway, Street, and Bridge Construction                                | \$3,575,085.53                          |
| Victor Phase 1          |                       | 238120                     | Structural Steel and Precast Concrete<br>Contractors                    | \$297,926.94                            |
|                         |                       | 238210                     | Electrical Contractors and Other Wiring<br>Installation Contractors     | \$1,228,461.59                          |
|                         |                       | 238390                     | Other Building Finishing Contractors                                    | \$50,112.48                             |
|                         |                       | 238910                     | Site Preparation Contractors  | \$73,961.56                             |
|                         |                       | 541330                     | Engineering Services  | \$8,779.34                              |
|                         |                       | 541360                     | Geophysical Surveying and Mapping Services                              | \$57,065.72                             |
|                         |                       | 541611                     | Administrative Management and General<br>Management Consulting Services | \$162,239.34                            |
|                         |                       | 541620                     | Environmental Consulting Services                                       | \$122,910.78                            |
|                         |                       | 541690                     | Other Scientific and Technical Consulting<br>Services                   | \$87,793.41                             |
|                         |                       | 561730                     | Landscaping Services  | \$121,894.13                            |
|                         |                       | 562111                     | Solid Waste Collection  | \$2,082,124.34                          |
| New Taxiway             | \$7,868,355.14        | 237310                     | Highway, Street, and Bridge Construction                                | \$3,575,085.53                          |
| Victor Phase 2<br>and 3 |                       | 238120                     | Structural Steel and Precast Concrete<br>Contractors                    | \$297,926.94                            |
|                         |                       | 238210                     | Electrical Contractors and Other Wiring<br>Installation Contractors     | \$1,228,461.59                          |
|                         |                       | 238390                     | Other Building Finishing Contractors                                    | \$50,112.48                             |
|                         |                       | 238910                     | Site Preparation Contractors  | \$73,961.56                             |
|                         |                       | 541330                     | Engineering Services  | \$8,779.34                              |
|                         |                       | 541360                     | Geophysical Surveying and Mapping Services                              | \$57,065.72                             |
|                         |                       | 541611                     | Administrative Management and General<br>Management Consulting Services | \$162,239.34                            |
|                         |                       | 541620                     | Environmental Consulting Services                                       | \$122,910.78                            |
|                         |                       | 541690                     | Other Scientific and Technical Consulting<br>Services                   | \$87,793.41                             |
|                         |                       | 561730                     | Landscaping Services  | \$121,894.13                            |
|                         |                       | 562111                     | Solid Waste Collection  | \$2,082,124.34                          |
| Terminal B              | \$5,276,280.64        | 237310                     | Highway, Street, and Bridge Construction                                | \$3,411,888.48                          |
| South Ramp -            |                       | 237990                     | Other Heavy and Civil Engineering                                       | \$178,627.68                            |
| phase 4                 |                       |                            | Construction  |   |
|                         |                       | 238120                     | Structural Steel and Precast Concrete<br>Contractors                    | \$72,585.07                             |
|                         |                       | 238210                     | Electrical Contractors and Other Wiring<br>Installation Contractors     | \$112,470.12                            |
|                         |                       | 238910                     | Site Preparation Contractors  | \$1,234,899.69                          |
|                         |                       | 230310                     |   |   |
|                         |                       | 541330                     | Engineering Services  | \$9,072.00                              |



| PROJECT<br>NAME         | EST. FAA \$<br>SHARE⁵ | NAICS<br>CODE <sup>6</sup> | NAICS TITLE <sup>7</sup>  | EST. FAA \$<br>SHARE NAICS <sup>8</sup> |
|-------------------------|-----------------------|----------------------------|---|---|
|                         |                       | 541611                     | Administrative Management and General<br>Management Consulting Services | \$2,268.00                              |
|                         |                       | 541620                     | Environmental Consulting Services                                       | \$9,752.40                              |
|                         |                       | 541690                     | Other Scientific and Technical Consulting Services                      | \$181,440.00                            |
|                         |                       | 561730                     | Landscaping Services  | \$17,645.04                             |
|                         |                       | 561990                     | All Other Support Services  | \$45,360.00                             |
| Terminal B              | \$5,276,280.64        | 237310                     | Highway, Street, and Bridge Construction                                | \$3,411,888.48                          |
| South Ramp -<br>phase 5 |                       | 237990                     | Other Heavy and Civil Engineering<br>Construction                       | \$178,627.68                            |
|                         |                       | 238120                     | Structural Steel and Precast Concrete<br>Contractors                    | \$72,585.07                             |
|                         |                       | 238210                     | Electrical Contractors and Other Wiring<br>Installation Contractors     | \$112,470.12                            |
|                         |                       | 238910                     | Site Preparation Contractors  | \$1,234,899.69                          |
|                         |                       | 541330                     | Engineering Services  | \$9,072.00                              |
|                         |                       | 541380                     | Testing Laboratories  | \$272.16                                |
|                         |                       | 541611                     | Administrative Management and General<br>Management Consulting Services | \$2,268.00                              |
|                         |                       | 541620                     | Environmental Consulting Services                                       | \$9,752.40                              |
|                         |                       | 541690                     | Other Scientific and Technical Consulting Services                      | \$181,440.00                            |
|                         |                       | 561730                     | Landscaping Services  | \$17,645.04                             |
|                         |                       | 561990                     | All Other Support Services  | \$45,360.00                             |
| Total                   | \$27,256,924          |                            |   | \$27,256,924.37                         |

Table 3 is a summary of each NAICS code and the total dollar values for each NAICS code based on projects listed in Table 2.

#### **TABLE 3: NAICS Code Summary**

(amounts subject to rounding differences)

| NAICS Code | Category of Work  | NAICS Dollars <sup>9</sup> | NAICS Funding<br>Weight <sup>10</sup> |
|------------|---|----------------------------|---------------------------------------|
| 237310     | Highway, Street, and Bridge Construction                            | \$14,282,852               | 52.4%                                 |
| 237990     | Other Heavy and Civil Engineering Construction                      | \$361,975                  | 1.3%                                  |
| 238120     | Structural Steel and Precast Concrete Contractors                   | \$742,914                  | 2.7%                                  |
| 238210     | Electrical Contractors and Other Wiring Installation<br>Contractors | \$3,090,967                | 11.3%                                 |
| 238390     | Other Building Finishing Contractors                                | \$106,957                  | 0.4%                                  |
| 238910     | Site Preparation Contractors  | \$2,723,639                | 10.0%                                 |
| 238990     | All Other Specialty Trade Contractors                               | \$5,938                    | 0.0%                                  |
| 541330     | Engineering Services  | \$48,220                   | 0.2%                                  |

<sup>&</sup>lt;sup>9</sup> The total dollars for each category of work (NAICS) that are summed from the values in Table 2.

<sup>&</sup>lt;sup>10</sup> The percentage of dollars for each category of work (NAICS) for all projects anticipated to be awarded.

| NAICS Code | Category of Work  | NAICS Dollars <sup>9</sup> | NAICS Funding<br>Weight <sup>10</sup> |
|------------|---|----------------------------|---------------------------------------|
| 541360     | Geophysical Surveying and Mapping Services                              | \$124,838                  | 0.5%                                  |
| 541380     | Testing Laboratories  | \$544                      | 0.0%                                  |
| 541611     | Administrative Management and General Management<br>Consulting Services | \$329,015                  | 1.2%                                  |
| 541620     | Environmental Consulting Services                                       | \$288,525                  | 1.1%                                  |
| 541690     | Other Scientific and Technical Consulting Services                      | \$584,781                  | 2.1%                                  |
| 561730     | Landscaping Services  | \$310,789                  | 1.1%                                  |
| 561990     | All Other Support Services  | \$90,720                   | 0.3%                                  |
| 562111     | Solid Waste Collection  | \$4,164,249                | 15.3%                                 |
|            |   | \$27,256,924               | 100.0%                                |

# IV. GOAL METHODOLOGY

#### A. <u>Step 1: Determination of a Base Figure (26.45)<sup>11</sup></u>

To establish the SJC Base Figure of the relative availability of DBEs relative to all comparable firms (DBE and Non-DBE) available to bid or submit proposals on SJC FAA-assisted contracting opportunities projected to be solicited during the triennial goal period, SJC followed the prescribed federal methodology to determine relative availability. This was accomplished by assessing the *California Unified Certification Program (CUCP) DBE Database of Certified Firms* and the 2020 *U.S. Census Bureau County Business Patterns Database* within the SJC market area (defined as Alameda and Santa Clara counties) for each of the categories of work defined in Table 2.

Base Figure =  $\sum \frac{(\text{Number of Ready, Willing and Able DBEs})}{(\text{Number of All Ready, Willing and Able Firms})} x$  weighted ratio

| ⇒ For the numerator: | CUCP DBE Database of Certified Firms |
|----------------------|--------------------------------------|
|                      |                                      |

➡ For the denominator: 2020 U.S. Census Bureau County Business Patterns Database

In accordance with the formula listed below, the Base Figure is derived by:

- a. Relative Availability: dividing the number of ready, willing and able DBE firms identified for each NAICS work category by the number of all firms identified within the market are for each corresponding work category,
- b. Weighted Relative Availability: weighting the relative availability of each work category by the corresponding work category weight from Table 2 (*NAICS %*) to determine the Weighted Ratio for each NAICS work category and adding the weighted ratio figures together.

A concerted effort was made to ensure that the scope of businesses included in the numerator was as close as possible to the scope included in the denominator.

The relative availability of DBEs is calculated in Table 4 below.

<sup>&</sup>lt;sup>11</sup> 26.45 represents Title 49 CFR Part 26 regulatory goal setting methodology reference.



#### **TABLE 4: DBE Relative Availability**

(amounts subject to rounding differences)

| NAICS<br>Code | Category of Work  | DBEs <sup>12</sup> | ALL<br>Firms <sup>13</sup> | Rel. Aval. <sup>14</sup> |
|---------------|---|--------------------|----------------------------|--------------------------|
| 237310        | Highway, Street, and Bridge Construction                                | 9                  | 104                        | 8.7%                     |
| 237990        | Other Heavy and Civil Engineering Construction                          | 5                  | 27                         | 18.5%                    |
| 238120        | Structural Steel and Precast Concrete Contractors                       | 4                  | 51                         | 7.8%                     |
| 238210        | Electrical Contractors and Other Wiring Installation Contractors        | 21                 | 1,570                      | 1.3%                     |
| 238390        | Other Building Finishing Contractors                                    | 3                  | 179                        | 1.7%                     |
| 238910        | Site Preparation Contractors  | 10                 | 320                        | 3.1%                     |
| 238990        | All Other Specialty Trade Contractors                                   | 26                 | 472                        | 5.5%                     |
| 541330        | Engineering Services  | 55                 | 2,436                      | 2.3%                     |
| 541360        | Geophysical Surveying and Mapping Services                              | 7                  | 12                         | 58.3%                    |
| 541380        | Testing Laboratories  | 9                  | 228                        | 3.9%                     |
| 541611        | Administrative Management and General Management<br>Consulting Services | 78                 | 2,714                      | 2.9%                     |
| 541620        | Environmental Consulting Services                                       | 33                 | 329                        | 10.0%                    |
| 541690        | Other Scientific and Technical Consulting Services                      | 37                 | 873                        | 4.2%                     |
| 561730        | Landscaping Services  | 2                  | 1,541                      | 0.1%                     |
| 561990        | All Other Support Services  | 6                  | 221                        | 2.7%                     |
| 562111        | Solid Waste Collection  | 0                  | 165                        | 0.0%                     |
|               | Total   | 305                | 11,242                     | 2.7%                     |

The relative availability of DBEs from Table 4 is 2.7%. However, to make the Base Figure more accurate, SJC used weighting to take into account the amount of work that is available for each category of work (NAICS).

The weighted relative availability of DBEs is calculated in Table 5 below.

#### **TABLE 5: DBE Weighted Relative Availability** (amounts subject to rounding differences)

| NAICS<br>Code | Category of Work                                  | Estimated<br>FAA % by<br>NAICS <sup>15</sup> | Rel. Aval. <sup>16</sup> | Weighted<br>Ratio <sup>17</sup> |
|---------------|---|--|--------------------------|---------------------------------|
| 237310        | Highway, Street, and Bridge Construction          | 52.4%  | 8.7%                     | 4.5%                            |
| 237990        | Other Heavy and Civil Engineering Construction    | 1.3%   | 18.5%                    | 0.2%                            |
| 238120        | Structural Steel and Precast Concrete Contractors | 2.7%   | 7.8%                     | 0.2%                            |

<sup>&</sup>lt;sup>12</sup> The number of DBEs in the market area for each NAICS code from the CUCP DBE Database of Certified Firms.

<sup>&</sup>lt;sup>13</sup> The number of all firms (DBE and non-DBE) in the market area for each NAICS code from the 2020 U.S. Census Bureau County Business Patterns Database.

<sup>&</sup>lt;sup>14</sup> The number of DBEs divided by the number of all firms.

<sup>&</sup>lt;sup>15</sup> From Table 3

<sup>&</sup>lt;sup>16</sup> From Table 4

<sup>&</sup>lt;sup>17</sup> The NAICS weight multiplied by the relative availability.



| NAICS<br>Code | Category of Work  | Estimated<br>FAA % by<br>NAICS <sup>15</sup> | Rel. Aval. <sup>16</sup> | Weighted<br>Ratio <sup>17</sup> |
|---------------|---|--|--------------------------|---------------------------------|
| 238210        | Electrical Contractors and Other Wiring Installation<br>Contractors     | 11.3%  | 1.3%                     | 0.2%                            |
| 238390        | Other Building Finishing Contractors                                    | 0.4%   | 1.7%                     | 0.0%                            |
| 238910        | Site Preparation Contractors  | 10.0%  | 3.1%                     | 0.3%                            |
| 238990        | All Other Specialty Trade Contractors                                   | 0.0%   | 5.5%                     | 0.0%                            |
| 541330        | Engineering Services  | 0.2%   | 2.3%                     | 0.0%                            |
| 541360        | Geophysical Surveying and Mapping Services                              | 0.5%   | 58.3%                    | 0.3%                            |
| 541380        | Testing Laboratories  | 0.0%   | 3.9%                     | 0.0%                            |
| 541611        | Administrative Management and General Management<br>Consulting Services | 1.2%   | 2.9%                     | 0.0%                            |
| 541620        | Environmental Consulting Services                                       | 1.1%   | 10.0%                    | 0.1%                            |
| 541690        | Other Scientific and Technical Consulting Services                      | 2.1%   | 4.2%                     | 0.1%                            |
| 561730        | Landscaping Services  | 1.1%   | 0.1%                     | 0.0%                            |
| 561990        | All Other Support Services  | 0.3%   | 2.7%                     | 0.0%                            |
| 562111        | Solid Waste Collection  | 15.3%  | 0.0%                     | 0.0%                            |
| Total         |   |  |                          | 6.0%                            |

#### B. <u>Step 2: Adjusting the Base Figure</u>

Upon establishing the Base Figure, SJC reviewed and assessed other known evidence potentially impacting the relative availability of DBEs within the market area, in accordance with prescribed narrow tailoring provisions as set forth under 49 CFR Part 26.45: Step 2, DBE Goal Adjustment Guidelines.

Evidence considered in making adjustments to the Base Figure included Past DBE Goal Attainments and Other Evidence, as follows:

#### 1) Past DBE Goal Attainments

Historical DBE participation attainments provide demonstrable evidence of DBE availability and capacity to perform on SJC projects. The projects anticipated to be awarded during the triennial period are substantially similar to those awarded in the recent past. SJC proceeded to calculate past DBE participation attainments for the three (3) federal fiscal years, for which DBE attainment data is available. The table below reflects the demonstrated capacity of DBEs (measured by actual historical DBE participation attainments) on FAA-assisted contracts awarded by SJC within the last three (3) federal fiscal years.



| FEDEAL FISCAL YEAR<br>(FFY) | FAA DBE<br>GOAL % <sup>18</sup> | FAA DBE %<br>ATTAINMENT |
|-----------------------------|---------------------------------|-------------------------|
| FFY 2019                    | 6.3%                            | 0.0%                    |
| FFY 2020                    | 4.1%                            | 7.6%                    |
| FFY 2021                    | 4.1%                            | 4.1%                    |
| Median DBE Attainment N     | 4.1%                            |                         |

## TABLE 6: Past Participation

(amounts subject to rounding differences)

The median established for the past three (3) federal fiscal years (4.1%) is lower than the Base Figure derived from Step 1 (6.0%); therefore, an adjustment to the Base Figure based on SJC past DBE goal attainments has been made. The adjustment is calculated in accordance with FAA guidance by averaging the Base Figure with the median DBE Past Attainment, as shown below.

| Adjusted Base Figure <sup>21</sup>        | 5.0% |  |  |  |
|---|------|--|--|--|
| Median DBE Attainment <sup>20</sup>       | 4.1% |  |  |  |
| Step 1 Base Figure <sup>19</sup>          | 6.0% |  |  |  |
| (amounts subject to rounding differences) |      |  |  |  |

#### **TABLE 7: Adjusted Base Figure**

2) Disparity Studies

SJC reviewed a number of recent Federal DBE Program-related disparity studies in California. Those studies reveal quantitative and qualitative evidence that minority- and women-owned businesses do not have the same access to financing, bonding, and insurance as non-Hispanic white male-owned businesses in California. Any barriers to obtaining financing, bonding, and insurance might affect opportunities for minorities and women to successfully form and operate construction and engineering businesses in SJC's marketplace. Any barriers that minority- and women-owned businesses face in obtaining financing, bonding, and insurance would also place those businesses at a disadvantage in obtaining SJC FAA-funded prime contracts and subcontracts.

The 2017 San Francisco Bay Area Rapid Transit District (BART) Disparity Study<sup>22</sup>, which includes Alameda and Santa Clara counties, found statistically significant disparity across all categories of work, including architecture and engineering, construction, professional services, other services, and procurement.

<sup>&</sup>lt;sup>18</sup> The FAA DBE Goal percentage for each Federal Fiscal Year.

<sup>&</sup>lt;sup>19</sup> From Table 5.

<sup>&</sup>lt;sup>20</sup> From Table 6.

<sup>&</sup>lt;sup>21</sup> The average of the Base figure and the median DBE attainment [(10.2% + 4.1%) ÷ 2].

<sup>&</sup>lt;sup>22</sup> https://www.bart.gov/sites/default/files/docs/VI.BART%20Final%20Report.Volume%20I.1.12.2017 0.pdf



The 2015 San Francisco Municipal Transportation Agency (SFMTA) Disadvantaged Business Enterprise Availability, Utilization and Disparity Study<sup>23</sup> (2015 SFMTA Disparity Study) conducted quantitative and qualitative analyses of conditions in SFMTA's local marketplace, (which includes Santa Clara and Alameda Counties) to examine whether barriers exist in the marketplace in the construction and engineering industries for minority- and women-owned businesses and whether such barriers affect the utilization and availability of these businesses for SFMTA contracting. The 2015 SFMTA Disparity Study's quantitative analyses show barriers in the San Francisco Bay Area marketplace for minority- and woman-owned businesses in the areas of entry and advancement, business ownership, access to capital, and success of businesses.

The 2016 Caltrans FHWA Disparity Study<sup>24</sup> includes Santa Clara and Alameda counties and demonstrates substantial disparities in the utilization of minority- and women-owned businesses in transportation-related construction and professional services contracting.

While these disparity studies demonstrate that disparity exists in federal contracting, no adjustments to the SJC base figure were made due to the result of any disparity studies.

#### 3) Other Available Evidence

SJC is not in possession of other information that would have an impact on the DBE goal assessment and has not made an adjustment to the SJC base figure due to the result of other airport goals.

# V. PROPOSED OVERALL DBE GOAL

Since the Ninth Circuit Court of Appeals decision regarding Western States Paving v. Washington State Department of Transportation, SJC has set race neutral goals. SJC will periodically re-evaluate its DBE Program to determine whether contract goals are necessary to achieve the overall goal. If after re-evaluation SJC believes a race-conscious program is necessary, as required by Western States, SJC will gather evidence to determine if discrimination in the transportation contracting industry is present. SJC will make a determination at that time what type of evidence gathering is appropriate, based on DOT regulations and case law.

#### The Proposed Overall DBE Goal for FFY 2023-2025 for SJC FAA-assisted contracts is 5.0%.

SJC will continue to have a race-neutral DBE Program for FFY 2023-2025. SJC has been able to achieve DBE participation by using only race-neutral methods and will continue to use the existing race-neutral measures as listed below and will consider new measures in order to achieve even greater participation over the triennial period. SJC will carefully monitor participation during the course of the goal period. At the conclusion of each year during the goal period, SJC will re-evaluate the effectiveness of the race-neutral methods and determine if it is necessary to institute a race-conscious portion and contract specific goals. If, in the future, as a result of this re-evaluation, SJC decides to implement race-conscious means, SJC will submit a revised DBE Goal Methodology for FTA's review and approval.

<sup>&</sup>lt;sup>23</sup> <u>https://www.sfmta.com/sites/default/files/agendaitems/2016/4-19-</u>

<sup>16%20</sup>Item%2014%20Disparity%20Study%20-%20report.pdf

<sup>&</sup>lt;sup>24</sup> <u>http://www.dot.ca.gov/obeo/docs/2016DisparityStudyReport.pdf</u>



SJC has a race-neutral DBE Program and is not using race-conscious methods, including contract specific goals. SJC will use solely race-neutral methods, as shown below, to meet the overall DBE goal of 5.0% for FFY 2023-2025 in accordance with Title 49 CFR Part 26.51.

| RACE-CONSCIOUS & RACE-N  | IEUTRAL PROJECTIONS |
|--------------------------|---------------------|
| DBE Adjusted Base Figure | 5.0%                |
| Race-Conscious Component | 0.0%                |
| Race-Neutral Component   | 5.0%                |

# VI. RACE-NEUTRAL IMPLEMENTATION MEASURES

SJC is currently implementing a number of race- and gender-neutral remedies. In order to outreach and promote the participation of DBEs and small businesses in the SJC FAA-assisted contracting program and to increase the effectiveness of these remedies, SJC plans to continue utilizing existing remedies and will continue to explore other options for consideration based on SJC success in meeting its overall DBE goals based on these efforts.

SJC will:

- Arrange contract solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate and maximize DBE and other small business participation.
  - SJC will encourage prime contractors to identify subcontracting work that DBEs may bid on.
  - SJC will provide greater detail on the importance of the DBE program at pre-bid/proposal meetings.
  - SJC will invite all DBEs in the market area that perform the type of work included in a solicitation to the pre-bid/proposal meeting.
  - SJC will provide time before or after pre-bid/proposal meetings to allow for prime and subcontractor networking.
  - SJC will disseminate bid opportunity information to Small, Minority, Women and other Business Organizations within the market area.
- SJC will offer instructions and clarification on bid specifications, procurement policy, procedures, and general bidding requirements. SJC will provide information on sub-contracting practices and bonding requirements and provide instructions and clarification on job performance requirements.
  - SJC will review solicitation language to provide an emphasis on the importance of the DBE program.
  - SJC will utilize the California Unified Certification Program website to provide prospective bidders with a list of all DBEs in the market area that perform the type of work included in a solicitation:

http://www.dot.ca.gov/hq/bep/find\_certified.htm

• Maintain a file of successful bid documents from past procurements and permit potential participants to review and evaluate such documents.



- SJC will offer unsuccessful DBE bidders the opportunity for a debrief to help them understand areas in which they can improve their bid/proposal in the future.
- Host and participate in workshops for the DBE and small business contracting community.
  - SJC will attend and participate in vendor fairs hosted by other public agencies in order to learn about best practices for DBE and small business inclusion on procurement.
- As a supportive service to help develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses, SJC will actively promote the small business conferences, programs, and support services offered by other agencies that have established DBE and other small business programs.
  - SJC will refer DBEs and other small businesses to the local Small Business Development Centers, and other local government related entities for technical assistance and other business development services.
- SJC will advise its contracting community of the online directory of certified DBEs, found at the California Unified Certification Program website: <u>www.dot.ca.gov/hq/bep/find\_certified.htm</u>
- SJC will advise the contracting community of the available small businesses certified by the California Department of General Services (DGS): <u>http://www.dgs.ca.gov/pd/Programs/eprocure.aspx</u>
- On a case-by-case basis and depending on the availability and capacity of small businesses to perform subcontract opportunities, the City will implement race-neutral Small Business Enterprise incentives on federally funded contracts.

#### Fostering Small Business Participation<sup>25</sup>

SJC has implemented several strategies to foster small business participation in its contracting process. These include the following:

- Conducting "How to do Business with SJC" and DBE workshops.
- On larger prime contracts, encouraging the prime contractor to consider subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
- Identifying alternative acquisition strategies and structuring procurements to facilitate the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.
- Ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.
- Provide outreach to current SJC contractors or past SJC contractors who may qualify for DBEcertification by encouraging them to seek and obtain DBE-certification.

<sup>&</sup>lt;sup>25</sup> See Title 49 CFR Part 26 Section 26.39 "Fostering Small Business Participation."



# VII. PUBLIC PARTICIPATION AND FACILITATION

In accordance with Public Participation Regulatory Requirements of Title 49 CFR Part 26, minority, women, small, and local business associations, and community organizations within the SJC market area were consulted and provided an opportunity to review the triennial goal analysis and provide input.

SJC posted a Public Notice to the airport's website on May 10, 2022, then later revised and re-posted on May 19, 2022, publishing the SJC Draft Proposed FAA Overall DBE Goal-Setting Methodology for FFY 2023-2025 (See ATTACHMENT 1: Website Notification). The notice informed the public that the proposed goal and rationale were available for inspection at the SJC principal office during normal business hours and SJC would accept comments on the goal analysis for 30 days. This notice was also distributed to the following:

- Posted to FAA DBE Opportunities on May 10, 2022
- Posted to Airport Minority Advisory Council's Events Page on May 10, 2022
- Presented to Airport Commission on May 9, 2022
- Presented to San Jose Council Small Business Task Force on June 3, 2022
- Sent to the Council Members, the San Jose Minority Business Development Agency, Airport Minority Advisory Council, Small Business Development Center Hispanic Chamber(SBDCHC), and various Business & Ethnic Chambers.

SJC reached out to local minority, women, and community business organizations to provide them information on the SJC DBE program and specifically the Draft Proposed FAA Overall DBE Goal-Setting Methodology for FFY 2023-2025. Each organization will be contacted and given an opportunity for a one-one meeting or to participate in a webinar. This notice also provided information about how to attend the Stakeholder meeting. ATTACHMENT 2: Consultative Process Summary includes SJC's outreach efforts, and any comments received from the organizations.

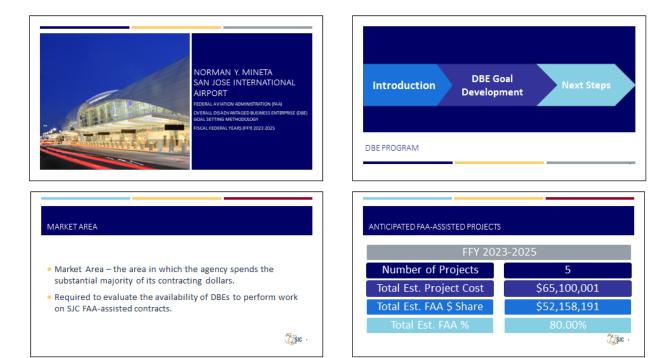
SJC hosted a webinar on May 31, 2022 from 2:30 p.m. to 4:00 p.m. SJC provided the option to either attend in-person or participate virtually in order to accommodate more participation from the public. Stakeholders were able to join via Microsoft Teams or in-person at Downtown City Hall.

During this Stakeholder Meeting, a PowerPoint presentation was shown explaining the DBE program and the FFY 2023-2025 Triennial DBE Goal Methodology. The following slides were presented at the Stakeholder Meeting.









| ANTICIPATED FAA-ASSISTED PRO.                     | IECTS |                         |                   |                   |
|---|-------|-------------------------|-------------------|-------------------|
|   |       |                         |                   |                   |
| PROJECT NAME/DESCRIPTION                          |       | EST. TOTAL PROJECT COST | EST. FAA \$ SHARE | EST. FAA<br>SHARE |
| General Aviation Run Up Pad Relocation            |       | \$1,209,566             | \$967,653         | 80.00             |
| New Taxiway Victor Phase 1 The New Taxiway Victor |       | \$9,835,444             | \$7,868,355       | 80.00             |
| Terminal B South Ramp - phase 4                   |       | \$6,595,351             | \$5,276,281       | 80.00             |
| Terminal B South Ramp - phase 5                   |       | \$6,595,351             | \$5,276,281       | 80.00             |
| New Taxiway Victor Phase 2 and 3 Phase 2          |       | \$9,835,444             | \$7,868,355       | 80.00             |
|   | TOTAL | \$34,071,155            | \$27,256,924      | 80.00             |

| PROJECT NAME          | EST. FAA \$<br>SHARE | NAICS<br>CODE | NAICS TITLE  | EST. FAA \$<br>SHARE NAICS |                |
|-----------------------|----------------------|---------------|--|----------------------------|----------------|
|                       |                      | 237310        | Highway, Street, and Bridge<br>Construction                        | \$308,904.43               |                |
|                       |                      | 237990        | Other Heavy and Civil<br>Engineering Construction                  | \$4,719.91                 |                |
|                       |                      | 238120        | Structural Steel and Precast<br>Concrete Contractors               | \$1,890.13                 |                |
|                       |                      | 238210        | Bectrical Contractors and Other<br>Wiring Installation Contractors | \$409,108.15               | CATEGORIZATION |
| General Aviation Run- |                      | 238390        | Other Building Finishing<br>Contractors                            | \$6,731.88                 | OF WORK        |
| Up Pad Relocation -   | \$967,653            | 238910        | Site Preparation Contractors                                       | \$105,916.69               |                |
| REBID                 |                      | 238990        | All Other Specialty Trade<br>Contractors                           | \$5,938.27                 | PROJECT NAICS  |
|                       |                      | 541330        | Engineering Services   | \$12,517.43                | 0.000          |
|                       |                      | 541360        | Geophysical Surveying and<br>Mapping Services                      | \$10,706.58                | CODES          |
|                       |                      | 541620        | Environmental Consulting<br>Services                               | \$23,198.98                |                |
|                       |                      | 541690        | Other Scientific and Technical<br>Consulting Services              | \$46,314.51                |                |
|                       |                      | 561730        | Landscaping Services   | \$31,710.84                |                |
| Other Projects        | \$26,289,272         |               |  | \$26,289,272               |                |
| TOTAL                 | \$27,256,924         |               |  | \$27,256,924               |                |

|              | NUCL Code | NVCS TEL  | 066 | All from | Relative Availability<br>(DBSc + All Firesc) |
|--------------|-----------|---|-----|----------|--|
| BASE FIGURE  | 237310    | Highway, Street, and Bridge Construction                                | 9   | 104      | 8.7%   |
| BASE FIGURE  | 237990    | Other Heavy and OviEngineering<br>Construction                          | 5   | 27       | 10.5%  |
|              | 238120    | Structural Steel and Precast Concrete<br>Contractors                    |     | 51       | 7.8%   |
|              | 238210    | Electrical Contractors and Other Wiring<br>Installation Contractors     | 21  | 1,570    | 1.3%   |
|              | 238390    | Other Building Finishing Contractors                                    | 3   | 179      | 1.7%   |
|              | 238910    | Site Preparation Contractors  | 10  | 320      | 3.1%   |
|              | 238990    | All Other Speciality Trade Contractors                                  | 25  | 672      | 5.5%   |
| DBE Relative | 541330    | Engineering Services  | 55  | 2,435    | 2.3%   |
| DBE Relative | 541360    | Geophysical Surveying and Mapping Services                              | 7   | 12       | 58.3%  |
| Availability | 541380    | Testing Laboratories  | 9   | 228      | 3.9%   |
| Availability | 541611    | Administrative Management and General<br>Management Consulting Services | 78  | 2,714    | 2.9%   |
|              | 541620    | Environmental Consulting Services                                       | 33  | 329      | 10.0%  |
|              | 541090    | Other Scientific and Technical Consulting<br>Services                   | 37  | 873      | 4.2%   |
|              | 561730    | Landscaping Services  | 2   | 1,501    | 0.1%   |
|              | 551990    | All Other Support Services  | 6   | 221      | 2.7%   |
|              | 562111    | Solid Warte Collection  |     | 165      | 0.0%   |
|              |           | TOTAL   | 305 | 11.242   | 2.7%   |

| T SIC |  |
|-------|--|
|       |  |

| NAICS Code | Category of Work  | Estimated FAA   | Edmated FAA      |      |
|------------|---|-----------------|------------------|------|
| NATES Cade |   | Dolbrs by NAICS | % by NAICS       |      |
| 237310     | Highway, Street, and Bridge Construction                                | \$14,282,852    | 52.4%            |      |
| 237990     | Other Heavy and Ovi Engineering Construction                            | \$351,975       | 1.3%             |      |
| 238120     | Structural Steel and Precast Concrete Contractors                       | \$742,914       | 2.75             | TION |
| 238210     | Electrical Contractors and Other Wiring Installation<br>Contractors     | \$3,090,957     | 11.3% CATEGORIZA | TION |
| 238390     | Other Building Finishing Contractors                                    | \$106,957       | 0.4% OF WORK     |      |
| 230910     | Site Preparation Contractors  | \$2,723,639     | 10.0%            |      |
| 239990     | All Other Speciality Trade Contractors                                  | \$5,938         | 0.0%             |      |
| 541330     | Engineering Services  | \$48,220        | NAICS CODE       |      |
| 541360     | Geophysical Surveying and Mapping Services                              | \$124,838       | 0.5%             |      |
| 541380     | Testing Laboratories  | \$544           | SUMMARY          |      |
| 541611     | Administrative Management and General Management<br>Consulting Services | \$329,015       | 1.2%             |      |
| 541620     | Environmental Consulting Services                                       | \$288,525       | 1.1%             |      |
| 541690     | Other Scientific and Technical Consulting Services                      | \$504,781       | 2.1%             |      |
| 561730     | Landscaping Services  | \$310,789       | 1.1%             |      |
| 561990     | All Other Support Services  | \$90,720        | 0.3%             |      |
| 562111     | Solid Waite Collection  | \$4,164,249     | 15.3%            |      |
|            | TOTAL   | \$27,256,924    | 100.0%           |      |





SJC received one comment during the Stakeholder meeting from Silicon Valley Minority Business Consortium regarding the concern for utilizing small businesses on projects. SJC agreed with the Consortium on the importance of small business utilization and stated that they will continue to review future projects to ascertain if they could be broken down into opportunities for small businesses and DBEs and noted that primes are reminded and encouraged to utilize small businesses and DBE firms at pre-bid/pre-proposal meetings.

No changes to the DBE goal or methodology were made based on the comments received.



#### **ATTACHMENT 1: Website Notification**

christopher.hickey@sanjoseca.gov

SAN JOSE INTERNATIONAL SJC SILICON VALLEY'S AIRPORT ABOUT SJC . COMMUNITY & ENVIRONMENT . DOING BUSINESS . PRESS ROOM . Home / Standards and Guidelines / Disadvantaged Business Enterprise (DBE) Disadvantaged Business Enterprise (DBE) Notice to Public: Posted May 10, 2022 (Revised and Reposted May 19, 2022) Federal Aviation Administration (FAA) Disadvantaged Business Enterprise (DBE) Project Goal Federal Fiscal Years 2023-2025 The City of San Jose has established a Disadvantaged Business Enterprise (DBE) Program for Norman Y. Mineta San José International Airport in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Airport's DBE plans are: Norman Y. Mineta San José Int'l Airport FFY 2020-2022 DBE Plan Norman Y. Mineta San José Int'l Airport FFY 2017-2019 DBE Plan DBEs are encouraged to explore the following sites, which may have resources available to assist your business: · Office of Small and Disadvantaged Business Utilization Small Business Transportation Resource Centers • The Financial Assistance Division administers the Short Term Lending Program (STLP) and Bonding Education Program (BEP) DBE Technical Assistance Resources from the U.S. Dept. of Transportation If you are a small disadvantaged business, please make sure you are certified in the State of California. Certification puts you in the statewide California DBE database, which is often a place that many public agencies use for outreach about potential public works projects. For more information about certification: · Details about the requirements and application are available from the California Unified Certification Program Two local agencies that can process your DBE application are: VTA and SFMTA Please contact the following for additional information or to be added to our outreach list: Magdelina Nodal, Senior Analyst Norman Y. Mineta San José International Airport 1701 Airport Boulevard, Suite B-1130 San José, CA 95110-1206 1-408-392-3673 mnodal@sjc.org Christopher Hickey Office of Equality Assurance, City of San José 200 East Santa Clara Street - Fifth Floor San José, CA 95113 1-408-535-8481





# NOTICE TO PUBLIC - MAY 10<sup>TH</sup>, 2022

#### NORMAN Y. MINETA

#### SAN JOSE INTERNATIONAL AIRPORT

#### FEDERAL AVIATION ADMINISTRATION

#### DBE GOAL FEDERAL FISCAL YEARS 2023 – 2025

In accordance with 49 CFR Part 26.45(g), the City of San Jose/Norman Y. Mineta International Airport (SJC), as a recipient of U.S. Department of Transportation (DOT) assistance, announces a proposed Federal Aviation Administration (FAA) Disadvantaged Business Enterprise (DBE) project overall project goal of 5.0% for the project period. This race-neutral goal represents the percentage of work to be performed by certified DBE firms on SJC's FAA-assisted projects during the project period.

The methodology used to determine the proposed goal will be available for public inspection for thirty (30) days from the date of this notice, Monday through Friday from 8:00 a.m. to 4:00 p.m. at the following location:

City of San Jose/ Norman Y. Mineta San Jose International Airport 1701 Airport Blvd. Ste B-1130 San José, CA 95110 Tel: (408) 392-3673

The U.S. DOT and SJC will accept comments on this proposed goal for 30 days from the date of this notice.

A Stakeholder Meeting will also be held at the following:

May 31st, 2022 2:30 p.m. to 4:00 pm Norman Y. Mineta San Jose International Airport – Boeing Room 1701 Airport Blvd. Ste B-1130 San José, CA 95110 Tel: (408) 392-3673

For further information on the Stakeholder Meeting or the zoom link reach out to: Magdelina Nodal via email to mnodal@sjc.gov or phone by 408-392-3673.

Written comments to the SJC DBE Liaison Officer, Christopher Hickey, may be sent to the address above and/or emailed to Christopher.Hickey@sanjoseca.gov. Written comments can also be sent directly to the FAA, DBE/ACDBE Compliance Specialist for the Western Pacific Region, P.O. Box 920078, Los Angeles, CA 90009-2007. Written comments at both locations will be accepted until June 10, 2022.





#### **ATTACHMENT 2: Consultative Process Summary**

#### List of Minority/Trade Organizations

| Company & Address   | Contact Info  | Notes  | Comments              |
|---|---|--|-----------------------|
| Building & Construction<br>Trades Council                     | David Bini, Executive Director<br>david@scbtc.org;<br>408-265-7643  | <ul> <li>Email notifications sent 5/25, 5/26, 5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and left voicemail.</li> </ul>   | No comments received. |
| Filipino American<br>Chamber of Commerce of<br>Silicon Valley | info@filamchamber.org;<br>(408) 283-0833  | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26. Number no longer in<br/>service.</li> </ul>   | No comments received. |
| San Francisco Bay Area<br>Hispanic Chamber of<br>Commerce     | info@sfbayhcc.com;<br>(415) 572-3568  | <ul> <li>Email notifications sent 5/25, 5/26, 5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and spoke to staff about goal methodology and notice for public comment on goal setting. Informed staff that e-blasts would be sent out with more information on the methodology.</li> </ul> | No comments received. |
| Hispanic Chamber of<br>Commerce Silicon Valley                | Dennis King, Executive Director<br>dennisk@hccsv.org;<br>Connie Madrigal, Office Manager-<br>Executive Assistant<br>connie@sbdchc.org;<br>info@hccsv.org;<br>(408) 248-4800 | <ul> <li>Attempted to send email notice to organization on 5/25.</li> <li>Called 5/26 and left voicemail.</li> </ul>   | No comments received. |



| Company & Address                              | Contact Info   | Notes  | Comments  |
|--|--|--|---|
| Silicon Valley Minority<br>Business Consortium | Walter Wilson<br>walter@minoritybusinessconsortium.com;<br>Reginald Swilley<br>swilley@minoritybusinessconsortium.com;<br>info@minoritybusinessconsortium.com;<br>408-660-9171 | <ul> <li>Email notifications sent 5/25, 5/26, 5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and mailbox was full.</li> </ul> | <ul> <li>Carol Been participated in the<br/>Stakeholder Meeting on 5/31. She<br/>asked for clarification on the number<br/>of firms for NAICS Code 237310. SJC<br/>clarified that the number of firms is<br/>determined based on the number of<br/>DBE firms certified with NAICS Code<br/>237310 within the market area and<br/>number of establishments within the<br/>market area that are categorized by<br/>the Census Bureau under NAICS Code<br/>237310.</li> <li>Ms. Been also expressed concern<br/>about utilizing small businesses for<br/>projects. SJC analyzed whether the<br/>anticipated projects could be broken<br/>down when applicable and providing<br/>loans to ACDBEs. SJC also confirmed<br/>that primes are reminded and<br/>encouraged to utilize small business<br/>firms at pre-bid/pre-proposal<br/>meetings.</li> </ul> |
| San Jose MBDA Business<br>Center               | Tony Tang<br>ttang@sanjosembdacenter.com;<br>info@asianinc.org;<br>408-998-8058 x134   | <ul> <li>Attempted to send email notice to organization on 5/25.</li> <li>Called 5/26 and left voicemail.</li> </ul>       | No comments received.   |



| Company & Address   | Contact Info  | Notes  | Comments              |
|---|---|--|-----------------------|
| National Association of<br>Women Business Owners<br>Silicon Valley        | info@nawbo-sv.org;<br>communications@nawbo-sv.org<br>(408) 657-7190   | <ul> <li>Email notification sent 5/25.</li> <li>Attempted to send email notice to organization on 5/26.</li> <li>Called 5/26 and spoke to staff. Staff provided updated email address for eblast: <u>communications@nawbo-sv.org</u>. Updated contact list to reflect new email and sent notice to new email.</li> </ul> | No comments received. |
| Oakland African American<br>Chamber of Commerce<br>Airport Plaza Building | office@oaacc.org;<br>510-268-1600   | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and left voicemail.</li> </ul>   | No comments received. |
| Silicon Valley Vietnamese<br>American Chamber of<br>Commerce              | info@svvacoc.org;<br>408.673.7181   | <ul> <li>Attempted to send email notice to organization on 5/25.</li> <li>Called 5/26 and left voicemail.</li> </ul>   | No comments received. |
| The Silicon Valley Black<br>Chamber of Commerce                           | info@blackchamber.com;<br>408-288-8806  | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and left voicemail.</li> </ul>   | No comments received. |
| City of San Jose - Capital<br>of Silicon Valley District I                | Vice Mayor Chappie Jones, Chair<br>David Gomez, Chief of Staff<br>david.gomez@sanjoseca.gov<br>(408) 535-4901 | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and spoke to staff about<br/>goal methodology and notice for<br/>public comment on goal setting. Staff<br/>notified SJC that David Gomez will be<br/>forwarded the message.</li> </ul>                                     | No comments received. |



| Company & Address  | Contact Info  | Notes  | Comments              |
|--|---|--|-----------------------|
| Korean American<br>Chamber of Commerce of<br>Silicon Valley          | Ken Kim<br>kaccosv@gmail.com<br>(408) 781-8346            | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 6/8 and left voicemail.</li> </ul>  | No comments received. |
| Santa Clara County<br>Korean American<br>Chamber of Commerce         | (408) 747-9894  | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 6/8 and left voicemail.</li> </ul>  | No comments received. |
| Rainbow Chamber of<br>Commerce                                       | Bettie Owen<br>info@rainbowchamber.com<br>(916) 266-9630  | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 6/8 and spoke to staff. Staff<br/>said that they did not have a comment<br/>on methodology.</li> </ul>  | No comments received. |
| Silicon Valley Chinese<br>Technology & Business<br>Association       | Helen Wang<br>svctba@gmail.com                            | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> </ul>  | No comments received. |
| Vietnamese American<br>Chamber of Commerce of<br>Northern California | Nga Nguyen<br>ncvacoc@gmail.com<br>408-676-9789           | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 6/8 and left voicemail.</li> </ul>  | No comments received. |
| Winchester Business<br>Association                                   | Ken Kelly<br>president@winchesterba.org<br>(408) 823-8201 | <ul> <li>Email notifications sent 5/25, 5/26, 5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and spoke to staff about goal methodology and notice for public comment on goal setting. Staff informed SJC that they have received the notice.</li> </ul> | No comments received. |



| Company & Address               | Contact Info  | Notes  | Comments              |
|---------------------------------|---|--|-----------------------|
| Latino Business<br>Foundation   | Jesus Flores<br>Info@lbfsv.org<br>408.618.8599  | <ul> <li>Email notifications sent 5/25, 5/26,<br/>5/27, 5/30, 5/31, 6/8.</li> <li>Called 6/8 and call disconnected<br/>before voicemail.</li> </ul>  | No comments received. |
| San Jose Chamber of<br>Commerce | Derrick Seaver<br>derricks@thesvo.com<br>Kathryn Satcher, COO<br>kathryns@sjchamber.com<br>(408) 291-5260 | <ul> <li>Email notifications sent 5/25, 5/26, 5/27, 5/30, 5/31, 6/8.</li> <li>Called 5/26 and spoke to staff about goal methodology and notice for public comment on goal setting. Informed staff that e-blasts would be sent out with more information on the methodology.</li> </ul> | No comments received. |