



# DBE Quarterly

Volume 3, Issue 3

**Inside this issue:**  
 Winter  
 2014

## FAA & FTA DBE Goals



The Hawai'i Department of Transportation (HDOT) divisions are required to set triennial DBE participation goals and submit them to the appropriate Operating Administrations. This year the Airports Division and Statewide Transportation Planning (STP) Office submitted their goals for Federal fiscal years (FFY) 2015 to 2017 to the Federal Aviation Administration (FAA) and Federal Transit Administration (FTA) respectively.

**Airports Division (Small Hub Airports) DBE Goals for Construction Projects:**

Kona International Airport at Keahole	21%
Hilo International Airport	21%
Lihue Airport	29%

**Airports Division (Large and Medium Hub Airports) DBE Goals for Airport Concessions**

Honolulu International Airport (excluding car rental concessions)	12%
Kahului Airport (excluding car rental concessions)	24%

**Statewide Transportation Planning Office** 28%

The Airports Division modified its FFY 2014 - 2016 goal for large and medium hub airports because the FAA granted approval of a waiver request in July 2014. A mid-year adjustment was submitted to FAA for FFY 2015 - 2016.

Honolulu International Airport (Large Hub Airport)	22%
Kahului Airport (Medium Hub Airport)	23%

For further information on the DBE goals visit our website at <http://hidot.hawaii.gov/administration/ocr/dbe/>

Federal Aviation Administration & Federal Transit Administration DBE Goals	1
Bonding Education Program For Small Businesses	1
2014 DBE Final Rule	2
DBE Presentation Dec. 15, 2014	3
8th Annual Hawai'i Construction Career Days	3
Newly Certified DBE Firms	4
DBE Program Staff and DBE Policy Statement	4

## Bonding Education Program for Small Businesses

This past summer HDOT partnered with the Southwest Region of the Small Business Transportation Resource Center (SBRTC) to hold a Bonding Education Program (BEP). This six-session course featured guest speakers from various state and local government agencies, private contracting companies, financial institutions and surety companies to provide invaluable information to approximately 20 DBEs and other small businesses on bonding. Topics included business planning, estimating/bidding, financing/credit, project management and legal claims/dispute resolution. In addition to classroom work participants met one-on-one with bonding producers to assess their bonding readiness and to receive advice on how to get bonding or improve their bonding capacity.

For information on the BEP go to [www.dot.gov/osdbu/financial-assistance/bonding-education/bonding-education-program](http://www.dot.gov/osdbu/financial-assistance/bonding-education/bonding-education-program)

Participants from the BEP, Summer 2014 at the Honolulu SBA conference room.



HDOT is working with Southwest Region of the SBRTC to plan future BEP seminars in 2015. **STAY TUNED!**



Presentations at Building Industry Association classroom Waipahu, Oahu.



# 2014 DBE Final Rule



The USDOT has issued a final rule amending its Disadvantaged Business Enterprise (DBE) Program in 49 CFR Part 26. The final rule took effect on November 3, 2014, and affects DBEs, and prime contractors working on Federal-aid projects. The following is a brief description of the final rule.

## Certification Standards:

**Size cap increase** - Although the DBE Program mostly follows Small Business Administration (SBA) small business size standards, DOT does have its own size "ceiling." Prior to the rule change, the small business size cap was \$22.41 million in gross receipts averaged over three years and it is now **\$23.98 million**.

**Economic Disadvantage** - Even if the socially disadvantaged owner's adjusted net worth is below \$1.32 million, he/she may be disqualified if there is evidence indicating ability to accumulate substantial wealth—for instance, high income.

**Ownership** - Any active agreements or practices that give a non-DBE owner or firm a priority or superior right to a disadvantaged owner's profits constitute grounds for denial of certification or decertification.

**Control** - When a non-disadvantaged individual who is a former owner of the firm remains involved in the firm's operations, it will be assumed that the non-disadvantaged person has control unless HDOT determines otherwise.

## Forms:

**New Uniform Certification Application and Personal Net Worth (PNW) form** - The non-DBE spouse who is involved in the firm's operations must also submit a PNW forms.

## Certification Procedures:

**Summary Suspension** - Certification will be suspended without a hearing for 30 days if there is evidence that the DBE owner has died, is incarcerated or if other changes affecting eligibility have occurred. HDOT will then determine whether to reinstate or decertify the firm.

**Certification Appeals** - An applicant who appeals the denial of its certification to the USDOT may re-apply to the HDOT after one year, even if the appeal has been decided.

**Submission of Good Faith Efforts** - Bidders/offerors that are required to submit DBE commitments on contracts containing a DBE goal must provide the information no later than 5 days after bid opening.

**Guidance on Good Faith Efforts** - This includes additional examples of kinds of actions taken by bidders/offerors that HDOT may consider when evaluating good faith efforts. "Good Faith" does not take place if the bidder rejects a DBE simply because it is not the low bidder, or it is unable to find a replacement DBE at the original price. When evaluating the efforts of the low bidder to meet the contract goal, federal-aid HDOT should review the performance of other bidders.

## Program Administration:

**Domestic Partnerships and Civil Unions** - Those recognized under state law are included in the definitions of "immediate family members" and "spouse."

The DBE final rule in its entirety is found at

[www.civilrights.dot.gov/disadvantaged-business-enterprise](http://www.civilrights.dot.gov/disadvantaged-business-enterprise)



# DBE Presentation on DBE Final Rule



The USDOT's Final Rule contains important improvements to the implementation and administration of the DBE program regulations. *Registration is not required to attend.* For more information on the DBE Final Rule changes, please attend a FREE workshop on Oahu. Neighbor island DBEs may participate via video conference.

## DBE Final Rule presentation for DBEs Monday, December 15, 2014 9:00 - 11:00 a.m.

For your convenience the presentation will be held via video conference at the following locations:

- HDOT (downtown) 5th flr. conference room, 869 Punchbowl St., Honolulu, HI 96813 presenters will be at this location.
- DOT Highways, Hawaii District Office - 50 Makaala St., Training Room, Hilo, Hawaii 96720
- DOT Highways, Maui District Office - 650 Palapala Drive, Kahului, Hawaii 96732
- DOT Highways, Kauai District Office - 1720 Haleukana St., Lihue, Hawaii 96766

Please feel free to share the DBE newsletter with other small businesses that may be interested.



## 8th Annual Hawaii Construction Career Days

On Oct. 2nd and 3rd, 2014, the 8th Annual Construction Career Days (CCD) event was held at the Aloha Stadium, lower Halawa parking. CCD is designed to provide high school students (grades 10 to 12) with a first-hand look at career and educational opportunities that are available in Hawaii's construction industry. This year over 600 students participated at the CCD event.

Students were able to have the opportunity to learn about various construction fields, but also get hands-on experience with heavy equipment, tools and vehicles. For safety and added realism, each student was provided with a backpack, hard hat, safety goggles, and earplugs to wear as they circulate through the event areas.

The "Trades" area featured representatives from carpenters, painters, tapers, floor layers, glaziers, electricians, laborers, masons, operating engineers, plumbers, roofers, insulators, and iron workers.

In the "Heavy Equipment" area, students had the opportunity to operate an excavator or ride a scissors lift and run other pieces of specialized equipment.

Throughout the day, students were able to visit various booths with information on educational opportunities in the construction field, as well as learn about career paths from industry representatives. The University of Hawaii's, College of Engineering and School of Architecture and the Honolulu Community College participated at the event.



# Newly Certified DBEs

March to  
October 2014

Dabri Inc. • *Martinez, CA*  
Construction Management, Staffing

ROC Equipment LLC • *Salt Lake City, UT* •  
Mining & Forestry Machinery & Equipment  
Rental & Leasing

Ankit, LLC • *Boca Raton, FL* • Household Appliances, Electric  
Housewares & Consumer Electronics, Merchant Wholesaler

Alana Equipment Rental, LLC • *Waianae* •  
Trucking, Specializing in End/Dump, Container Hauling, Demolition  
Excavation & House Moving

Frank Ryder dba: Kulena Gardens • *Pahala* •  
Cultural Consulting, Restoration of Cultural Sites, Dry Stack Masonry  
& Landscaping Services

Reliant Trucking, Inc. • *Aiea* •  
General Freight Trucking, Local Hauling of Intermodal  
Containers & Heavy Equipment

Staunch, LLC dba Hawaii's Best Health Care Cleaning  
Company • *Honolulu* • Janitorial; Specializing in Medical  
Facility & Office Cleaning

Alaea Corp. • *Kalaheo* •  
General Contracting & Construction Management

Awsum Solutions, LLC • *Honolulu* •  
Administrative & General Project Management

Bow Construction Management Services, Inc. • *Lihue* •  
Construction Management, Civil Engineering, Planning,  
Environmental & Project Management

Iron Lady Enterprises, Inc. • *Philadelphia, PA* •  
Iron Work, Welding Concrete Reinforcement, Bridge  
Construction, Industrial Building Construction

Kukulu, LLC • *Honolulu* • Healthcare Staffing,  
Construction Management, Architectural Engineering

Limtiaco Company, Inc. • *Honolulu* •  
Public Relations, Stakeholder & Community Outreach,  
Media Relations and Partnering

Matson Insurance Agency, Inc. • *Pittsburgh, PA* •  
• Commercial Insurance, Sells Policies, Health & Life  
Insurance Coverage

ADS System Safety Consulting LLC • *Brookeville, MD* •  
System Safety & Security Consulting Services for federal,  
state & local agencies

Zane and Associates LLC • *Honolulu* •  
Facilities Management, Design & Construction,  
IT & Communications

Artech Construction Group, Inc. • *Honolulu* •  
Construction & Contracting

Castillo Enterprises, Inc. • *Honolulu* •  
Retail Management

GIA Group • *Minneapolis, MN* • Real Estate  
Appraiser, Marketing Research

## DBE Program Staff

**Melanie MARTIN** (808) 587-2023  
DBE Program Supervisor melanie.martin@hawaii.gov

**Julie RAWLINS** (808) 587-2024  
DBE Program Certifier julie.a.rawlins@hawaii.gov

**Don FUKUHARA** (808) 587-6333  
DBE Program Specialist don.fukuhara@hawaii.gov

fax: 808 587-2025



## DBE Policy Statement

*The Hawai'i Department of Transportation is committed to a policy of equal opportunity & non-discrimination in the award & administration of state & Federal contracts. The DBE Program is a Federal program under the U.S. Department of Transportation. As a recipient of Federal funds, HDOT must comply with Title 49 Code of Federal Regulations, Part 23 & Part 26 (49 CFR 23 & 26).*