

FAA Overall Goals (§26.45)

Name of Recipient: Las Cruces International Airport

Goal Period: **Fiscal Year 2022** – October 1, 2021 through September 30, 2022
 Fiscal Year 2023 – October 1, 2022 through September 30, 2023
 Fiscal Year 2024 – October 1, 2023 through September 30, 2024

DOT-Assisted Contract Amount: \$1,154,022.00

DBE Goal: 13%

Market Area: The market area was determined to be Market Area Three. Geographical Area Three is located in the Southern portion of New Mexico and is comprised of the following counties: Socorro, Catron, Sierra, Grant, Luna, Doña Ana, and Hidalgo. Geographical Area One is included in this market area because a substantial majority, approximately 55 percent, of contractors that perform work at the Las Cruces International Airport are from the counties that make up Geographical Area One. Due to the majority of contractors and subcontractors coming from Geographical Area One, the City, like other New Mexico communities, spends the majority of their contracting dollars within Geographical Area One as well. This was determined based on information within the contract documents from past projects showing locations of contractors and subcontractors that have performed work for the Las Cruces International Airport in the past. Information regarding locations of the DBE businesses was found on the New Mexico Department of Transportation website. This information also shows that the substantial majority of all DBEs are based within the Geographical Area One boundary.

Number and Types of Projects for FY 2022:
No projects in 2022

Number and Types of Projects for FY 2023:

1. R/W 8-26 and R/W 12-30 Blast Pads
2. Design and Construct Replacement AWOS & Beacon

1. R/W 8-26 and R/W 12-30 Blast Pads

Project: R/W 8-26 AND R/W 12-20 BLAST PADS
Amount: \$367,760.00

TABLE 1
PROJECT ONE: R/W 8-26 AND R/W 12-20 BLAST PADS

NAICS Code	Work Item	DBE's in Market Area	All Available Firms	Total Amount	Weight Factor
237310	Highway, Street and Bridge Construction	21	63	\$40,000.00	10.88%
23899	Markings/Specialty Contractors	15	78	\$10,000.00	2.72%
54138	Inspection/Testing	5	21	\$12,000.00	3.26%
48411	Trucking	6	46	\$257,081.31	69.90%
541330	Engineering	11	81	\$48,678.69	13.24%
	Total	58	289	\$367,760.00	100.00%

Source: County Business Patterns and NMDOT DBE Directory

The construction estimate for this project is \$367,760.00. Of that amount, \$40,000.00 or 10.88% is anticipated for highway construction; \$10,000.00 or 2.72% is anticipated for marking/specialty contractors, \$12,000.00 or 3.26% is anticipated for inspection/testing; \$257,081.31 or 43.32% is anticipated for trucking and \$48,678.69 or 13.24% is anticipated for engineering.

Therefore, the baseline DBE goal for this contract was weighed so that it would more accurately reflect the potential DBE participation as shown below.

H= Highway Construction M=Markings/Specialty Contractors I=Inspection/Testing
 T= Trucking E= Engineering

$$\text{Project One Base Figure} = \frac{H (\%) \times \# \text{DBE in Local Market (H)}}{\# \text{ All Firms (H)}} + \frac{M (\%) \times \# \text{DBE in Local Market (M)}}{\# \text{ All Firms (M)}} +$$

$$+ \frac{I (\%) \times \# \text{DBE in Local Market (I)}}{\# \text{ All Firms (I)}} + \frac{T (\%) \times \# \text{DBE in Local Market (T)}}{\# \text{ All Firms (T)}} + \frac{E (\%) \times \# \text{DBE in Local Market (E)}}{\# \text{ All Firms (E)}}$$

$$\text{Project One Base Figure} = 1.088(21/63) + .272(15/78) + .326(5/21) + 6.990(6/46) + 1.324(11/81)$$

$$\text{Project One Base Figure} = 15.84\%$$

Project: Design and Construct Replacement AWOS and Beacon

Amount: \$398,855.00

**TABLE 2
 PROJECT TWO: DESIGN AND CONSTRUCT REPLACEMENT AWOS AND BEACON**

NAICS Code	Work Item	DBE's in Market Area	All Available Firms	Total Amount	Weight Factor
54138	Inspection/Testing	5	21	\$12,000.00	3.01%
238210	Electrical	4	62	\$345,167.92	86.54%
541330	Engineering	11	81	\$41,687.08	10.46%
	Total	35	242	\$398,855.00	100.00%

Source: County Business Patterns and NMDOT DBE Directory

The construction estimate for this project is \$398,855.00. Of that amount, \$12,000.00 or 3.01% is anticipated for inspection/testing; \$345,167.92 or 86.54% is anticipated for electrical and \$41,687.08 or 10.46% is anticipated for engineering.

Therefore, the baseline DBE goal for this contract was weighed so that it would more accurately reflect the potential DBE participation as shown below.

I=Inspection/Testing EL=Electrical E= Engineering

$$\text{Project Two Base Figure} = \frac{M (\%) \times \# \text{ DBE in Local Market (M)}}{\# \text{ All Firms (M)}} + \frac{M (\%) \times \# \text{ DBE in Local Market}}{\# \text{ All Firms (M)}}$$

$$I (\%) \times \frac{\# \text{ DBE in Local Market (I)}}{\# \text{ All Firms (I)}} + \frac{EL (\%) \times \# \text{ DBE in Local Market (EL)}}{\# \text{ All Firms (EL)}}$$

$$+ \frac{E (\%) \times \# \text{ DBE in Local Market (E)}}{\# \text{ All Firms (E)}}$$

$$\text{Project Two Base Figure} = 301(5/21) + 8.654(4/62) + 1.046(11/81)$$

$$\text{Project Two Base Figure} = 7.72\%$$

Number and Types of Projects for FY 2024:

Project: Pavement Maintenance and Markings
Amount: \$387,407.00

**TABLE 1
PROJECT ONE: PAVEMENT MAINTENANCE AND MARKINGS**

NAICS Code	Work Item	DBE's in Market Area	All Available Firms	Total Amount	Weight Factor
23899	Markings/Specialty Contractors	15	78	\$59,948.07	15.47%
48411	Trucking	6	46	\$278,836.96	71.98%
541330	Engineering	11	81	\$48,621.97	12.55%
	Total	26	159	\$387,407.00	100.00%

Source: County Business Patterns and NMDOT DBE Directory

The construction estimate for this project is \$387,407.00. Of that amount, \$59,948.07 or 15.47% is anticipated for markings and specialty contractors; \$278,836.96 or 71.98% is anticipated for trucking; and \$48,621.97 or 12.55% is anticipated for engineering.

Therefore, the baseline DBE goal for this contract was weighed so that it would more accurately reflect the potential DBE participation as shown below.

M= Markings/Specialty Contractors

E= Engineering

$$\text{Project One Base Figure} = \frac{M (\%) \times \# \text{ DBE in Local Market (M)}}{\# \text{ All Firms (M)}} + \frac{T (\%) \times \# \text{ DBE in Local Market (T)}}{\# \text{ All Firms (T)}}$$

$$+ \frac{E (\%) \times \# \text{ DBE in Local Market (E)}}{\# \text{ All Firms (E)}}$$

$$\text{Project One Base Figure} = 1.547(15/78) + 7.198(6/46) + 1.255(11/81)$$

$$\text{Project One Base Figure} = 14.07\%$$

Step Two: This step is intended to adjust the base figure percentage calculated in Step One to reflect as accurately as possible the DBE participation that the Las Cruces International Airport would expect in the absence of discrimination.

We have considered all of the other factors, which include the current capacity of DBE's to perform work in the DOT-assisted program. We also considered the available evidence from related fields that affect the opportunities for DBE firms to form, grow, and compete. In our research, none of the previously mentioned factors require an adjustment to the base figure.

Our base figure is not the goal of another recipient and therefore was not considered as an adjustment factor.

In our research, we discovered that a disparity study was completed for the City of Albuquerque by B.B.C. Research, out of Denver, Colorado in 1995. Though the City of Albuquerque is within our market area, this information is outdated and is not considered as an adjustment factor.

There have not been similar projects at the Las Cruces International Airport in the past four years.

Past participation is not going to be considered as an adjustment factor.

Las Cruces International Airports Proposed Overall Goal = 13%

Breakout of Estimated Race-Neutral and Race-Conscious Participation (§26.51 (b) (1-9))

The Las Cruces International Airport will meet the maximum feasible portion of its overall goal by using race-conscious means of facilitating DBE participation. The Las Cruces International Airport uses the following race-conscious means to increase DBE participation: By arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in a way to facilitate DBE and other small businesses' participation (e.g., requiring and/or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces).

The following is a summary of the basis of our estimated breakout of race-neutral and race-conscious DBE participation. As can be seen from Table 1, the DBE goal was not achieved for all similar projects and subcontracting opportunities, or was achieved but not substantially. Therefore, the Las Cruces International Airport estimates that in meeting its overall goal of 13%, we will obtain 0% from race-neutral participation and 13% from race-conscious participation.

The Las Cruces International Airport will adjust the estimated breakout of race-neutral and race-conscious DBE participation as needed to reflect actual DBE participation and track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral 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.

Public Participation

Consultation

The DBE's in Geographic Area One and Five were contacted by telephone and apprised of the projects that are planned for the next three years. The DBE goals and methodology for arriving at the goals for the project were discussed. A list of the projects, goals and methodology was also sent to them for review.

In addition, in an effort to establish a level playing field, the following public information meeting was held:

- **City of Las Cruces Airport Advisory Board
May 23, 2019**

Public Notice

The proposed goal and rationale will be advertised as available for inspection, as indicated in the following paragraph.

The notice will be published in the Las Cruces Sun, 256 W. Las Cruces Ave., Las Cruces, NM 88004, 575-541-5400. The notice was published and we are currently in the 30 day waiting period. If comments are received they will be addressed and sent to FAA.

Sample Public Notice Language:

Disadvantaged Business Enterprise (DBE) Goals for Federal Fiscal Years 2022-2024

The Las Cruces International Airport hereby announces its fiscal years 2022-2024 DBE Goal Setting Meeting for **airport construction projects. A public meeting will be held at 12:00 pm at the City of Las Cruces Airport Advisory Board Meeting May 23, 2019 at the Las Cruces International Airport, Conference Room, 8960 Zia Boulevard, Las Cruces, NM.**

The goal and goal-setting methodology will be available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, for a period of 30 days following the meeting at City of Las Cruces, 700 N. Main Street, Las Cruces, NM 88004

The Las Cruces International Airport will accept comments on the DBE goals for 45 days from the date of this notice. Comments can be sent to either of the following:

Eric Enriques
Assistant City Manager
City of Las Cruces
700 N. Main St.
PO Box 20000
Las Cruces, NM 88004
eenriquez@las-cruces.org

Federal Aviation Administration
Civil Rights Staff, AWP-9
P.O. Box 92007
Los Angeles, CA 90009-2007

Contract Goals

The Las Cruces International Airport will use contract goals to meet any portion of the overall goal that the recipient does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the recipient's overall goal that is not projected to be met through the use of race-neutral means.

The Las Cruces International Airport will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. It need not establish a contract goal on every such contract, and the size of the contract

goals will be adapted to the circumstances of each such contract (e.g., type and location of work and availability of DBEs to perform the particular type of work).

The Las Cruces International Airport will express its contract goals as a percentage of the total amount of DBE-assisted contract.