



**Disadvantaged Business Enterprises Program Plan
Pee Dee Regional Transportation Authority**

General information about the entity.

Agency: Pee Dee Regional Transportation Authority
313 S. Stadium Rd,
Florence, SC 29506

Contact Person: Rachel McMillian
DBE Liason Officer
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Revised: 1 August 2025

Section 26.1, 26.23 Objectives / Policy Statement

The Pee Dee Regional Transportation Authority (PDRTA) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. PDRTA has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, PDRTA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of PDRTA to ensure that DBEs defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;

Rachel McMillian has been delegated as the DBE Liaison Officer. In that capacity, Rachel McMillian is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by PDRTA in its financial assistance agreements with the Department of Transportation.

PDRTA has disseminated this policy statement to the Board of Directors and all individuals responsible for purchasing and initiating contracts as defined in Part 26. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT assisted contracts. This statement will initially be distributed with payment methods to our current vendors and thereafter this statement will be mailed, faxed, or emailed to potential vendors and/or contractors. When significant changes are made, PDRTA will redistribute.

Signature: Don Strickland

Name: Don Strickland

Title: Executive Director

Date: 7-18-2025

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are found in the policy statement on the second page of this program.

Section 26.3 Applicability

PDRTA is a sub-recipient of federal transit funds authorized by Titles I, III, V, and/or VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the Teas-21, Pub. L. 105-178.

Section 26.5 Definitions

PDRTA will adopt the definitions contained in Section 26.5 of Part 26 for this program.

Section 26.7 Non-discrimination Requirements

PDRTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR part 26 on the basis of race, color, sex, or national origin.

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

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(b)

PDRTA will report DBE participation to the SCDOT using the Uniform Report of DBE Awards or Commitments and Payments. See Attachment 4.

Bidders List: 26.11(c)

PDRTA will utilize SCDOT DBE bidder's list as determined and certified by the State of South Carolina EEO office. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, race and gender information, NAICS code applicable to each scope of work the firm sought to perform in its bid, and annual gross receipts of firms.

We will collect this information in the following ways:

1. A contract clause requiring prime bidders to report the names/addresses and other required information of all firms who quote to them on subcontracts; or
2. Notice in all solicitations requesting responding firms to report DBE participation

Section 26.13 Federal Financial Assistance Agreement

Assurance: 26.13(a)

PDRTA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. PDRTA shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. PDRTA's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to PDRTA of its failure to carry out its approved program, the Department may impose sanction as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13b

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

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

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

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer (DBELO)

We have designated the following individual as our DBE Liaison Officer:

Rachel McMillian
313 S. Stadium Rd. Florence, SC, 29506
843-519-0885
rmcmillian@pdrta.org

In this capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that PDRTA complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Executive Director concerning DBE program matters.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO his responsible for continuing, developing, implementing, and monitoring the DBE program, in coordination with other appropriate officials. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment and identifies ways to improve progress).
6. Analyzes PDRTA's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the Executive Director\governing body on DBE matters and achievement.
9. Participates in pre-bid meetings.
10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.
12. Provides outreach to DBEs and community organizations to advise them of opportunities.
13. Seeks out SCDOT's updated directory on certified DBEs on a regular basis.

Section 26.27 DBE Financial Institutions

It is the policy of PDRTA to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions. At this time, PDRTA has not identified any financial institutions that are owned and controlled by socially and economically disadvantaged individuals in the PDRTA service area.

Section 26.29(a) Prompt Payment Mechanisms

PDRTA will include the following clause in each DOT-assisted prime contract:

The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work. In addition, the contractor is required to return any retainage payments to those subcontractors within 30 days after the subcontractor's work related to this contract is satisfactorily completed. The contractor must promptly notify the Agency whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of Updated November 2022 work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent from the Agency.

Section 26.29(b) Retainage

The prime contractor agrees to return retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the PDRTA. This clause applies to both DBE and non-DBE subcontracts.

Retainage: Withholding a certain percentage of payment that the recipient owes the prime (or the prime owes the subcontractor), typically until all the work of the prime contractor (or subcontractor) has been satisfactorily completed.

Prime contractors are not permitted to hold retainage from subcontractors until the end of project when the recipient has made final payment to the prime.

Regulations provide three retainage models:

1. Recipient may decline to hold retainage from prime contractors and prohibit prime contractors from holding retainage from subcontractors.
2. Recipient may decline to hold retainage from prime contractors and have a contract clause that requires a prime to release retainage to subcontractor within 30 days after the subcontractor's work is satisfactorily completed.
3. The recipient may withhold retainage from prime and release a percentage of the retainage incrementally as portions of the contract are completed and accepted, e.g., monthly progress payments.
Recipient requires prime contractors to release all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after recipient pays prime (could be the portion that is included in the prime's payment)
Prime and subcontractors must submit required documentation to the recipient or prime contractor, respectively, to begin payment process.

Section 26.31 Directory

PDRTA will utilize SCDOT's directory of certified DBE firms identifying all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. SCDOT has made the directory available at the following website: <http://dbwappsp.scdot.org/dbesearch/>. A digital copy of the Directory shall be distributed to the Executive Director and the DBE Liaison Officer. SCDOT's directory includes North American Industry Classification Codes (NAICS).

Section 26.33 Overconcentration

PDRTA has not identified that overconcentration exists in the types of work that DBEs perform.

Section 26.35 Business Development Programs

As a sub recipient, PDRTA will utilize the SCDOT business development program.

Section 26.37 Monitoring and Enforcement Mechanisms

PDRTA will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.1.

1. PDRTA will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109.
2. PDRTA will consider similar action under our own legal authorities, including responsibility determinations in future contracts.
3. PDRTA will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by conducting regular site visits, reviewing payroll and subcontractor payment records, and holding periodic compliance audits to ensure that DBEs are performing the work assigned to them and are being paid accordingly.
4. PDRTA will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.
5. PDRTA will keep a log of these activities for documentation purposes.

Section 26.39 Small Business Participation

PDRTA has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted public works projects by small business concerns (both DBEs and non-DBE small businesses):

PDRTA will make every attempt to remove unnecessary and unjustified bundling of contract requirements; race-neutral small business set-asides for prime contracts below a certain value; requiring bidders on large contracts to identify and/or provide specific subcontracts appropriate for small business participation; development of acquisition strategies and structuring procurements to facilitate bids by and awards to small business consortia or joint ventures; letting prime contracts of a size that small businesses can reasonably compete for and perform.

SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

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

Section 26.45 Overall Goals

In accordance with Section 26.45, PDRTA will cooperate with SCDOT, and their needs related to their triennial overall DBE goals.

Every third year PDRTA will also establish its own project-specific DBE goals as appropriate, and/or establish project specific DBE goals as directed by SCDOT and/or the FTA. In accordance with Section 26.45, PDRTA will submit its triennial overall DBE goal to FTA via SCDOT no later than August 1 of the year specified by SCDOT and/or the FTA. The PDRTA DBE Goal and Methodology (Attachment 1) covers the federal fiscal years of October 1, 2025, to September 30, 2027. It is anticipated that the DBE goal will be resubmitted by August 1, 2028.

The process used by PDRTA to establish overall DBE goals follows “The FTA’s Tips for DBE Goal Setting”. These tips can be found at the website listed below.

<https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/tips-goal-setting-disadvantaged-business-enterprise>

Note: PDRTA will conform with the options described in Section 26.45 of the DBE regulation and will be based on the demonstrable evidence of DBE firms ready, able, and willing to participate/perform contracting opportunities derived from your DOT assisted projects/contracts. As a general matter, goals are most often set based on the Department’s “Step 1, Step 2” process established in Section 26.45(c)-(d), whereby PDRTA and/or SCDOT will establish a base figure of the relative availability of DBEs to perform work on PDRTA’s DOT-assisted contracts, then adjust the goal as necessary based on additional market information in its service area. Please note that disparity

studies, while acceptable, must be reasonably current and reflective of PDRTA's specific market conditions in order to be used as a full replacement for the "Two-Step" goal setting process established by the regulation.

Before establishing the overall goal every third year, PDRTA will consult with SCDOT to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and PDRTA's efforts to establish a level playing field for the participation of DBEs.

Note: The consultation should include, but not necessarily be limited to, minorities, women's and general contractor groups, community organizations, and other officials or organizations.

Following this consultation, PDRTA will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at your principal office for 30 days following the date of the notice, and informing the public that PDRTA and SCDOT will accept comments on the goals for 30 days from the date of the notice.

PDRTA will use its standard forms of media to issue the notice. PDRTA will attempt to ensure that the notice is made available to minority focus media. PDRTA may also display the notice on the website: <https://pdrt.org/business/disadvantaged-business-enterprise>. PDRTA will issue this notice by June 15 of each year that necessitates a public notice (every third year). The notice must include addresses to which comments may be sent and addresses (including offices and/or websites) where the proposal may be reviewed. A sample public notice can be found in Attachment 5.

PDRTA's overall goal submission to SCDOT will include:

1. The goal (including the breakout of estimated race neutral and race-conscious participation, as appropriate);
 2. A copy of the methodology, worksheets, etc., used to develop the goal;
 3. A summary of information and comments received during this public participation process with PDRTA's responses; and
 4. Proof of publication of the goal in media outlets listed above.
- PDRTA will begin using its overall goal on October 1 of the specified year, unless PDRTA has received other instructions from SCDOT. If PDRTA establishes a goal on a project basis, PDRTA will begin using its goal by the time of the first solicitation for a DOT-assisted contract for the project. PDRTA's goal will remain effective for the duration of the three-year period established and approved by SCDOT and/or the FTA.

Section 26.47 Shortfall Analysis

If the awards and commitments shown on PDRTA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, PDRTA will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis;
3. Create and retain a corrective action plan, and maintain information/records regarding the analysis and efforts made; and
4. Submit the plan to SCDOT within 90 days of the end of the affected fiscal year.

Section 26.49 Transit Vehicle Manufacturers Goals

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

PDRTA is required to submit within 30 days of making an award, the name of the successful bidder and the total dollar value of the contract in the manner prescribed in the grant agreement.

Section 26.51(a-c) Breakout of Estimated Race-Neutral & Race-Conscious Participation

PDRTA will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. PDRTA's specified efforts regarding race-neutral measures must not be passive; rather, the race-neutral measures taken will be an active component of PDRTA's DBE program.

Section 26.51(d-g) Contract Goals

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

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

PDRTA will express contract goals as a percentage of the total amount of a DOT-assisted contract or the Federal share of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures**Award of contracts with a DBE contract goal (26.53(a))**

If PDRTA and SCDOT enter into an agreement where a contract-specific DBE goal is included in a procurement/solicitation, SCDOT will not award the contract to PDRTA if PDRTA does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the PDRTA to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Demonstration of good faith efforts (26.53(a) & (c))

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in Appendix A to Part 26.

Information to be submitted (26.53(b))

PDRTA treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsiveness.

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

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

Administrative reconsideration (26.53(d))

If PDRTA determines that the apparent successful bidder/offeror has failed to meet the requirements of 26.53 (a), PDRTA must, before awarding the contract, provide the bidder/offeror an opportunity for administrative reconsideration.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of

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

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

PDRTA will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Section 26.55 Counting DBE Participation

PDRTA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

SUBPART D & E - CERTIFICATION

Section 26.61-26.73 Certification Process

PDRTA is not a certifying entity. Please see the next section for South Carolina's Unified Certification Program (UCP).

Section 26.81 Unified Certification Program

PDRTA recognizes the South Carolina Unified Certification Program (UCP) which is a cooperative effort by all of the U.S. Department of Transportation recipients in the state to provide a one-stop shop for all DBE firms and those looking to do business with DBE certified firms. The South Carolina UCP will meet all of the requirements of this section. PDRTA will use and count for DBE credit toward the goal only those DBE firms certified by the South Carolina UCP.

The following is contact information for the State of South Carolina UCP:

Phone number: SCDOT 803-737-1372

Email: DBECertification@scdot.org

Website: <https://www.scdot.org/business/bus-development-dbe-certification.aspx>

The above contact information will be shared with firms and individuals interested in becoming a South Carolina certified DBE. SCDOT will continue to be PDRTA's primary contact for the South Carolina UCP.

Section 26.83-26.91 Procedures for Certification Decisions

PDRTA does not participate in the South Carolina DBE certification process and therefore is not required to include the procedures of the certification process.

The state of South Carolina encourages firms to submit their certification application via email at DBECertification@scdot.org OR mail to 955 Park Street, Room 117, Columbia, South Carolina 29202. Parts 1, 2 and 3 of the certification application can be downloaded from: <https://www.scdot.org/business/bus-development-dbe-certification.aspx>

SUBPART F - COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

PDRTA will safeguard from disclosing to third parties' information that may reasonably be regarded as confidential business information, consistent with Federal, State, and local law. Please reference South Carolina Freedom of Information Act laws at <https://www.scstatehouse.gov/code/t30c004.php> , and for information regarding disclosure of information to third parties. Federal laws regarding confidentiality can be found at <https://foia.state.gov/>.

Monitoring Payments to DBEs

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

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

Attachment 1

Section 26.45: Overall Goal Calculation

Amount of Goal

PDRTA's overall goal for the following time period 2025-2027 is the following:

1. 6.3% of the Federal financial assistance we will expend in DOT/FTA-assisted contracts, excluding the FTA funds used for the purchase of transit vehicles and operations.
2. Approximately \$28,413,000.00 in DOT assisted contracts to be executed and awarded by PDRTA during FFY 2025-2027.

Methodology used to Calculate Overall Goal

The following table provides what projects are expected to be executed during the FFY 2025-2027 period. Each large project was broken down to evaluate possible sub-contracting opportunities. The description of the projects are also listed based on the work to be completed (**DOT FUND WEIGHT**):

	NAICS Code	Project	Amount of DOT Funds	DOT Funds Weight
1	2381	Roofing - Transit Center/Admin building expansion	\$150,000.00	0.005279274
2	2382	Electrical - Bus shelter/Admin building expansion/Transit Center remodel	\$100,000.00	0.003519516
3	2381	Structure - Install bus shelters/Admin building expansion/Transit Center remodel	\$25,000,000.00	0.879878929
4	2381	Concrete - Bus shelters/Admin building expansion/Parking lots at admin building and Transit Center	\$250,000.00	0.008798789
5	2389	Fencing - For remote areas to keep the transit vehicles	\$150,000.00	0.005279274
6	5413	Architect/Engineer - Admin building expansion/Transit Center remodel/Intermodal Center	\$300,000.00	0.010558547
7	5412	Audit - To maintain compliance with FTA and SCDOT	\$100,000.00	0.003519516
8	5411	Legal - Legal services to cover PDRTA	\$30,000.00	0.001055855
9	4413	Vehicle Parts - Miscellaneous parts for maintenance and transit vehicles	\$450,000.00	0.015837821
10	3231	Printing - Brochures, pamphlets, maps	\$20,000.00	0.000703903
11	4241	Office Supplies - Miscellaneous supplies needed for admin, operations, and maintenance	\$125,000.00	0.004399395
12	8123	Uniforms - Uniforms for maintenance	\$10,000.00	0.000351952
13	8112	IT Services - Maintaining computers and purchase of new ITS system	\$1,000,000.00	0.035195157
14	8111	Auto Repairs - Work performed that the maintenance team cannot complete	\$15,000.00	0.000527927
15	2382	HVAC Maintenance - HVAC units may need replacing/Annual maintenance/Transit Center	\$100,000.00	0.003519516
16	4246	Oil Wholesalers - To maintain good condition of transit vehicles	\$60,000.00	0.002111709
17	5416	Consulting - Operations and administration	\$50,000.00	0.001759758
18	2382	Security - Fire installation/Transit Center/Admin building expansion	\$50,000.00	0.001759758
19	2382	Computer and network cable installation/Transit Center/Admin building expansion	\$100,000.00	0.003519516
20	2382	Surveillance system/Install only/Update cameras in Admin and Transit Center/Add to Admin building expansion	\$100,000.00	0.003519516
21	4539	Janitorial equipment and supplies stores/Trophy shops	\$40,000.00	0.001407806
22	3333	Xerox - Photocopying/Printing	\$10,000.00	0.000351952
23	5418	Advertising - Bus wraps, flyers	\$115,000.00	0.004047443
24	3151	Uniforms - Uniforms for drivers/dispatchers	\$75,000.00	0.002639637
24	4884	Towing - Transit vehicles	\$10,000.00	0.000351952
25	5617	Pest Control - Admin building, Transit Center	\$3,000.00	0.000105585
Total			\$28,413,000.00	1

Step 1: 26.45(c)

Determine the base figure for the relative availability of DBEs.

The base figure for the relative availability of DBE's was calculated through the comparison of DBE firms, using a four-digit NAICS code search, from the South Carolina UCP DBE Directory to the US Census/County Business Pattern for all available firms in the Pee Dee Region (including the following counties: Florence, Marion, Darlington, Marlboro, Dillon, and Chesterfield) of South Carolina using the first four digits of the NAICS codes.

Please Note: Only the four-digit NAICS codes were utilized for the Step 1 Calculation due to the County Business Pattern from the US Census only providing the total number of establishments listed by the four-digit NAICS code and was not further refined.

See the tables below (**TOTAL FIRMS**):

TOTAL FIRMS													
	NAICS Code	Total Firms	NAICS Code	Total Firms	NAICS Code	Total Firms	NAICS Code	Total Firms	NAICS Code	Total Firms	NAICS Code	Total Firms	TOTAL
County	Florence		Darlington		Dillon		Marion		Marlboro		Chesterfield		
	2381	15	2381	5	2381	0	2381	5	2381	0	2381	7	32
	2382	57	2382	24	2382	6	2382	13	2382	6	2382	15	121
	2389	39	2389	11	2389	5	2389	7	2389	0	2389	8	70
	5413	22	5413	6	5413	0	5413	0	5413	0	5413	0	28
	5412	51	5412	18	5412	8	5412	7	5412	0	5412	9	93
	5411	57	5411	19	5411	7	5411	7	5411	4	5411	8	102
	4413	40	4413	14	4413	7	4413	10	4413	6	4413	12	89
	3231	3	3231	0	3231	0	3231	0	3231	0	3231	0	3
	4241	0	4241	0	4241	0	4241	0	4241	0	4241	3	3
	8123	8	8123	4	8123	0	8123	0	8123	0	8123	0	12
	8112	0	8112	0	8112	0	8112	0	8112	0	8112	3	3
	8111	74	8111	24	8111	10	8111	8	8111	4	8111	0	120
	4246	5	4246	3	4246	0	4246	0	4246	0	4246	0	8
	5416	22	5416	4	5416	0	5416	0	5416	0	5416	5	31
	4539	35	4539	11	4539	10	4539	0	4539	0	4539	6	62
	3333	0	3333	0	3333	0	3333	0	3333	0	3333	0	0
	5418	7	5418	0	5418	0	5418	0	5418	0	5418	0	7
	3151	0	3151	0	3151	0	3151	0	3151	0	3151	0	0
	4884	7	4884	0	4884	0	4884	0	4884	0	4884	0	7
	5617	73	5617	26	5617	9	5617	8	5617	0	5617	11	127
TOTAL													918

The data (demonstrable evidence) used to develop the numerator was taken from the South Carolina DOT UCP DBE Directory, then sorted by the first four digits of the NAICS codes and counted individually, relative to location. The denominator was constructed using the following link from the census <https://data.census.gov/table?y=2018>

This was sorted by county in the Pee Dee Region and by using the first four digits of the NAICS codes for each individual contract. This total of firms was used as the denominator, which calculated the base model to be 1.85% to reflect the overall availability of DBEs.

See table below (TOTAL DBE'S AVAILABLE):

TOTAL DBE FIRMS													
	NAICS Code	Total DBEs	NAICS Code	Total DBEs	NAICS Code	Total DBEs	NAICS Code	Total DBEs	NAICS Code	Total DBEs	NAICS Code	Total DBEs	TOTAL
County	Florence		Darlington		Dillon		Marion		Marlboro		Chesterfield		
	2381	1	2381	0	2381	1	2381	2	2381	0	2381	0	4
	2382	2	2382	0	2382	0	2382	0	2382	0	2382	0	2
	2389	1	2389	1	2389	1	2389	1	2389	1	2389	0	5
	5413	1	5413	0	5413	0	5413	0	5413	0	5413	0	1
	5412	0	5412	0	5412	0	5412	0	5412	0	5412	0	0
	5411	0	5411	0	5411	0	5411	0	5411	0	5411	0	0
	4413	0	4413	0	4413	0	4413	0	4413	0	4413	0	0
	3231	0	3231	0	3231	0	3231	0	3231	0	3231	0	0
	4241	0	4241	0	4241	0	4241	0	4241	0	4241	0	0
	8123	0	8123	0	8123	0	8123	0	8123	0	8123	0	0
	8112	0	8112	0	8112	0	8112	0	8112	0	8112	0	0
	8111	0	8111	0	8111	0	8111	0	8111	0	8111	0	0
	4246	1	4246	0	4246	0	4246	0	4246	0	4246	0	1
	5416	0	5416	0	5416	1	5416	0	5416	0	5416	0	1
	4539	0	4539	0	4539	0	4539	0	4539	0	4539	0	0
	3333	0	3333	0	3333	0	3333	0	3333	0	3333	0	0
	5418	0	5418	0	5418	0	5418	0	5418	0	5418	0	0
	3151	0	3151	0	3151	0	3151	0	3151	0	3151	0	0
	4884	0	4884	0	4884	0	4884	0	4884	0	4884	0	0
	5617	1	5617	1	5617	0	5617	1	5617	0	5617	0	3
TOTAL													17

Please Note: Construction projects were broken down based on what type of service would be needed. These would potentially be subcontracting opportunities, depending upon the project.

Step 2: 26.45(d)

Once the base figure was calculated, adjustments were made using weights, based on the projected amount per contracting area, including sub-contracting areas. PDRTA was comfortable doing so because of the funding going towards certain categories have a higher chance of obtaining DBE participation.

See the table below (WEIGHTED BASE):

NAICS Code	Project	Weight	Availability	Weighted Base Figure
1 2381	Roofing - Transit Center/Admin building expansion	0.005279274	0.125	0.000659909
2 2382	Electrical - Bus shelter/Admin building expansion/Transit Center remodel	0.003519516	0.016528926	5.81738E-05
3 2381	Structure - Install bus shelters/Admin building expansion/Transit Center remodel	0.879878929	0.125	0.109984866
4 2381	Concrete - Bus shelters/Admin building expansion/Parking lots at admin building and Transit Center	0.008798789	0.125	0.001099849
5 2389	Fencing - For remote areas to keep the transit vehicles	0.005279274	0.071428571	0.000377091
6 5413	Architect/Engineer - Admin building expansion/Transit Center remodel/Intermodal Center	0.010558547	0.035714286	0.000377091
7 5412	Audit - To maintain compliance with FTA and SCDOT	0.003519516	0	0
8 5411	Legal - Legal services to cover PDRTA	0.001055855	0	0
9 4413	Vehicle Parts - Miscellaneous parts for maintenance and transit vehicles	0.015837821	0	0
10 3231	Printing - Brochures, pamphlets, maps	0.000703903	0	0
11 4241	Office Supplies - Miscellaneous supplies needed for admin, operations, and maintenance	0.004399395	0	0
12 8123	Uniforms - Uniforms for maintenance	0.000351952	0	0
13 8112	IT Services - Maintaining computers and purchase of new ITS system	0.035195197	0	0
14 8111	Auto Repairs - Work performed that the maintenance team cannot complete	0.000527927	0	0
15 2382	HVAC Maintenance - HVAC units may need replacing/Annual maintenance/Transit Center	0.003519516	0.016528926	5.81738E-05
16 4246	Oil Wholesalers - To maintain good condition of transit vehicles	0.002111709	0.125	0.000263964
17 5416	Consulting - Operations and administration	0.001759758	0.032258065	5.67664E-05
18 2382	Security - Fire installation/Transit Center/Admin building expansion	0.001759758	0.016528926	2.90869E-05
19 2382	Computer and network cable installation/Transit Center/Admin building expansion	0.003519516	0.016528926	5.81738E-05
20 2382	Surveillance system/Install only/Update cameras in Admin and Transit Center/Add to Admin building expansion	0.003519516	0.016528926	5.81738E-05
21 4539	Janitorial equipment and supplies stores/Trophy shops	0.001407806	0	0
22 3333	Xerox - Photocopying/Printing	0.000351952	0	0
23 5418	Advertising - Bus wraps, flyers	0.004047443	0	0
24 3151	Uniforms - Uniforms for drivers/dispatchers	0.002639637	0	0
24 4884	Towing - Transit vehicles	0.000351952	0	0
25 5617	Pest Control - Admin building, Transit Center	0.000105585	0.023622047	2.49413E-06
Total				0.113083812
Weighted Base Figure				11.31%

Step 2 Weighted Base Figure = 11.31%

Past Participation:

Past participation will be used to help calculate the DBE Goal for FFY 2025-2027, using FFY 2022-2024. To make this calculation, the number of DBEs that previously participated in those years will be the numerator, and the denominator will be the total number of firms that were contracted over that year.

FFY 2022: 2 DBE / 86 = 0.0232 = 2.32%

FFY 2023: 1 DBE / 77 = 0.0129 = 1.29%

FFY 2024: 1 DBE / 76 = 0.0131 = 1.31%

The median was taken from these years, for the total of **1.29% for Past Participation**

An adjustment was made after taking the past participation into consideration, PDRTA then took the mean of the weighted base figure of 11.31%, and the median of the PDRTA past participation of 1.29% to better reflect the current ready, willing, and able DBE firms in the region. This average calculates to be 6.31% using $(1.29 + 11.31) / 2 = 6.31$. Once this was found, the percentage was then rounded to the nearest tenth to make the **overall goal 6.3%**. The weighted base figure was utilized because it better reflects the availability of DBE firms per potential contracting area, making the percentage larger than the unweighted base figure. PDRTA believes that this percentage better reflects the ready, willing, and able DBEs in the local area, based on the projected prime and sub-contracting opportunities over the next three federal fiscal years.

Public Outreach /Public Participation:

Along with the best practices, PDRTA has made it a goal to increase the overall knowledge and awareness of the Disadvantaged Business Enterprise (DBE) among both private and public entities in our service area. In order to do this, we have implemented a process to share information from the Federal and State Agencies regarding DBEs.

During our initial outreach we found that many local and Regional Chambers of Commerce do not have a grasp on what the DBE Program is. We have also found that those that are aware of the program do very little to promote the program to Minority and Women led businesses. Due to this we have implemented a guide using guidance from the US Department of Transportation for the chambers to gain additional knowledge and to learn how to promote the program to those that would be eligible.

PDRTA is also working with registered DBEs to notify them of potential future projects that may become available.

PDRTA will continue to network with local and regional entities to advance the contract opportunities for DBEs with contract work. When and where possible, we will meet with groups to provide information on our DBE program and how new participants may become involved. As well as posting the goal and the methodology on the PDRTA website.

These meetings will be advertised through the local Chambers of Commerce, as well as on the PDRTA website and through social media.

Attachment 2

Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious Participation

PDRTA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. PDRTA uses the following race-neutral means to increase DBE participation:

- Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses.
- Ensuring distribution of our DBE directory, through electronic means, to the widest feasible universe of potential prime contractors.
- Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors).

We estimate that, in meeting our overall goal of 6.3%, we will obtain 2% from race-neutral participation and 0% through race-conscious measures.

In order to ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will 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 a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry 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.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

Attachment 3

Form for Demonstration of Good Faith Efforts

THIS FORM IS TO BE COMPLETED BY ANY PROPOSER WISHING TO BE IDENTIFIED AS A DBE
OR
BY ANY PROPOSER WISHING TO IDENTIFY DBE PARTICIPATION IN ITS BID.

SCHEDULE OF DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION

This Contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. PDRTA overall goal for DBE participation is __%. **A separate Contract goal of __% has been established for this Contract.**

The Contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted Contract. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as PDRTA deems appropriate. Each subcontract the Contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

Since DBE participation is encouraged, if Bidder submit DBE participants, Proposers are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this Contract is conditioned on submission of the following concurrent with and accompanying an initial Qualifications Statement:

- The names and addresses of DBE Proposers that will participate in this Contract;
- A description of the work each DBE will perform;
- The dollar amount of the participation of each DBE Bidder participating;
- Written documentation of the Bidder's commitment to use a DBE subcontractor whose participation it submits to meet the Contract goal;
- Written confirmation from the DBE that it is participating in the Contract as provided in the prime Contractor's commitment; and
- If the Contract goal is not met, evidence of good faith efforts to do so.

Proposers must present the information required above as a matter of responsiveness with initial Qualifications Statement. (see 49 CFR 26.53(3)). The successful Bidder will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.

The Contractor is required to pay its subcontractors performing work related to this Contract for satisfactory performance of that work no later than 30 days after the Contractor's receipt of payment for that work from PDRTA. In addition, the Contractor may not hold retainage from its subcontractors.

The Contractor must promptly notify PDRTA, whenever a DBE subcontractor performing work related to this Contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The Contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of PDRTA.

If a Bidder is a DBE or if a proposer intends to utilize DBE Proposers in the development, manufacture, or delivery of goods or services or as a joint venture under this proposal, the following schedule must be completed:

The _____ will utilize the following:
(Name of Bidder)

DBE Bidder(s) in the development, manufacture, or delivery of goods or services or as a joint venture under

this proposal:

Item # and Description	Name of DBE Bidder	Type of Work or Parts to be Used/Performed	% of Proposal Attributable to DBE
1.			
2.			
3.			
4.			
5.			

Total % of Proposal Price Attributable to DBE:

Signature of Bidder

Date

Attachment 4
Uniform Report of DBE Commitments/Awards and Payments

UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS										
Please refer to the instruction sheet for directions on filling out this form										
1 Submitted to (check only one)		<input type="checkbox"/> FHWA		<input type="checkbox"/> FAA		<input type="checkbox"/> FTA Recipient ID Number				
2 AIP Numbers (FAA Recipients) Grant Number (FTA Recipients)										
3 Federal fiscal year in which reporting period falls		FY 20XX		4 Date This Report Submitted						
5 Reporting Period		<input type="checkbox"/> Report due June 1 (for period Oct 1-Mar 31)		<input type="checkbox"/> Report due Dec 1 (for period April 1-Sep 30)		<input type="checkbox"/> FAA annual report due Dec 1				
6 Name and address of Recipient										
7 Annual DBE Goal(s)		Race Conscious Projection			Race Neutral Projection			OVERALL Goal		
Awards/Commitments this Reporting Period										
A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	A	B	C	D	E	F	G	H	I
		Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBE w/Race Conscious (dollars)	Total to DBE w/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentag e of total dollars to DBEs
8	Prime contracts awarded this period	\$	0	\$	0			\$		
9	Subcontracts awarded/committed this period	\$	0	\$	0			\$		
10	TOTAL			\$	0			\$		
B	BREAKDOWN BY ETHNICITY & GENDER	Total to DBE (dollar amount)			Total to DBE (number)					
		A	B	C	D	E	F			
		Women	Men	Total	Women	Men	Total			
11	Black American	\$	\$	\$	0	0	0			
12	Hispanic American	\$	\$	\$	0	0	0			
13	Native American	\$	\$	\$	0	0	0			
14	Asian Pacific American	\$	\$	\$	0	0	0			
15	Subcontinent Asian Americans	\$	\$	\$	0	0	0			
16	Non-Minority	\$	\$	\$	0	0	0			
17	TOTAL	\$	\$	\$	0	0	0			
Payments Made this Period										
C	PAYMENTS ON ONGOING CONTRACTS	A	B	C	D	E	F			
		Total Number of Prime Contracts	Total Dollars Paid	Total Number of Prime and Subcontracts with DBEs	Total Payments to DBE firms	Total Number of DBE firms Paid	Percent to DBEs			
18	Prime and subcontracts currently in progress	0	\$	0	\$	0				
D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A	B	C	D	E				
		Number of Contracts Completed	Total Dollar Value of Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percent to DBEs				
19	Race Conscious	0	\$	\$	\$					
20	Race Neutral	0	\$		\$					
21	Totals	0	\$		\$					
22 Submitted by		23 Signature				24 Phone Number				

Attachment 5
Sample Public Notice



Don Strickland, Executive Director
313 S. Stadium Rd. Florence, SC 29506 • Phone: (843) 553-3337 • Email: don@pdrtas.org • Website: <http://pdrtas.org>

(SAMPLE)

PDRTA PUBLIC NOTICE

15 June 2023

**DISADVANTAGED BUSINESS ENTERPRISE
PROGRAM GOALS FOR FFY 2024, 2025, 2026**

PEE DEE REGIONAL TRANSPORTATION AUTHORITY (PDRTA)

Pee Dee Regional Transportation Authority, in accordance with 49 CFR Part 26, hereby proposes the overall goal for Disadvantaged Business Enterprise Program (DBE) of 5% for procurement assisted by the Federal Transit Administration (FTA) during FFY 2024, 2025, and 2026.

It is the policy of PDRTA to ensure non-discrimination based on race, color, sex, or national origin in the award of contracts. The purpose of the DBE Program is to create equitable conditions of full and fair participation for all vendors in the procurement process. PDRTA is an Equal Opportunity Employer.

Interested parties may review the methodology used to determine the FFY 2024, 2025 and 2026 Goal for thirty (30) days following the date of the Notice during normal business hours at the administrative office of PDRTA, 313 S. Stadium Rd, Florence, SC 29506 or can review it on PDRTA website:
<https://pdrtas.org/business-disadvantaged-business-enterprise>.

Written comments on the FFY 2024, 2025 and 2026 DBE Goals may be submitted no later than 15 July 2023.

Please submit comments to:
Rachel McMillian, Procurement Manager
313 S. Stadium Rd
Florence, SC 29506
rmcmillian@pdrtas.org

Don Strickland
Executive Director
Pee Dee Regional Transportation Authority

