Attachment 4

Section 23.45: Overall Goal Calculation for Concessions Other Than Car Rentals

Amount of Goal

The Abilene Regional Airport does not receive nor does it anticipate receiving annual revenue from concessions other than car rental during the period beginning October 1, 2021 and ending September 30, 2024, in excess of $200,000. Consequently, no goal has been set for these concessions.

Attachment 5

Section 23.45: Overall Goal Calculation for Car Rentals

Amount of Goal *(submit if average annual gross receipts exceed $200,000)*

The Abilene Regional Airport's overall goal for car rentals during the period beginning October 1, 2021, and ending September 30, 2024, is **0.72%** of the total gross receipts of car rental operations at the Abilene Regional Airport. 0% is to be accomplished through Race Conscious and 0.72% through Race Neutral means.

The concession opportunities anticipated during this goal period are: Tire Dealers, Auto Part Suppliers, Towing, General Auto Repair, Auto Repair/Body Work, Windshield Repair, Office Equipment, Accounting/Bookkeeping, and Janitorial Services with. If a new car rental concession opportunity arises prior to the end of this goal period and the estimated average of annual gross revenues are anticipated to be $200,000 or greater, the Abilene Regional Airport will submit an appropriate adjustment to the overall goal. This will be submitted to FAA for approval at least 6 months before executing the new concession agreement (23.45(i)).

The Abilene Regional Airport has determined that its market area is the state of Texas. This is the geographical area in which the substantial majority of firms which seek to do concessions business with the airport are located and the geographical area in which the firms receive a substantial majority of concessions related revenues are located.

Methodology used to Calculate Overall Goal

Goods and Services

We can meet the percentage goal by including the purchase from ACDBEs of goods and services used in businesses at the airport. The dollar value from purchases of goods and services from ACDBEs may be added to the numerator, and the dollar value from purchases

Base of Car Rental Goal

Step 1: 23.51(c)
We determined the base figure for the relative availability of car rental ACDBEs. The base figure was calculated as follows:

$$\text{Base figure} = \frac{\text{Ready, willing, and able car rental ACDBEs in the market area}}{\text{All ready, willing and able car rental firms in the market area}}$$

The data source or demonstrable evidence used to derive the numerator is the Texas Unified Certification Program Listing found at:

https://txdot.txdotcms.com/FrontEnd/VendorSearchPublic.asp?XID=8868&TN=txdot

The data source or demonstrable evidence used to derive the denominator was United States Census Bureau Database of Summary Statistics for the U.S., States, and Selected Geographies:

https://data.census.gov/cedsci/table?g=0400000US48&hidePreview=false

The following table presents the summary of the relevant data:

NAICS CODE	***Type of Work***	***Total ACDBEs***	***All Firms***
441320	Tire dealers	0	1786
441310	Auto Parts	1	3361
488410	Towing	1	772
811111 & 811198	General Auto Repair, Auto Repair/Body Work	7	6822
811122	Windshield Repair	0	469
423420	Office Equipment	0	611
541211 & 541219	Accounting/Bookkeeping	4	7434
561720	Janitorial	28	3597
	TOTALS	**41**	**24,852**

When we divided the numerator by the denominator we arrived at the base figure for our overall goal for car rental concessions of: **0.16%.**

Relative Availability = 41 / 24,852

Relative Availability = 0.16%

Step 2: 23.51(d)

After calculating a base figure of the relative availability of ACDBEs, we examined evidence to determine what adjustment was needed to the base figure in order to arrive at the overall goal.

In order to reflect as accurately as possible the ACDBE participation we would expect in the absence of discrimination we have adjusted our base figure by 0.55%. Our overall goal for car rental concessions is 0.72%.

The data used to determine the adjustment to the base figure was:
a. Past participation – We evaluated the current capacity of ACDBEs to perform work in our car rental concessions program by measuring the volume of work ACDBEs have performed in the past.

Fiscal Year	Goal	Accomplishment
2018	0.73%	1.28% (*Adjusted from 15.48%)
2019	8.13%	1.23% (*Adjusted from 9.6%)
2020	8.13%	1.93%

*Adjustments shown remove Santa Monica Ford from calculations. Santa Monica Ford is no longer certified in the State of Texas as an ACDBE. The heavily affects projections. Due to this change, in FY2018 to get accurate projections we removed $458,585.42 or 14.20%. In FY2019 the removal of Santa Monica Ford reduced calculations by $290,304.60 or 8.37%. FY2020 was unaffected.

Median Accomplishment: **1.28%**

b. Disparity study – There are no disparity studies conducted within our jurisdiction that relate to concessions. We will continue to contact state and local agencies to determine when disparity study becomes available.

c. Differences in Market Area and Concessions Program – Not Applicable

d. Available evidence from related fields that affect opportunities for ACDBEs to form, grow, and compete – Not Applicable

The reason we chose to adjust our figure using this data was because the median accomplishment was higher than the relative availability of 0.77%. One method of adjustment is to establish the goal as the average of the relative availability and the median accomplishment.

Adjusted Goal = (Relative Availability + Median Accomplishment) / 2
= (0.16% + 1.28%) / 2

Adjusted Goal = **0.72%**

This adjustment establishes the new goal for the Abilene Regional Airport at 0.72% for the period of October 1, 2021, and ending September 30, 2023.

PUBLIC PARTICIPATION

Consultation: Section 23.43.

Prior to submitting this goal to the FAA, the Abilene Regional Airport consulted with entities with an interest in Airport Concession Opportunities (Stakeholders).

The Abilene Regional Airport encourages the participation of Disadvantaged Business Enterprises in its Airport Concessions Program. In an effort to reach the available DBE community, seek out public input into the goal setting process, and to ensure wide distribution of the information contained in this document, the Airport corresponds and consults with the Abilene Chamber of Commerce, its Hispanic Business Council, the Abilene Chapter of the Black Chamber of Commerce, American Business Womans Association, existing concessionaires, and other organizations which could be expected to have information concerning the availability of disadvantaged businesses. An open dialogue with these entities has afforded the Airport the opportunity to reach out to interested parties and encourage meaningful participation in its concessions program by DBEs. Additionally, the Airport makes copies of its ACDBE Program available to each of these organizations for distribution to its members.

During the development of this program, the Abilene Regional Airport sought out input and comments from the agencies identified in the previous paragraph. This coordination was well received and no comments were made during the reviews. Additionally, the Airport advertised availability of the program in the local newspaper with the following notice of availability:

WEBSITE PUBLIC NOTICE

ACDBE Goals for Federal Fiscal Years 2022 – 2024

POSTED ON ABI WEBSITE: The Abilene Regional Airport hereby announces the availability of its Airport Concessions Disadvantaged Business Enterprise Program. This includes the goals set out under Federal Aviation Regulations, which will remain in effect until September 30, 2024, at which time the goals will be updated. The Airport has set a goal of 0.72**%** of the annual revenue realized from Car Rental Concessions that occur at the Airport. The Program, as well as the proposed goals and goal setting methodology, are available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, from June 23, 2021 until July 23, 2021, in the offices of the Airport Director, 2933 Airport Boulevard, Suite 200, Abilene, Texas 79602.
Comments on the ACDBE goals can be sent to either of the following addresses:

Don Green, AAE
Director of Transportation Services
Abilene Regional Airport
2933 Airport Boulevard, Suite 200
Abilene, TX 79602

Federal Aviation Administration
Civil Rights Staff, ASW-9
Post Office Box 92007
Los Angeles, CA 90009-2007

Public Comments

If any public comments are received, we will notify the FAA's Office of Civil Rights. Prior to submitting this goal to the FAA.

Annotate Comments Here

<u>Breakout of Estimated Race-Neutral & Race Conscious Participation</u>
Section 23.51

The Abilene Regional Airport will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating ACDBE participation. The Abilene Regional Airport uses the following race-neutral means to increase ACDBE participation:

1. Locating and identifying ACDBEs and other small businesses who may be interested in participating as concessionaires under 49 CFR Part 23
2. Notifying ACDBEs of concession opportunities and encouraging them to compete, when appropriate;
3. When practical, structuring concession activities so as to encourage and facilitate the participation of ACDBEs;
4. Providing technical assistance to ACDBEs in overcoming limitations, such as inability to obtain bonding or financing;
5. Ensuring that competitors for concession opportunities are informed during pre-solicitation meetings about how the sponsor's ACDBE program will affect the procurement process;
6. Providing information concerning the availability of ACDBE firms to competitors to assist them in obtaining ACDBE participation; and
7. Establishing a business development program (see 49 CFR Part 26.35); technical assistance program or taking other steps to foster ACDBE participation in concessions.

We estimate that, in meeting our overall goal of 0.72**%**, we will obtain 0.72**%** from race-neutral participation and **0.00%** through race-conscious measures.

The following is a summary of the basis of our estimated breakout of race-neutral and race-conscious ACDBE participation:

1. Over the last three years, the Abilene Regional Airport has achieved ACDBE participation through race neutral means – Achieving a median accomplishment of 9.6% (adjusted to 1.28% median) without the use of goals;
2. ACDBE participation on concession leases has occurred on each of our Rental Car Agreements that do not have ACDBE requirements;
3. Through consultation with our ACDBE stakeholders, we have encouraged and realized real success in our program.

If we project that race-neutral measures, standing alone, are not sufficient to meet an overall goal, we will use the following race-conscious measures to meet the overall goal:

1. We will establish concession-specific goals for particular concession opportunities
2. Negotiate with potential concessionaires to include ACDBE participation through direct ownership arrangements or measures, in the operation of the concession
3. With prior FAA approval, other methods that take a competitor's ability to provide ACDBE participation into account in awarding a concession

In order to ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination, if we use concession specific goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual ACDBE participation (see 26.51(f)), and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral ACDBE participation includes, but is not necessarily limited to, the following:

• ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures;
• ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal;
• ACDBE participation on a prime contract exceeding a concession specific goal; and ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

We will maintain data separately on ACDBE achievements in those contracts with and without concession specific goals, respectively.