

**Link Transit System
Public Transit Advisory Commission (PTAC)**

Tuesday, July 9, 2024 @ 5:00 P.M.

Meeting to be Held In Person or Virtually on Zoom Platform

**425 S. Lexington Avenue, Burlington, NC 27215 in the Municipal Conference Room
(Lower Level)**

OR <https://us02web.zoom.us/j/81770362301> OR (309) 205-3325

Meeting ID: 817 7036 2301

AGENDA

- 1) **Call to Order & Quorum** **Chairman**
 - Changes to Agenda / Add On Items
 - Speakers from the Floor – three (3) minutes per speaker

- 2) **Approval of the May 2024 Meeting Minutes** **Chairman** **Pages 3-4**

- 3) **Link Transit System Update** **John Andoh**
 - Review Link Transit Annual Report – *(provided at meeting)*
 - Update on Regional Transit Study – visit <https://bgmpo.org/Projects-Plans/MPO-Plans/BGMPO-Regional-Transit-Feasibility-Study>
 - Update on Transit Development Plan
 - Conflict of Interest Statements for NCDOT grant - **Page 5**
 - Adopted Budget for FY 2024-2025 - **Page 6**
 - Update on Status of Transit System Activities
 - Bus Replacements – Gillig and Promaster Bus on Display
 - Bus Stops and Shelters
 - Service Planning – Mebane Extension and ACTA’s Southern Alamance Route - **Pages 7-8**
 - DBE Consultation Meeting and DBE Goal - **Pages 9-61**
 - Link’s 8th Anniversary - **Pages 62-63**
 - Elon Farmers Market
 - Elon University
 - Update on Transit Operations from Transdev - **Pages 64-65**

- 4) **Link Transit Operations Report** **John Andoh**
 - Fixed Route & Paratransit Ridership Update through June 2024 - **Page 66**

- 6) **Other Business** **Chairman**
 - Other Items of Interest and Upcoming Events
 - Reports & Questions from PTAC Members
 - Agenda Topics for Next Meeting

Next Meeting Scheduled for: Tuesday, September 10, 2024.

**ACCESS TO INFORMATION: ALL DOCUMENTS AND DATA CAN BE PROVIDED IN
ALTERNATIVE FORMAT UPON REQUEST**

MINUTES

LINK TRANSIT
PUBLIC TRANSIT ADVISORY COMMISSION

Tuesday, May 14, 2024

5:00 P.M.

Meeting held via Zoom and at 425 S. Lexington Avenue, Burlington, NC 27215 in the
Municipal Conference Room (Lower Level)

MEMBERS PRESENT

Mike Mills, Burlington (Chair)
Moses Corbett, Burlington (Secretary)
Ralph Harwood, Elon
Roger Meisenbach, Burlington
Brian Doward, ACC
Steve Carter, Alamance County
Bonita Brown, Burlington (Vice Chair)

OTHERS PRESENT

John Andoh, Transit Manager
Dana Bullock, Transdev
Richard Ticehurst, Transdev
Wannetta Mallette, BGMPO

MEMBERS ABSENT

Joyce Harris, Gibsonville
Melissa McBane, Elon
Blake Slaughter, Burlington
Chief Armstrong, ACC
John Mathewson, Burlington

Call to Order

Chair Mills called the meeting to order at 5:15 PM and welcomed all members and guests.

Chair Mills solicited public comments from the floor and requested comments to be limited to three (3) minutes per speaker. No public comments. The meeting agenda was reviewed. No changes were made to the agenda.

Approval of the March 12, 2024 Meeting Minutes

The March 12, 2024 meeting minutes were reviewed. Mr. Corbett made a motion to approve the meeting minutes. Mr. Carter seconded the motion. All PTAC members voted in approval of the March 12, 2024 meeting minutes.

Review Proposed FY 2024-2025 Budget

Mr. Andoh facilitated this discussion. He presented the proposed Link Transit budget for FY 2024-2025 and explained the revenues and expenses. There were no questions from the Commission members.

Link Transit/System Update

Mr. Andoh provided the following updates on Transit Development Plan and Transit Facility Study process and explained that the consultant team is presently looking for properties and those sites are being narrowed down by staff. He also explained the attached document is the existing conditions report. Mr. Andoh then provided an updated on the Regional Transit Study and stated that it is completed and the study will be presented at the next BGMPO meeting for adoption or acceptance. He summarized the recommendations which suggested consolidation with PART or ACTA, an umbrella agency or status quo. Mr. Andoh mentioned any changes to Link would require direction from Burlington City Council. Mr. Andoh provided an update on the vehicle replacements for fixed route and paratransit - mentioned that the three paratransit vehicles are here and being prepared for service. Mr. Andoh then summarized service changes to Green Route 4 as it relates to traveling only on Front Street as well as adding numbers to each color for identification purposes. Mr. Andoh discussed the triannual review that Link goes through every three years and summarized the deficiencies and states that this was a decline from 9 to 1 from the last review. He also summarized the grants that staff was applying for. Mr. Andoh introduced Mr. Ticehurst who gave an update on Transdev's activities for the last period. The Commissioners had a discussion and asked questions about the topics discussed.

Link Transit Operations Report

Mr. Andoh presented the ridership update through March 2024 and discussed the performance of each route. Mr. Andoh also summarized Elon's ridership at the request of Mr. Harwood from the last meeting.

Other Business

There was none.

Adjournment

Chairman Mills asked for a motion for adjournment. Mr. Mathewson made a motion to adjourn the meeting and Mr. Meisenbach seconded the motion. All PTAC members voted in approval. Chairman Mills adjourned the PTAC meeting at 5:50 P.M.

UNIFIED GRANT APPLICATION

CONFLICT OF INTEREST POLICY

(Add County name here) County Area Transit System

(Type Date that Board adopted policy)

In accordance with Board policy and related legislation, no employee, officer, agent, immediate family member, or Board member of the agency shall participate in the selection, award, or administration of a contract supported by Federal and/or State funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

- The employee, officer, agent, or Board member,
- Any member of his/her immediate family,
- His or her partner, or
- An organization that employs, or is about to employ, any of the above.

The agency's officers, employees, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

[Highlight this entire entry and enter any applicable local policy that addresses the following--Grantees may set minimum rules when the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.]

The undersigned hereby acknowledges, understands, and agrees to abide by this policy.

(Printed Name)

(Signature)

(Date)

FUND 021	PUBLIC TRANSPORTATION		2025 REVENUE BUDGET
02104491	30132	Donations/Reimb of Costs	-
02104491	32005	Sect 5307 Transit PlanningFnds	-
02104491	32014	Alamance Co Contribution	(28,750)
02104491	32015	ACC Contribution	(28,750)
02104491	32016	Hayden Harman Contribution	-
02104491	32017	United Way Contribution	-
02104491	32024	Transit Vehicle Tax	(485,000)
02104491	32025	State Development Grant	-
02104491	32026	Federal Reimbursement	(2,228,844)
02104491	32027	Gibsonville Reimbursement	(40,250)
02104491	32028	PART Card Sales	-
02104491	32029	Burlington's Contribution	(229,898)
02104491	32030	State SMAP Funds	(161,832)
02104491	32031	Fare Box Revenue	(100,000)
02104491	32032	\$1 and Replacement Cards	-
02104491	32034	Elon Reimbursement	(30,000)
02104491	32035	State Urban Match	(30,000)
02104491	32037	Mebane Reimbursement	(15,000)
02107000	30500	Interest On Investments	-
02117000	39999	Appropriated Fund Balance	-
	Total	PUBLIC TRANSPORTATION REVENUES	(3,378,324)

Increased to \$10 per vehicle

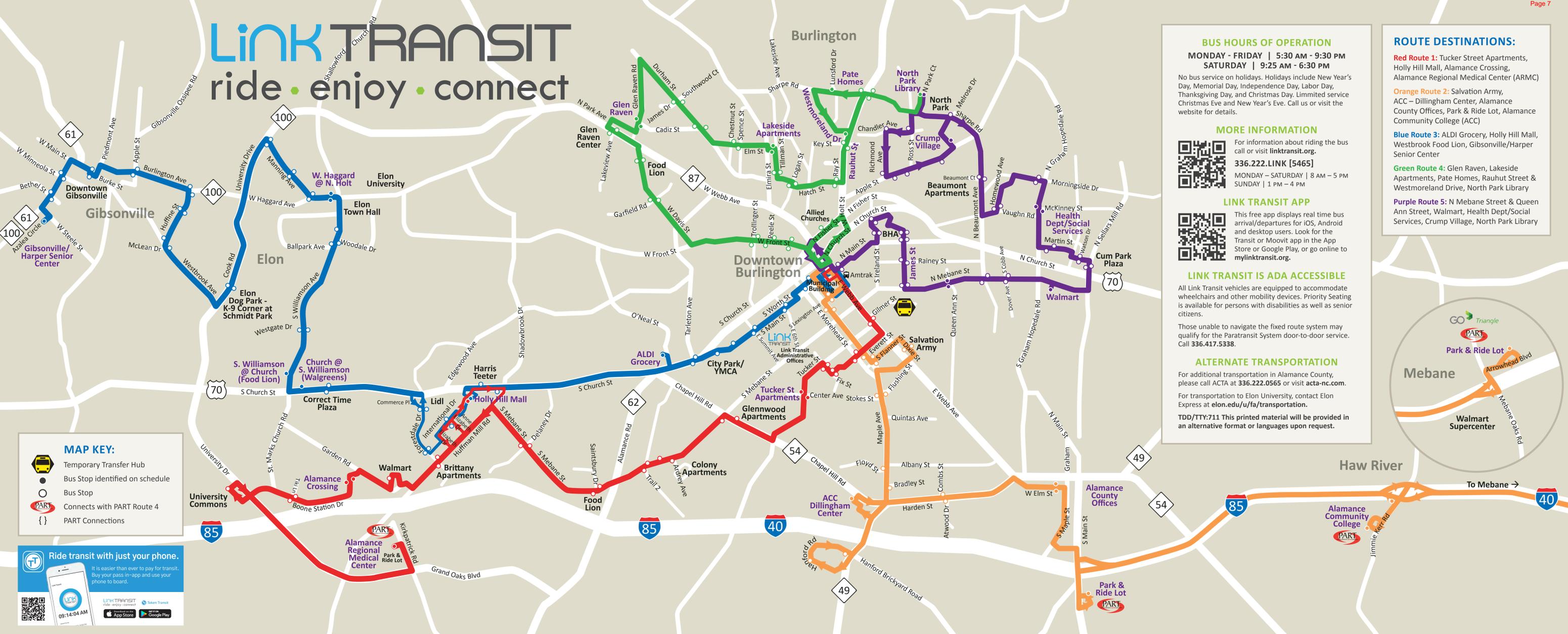
FUND 021	PUBLIC TRANSPORTATION		2025 EXPENDITURE BUDGET
02146000	40200	Personnel Services	193,110
02146000	40300	Personnel Services O/T	-
02146000	40400	Personnel Services P/T	113,931
02146000	40402	Pers Svcs Part Time-Retire	11,118
02146000	40500	Fica Taxes	24,339
02146000	40600	Group Insurance	15,280
02146000	40700	Retirement Expense	27,877
02146000	40800	401K	9,656
02146000	41100	Telephone	6,000
02146000	41200	Printing	10,000
02146000	41400	Travel Meetings Etc	3,000
02146000	41900	Professional Services	195,431
02146000	42600	Advertising	25,000
02146000	43100	Automotive Expense	-
02146000	43101	Automotive Expense-Fuel	-
02146000	43102	Bus Expense - Fuel	230,000
02146000	43300	Departmental Supplies	10,000
02146000	43320	Pcard Encumbrance	-
02146000	43324	Public Relations Supplies	5,000
02146000	43390	Equip/Constr Not Capitalized	1,500
02146000	44500	Maint & Service Contracts	2,112,082
02146000	45300	Dues & Subscriptions	30,000
02146000	47200	Buildings	-
02146000	47300	Capital - Other Improvements	-
02146000	47400	Equipment	50,000
02146000	47410	Vehicles	305,000
02146000	49100	Operating Transfers Out	-
02190850	49700	Depreciation Exp-Transit	-
	Total	PUBLIC TRANSPORTATION EXPENDITURES	3,378,324

2024-2025 CAPITAL AND SPECIAL PROJECTS

CODE	DEPARTMENT	DESCRIPTION	Justification	AMOUNT	AMOUNT	AMOUNT	NOT
PUBLIC TRANSIT							
02146000-47400	TRANSPORTATION	Portable Bus Wash	Link Service Area / 80% Fed 20% City	50,000		50,000	-
02146000-47410	TRANSPORTATION	Replace Paratransit Vehicles	Carbon Reduction Grant with partial reimbursement / 80% Fed 10% State 10% City	305,000		305,000	-
		Public Transit Totals	FUND 58 Totals	355,000		355,000	

Link TRANSIT

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MAP KEY:

- Temporary Transfer Hub
- Bus Stop identified on schedule
- Bus Stop
- Connects with PART Route 4
- PART Connections

Ride transit with just your phone.

It's easier than ever to pay for transit. Buy your pass in-app and use your phone to board.

LINK TRANSIT ride enjoy connect

Available on the App Store and Google Play.

BUS HOURS OF OPERATION

MONDAY - FRIDAY | 5:30 AM - 9:30 PM
SATURDAY | 9:25 AM - 6:30 PM

No bus service on holidays. Holidays include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Limited service Christmas Eve and New Year's Eve. Call us or visit the website for details.

MORE INFORMATION

For information about riding the bus call or visit linktransit.org.
336.222.LINK [5465]
 MONDAY - SATURDAY | 8 AM - 5 PM
 SUNDAY | 1 PM - 4 PM

LINK TRANSIT APP

This free app displays real time bus arrival/departures for iOS, Android and desktop users. Look for the Transit or Moovit app in the App Store or Google Play, or go online to mylinktransit.org.

LINK TRANSIT IS ADA ACCESSIBLE

All Link Transit vehicles are equipped to accommodate wheelchairs and other mobility devices. Priority Seating is available for persons with disabilities as well as senior citizens.

Those unable to navigate the fixed route system may qualify for the Paratransit System door-to-door service. Call **336.417.5338**.

ALTERNATE TRANSPORTATION

For additional transportation in Alameda County, please call ACTA at **336.222.0565** or visit acta-nc.com.

For transportation to Elon University, contact Elon Express at elon.edu/u/fa/transportation.

TDD/TTY: 711 This printed material will be provided in an alternative format or languages upon request.

ROUTE DESTINATIONS:

Red Route 1: Tucker Street Apartments, Holly Hill Mall, Alameda Crossing, Alameda Regional Medical Center (ARMC)

Orange Route 2: Salvation Army, ACC - Dillingham Center, Alameda County Offices, Park & Ride Lot, Alameda Community College (ACC)

Blue Route 3: ALDI Grocery, Holly Hill Mall, Westbrook Food Lion, Gibsonville/Harper Senior Center

Green Route 4: Glen Raven, Lakeside Apartments, Pate Homes, Rauhut Street & Westmoreland Drive, North Park Library

Purple Route 5: N Mebane Street & Queen Ann Street, Walmart, Health Dept/Social Services, Crump Village, North Park Library



LinkFares

Effective December 18, 2023

GENERAL FARE

ONE WAY	DAY PASS	31-DAY
\$.50	\$2.00	\$10.00

All passengers not eligible for a discount.

DISCOUNT FARE

Seniors: 60+ with proper ID.
 Persons with Disability: with Link Transit Reduced Fare Card, a reduced fare ID card issued from another transit agency or ADA certified.
 Veterans: with US Dept. of Defense and Veterans Affairs retired ID card, county issued Veteran ID card, or NCDL with "Veteran" label.
 Medicare: with valid Medicare Card.
 Student: Ages 6 - 18 with Student ID, or college/university ID.

FREE

NC By Train transfer, Children 5 & under, Link employees, transfer to another route within 90 minutes.

PARATRANSIT

ONE WAY	10-RIDE PASS
\$1.00	\$10.00

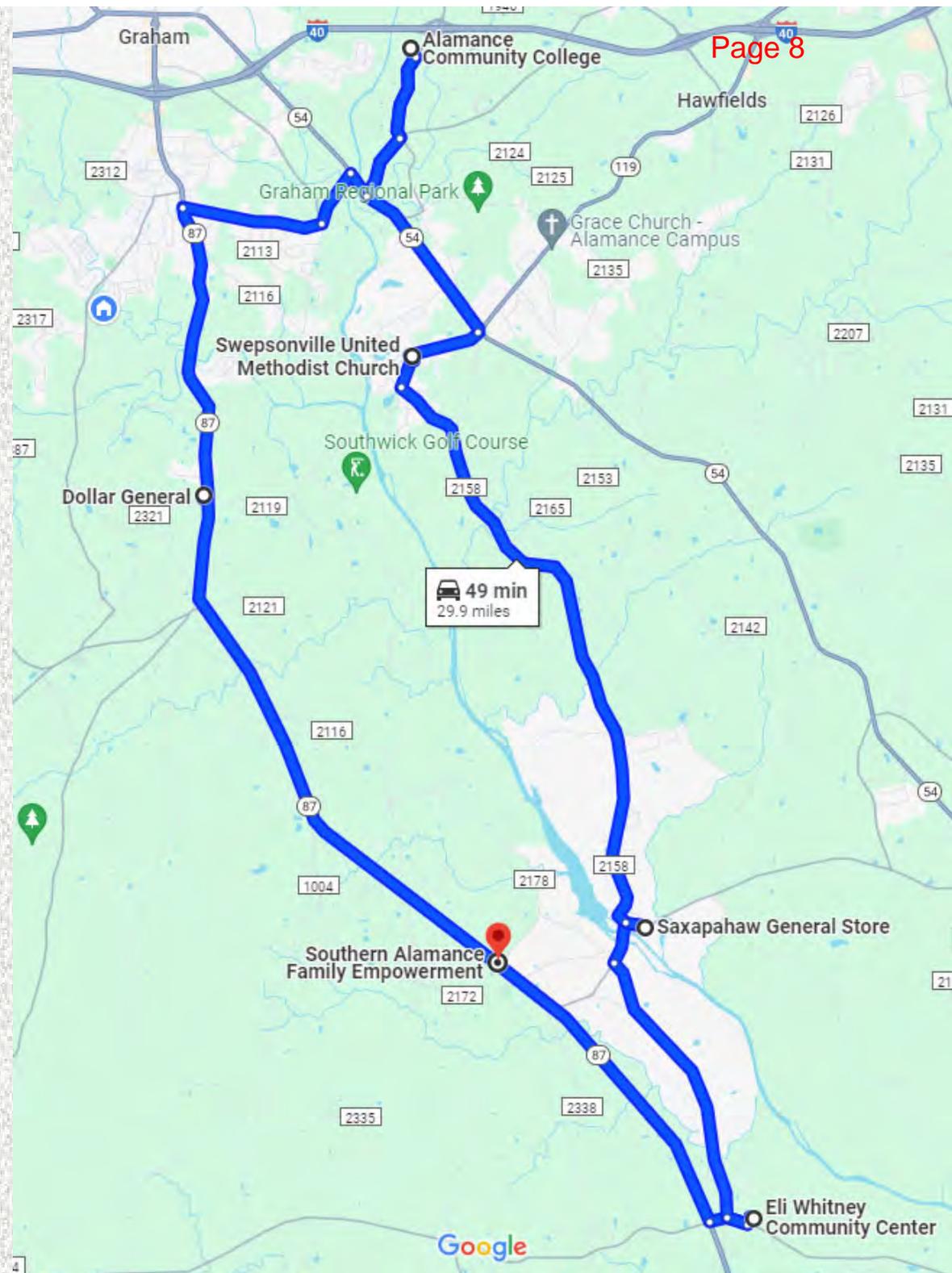
ADA Certified: Passenger eligible to ride Paratransit.

RED 1										ORANGE 2										BLUE 3										GREEN 4										PURPLE 5												
OUTBOUND					INBOUND					OUTBOUND					INBOUND					OUTBOUND					INBOUND					OUTBOUND					INBOUND																	
Downtown Worth @ Webb Sts.	Tucker Street Apartments	Holly Hill Mall	Alameda Crossing	ARRIVE: Alameda Regional Medical Center	DEPART: Alameda Regional Medical Center	Alameda Crossing	Holly Hill Mall	Tucker Street Apartments	Downtown Worth @ Webb Sts.	Downtown Worth @ Webb Sts.	ACC - Dillingham Center	Alameda County Offices	Park & Ride Lot	ARRIVE: Alameda Community College	DEPART: Alameda Community College	Park & Ride Lot	Alameda County Offices	ACC - Dillingham Center	Downtown Worth @ Webb Sts.	Downtown Worth @ Webb Sts.	ALDI Grocery	Holly Hill Mall	Church @ S. Williamson (Walgreens)	W. Haggard @ N. Holt	ARRIVE: Gibsonville/Harper Senior Center	DEPART: Gibsonville/Harper Senior Center	W. Haggard @ N. Holt	S. Williamson @ Church (Food Lion)	Holly Hill Mall	ALDI Grocery	Downtown Worth @ Webb Sts.	Downtown Worth @ Webb Sts.	Glen Raven	Lakeside Apartments (Elm St/Tillman St)	Pate Homes (Lundsford Dr/Sharpe Rd)	Rauhut St / Westmoreland Dr	ARRIVE: North Park Library	DEPART: North Park Library	Lakeside Apartments (Elm St/Tillman St)	Glen Raven	Downtown Worth @ Webb Sts.	Downtown Worth @ Webb Sts.	James St/Harris St	Walmart	Health Dept/Social Services	Crump Village	ARRIVE: North Park Library	DEPART: North Park Library	Health Dept/Social Services	Walmart	James St/Harris St	Downtown Worth @ Webb Sts.
6:30	6:38	6:50	7:02	7:14	7:15	7:27	7:35	7:45	7:53	6:30	6:43	6:52	6:56	7:01	7:11	7:19	7:24	7:34	7:45	6:30	6:40	6:48	6:55	7:02	7:15	7:26	7:34	7:40	7:48	7:56	6:30	6:48	6:55	7:05	7:08	7:11	7:15	7:22	7:29	7:49	6:30	6:45	6:49	6:56	7:04	7:08	7:15	7:26	7:33	7:36	7:51	
8:00	8:08	8:20	8:32	8:44	8:45	8:57	9:05	9:15	9:23	8:00	8:13	8:22	8:26	8:31	8:41	8:49	8:54	9:04	9:15	8:00	8:10	8:18	8:25	8:32	8:45	8:56	9:04	9:10	9:18	9:26	8:00	8:18	8:25	8:35	8:38	8:41	8:45	8:52	8:59	9:19	8:00	8:15	8:19	8:26	8:34	8:38	8:45	8:56	9:03	9:06	9:21	
9:30	9:38	9:50	10:02	10:14	10:15	10:27	10:35	10:45	10:53	9:30	9:43	9:52	9:56	10:01	10:11	10:19	10:24	10:34	10:45	9:30	9:40	9:48	9:55	10:02	10:15	10:26	10:34	10:40	10:48	10:56	9:30	9:48	9:55	10:05	10:08	10:11	10:15	10:22	10:29	10:49	9:30	9:45	9:49	9:56	10:04	10:08	10:15	10:26	10:33	10:36	10:51	
12:30	12:38	12:50	1:02	1:14	1:15	1:27	1:35	1:45	1:53	12:30	12:43	12:52	12:56	1:01	1:11	1:19	1:24	1:34	1:45	12:30	12:40	12:48	12:55	1:02	1:15	1:26	1:34	1:40	1:48	1:56	12:30	12:48	12:55	1:05	1:08	1:11	1:15	1:22	1:29	1:49	12:30	12:45	12:49	12:56	1:04	1:08	1:15	1:26	1:33	1:36	1:51	
2:00	2:08	2:20	2:32	2:44	2:45	2:57	3:05	3:15	3:23	2:00	2:13	2:22	2:26	2:31	2:41	2:49	2:54	3:04	3:15	2:00	2:10	2:18	2:25	2:32	2:45	2:56	3:04	3:10	3:18	3:26	2:00	2:18	2:25	2:35	2:38	2:41	2:45	2:52	2:59	3:19	2:00	2:15	2:19	2:26	2:34	2:38	2:45	2:56	3:03	3:06	3:21	
3:30	3:38	3:50	4:02	4:14	4:15	4:27	4:35	4:45	4:53	3:30	3:43	3:52	3:56	4:01	4:11	4:19	4:24	4:34	4:45	3:30	3:40	3:48	3:55	4:02	4:15	4:26	4:34	4:40	4:48	4:56	3:30	3:48	3:55	4:05	4:08	4:11	4:15	4:22	4:29	4:49	3:30	3:45	3:49	3:56	4:04	4:08	4:15	4:26	4:33	4:36	4:51	
5:05	5:13	5:25	5:37	5:49	5:50	6:02	6:10	6:20	6:28	5:05	5:18	5:27	5:31	5:36	5:46	5:54	5:59	6:09	6:20	5:05	5:15	5:23	5:30	5:37	5:50	5:50	6:01	6:09	6:15	6:23	6:31	5:05	5:23	5:30	5:40	5:43	5:46	5:50	5:57	6:04	6:24	5:05	5:20	5:24	5:31	5:39	5:43	5:50	6:01	6:08	6:11	6:26
6:35	6:43	6:55	7:07	7:19	7:20	7:32	7:40	7:50	7:58	6:35	6:48	6:57	7:01	7:06	7:16	7:24	7:29	7:39	7:50	6:35	6:45	6:53	7:00	7:07	7:20	7:20	7:31	7:39	7:45	7:53	8:01	6:35	6:53	7:00	7:10	7:13	7:16	7:20	7:27	7:34	7:54	6:35	6:50	6:54	7:01	7:09	7:13	7:20	7:31	7:38	7:41	7:56
8:05	8:13	8:25	8:37	8:49	8:50	9:02	9:10	9:20	9:28	8:05	8:18	8:27	8:31	8:36	8:46	8:54	8:59	9:09	9:20	8:05	8:15	8:23	8:30	8:37	8:50	9:01	9:09	9:15	9:23	9:31	9:36	8:05	8:23	8:30	8:40	8:43	8:46	8:50	8:57	9:04	9:24	8:05	8:20	8:24	8:31	8:39	8:43	8:50	9:01	9:08	9:11	9:26

Bold times indicate PM. Outlined times indicate Saturday hours. RED indicates connection with PART Route 4. partnc.org | 336.883.7278

Proposed Southern Route

- Southern Alamance Family Empowerment Center
- Eli Whitney Community Center, 4110 E Graham Rd
- Saxapahaw General Store, 1735 Saxapahaw Rd
- Swepsonville United Methodist Church, 1000 N Swepsonville Rd
- Alamance Community College, 1247 Jim Graham Rd
- Dollar General, 2995 NC-87, Graham, NC
- Southern Alamance Family Empowerment Center





LINK TRANSIT

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Disadvantage Business Enterprise Program Goal and Methodology - Federal Fiscal Year 2025-2028

INITIAL DATE POSTED: June 12, 2024
FINAL PLAN POSTED: [REDACTED]

Pursuant to §26.45 of 49 Code of Federal Regulation (CFR) Part 26, the City of Burlington submits the following Disadvantage Business Enterprise (DBE) program goal calculation methodology for consideration by the Federal Transit Administration (FTA) for federally assisted contracts associated with the operation of Link Transit for Federal Fiscal Year 2025-2028. **Based upon the methodology described below, the City of Burlington has established a DBE goal of 0.19%** for the period, with the entire amount projected to be met through race-neutral measures. The DBE goal is exclusive of FTA funds used for the purchase of transit vehicles.

Methodology Used to Calculate the Overall Goal

Step 1- Contractor and Certified DBE Inventory

To establish a baseline for setting an overall DBE participation goal, staff inventoried the number of contractors within the Burlington-Graham Metropolitan Region available to perform the types of services that the City of Burlington would contract for during the 2022-2024 period for Link Transit. The Burlington-Graham Metropolitan Region consists of all of Alamance County and small portions of both Guilford and Orange Counties. For the purpose of this inventory, the North American Industry Classification System (NAICS) was used to identify and classify the types of activities anticipated for contract during the performance period. Staff then utilized the North Carolina Department of Transportation (NCDOT) listed of certified DBEs to determine the number of certified DBE firms within the Metropolitan Region to complete the types of work expected.

At the FTA's recommendation and utilizing past participation from previously selected vendors of similar projects, the search area was extended to encompass a larger area surrounding the Burlington-Graham Metropolitan Region. The areas included in the search were the entire NCDOT Division 7 and portions of Division 8 and 9 surrounding Alamance County, which include the following counties:

Caswell County
Guilford County

Rockingham County
Orange County
Chatham County

Davidson County
Randolph County

Staff estimates that \$8,400,000 in federal funds will be available for procurement opportunities in FY 2025-2028. These funds are divided by their respective NAICS Code in Table 1, showing the weight of DOT funds for each NAICS Code. The NAICS codes chosen most closely correlate to common DOT funded bidding opportunities for anticipated upcoming projects. Staff also provided a description of the anticipated upcoming projects to help DBEs understand what each project entails.

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	238990	All Other Speciality Trade Contractors	\$0.00	0.0000
2)	541611	Administrative Management and General Management Consulting Services	\$150,000.00	0.0179
3)	236220	Commercial & Institutional Building Construction	\$1,500,000.00	0.1786
4)	485113	Transit Operations	\$6,750,000.00	0.8036
Total FTA-Assisted Contract Funds			\$8,400,000.00	1

Step 2- Base Figure Calculation

Utilizing the 2020 County Business Patterns from the United State Census and the North Carolina Department of Transportation Unified Certification Database; staff was able to determine the number of available firms and the number of certified DBEs within the NAICS code within the search area defined above.

Based on the NAICS codes and the search area, a total of 10 certified DBEs were identified as willing to complete work within Alamance County. A total of 724 firms were identified within the same NAICS codes. Staff used these numbers to determine the relative availability of DBEs by NAICS codes in Table 2.

The formula used to determine ready, willing and able DBE's in the defined search area, divides the potential number of DBE bidders by the total number of all potential bidders in the defined search area. The results of this analysis area used to determine the relative availability of DBEs in the search area. The results are as follows:

Base Figure = DBEs/All available firms (including DBEs), or Base Figure = 10/724. Providing a yield of 0.0138 or 1.38%. This result means that there is 1.38% DBE firm availability within the service area on the anticipated upcoming projects.

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability	
1)	238990	All Other Speciality Trade Contractors	3	71	0.0423	
2)	541611	Administrative Management and General Management Consulting Services	6	293	0.0205	
3)	236220	Commercial & Institutional Building Construction	1	356	0.0028	
4)	485113	Transit Operations	0	4	0.0000	
Combined Totals			10	724	0.0138	Overall availability of DBEs

Step 3- Adjustment

Estimated three-year funding through the Federal Transit Administration, excluding rolling stock, is \$8,400,000. Weighted percentages were applied to each NAICS code in Table 1 and multiplied by the relative availability calculated in Table 2 to provide a “weighted base” found in Table 3 below.

Weighted base = (weighted average by NAICS)*(relative availability of DBE firm).

Expressed as a rounded percentage, the calculated weighted based figure is 0.09%. As stated in the federal regulations, it is necessary for the City of Burlington to establish a goal based upon the number of DBEs ready, willing and able to participate in federally assisted contracts. Unfortunately, as noted in the above charts, there are very few ready, willing and able DBEs within our service area. Based on past performance with DBE contract awards and the availability of DBE firms, the City of Burlington believes it is reasonable to adopt a 0.09% DBE goal.

The City of Burlington’s overall DBE program goal for federally assisted contracts is 0.09% or **\$7,285.16** for FY 2025-2028.

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	238990	All Other Speciality Trade Contractors		x	0.04225	
2)	541611	Administrative Management and General Management Consulting Services	0.01786	x	0.02048	0.0004
3)	236220	Commerical & Institutional Building Construction	0.17857	x	0.00281	0.0005
4)	485113	Transit Operations	0.80357	x		
					Total	0.0009

DBE Financial Institutions (§26.27)

It is the policy of the City of Burlington 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 contract to make use of these institutions. The City will also re-evaluate the availability of DBE financial institutions on an annual basis. Information on the availability of such institutions can be obtained from the DBE Liaison Officer (DBELO).

Prompt Payment Mechanisms (§26.29)

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than thirty (30) days from the receipt of each payment the prime contract receives from the City of Burlington. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the City of Burlington. This clause applies to both DBE and non-DBE subcontracts.

The prime contractor agrees to return retainage payments to each subcontractor within thirty (30) days after the subcontractors’ 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 City of Burlington. This clause applies to both DBE and non-DBE subcontracts for federal and state funded transportation contracts.

The City of Burlington has established a reporting requirement to monitor and enforce that prompt payment and return of retainage is in fact occurring. This includes the verification of sub-contractor payments that accompany request for payments under a contract. In addition, the DBE Liaison Officer verifies payments via direct communication.

Monitoring and Enforcement Mechanisms (§26.37)

All participants are hereby notified that pursuant to 49 CFR, Part 26 and the City of Burlington's DBE Program, they must affirmatively ensure that in any contract entered into with the City of Burlington for applicable projects; DBEs will be afforded equal opportunity to participate in subcontracting activities.

All contracts between the City of Burlington and a contractor shall contain an appropriate provision to the effect that failure by the contractor to comply with City of Burlington's DBE Program shall constitute a breach of contract, exposing the contractor to a potential termination of the contract or other appropriate remedy, including withholding of funds, until such time as the contractor complies with all the DBE requirements of this program.

All documentation submitted at time of bid, as well as additional data provided by the successful bidder, is considered to be part of the contract documents. Any alterations, substitutions, deletions, etc., to data provided at time of submission of bid must have prior approval of the City of Burlington's DBELO and City Manager.

Should a DBE firm not be certified by the NCDOT United Certification Program (UCP) and be proposed by a potential contractor as a part of his/her DBE plan efforts, replacement with a properly certified DBE firm or review and certification procedures must be conducted prior to award of any contract, and/or payments for such said contract to be made.

Agreements between a contractor and a DBE in which the DBE promises not to provide subcontracting quotations to other participants are prohibited.

In contracts with a DBE contract goal, bids submitted which do not meet the DBE contract goal, and which do not show that a meaningful good faith effort was made to achieve the stated goal, will be considered nonresponsive bids, and bidders will not be eligible for award of the contract.

The City of Burlington reserves the right to reject any or all bids, or to re-advertise for bids. Award, if made, will be to the lowest responsible, responsive and qualified bidder. A bid will not be considered responsive unless the bidder complies with 49 CFR Part 26,

and the City of Burlington's DBE Program. Additional information on the City of Burlington's DBE Program can be obtained from the City of Burlington's DBELO.

To ensure that all obligations under the contracts awarded to DBEs are met, the City of Burlington will review the participants' DBE involvement efforts during the performance of the contract. The participant shall bring to the attention of the City of Burlington any situation in which regularly scheduled progress payments are not made to DBE participants. Records of all progress payments made by prime contractors are required on a monthly basis. To verify the truthfulness and accuracy of representations made by bidders/proposers as well as to ensure their compliance with contract requirements, the following steps will be taken:

- Review bid package documentation thoroughly, obtaining clarification, if necessary.
- Review all information on the subcontract awards made to DBE and non-DBEs including the firm's name, scope of work to be performed (For DBEs-determining whether the work is in a NAICS code that the NCDOT-UCP has certified the company, and contract amount.
- Conduct desk audits to review monthly reports to ensure adherence to this Program as represented in bid documents and as stipulated in 49 CFR Part 26.
- Monitor records of all progress payments to DBEs through monthly reports from prime contractors. Records will be periodically verified by obtaining certified statements from DBE subcontractors.
- Monitor progress of DBE's work through on-site reviews and communications with DBEs. Conduct any additional investigation that may be necessary due to a lack of proper record keeping; failure of the prime contractor to cooperate; failure of DBEs to cooperate; visible evidence of unsatisfactory performance; other evidence as may warrant further investigation. Use the legal instrument of the contract clause to enforce 49 CFR Part 26 requirements.
- Documentation of noncompliance will include the specific areas in which the contractor failed to comply. In these instances, appropriate legal action consistent with the DBE Program and other contract provisions will be taken.
- Ensure that prime contractors and DBEs immediately notify the City of Burlington of any changes in their firm. This includes ownership, trade license(s), areas of expertise, address, telephone number and contact person(s).

The City of Burlington will bring to the attention of USDOT any false, fraudulent, or dishonest conduct in connection with the Program, thereby enabling USDOT to pursue the appropriate steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the USDOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 49 CFR 26.109. PART 26 will also consider similar action under local legal authorities, including responsibility determinations in future contracts.

Transit Vehicle Purchase (§26.49)

Per Federal Transit Administration guidelines, the City of Burlington will only purchase transit vehicles from a DBE-certified transit vehicle manufacturer (TVM) and will report the purchase to the FTA within 30 days of the purchase. The current list of DBE-certified TVMs and the online reporting tool can be found on the DBE portion of the FTA's website at <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/eligible-transit-vehicle-manufacturers>.

Race Neutral Measures (§26.51)

The City of Burlington will meet the maximum feasible portion of its overall goal by using race neutral means of facilitating DBE participation. The City of Burlington uses the following race neutral means to increase DBE participation.

The City of Burlington will adjust the estimated breakout of 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 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 firms DBE status in making the award.

The City of Burlington will meet the maximum feasible portion of its overall goal by using race neutral means of facilitating DBE participation. The following means will be used to increase DBE participation:

- Arranging solicitations, times for presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation.
- Providing assistance in overcoming limitations such as inability to obtain bonding or financing (i.e., simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids and providing services to help DBE's and other small business obtain bonding and financing).
- Providing technical assistance and other services.
- Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBE's and other small business on mailing lists for bidders, ensuring the dissemination to bidders on prime contractors of lists of potential sub-contractors, and provision of information in languages other than English, where appropriate).
- Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBE's and other small businesses.
- Providing services to help DBE's and other small businesses improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve self-sufficiency.

- Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low.
- Ensuring distribution of the DBE directory to the widest group of potential prime contractors.
- Assisting DBE's and other small businesses to develop their capability to utilize emerging technology and conduct business through electronic media.

Contract Goals (§26.51)

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

The City of Burlington 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 (i.e., type and location of work, availability of DBE contractors to perform the particular type of work). We will express our contract goals as a percentage of federal share of federal assisted contracts.

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

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

Administrative Reconsideration (§26.53)

Within seven (7) days of being informed by the City of Burlington that is not responsive because it has not documented sufficient good faith efforts, a bidder/proposer may request administrative reconsideration. Bidder/proposers should make this request in writing to the DBELO Officer. The reconsideration official will not have played any role in the original determination that the bidder/proposer did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/proposer 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/proposer 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 so. The City will send the bidder/proposer a written decision on reconsideration, explaining the basis for the

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 United States Department of Transportation.

Good Faith Effort when a DBE is Terminated/Replaced on a Contract with Contract Goals (§26.53)

The City of Burlington requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without the City of Burlington's prior written consent. Prior written consent will only be provided where there is "good cause" for termination, as established by Section 26.53 of the DBE regulation.

Before transmitting to the City of Burlington its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to the City of Burlington prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise the City of Burlington as to why it objects to the proposed termination.

In those instances where "good cause" exists to terminate the DBE's contract, the City of Burlington will require the prime 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. The City 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.

Public Participation

The City of Burlington is committed to providing every opportunity for DBEs to contract with the City of Burlington. Development of a Request for Proposal (RFP) includes the completion of a vendor application for any new vendor who expresses interest in performing work for the City of Burlington. If the vendor indicates on their application that they are a DBE, the City and NCDOT's Civil Rights Office will assist that vendor in completing and submitting the UCP required forms. The City of Burlington will use and count DBE credit only for those DBE firms certified by NCDOT.

If a goal is set for a project, but cannot be met by the vendor, the RFP includes certification instructions to guide the vendor through the process of assuring the City that every reasonable effort was made to meet the listed goal.

If a contractor requests assistance in locating a DBE subcontractor, the contractor is directed to the State Office of Civil Rights and NCDOT.

The City of Burlington is a member of the UCP administered by NCDOT.

Public Outreach

The FY 2025-2028 DBE goal is published on the Link Transit's website under the Disadvantaged Businesses page. The link to this page is <https://linktransit.org/About/Disadvantaged-Businesses>.

In the development of projects, City of Burlington/Link Transit staff works closely with the City's Purchasing Department. All projects that utilize federal funds will require specific DBE clauses be included within the RFP.

If the City of Burlington has set a goal for a given project, bidders are made aware of the requirement to pursue every reasonable effort to have subcontractors certified by the State's Office of Civil Rights. Emphasis is placed on meeting any published DBE goals during pre-bi and pre-construction meetings.

Consultation

On Tuesday, June 25, 2024, the City of Burlington/Link Transit staff will hold a consultation meeting from 2:00 p.m. to 3:00 p.m. to allow the public the opportunity to review the methodology and provide feedback regarding the plan and methodology calculations.

The City will post advertisements for this consultation meeting in the local newspaper, minority newspapers (if applicable), social media sites and on board all buses in service.

The meeting will be held via videoconferencing. Staff also created an Eventbrite link for citizens and businesses to sign up for the meeting for tracking purposes. The Purchasing Manager will be responsible for email distribution of the invitation to local officials, minority agencies within the community, and past DBE contractors/subcontractors. The Transit Manager will be responsible for the local newspaper, social media and bus advertisements, as well as the facilitation of the meeting.

Participants will receive the DBE goal methodology, but how to become a vendor with the City, how to find current & future bid/contracting opportunities and information about becoming a DBE. The webinar was recorded for future reference. The event sign-in sheet, Eventbrite participant registration information and all marketing/public outreach efforts are available upon request. An email log of all correspondences will be kept and a sign-in sheet for the consultation meeting will be completed. The Transit Manager will be responsible for keeping meeting minutes, which should include any comments received at the meeting. Written comments regarding the proposed DBE goal and the methodology of how it was established will be accepted for up to 45 days after it is posted. All written comments should be submitted to John Andoh, Transit Manager, City of Burlington/Link Transit, 234 East Summit Avenue, Burlington, NC, 27215.

Staff will review all comments received and assess the need to incorporate the comments within the methodology and overall DBE goal. A final DBE goal will be posted within 5 business days after the written comments are due.

ATTACHMENTS

- Attachment 1: Organizational Chart
- Attachment 2: DBE Directory
- Attachment 3: Monitoring and Enforcement Mechanisms
- Attachment 5: Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious
- Attachment 6: Form 1 & 2 for Demonstration of Good Faith Efforts
- Attachment 7: Certification Application Forms
- Attachment 8: Procedures for Removal of DBE's Eligibility
- Attachment 9: Regulations: 49 CFR part 26

Public Notice**City of Burlington/Link Transit****Public Notice****FY 2025-2028 Disadvantaged Business Enterprise (DBE) Goal
and Public Outreach Meeting**

The City of Burlington, NC is updating its DBE triennial goal methodology for Fiscal Years 2025-2028 to support an overall goal of 0.09%. As part of the goal setting, the City of Burlington through Link Transit will be holding a public outreach meeting on **Tuesday, June 25, 2024 from 2:00 p.m. to 3:00 p.m.** via Remote Zoom Meeting. <https://linktransit.org/About/Disadvantaged-Businesses>

Registration: <https://us02web.zoom.us/meeting/register/tZAsfuuoqDIqG9I-Pp60Cpb3MpKP81pGyuDI>

After registering, you will receive a confirmation email containing information about joining the meeting.

The City of Burlington encourages any interested persons to provide comments regarding the updated proposed DBE goal methodology during the open comment period. Written comments should be submitted in writing to the City of Burlington Transportation Department the following ways.

- 1) Mail/Hand Deliver to: City of Burlington/Link Transit, Attn: John Andoh, Interim Transit Manager
234 East Summit Avenue, Burlington, NC 27216
- 2) Email: jandoh@burlingtonnc.gov

Written comments will be accepted for up to 45 days through Friday, July 26, 2024 at 5:00 p.m., Eastern Daylight Time.

To review the goal, please visit <https://linktransit.org/About/Disadvantaged-Businesses>

Attachment 1: Organizational Chart

DBE Liaison Officer (DBELO)

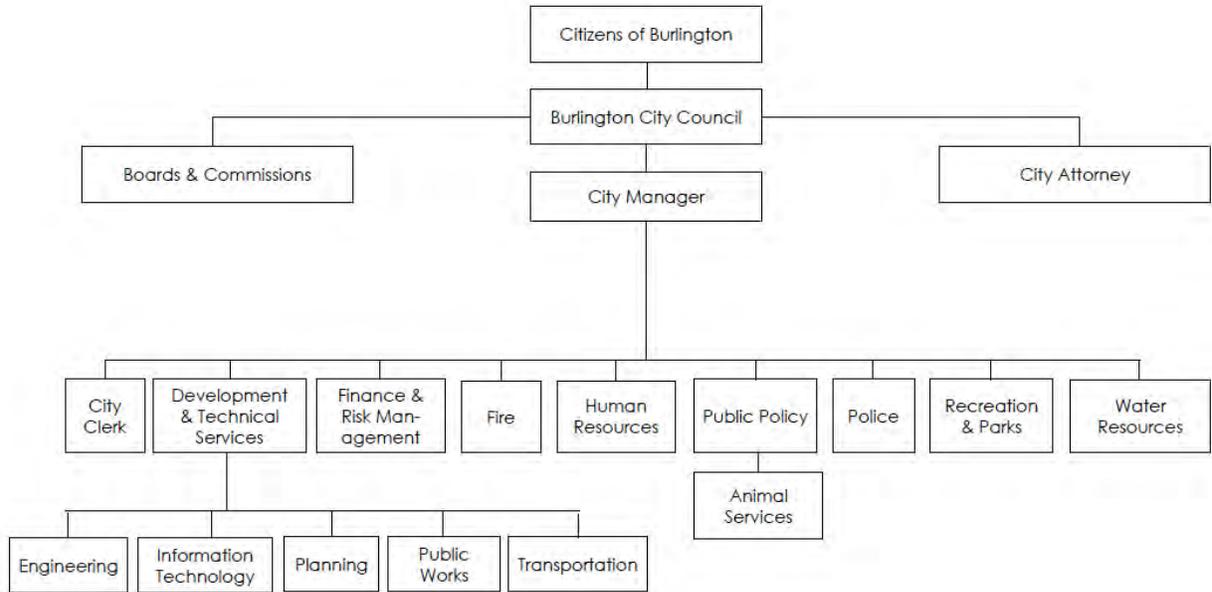
The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has access within the City of Burlington and departmental staff to assist in the administration of the program. The duties and responsibilities include the following:

- Gathers and reports statistical data and other information as required by DOT.
- Reviews third party contracts and purchase requisitions for compliance with this program.
- Works with all departments to set overall annual goals.
- Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
- 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. Analyzes the City of Burlington's progress toward attainment and identifies ways to improve progress.
- Participates in pre-bid meetings.
- Advises the City of Burlington's City Manager on DBE matters and achievement. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
- Plans and participates in DBE training seminars.
- Provides outreach to DBEs and community organizations to advise them of opportunities.
- Maintains the City of Burlington's updated directory on certified DBEs and/or confirms with NCDOT Directory of Firms.

The City of Burlington's DBE Liaison Officer is:

John Andoh, Transit Manager
City of Burlington Department of Transportation
Link Transit Division
234 East Summit Avenue
Burlington, NC 27215
(336) 222-7351 (phone)
jandoh@burlingtonnc.gov

*Please note that the City of Burlington's Transit Manager works closely with the Purchasing Manager to ensure compliance.



Purchasing is within the Finance & Risk Management Department and is lead by the Purchasing Manager.

Link Transit is within the Department of Transportation. The Link Transit Manager reports to the Director of Transportation and the Transit Manager as the DBELO has independent access to the City Manager to report on DBE related matters.

Attachment 2: DBE Directory

<https://www.ebs.nc.gov/VendorDirectory/default.html>

Attachment 3: Monitoring and Enforcement Mechanisms

The City of Burlington has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract; and
2. Breach of contract action, pursuant to North Carolina Revised Statutes.

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR part 26;
2. Enforcement action pursuant to 49 CFR part 31; and
3. Prosecution pursuant to 18 USC 1001.

Attachment 5 Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious

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

- Maintain a procurement website
- Hold consultation meetings to learn about procurement opportunities

We estimate that, in meeting our overall goal of 0.09%, we will obtain 0.04% from race-neutral participation and 0.05% through race-conscious measures.

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

Details are explained on page 8.

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.

Federal Good Faith Efforts Criteria

The following factors will be used to determine if the bidder has made adequate good faith effort. Supporting Documentation must be included in bid submittal to be considered a responsive bid.

- (A) Whether the bidder attended any pre-bid meetings that may be scheduled by the City of Burlington to inform DBEs of subcontracting opportunities.
- (B) Whether the bidder provided solicitations through all reasonable and available means (e.g., advertising in newspapers owned and targeted to the Disadvantaged) at least 10 calendar days prior to bid opening). Whether the bidder provided written notice to all DBEs listed in the NCDOT Directory of Transportation Firms, (as noted in the DBE Directory) that the bidder will be subletting.
- (C) Whether the bidder followed up initial solicitations of interests by contacting DBEs to determine with certainty whether they were interested. If a reasonable number of DBEs within the targeted project area do not provide intent to quote or no DBEs specialize in the subcontracted areas, the bidder shall notify DBEs outside of the targeted project area that specialize in the subcontracted areas.
- (D) Whether the bidder selected portions of the work to be performed by DBEs in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the bidder might otherwise perform these work items with its own forces.
- (E) Whether the bidder provided interested DBEs with adequate and timely information about the plans, specifications and requirements of the contract.
- (F) Whether the bidder negotiated in good faith with interested DBEs without rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be noted in writing with a description as to why an agreement could not be reached.
- (G) Whether quotations were received from interested DBE firms but rejected as unacceptable without sound reasons why the quotations were considered unacceptable. The fact that the DBE firms quotation for the work is not the lowest quotation received will not in itself be considered as a sound reason for rejecting the quotation as unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered as sound reason for rejecting a DBE quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy contract goals.
- (H) Whether the bidder specifically negotiated with subcontractors to assume part of the responsibility to meet the contract DBE goal when the work to be sublet includes potential for DBE participation.
- (I) Whether the bidder made any efforts and/or offered assistance to interested DBEs in obtaining the necessary equipment, supplies, materials, insurance, and/or bonding to satisfy the work requirements in the bid proposal.
- (J) Any other evidence that the bidder submits which show that the bidder has made reasonably good faith efforts to meet the contract goal.

Attachment 6 Forms 1 & 2 for Demonstration of Good Faith Efforts

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

_____ The bidder is committed to a minimum of _____% DBE utilization on this contract.
_____ The bidder (if unable to meet the DBE goal of _____%) is committed to a minimum of _____% DBE utilization on this contract and has submitted documentation demonstrating good faith efforts.

Name of bidder's firm: _____

State Registration No. _____

By _____
(Signature) Title

FORM 2: LETTER OF INTENT

Name of bidder's firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Name of DBE firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Description of work to be performed by DBE firm:

The bidder is committed to utilizing the above-named DBE firm for the work described above. The estimated dollar value of this work is \$ _____.

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By _____
(Signature) (Title)

If the bidder does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

(Submit this page for each DBE subcontractor.)

Attachment 7 Certification Application Forms

<https://connect.ncdot.gov/business/SmallBusiness/Pages/UCP%20Certification%20Process%20for%20DBE%20firms.aspx>

Attachment 8 Procedures for Removal of DBE's Eligibility

The City of Burlington will report DBE eligibility to NCDOT and utilize NCDOT's processes in the removal of DBE eligibility consistent with Section 26.87.

Attachment 9 Regulations

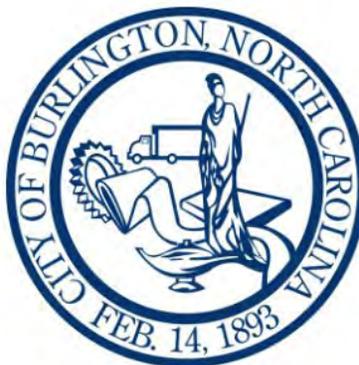
49 CFR Part 26

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl

The City Attorney of City of Burlington has reviewed this document and approved it as consistent with the language and intent of 49 CFR part 26.

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

City of Burlington DBE Program Policy Statement



The City of Burlington shall not discriminate in any manner on the basis of race, color, sex or national origin, and shall take all reasonable steps to ensure that certified Disadvantaged Business Enterprises (DBE's) have the maximum opportunity to participate in the performance of contracts financed, in whole or in part, with financial assistance from the United States Department of Transportation (DOT), acting through such agencies as the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA). The City of Burlington shall implement this DBE Program in accordance with Part 26 of Title 49 of the Code of Federal Regulations entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Programs."

The objectives of the City of Burlington's DBE Program are:

- Ensure compliance with 49 CFR 26;
- To ensure nondiscrimination in the award and administration of DOT assisted contracts;
- To ensure that the DBE program is narrowly tailored in accordance with applicable federal, state and local laws;
- To ensure that only firms fully meeting the eligibility requirements of the DBE program are permitted to participate;
- To help create a level playing field on which DBEs can fairly compete for DOT-assisted contracts;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts;
- To help and assist in the development of firms that can compete successfully in the marketplace outside of the DBE program; and
- To provide appropriate flexibility to establish and provide DBEs opportunities to participate in DOT-assisted contracts in accordance with applicable federal, state and local laws.

These objectives will be implemented through City of Burlington's DBE Program utilizing race-neutral measures to the maximum extent feasible.

Updated Proposed DBE Goal & Methodology

Federal Fiscal Years
2025-2027

Tuesday, June 25,
2024

Zoom Meeting



Welcome

- Introductions
- Questions
- Written Comments

Original FY22-24 DBE

- Goal: 0.11% race-neutral
- Started meeting goal in FY 2024 after award of multiple contracts.

Update

- Determined that an update was needed to ensure all federal dollars allocated for anticipated projects were included within these years.
- Continue to seek DBEs in future contract awards.

Proposed New Goal

- 0.09% with the entire amount projected to be met through race-neutral measures
- How did we calculate it?

Step 1- Contractor and Certified DBE Inventory

- Used past participation from previously selected vendors of similar projects
- Expanded area to include surrounding counties
 - Caswell, Rockingham, Davidson, Guilford, Orange, Randolph, Chatham Counties

Step 1- Determine weight of each type of work by NAICS Code

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	238990	All Other Speciality Trade Contractors	\$0.00	0.0000
2)	541611	Adminstrative Management and General Management Consulting Services	\$150,000.00	0.0179
3)	236220	Commerical & Institutional Building Construction	\$1,500,000.00	0.1786
4)	485113	Transit Operations	\$6,750,000.00	0.8036
Total FTA-Assisted Contract Funds			\$8,400,000.00	1

Step 2- Base Figure Calculation

Used:

- 2024 County Business Patterns from the US Census
- NCDOT Unified Certification Database

DBEs: 10

Total Firms: 724

$10/724 = 0.0138$ or 1.38% DBE firm
availability within the service area

Step 2- Base Figure Calculation

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability	
1)	238990	All Other Speciality Trade Contractors	3	71	0.0423	
2)	541611	Administrative Management and General Management Consulting Services	6	293	0.0205	
3)	236220	Commerical & Institutional Building Construction	1	356	0.0028	
4)	485113	Transit Operations	0	4	0.0000	
		Combined Totals	10	724	0.0138	<i>Overall availability of DBEs</i>

Step 3- Adjustment

Weighted base = (weighted average by NAICS)*(relative availability of DBE firm)

Overall DBE program goal for federally-assisted contracts is 0.09% or \$7,285.16 for FY 25-27.

Step 3- Weight Base Figure

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	238990	All Other Speciality Trade Contractors		x	0.04225	
2)	541611	Adminstrative Management and General Management Consulting Services	0.01786	x	0.02048	0.0004
3)	236220	Commerical & Institutional Building Construction	0.17857	x	0.00281	0.0005
4)	485113	Transit Operations	0.80357	x		
					Total	0.0009

Race Neutral Measures

- City of Burlington will continue to use race neutral means.
- City of Burlington believes this will allow for increased DBE participation and likelihood of reaching our goal.

Contract Goals

- Used to meet any portion of the overall goal it does not project being able to meet using race-neutral means.
- City will use as needed based on the circumstances of each contract (i.e. type of location of work, availability of DBE contractors).

Public Participation

- Written comments will be accepted up to 45 days after the posting of the DBE goal.
 - Posted 6/15/2024
 - Written comments accepted until 7/26/2024
 - Final draft with comments incorporated posted by 8/1/2024
- Written comments should be submitted to the Transit Manager. Contact info on next slide.

Public Participation

Contact Information

John C. Andoh, CPM, CCTM

Transit Manager

234 East Summit Avenue

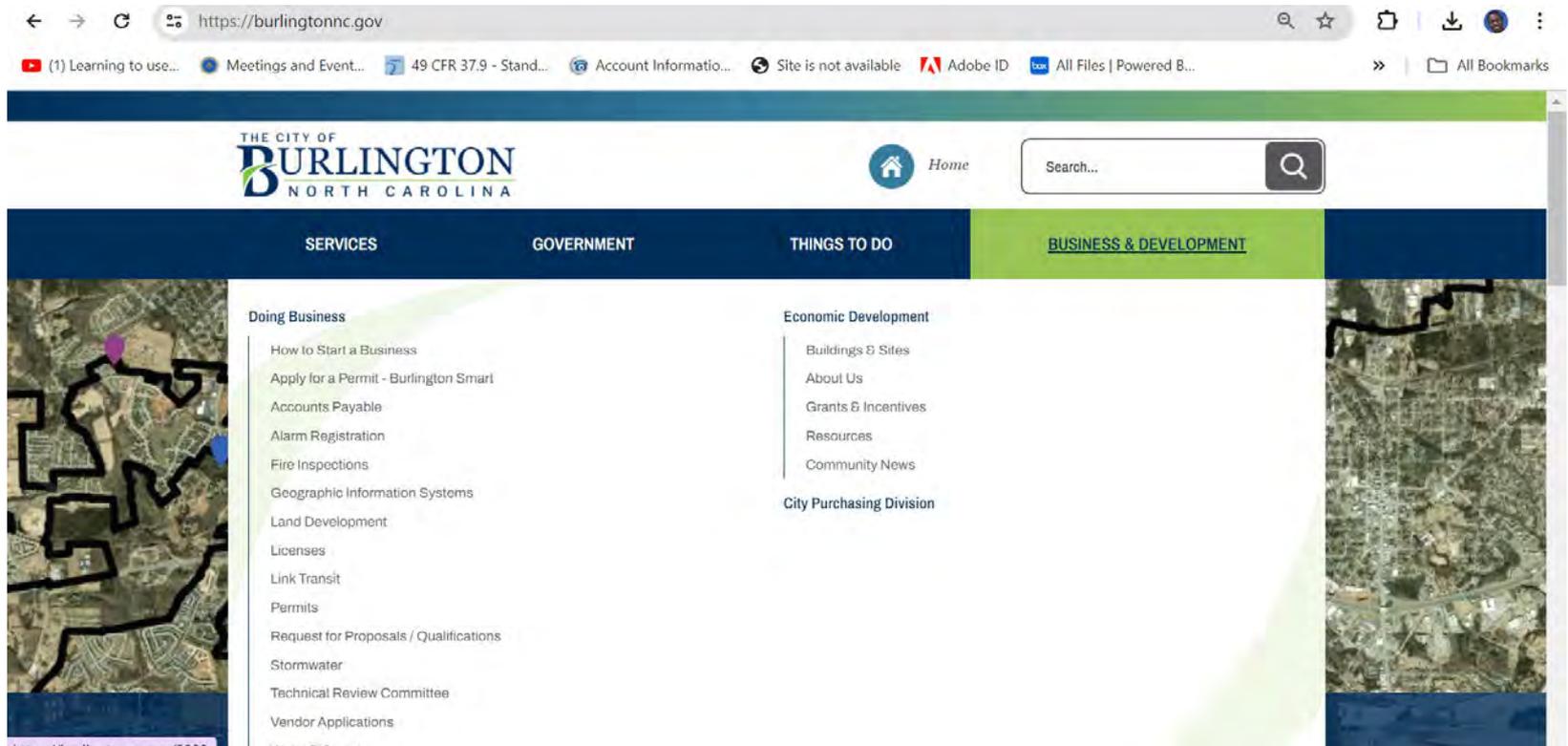
Burlington, NC 27216

336-222-7351 Office

jandoh@burlingtonnc.gov (preferred method)

John Andoh is the City's DBELO.

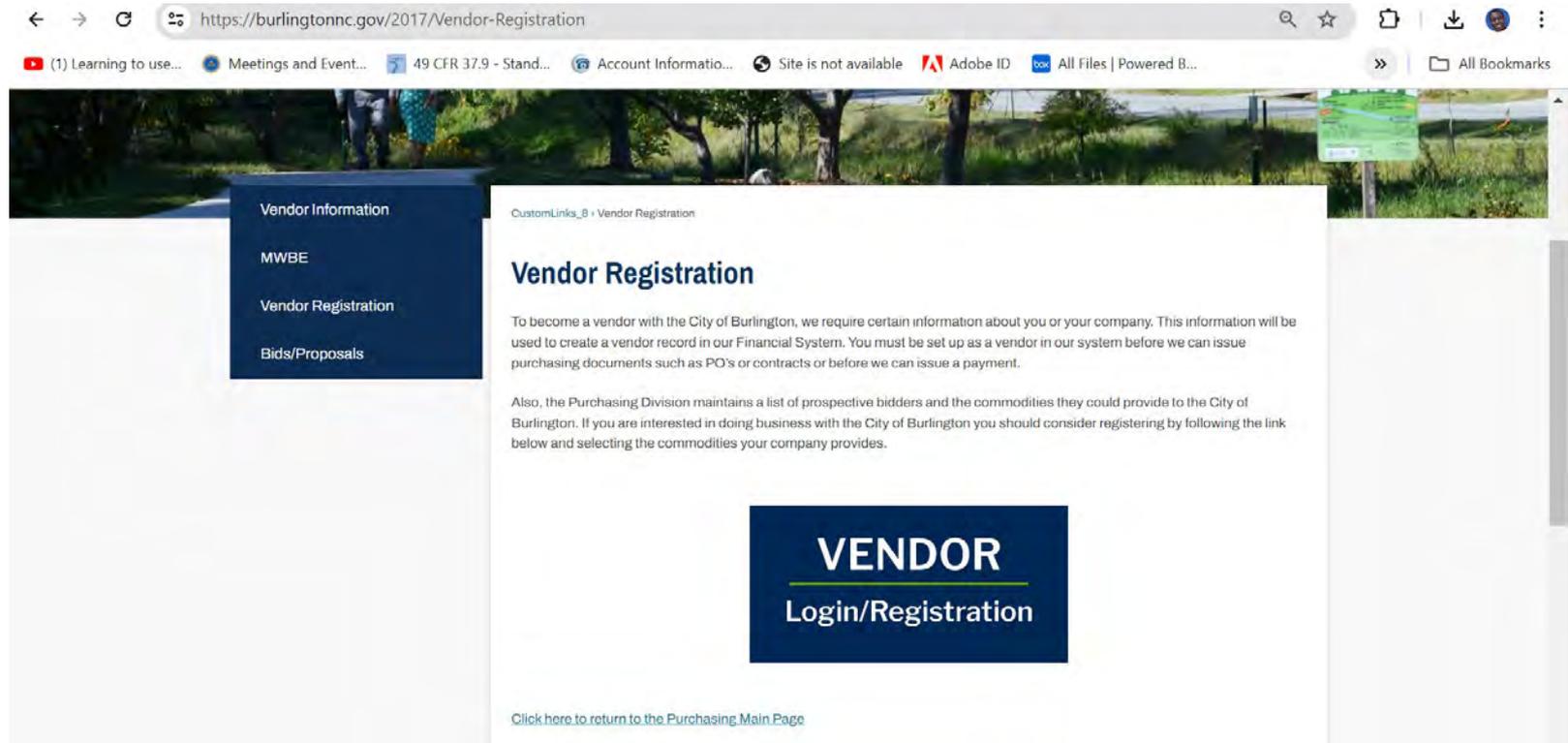
Where to Find Information About Being a Vendor & Bid/Proposal Opportunities



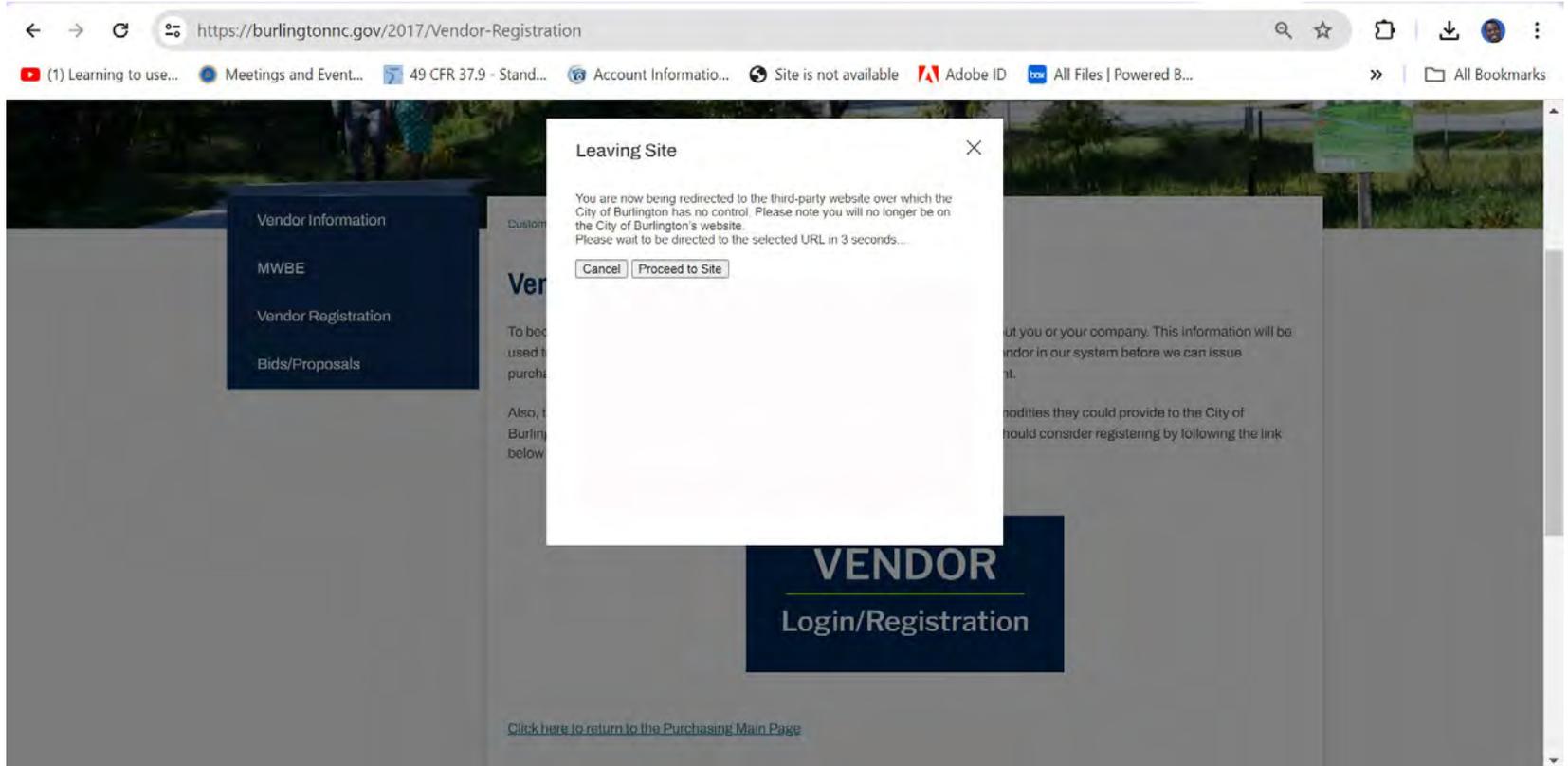
Becoming a Vendor

The screenshot shows a web browser window with the URL <https://burlingtonnc.gov/132/Purchasing>. The browser's address bar and tabs are visible at the top. The website content includes a navigation menu on the left with the following items: Vendor Information, MWBE, Vendor Registration, and Bids/Proposals. The main heading is "Purchasing". Below the heading is a photograph of the "Municipal Annex" building, a brick structure with a large glass entrance and an American flag. To the right of the photo, the "PURCHASING DIVISION" contact information is listed: 237 West Maple Avenue, P.O. Box 1358, Burlington, NC 27216. Contact numbers are also provided: Phone: 336-222-5010 and Fax: 336-222-5019. A welcome message follows, stating that the Purchasing Division is responsible for the purchasing of all goods and services for the City of Burlington, and that purchases are made in accordance with North Carolina General Statutes and Federal law. A "Mission" section is also present at the bottom of the visible content.

Becoming a Vendor



Becoming a Vendor



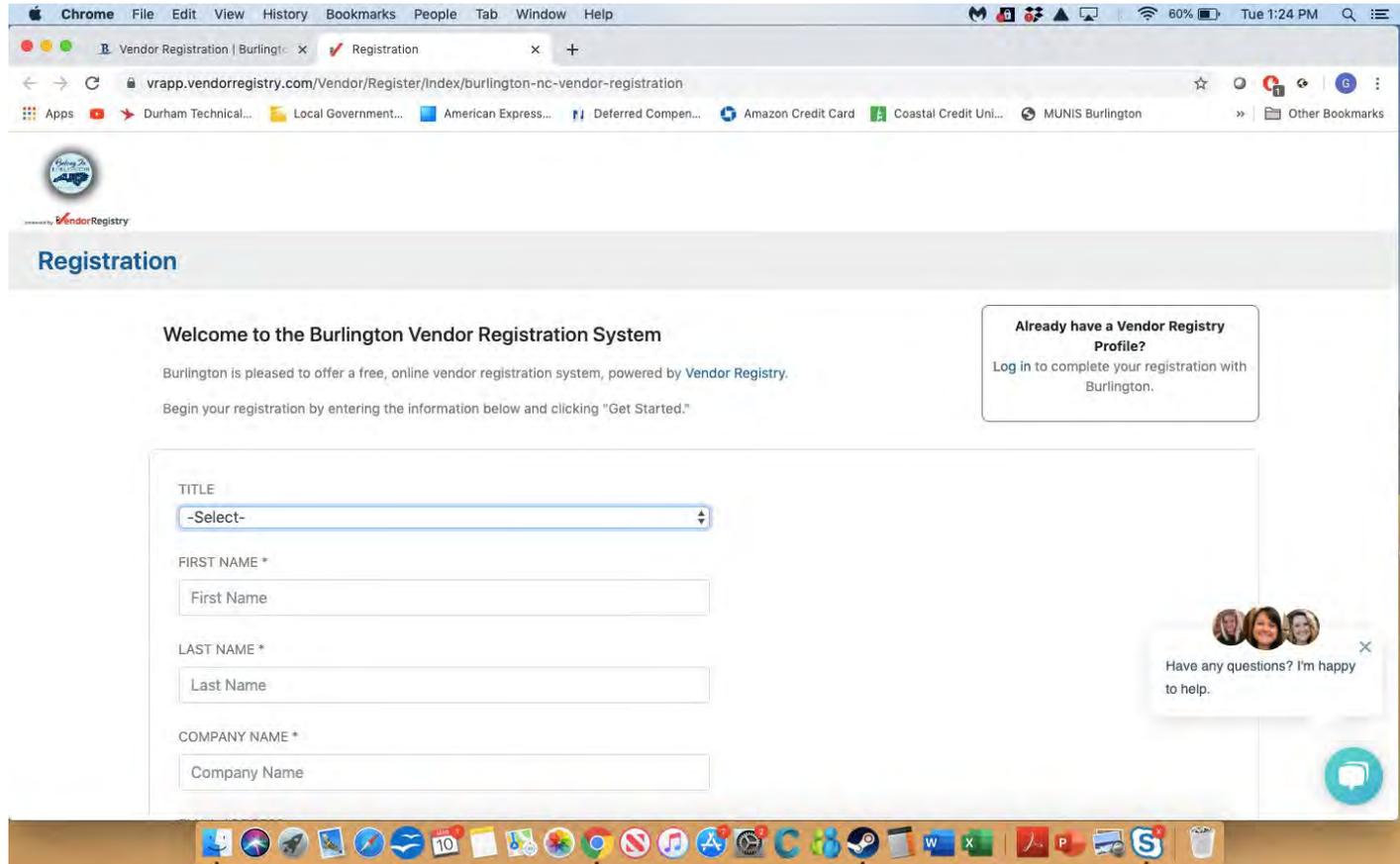
Becoming a Vendor

The screenshot shows a web browser window with the URL <https://vrapp.vendorregistry.com/Vendor/Selection/SubscriptionSelection?buyerSource=burlington-nc-vendor-registration>. A blue banner at the top reads: "Already have a Vendor Registry Profile? Log in to complete your registration with Burlington." Below this, there are radio buttons for "Monthly" (selected) and "Annually".

Three subscription packages are displayed:

- Agency (FREE):** Limited access. Access bids from Burlington. Includes: Get bids from one agency only, Receive agency-sent notifications. Button: SIGN UP FOR FREE.
- State (\$42 / month):** Billed Annually. Access bids from Burlington + 2666 agencies in North Carolina. Includes: All features from Agency package, Access local, state and Federal bids, Receive keyword based bid alerts, View current and past bids. Button: SELECT.
- National (\$158 / month):** Billed Annually. Access bids from Burlington + 102337 agencies in all 50 States. Includes: All features from State package, Access bids throughout the country, Customized support and training. Button: SELECT.

Becoming a Vendor



Bid/Proposal Opportunities

Home • Government • Departments • Finance / Risk Management • Purchasing

Purchasing



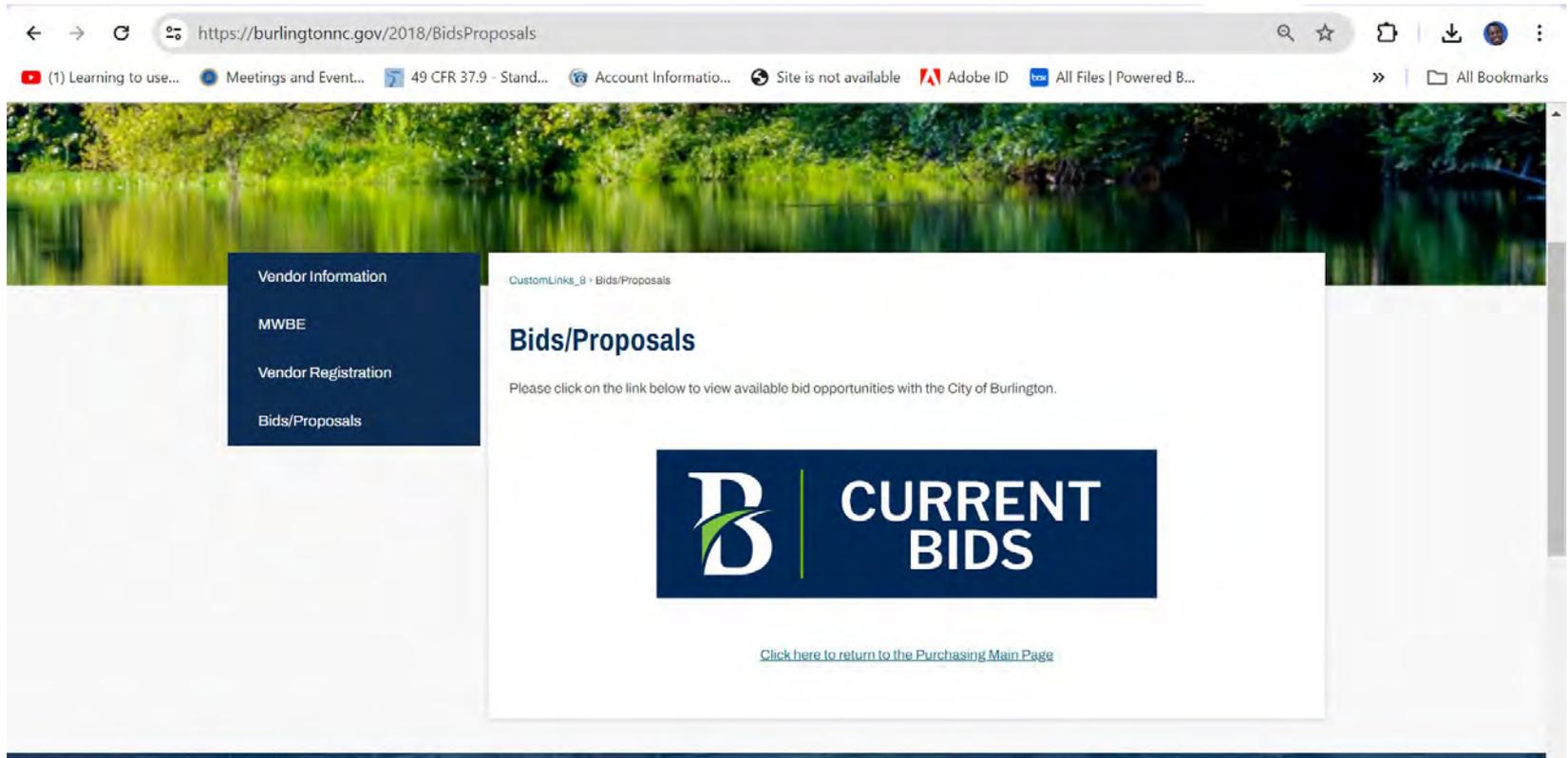
PURCHASING DIVISION
237 West Maple Avenue
P.O. Box 1358
Burlington, NC 27216

Phone: 336-222-5010
Fax: 336-222-5019

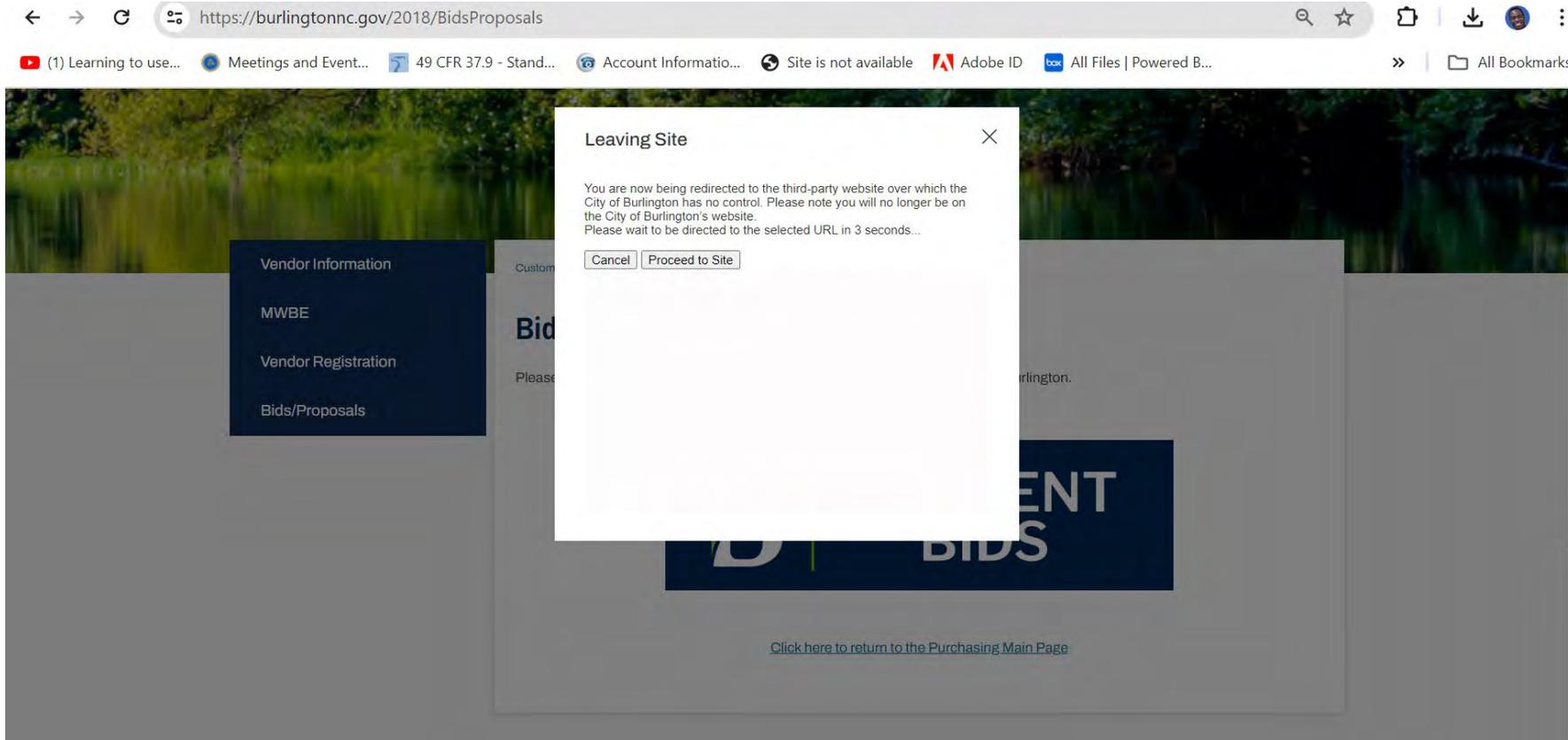
Welcome to the City of Burlington Purchasing Division webpage. The Purchasing Division is responsible for the purchasing of all goods and services for the City of Burlington. Purchases for the City are made in accordance with North Carolina General Statutes and Federal law.

Mission

Bid/Proposal Opportunities



Bid/Proposal Opportunities



Bid/Proposal Opportunities @ burlingtonnc.gov

Browser navigation bar showing address: <https://vrapp.vendorregistry.com/Bids/View/BidsList?BuyerId=ba08e334-a388-471a-8cee-c13f60311531>

Bookmarks: (1) Learning to use..., Meetings and Event..., 49 CFR 37.9 - Stand..., Account Informatio..., Site is not available, Adobe ID, All Files | Powered B..., All Bookmarks



Solicitations From Burlington

Current **Expired** No Deadline

Register your business with us to be on our vendor list. This ensures that you are set up and ready to bid when the opportunity arises.

[REGISTER MY BUSINESS](#)

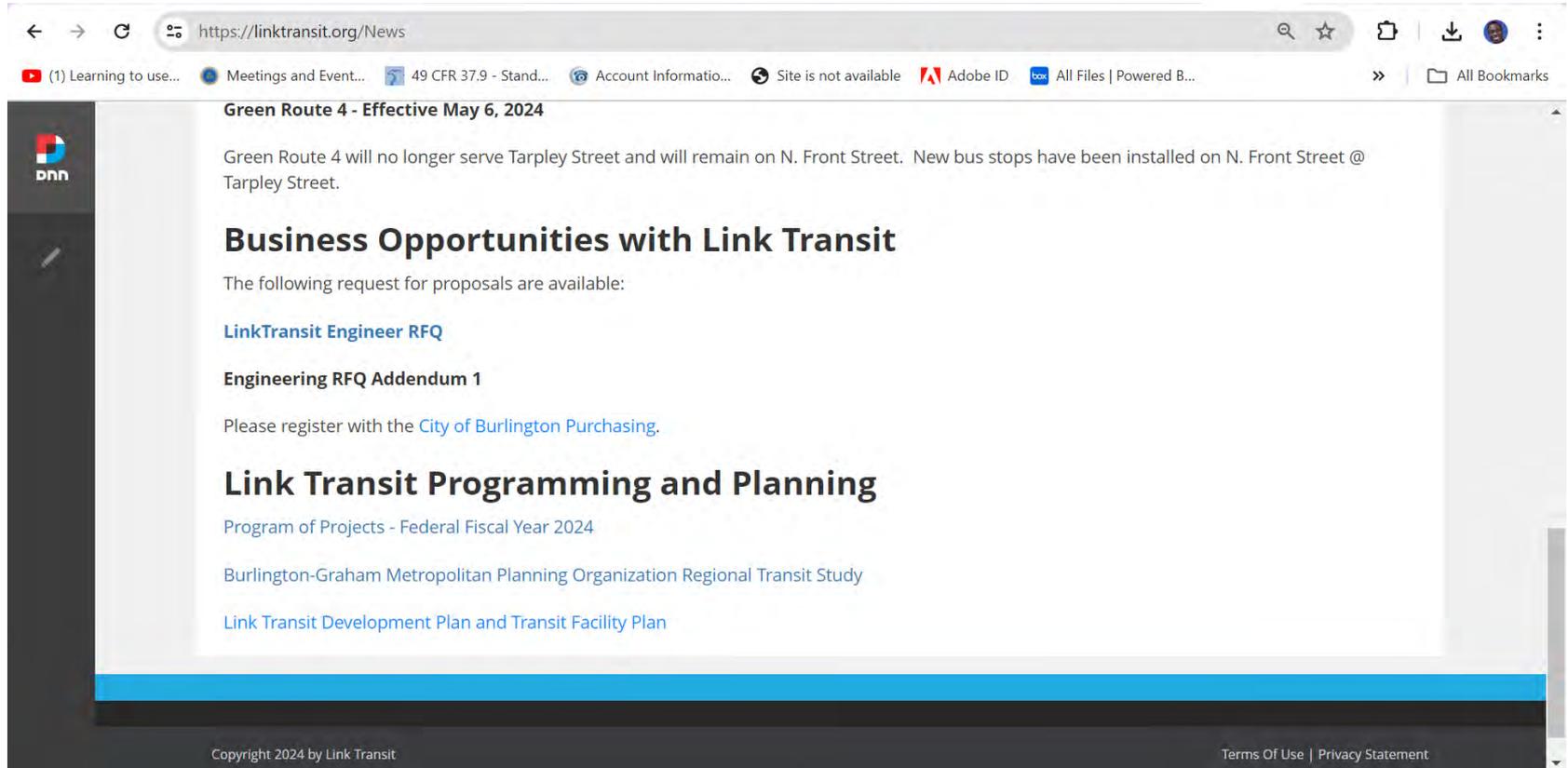
[Print Results](#)

Type	Description	Status	ID #	Deadline	Pre-Bid Meeting	Docs
Sealed Solicitation	Consultant Services to Deliver Link Transit Passenger Amenities Program	Open		6/21/2024 3:00 PM		2

© Copyright Vendor Registry 2024 | [Terms of Service](#) | [Privacy Policy](#)



Bid/Proposal Opportunities @ linktransit.org



Becoming a Certified DBE

Qualifications

- Firm is a for-profit business that performs, or seeks to perform, transportation related work (or concession activity) for USDOT funds
- Your personal net worth is under \$1.32 million
- The firm is at least 51% owned by a socially and economically disadvantaged individual(s) who also controls the firm
- All DBEs who wish to be certified in the state of North Carolina must be certified in their home state prior to applying

The DBE process is also used to become a certified MBE/WBE with NCDOT.

Becoming a Certified DBE

WEBSITE:

<https://www.ncdot.gov/about-us/board-offices/offices/civil-rights/Pages/disadvantaged-business-enterprise.aspx>

In-State (North Carolina) applicants need:

- Application Cover Page
- Application
- Supporting Documents Checklist
- Personal Net Worth Statement

Inter-state applicant: Certification is not automatic reciprocity.

Becoming a Certified DBE

Benefits of becoming a certified DBE

- Probability of being selected by prime contractors is increased because they are able to count your participation as a DBE toward their contract goals; and
- Business Opportunity and Workforce Development Officer offers assistance to certified DBEs to help them compete in the marketplace in their current business area or transition into other business areas.

For more information about becoming a DBE, check out the Connect NCDOT Business Partner Resource website.

THANK YOU

Thank you for taking the time to attend the consultation meeting.

If you have questions related to the plan that were not answered, please feel free to ask.

If you have questions related to becoming a vendor or bid/proposal opportunities with the City, please call or email Sonjia Cross.

If you have a written comment you would like to submit, please either mail or email (**preferred**) them.

Final Thoughts...

Any questions for the good of the group?

Celebrating 8 Years



Ride With Us

Service Area:

Link Transit serves **Alamance Community College, Alamance County Offices, Burlington, Elon, and Gibsonville** with **five routes: Red 1, Orange 2, Blue 3, Green 4, and Purple 5**, as well as a complementary paratransit service.

System Operation:

- Link Transit vehicles operate **Monday through Friday 5:30 a.m. to 9:30 p.m., Saturdays from 9:25 a.m. to 6:30 p.m.**, every 90 minutes
- Link Transit does not operate on Sundays or federal holidays
- Link Transit operates from a transfer hub on Worth Street, near the Historic Depot in downtown Burlington.

Our Vehicles:

All Link Transit vehicles are ADA compliant, wheelchair accessible, and can accommodate up to two bicycles. All Link Transit vehicles can be tracked by visiting mylinktransit.org.



Join Us As We Thank Our Community Of Riders And Celebrate Link Transit's 8th Anniversary!

When:

Tuesday, June 25, 2024
12 noon to 3:00 p.m.

Where:

Webb and Worth Streets, Downtown Burlington at the Transit Hub

What:

- Free giveaways
- Bus schedules
- Information
- Bottled water



LINK TRANSIT
ride • enjoy • connect

linktransit.org | 336.222.LINK (5465)

Celebrating 8 Years



Ride With Us

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Enjoy
Free Rides
June 6, 2024
commemorating

840,800
RIDES
SINCE 2016

LINK TRANSIT
ride • enjoy • connect

linktransit.org | 336.222.LINK (5465)

List of Activities for May and June

Check list of call outs for Operators, Supervisors, Maintenance.

Check emails for quick items to respond to.

Count and prepare Money to be taken to bank and make sure deposits are correct.

Safety Messages are going over every week with Operators, Supervisors.

Speaking with current staff, operators, supervisors, maintenance on daily activities for them.

Also trying to improve positive attitude with certain staff.

When short on phone coverage for office answer phones to help passengers with route schedules and help scheduling paratransit passengers.

Going down to hub to speak with operators and passengers on any issues.

Checking on routing issues when needed.

Going out to buses when passengers and operators have disagreements. Speaking with both and sometimes moving client myself.

Interview new hires for stand by operator positions. Hired 2, 2 will start training on July 8. One has CDL and one does not P for Passenger. We will help them get the P once we become 3rd party testers.

Working with FSCMA, and DOT of NC to become 3rd party testers. Slow moving results.

Classroom training for new hires. This includes the Human Traffic training.

Prepare monthly report for Client.

Prepare monthly reports for Transdev.

By weekly payroll audits.

Weekly calls with Client and Transdev.

Working with Nick Fischer on UTA monthly ridership report.

Customer Complaints and outcomes.

Riding routes to check on time performance.

Riding routes to check tablet connection for Comms.

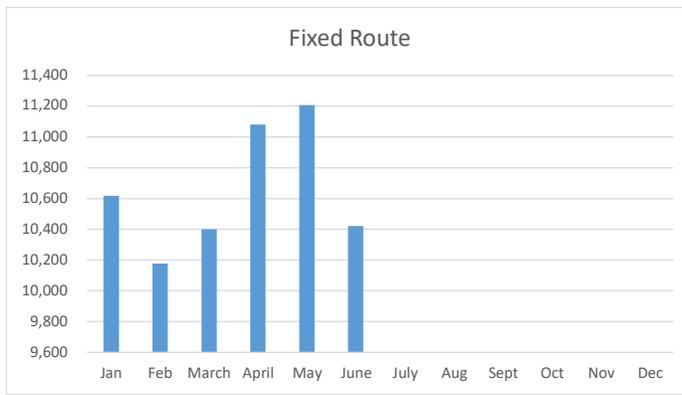
Coming in to work on Saturdays to catch up and speak with weekend operators and supervisors.

Help in maintenance when needed drive the bus to location or extra set of hands in shop.

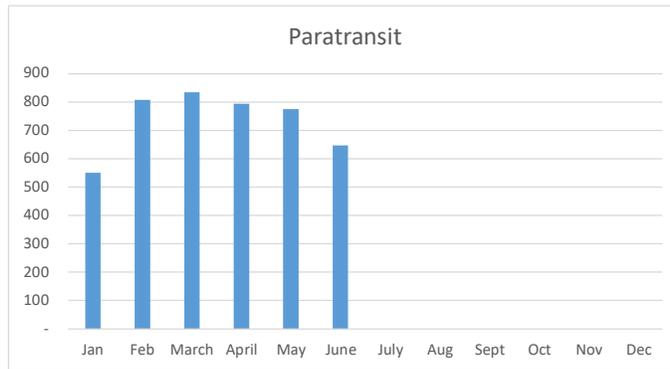
Work with Operations manager to improve their performance on items.

New buses arrived both fixed route and paratransit. Getting them ready for service has taken a lot of my time. Making sure items switched off old buses and getting on to news. Setting up drivers training for new buses. So drivers can use them and feel comfortable with the height and weight before heading into service.

FR 2024	TOTAL
Jan	10,616
Feb	10,177
March	10,400
April	11,080
May	11,208
June	10,420
July	
Aug	
Sept	
Oct	
Nov	
Dec	
TOTAL	63,901



PARA 2024	TOTAL
Jan	550
Feb	808
March	835
April	794
May	775
June	647
July	
Aug	
Sept	
Oct	
Nov	
Dec	
TOTAL	4,409



FY 16		LINK TRANSIT		2016	2017	2018	2019	2020	2021	2022	2023	2024
	9,377	FIXED ROUTE										
FY 17	79,498	January			6,643	5,992	8,285	7,027	4,243	6,807	14,896	10,616
FY 18	85,703	February			6,410	7,067	8,011	6,609	3,449	7,761	13,499	10,177
FY 19	104,551	March			6,528	6,343	7,809	6,315	4,605	9,792	13,641	10,400
FY 20	88,052	April			6,065	6,440	10,223	3,273	3,880	9,615	12,268	11,080
FY 21	50,093	May			6,734	7,105	12,476	5,150	4,669	10,153	13,334	11,208
FY 22	125,437	June		9,377	8,461	7,790	9,964	3,967	3,818	11,924	12,450	10,420
FY 23	164,846	July		5,145	6,833	7,869	9,484	3,958	4,660	12,587	12,290	
FY 24	148,600	August		7,779	7,746	8,122	10,831	3,957	7,394	14,439	13,943	
		September		5,961	7,854	7,352	7,678	5,033	7,294	14,269	13,651	
		October		6,743	8,107	9,809	10,178	4,071	8,983	14,868	16,283	
		November		6,479	7,661	8,523	8,891	4,021	8,563	14,394	15,579	
		December		6,550	6,765	6,108	8,649	4,389	8,455	14,201	12,953	
		TOTAL		48,034	85,807	88,520	112,479	57,770	70,013	140,810	164,787	63,901

FY 16		LINK		2016	2017	2018	2019	2020	2021	2022	2023	2024
	66	PARATRANSIT										
FY 17	2,403	January			200	285	485	498	368	400	596	550
FY 18	4,366	February			185	393	382	521	384	459	431	808
FY 19	4,649	March			246	414	425	439	492	528	692	835
FY 20	4,443	April			209	385	423	239	453	471	578	794
FY 21	4,741	May			235	464	438	237	414	534	619	775
FY 22	5,935	June		66	228	428	394	329	505	547	606	647
FY 23	7,077	July		110	255	379	422	277	440	460	584	
FY 24	8,782	August		147	281	432	461	328	467	501	853	
		September		183	410	381	440	480	497	625	746	
		October		204	483	497	546	461	498	593	745	
		November		229	407	519	496	366	513	640	747	
		December		172	322	336	458	418	450	612	698	
		TOTAL		1,111	3,461	4,913	5,370	4,593	5,481	6,370	7,895	4,409

Systemwide												
Total		49,145	89,268	93,433	117,849	62,363	75,494	147,180	172,682	68,310		