



**CITY OF HOLLISTER
AIRPORT ADVISORY COMMISSION MEETING AGENDA
SPECIAL MEETING**

Monday, December 9, 2024, 6:00 p.m.

City Council Chamber, City Hall

375 Fifth Street, Hollister, CA 95023

Shawn Herrera, Commissioner, City Wide
Andres Rodriguez, Commissioner, District 1
Renee Wells, Commissioner, District 2
John Hughes, Commissioner, District 3
Eric Martin, Commissioner, District 4

NOTICE TO PUBLIC

Persons who wish to address the Airport Advisory Commission are asked to complete a speaker card and give it to the Meeting Clerk before addressing the Commission. Those who wish to address the Airport Advisory Commission on an agenda item will be heard when the presiding officer calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed, and the matter brought to the Airport Advisory Commission for discussion.

Materials related to an item on this agenda submitted to the Airport Advisory Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at City Hall, 375 Fifth Street, Hollister, CA 95023, Monday through Friday, 8:30 a.m. to noon, 1:00 p.m. to 4:30 p.m. (City Hall is closed between 12:00 and 1:00 p.m.)

Requests to make presentations to the Airport Advisory Commission should be submitted to the Airport Director at least ten days before the Airport Advisory Commission meeting. It is customary for City staff members to review such matters before the formal presentation so that the Airport Advisory Commission may have the benefit of all available data. PowerPoint presentations must be presented to the Airport Director by noon on the day of the Airport Advisory Commission meeting.

The public may watch the meeting via live stream at:

City of Hollister Website

<https://pub-hollister.escribemeetings.com/>

Community Media Access Partnership (CMAP):

<http://cmaptv.com/watch/>

Public Participation:

The public may attend meetings.

NOTICE: The Airport Advisory Commission will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Hollister utilizes Zoom teleconferencing

technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing may not be available at all meetings.)

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4300. Notification of 48 hours prior to the meeting will enable the City to attempt to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

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Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable Channel 17 and/or recorded or photographed. Recent Airport Advisory Commission meetings may also be viewed at www.CMAP.com and periodically on Cable Channel 17.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **COMMISSION BUSINESS**

4.1 **RECEIVE AN INFORMATIONAL REPORT ON THE HOLLISTER MUNICIPAL AIRPORT 2025-2027 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

RECOMMENDED ACTION:

This is an information item. No other action is required.

4.2 **REVIEW PROPOSAL FROM JRVS INVESTMENTS, LLC TO ENTER INTO A GROUND LEASE TO CONSTRUCT A NEW HANGAR BUILDING**

RECOMMENDED ACTION:

Provide staff feedback and consider the following:

1. Making a finding that constructing a hangar building with apron access in the proposed location would be the best and highest use of this location; and
2. Making a finding the Proposal would generate new additional Airport revenue; and
3. Making a recommendation to negotiate a 24-month Option Agreement with JRVS to potentially construct a new hangar building at the Airport in the proposed location for City Council consideration.

4.3 **RECEIVE AN UPDATE TO THE HOLLISTER MUNICIPAL AIRPORT HANGAR WAITING LIST POLICY**

RECOMMENDED ACTION:

Receive an update to the Airport Hangar Waiting List Policy and provide staff feedback.

5. **STAFF AND COMMISSIONER REPORTS**

5.1 **AIRPORT DIRECTOR REPORT**

RECOMMENDED ACTION:

Receive the informational report.

6. **ADJOURNMENT**

7. **VERIFICATION OF AGENDA POSTING**

The agenda for the Airport Advisory Commission of the City of Hollister special meeting of December 9, 2024 was posted on the bulletin board at City Hall on December 6, 2024 per Government Code Section 54954.2.



**STAFF REPORT
HOLLISTER AIRPORT ADVISORY COMMISSION
MEETING DATE: December 9, 2024
REPORT # Airport-2024-21**

AGENDA ITEM: RECEIVE AN INFORMATIONAL REPORT ON THE HOLLISTER MUNICIPAL AIRPORT 2025-2027 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

STAFF CONTACT: Airport Director, Jeff Crechriou

RECOMMENDED ACTION: This is an information item. No other action is required.

DISCUSSION: The US Department of Transportation (DOT) requires airports that receive Federal financial assistance to sign an assurance to comply with 49 CFR Part 26. This federal requirement helps ensure Disadvantaged Business Enterprises as defined in Part 26, have an equal opportunity to receive and participate in contracts for Airport projects funded with federal financial assistance such as the Airport Improvement Program (AIP) Grant projects.

The Federal Aviation Administration (FAA) Office of Airports is responsible for the compliance and oversight of the Airports' civil rights programs. Per the Civil Rights Act of 1964, statutory requirements prohibiting discrimination remain in effect for as long as the property is used as an airport. Airports that receive FAA AIP grants and that will award prime contracts with a cumulative total value exceeding \$250,000 in FAA funds in a federal fiscal year are required to have a Disadvantage Business Enterprise (DBE) program and meet other related requirements as a condition of receiving those funds.

DBE programs help ensure there is a level playing field for socially and economically disadvantaged firms to compete for airport contracting opportunities. The DBE program has been prepared by the Airport On-Call Consultant Kimley-Horn, proposes a DBE participation goal of 9.0% for FAA funded contracts/agreements to be met through race-conscious means, and this goal pertains to federal fiscal years 2025 through 2027.

On November 23, 2024, the DBE program was posted on the City website for a thirty-day public review. A web conference will be held on Wednesday, January 15, 2025, at 3 p.m. via Zoom for the purpose of consulting with stakeholders to obtain information relevant to the goal-setting process. A Zoom link is included on the Airport webpage. Airport Director Jeff Crechriou has been delegated as the DBE Liaison Officer (DBELO). In that capacity he is responsible for implementing all aspects of the Airport's DBE program.

Failure to submit the required DBE Program by December 2, 2024, to FAA, could result in the Airport being deemed in non-compliance with FAA's grant assurances.

FISCAL IMPACT: The cost of preparing the DBE Program is \$11,000 and will be paid from the Airport Enterprise Fund 601, Professional Services Account No. 601-4200-730000.

PREVIOUS COUNCIL OR COMMISSION ACTION: N/A

CEQA: N/A

ATTACHMENTS:

1. DBE Program

HOLLISTER MUNICIPAL AIRPORT DISADVANTAGE BUSINESS ENTERPRISE PLAN

**U.S. DEPARTMENT OF TRANSPORTATION
DBE PROGRAM – 49 CFR PART 26**

DBE Program Plan for Recipients of
Federal Aviation Administration (FAA) Funds

November 2024



Kimley»Horn



POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

Hollister Municipal Airport has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. Hollister Municipal Airport has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Hollister Municipal Airport has signed an assurance that it will comply with 49 CFR Part 26 (hereafter referred to as "Part 26").

It is the policy of the Hollister Municipal Airport to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also Hollister Municipal Airport policy to engage in the following actions on a continuing basis:

1. Ensure nondiscrimination in the award and administration of DOT- assisted contracts;
2. Create a level playing field on which DBEs can compete fairly for DOT- assisted contracts;
3. Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. Help remove barriers to the participation of DBEs in DOT assisted contracts;
6. Promote the use of DBEs in all types of federally assisted contracts and procurement activities;
7. Assist the development of firms that can compete successfully in the marketplace outside the DBE Program; and
8. Make appropriate use of the flexibility afforded to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Jeff Crechriou, Airport Director, has been delegated as the DBE Liaison Officer. In that capacity, Jeff Crechriou 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 the Hollister Municipal Airport in its financial assistance agreements with the Department of Transportation.

Hollister Municipal Airport has disseminated this policy statement to the FAA and all of the components of our organization. This statement has been distributed to DBE and non-DBE business communities that may perform work on Hollister Municipal Airport DOT-assisted contracts. The distribution was accomplished by posting to the Airport website and providing with bid document when a project is advertised.

Signature

Date

GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are elaborated in the policy statement on the first page of this program.

Section 26.3 Applicability

Hollister Municipal Airport is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

Section 26.5 Definitions

Hollister Municipal Airport will use terms in this program that have their meanings defined in Part 26, § 26.5.

Section 26.7 Non-discrimination Requirements

Hollister Municipal Airport 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, Hollister Municipal Airport 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 Data Collection and Reporting Requirements

Reporting to DOT

Hollister Municipal Airport will provide data about its DBE Program to the Department as directed by DOT and its operating administrations.

DBE participation will be reported to the Federal Aviation Administration (FAA) as follows:

Hollister Municipal Airport will transmit to FAA annually, by or before December 1, the information required for the “Uniform Report of DBE Awards or Commitments and Payments”, as described in Part 26. Hollister Municipal Airport will similarly

report the required information about participating DBE firms. All reporting for this purpose will be done through the FAA's designated reporting system.

Bidders List

Hollister Municipal Airport will collect bidders list information as described in § 26.11(c)(2) and enter it into the system designated by DOT. The purpose of the bidders list is to compile as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on our federally assisted contracts for use in helping you set your overall goals, and to provide the Department with data for evaluating the extent to which the objectives of § 26.1 are being achieved.

Hollister Municipal Airport will obtain the following bidders list information about all DBE and non-DBEs who bid as prime contractors and subcontractors on each of our federally assisted contracts:

- Firm name
- Firm Address including Zip code
- Firm's status as a DBE or non-DBE
- Race and gender information for the firm's majority owner
- NAICS code applicable to each scope of work the firm sought to perform in its bid
- Age of the firm
- Annual gross receipts of the firm. The gross receipts can be obtained by asking each firm to indicate into what gross receipts bracket they fit (e.g. less than \$1 million; \$1-3 million; \$3-6 million; \$6-10 million, etc.) rather than requesting an exact figure from the firm.

Hollister Municipal Airport will collect the data from all bidders for our federally assisted contracts by requiring the information in paragraph (c)(2) of this section to be submitted with their bids or initial responses to negotiated procurements.

Hollister Municipal Airport will enter this data in the Department's designated system no later than December 1 following the fiscal year in which the relevant contract was awarded.

In the case of a "design-build" contracting situation where subcontracts will be solicited throughout the contract period as defined in a DBE Performance Plan pursuant to § 26.53(e), Hollister Municipal Airport will enter the data no later than December 1 following the fiscal year in which the design-build contractor awards the relevant subcontract(s).

Section 26.13 Assurances Recipients and Contractors Must Make

Hollister Municipal Airport has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: - Each financial assistance agreement Hollister Municipal Airport signs with a DOT operating administration (or a primary recipient) will include the following assurance:

The Hollister Municipal Airport 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. The Hollister Municipal Airport shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The Hollister Municipal Airport 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 the Hollister Municipal Airport of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR 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.*).

Contract Assurance: Hollister Municipal Airport will ensure that the following clause is included in each DOT-funded contract it signs with a contractor (and each subcontract the prime contractor signs with a subcontractor):

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 the recipient deems appropriate, which may include, but is not limited to:

- 1) Withholding monthly progress payments;
- 2) Assessing sanctions;
- 3) Liquidated damages; and/or
- 4) Disqualifying the contractor from future bidding as non-responsible.

ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

Hollister Municipal Airport is required to have a DBE program meeting the requirements of this part as it will receive grants for airport planning or development and will award prime contracts, cumulative total value of which exceeds \$250,000 in FAA funds in a federal fiscal year.

Hollister Municipal Airport is not eligible to receive DOT financial assistance unless DOT has approved this DBE program and Hollister Municipal Airport is in compliance with it and Part 26. Hollister Municipal Airport will continue to carry out this program until all funds from DOT financial assistance have been expended. Hollister Municipal Airport does not have to submit regular updates of the DBE program document, as long as it remains in compliance. However, significant changes in the program, including those required by regulatory updates, will be submitted to the relevant operating administration for approval.

Section 26.23 Policy Statement

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

Section 26.25 DBE Liaison Officer (DBELO)

The following individual has been designated as the DBE Liaison Officer for Hollister Municipal Airport:

Jeff Crechriou
Airport Director
(831) 636-4365
Hollisterairport@hollister.ca.gov

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Hollister Municipal Airport complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the City Manager concerning DBE program matters. An organizational chart displaying the DBELO's position in the organization is included in Attachment 2 to this program.

The DBELO is responsible for developing, implementing, and monitoring the DBE program, in coordination with other appropriate officials. The DBELO has a Senior Support Service Assistant to assist in the administration of the program. 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) and monitors results.
- (6) Determine contractor compliance with good faith efforts.
- (7) Acts as liaison to the Uniform Certification Process.
- (8) Maintains the agency's updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

Hollister Municipal Airport encourages prime contractors on DOT-assisted contracts to make use of these institutions owned and controlled by socially and economically disadvantaged individuals in the community.

Hollister Municipal Airport encourages prime contractors on DOT-assisted contracts to utilize institutions owned and controlled by socially and economically disadvantaged individuals in the community. Additionally, the airport encourages contractors/consultants to employ the services of minority and women-owned financial institution listed on the Financial Management Service, US Department of the Treasury, or Minority Bank Deposit Program website. Hollister Municipal Airport is committed to investigating the full range of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, making reasonable efforts to utilize these institutions, and encouraging prime contractors on DOT-assisted contracts to do the same. The availability of such institutions will be assessed annually.

A list of Minority Depository Institutions (MDIs) was obtained online through the US Federal Reserve (<https://www.fdic.gov/minority-depository-institutions-program/minority-depository-institutions-list>). The following institutions are in California:

Name	City
First commercial bank USA	Alhambra
New omni bank national ASSN	Alhambra
American Plus Bank N A	Arcadia
American Continental Bank	City of Industry
Evertrust Bank	City of Industry

United Pacific Bank	City of Industry
Community Commerce Bank	Claremont
Us Metro Bank	Garden Grove
Bank Irvine	Irvine
California Business Bank	Irvine
Commercial Bank Of CA	Irvine
Bank Of Hope	Los Angeles
Cathay Bank	Los Angeles
Commonwealth Business Bank	Los Angeles
CTBC Bank Corp USA	Los Angeles
Eastern International Bank	Los Angeles
Hanmi Bank	Los Angeles
Open Bank	Los Angeles
PCB Bank	Los Angeles
Preferred Bank	Los Angeles
Royal business Bank	Los Angeles
Legacy Bank	Murrieta
Genesis Bank	Newport Beach
Gateway Bank FSB	Oakland
Metropolitan Bank	Oakland
East West Bank	Pasadena
Icon Business Bank	Riverside
First General Bank	Rowland Heights
Bank Of The Orient	San Francisco
California Pacific Bank	San Francisco
Mission National Bank	San Francisco
Asian Pacific National Bank	San Gabriel
Mega Bank	San Gabriel
Pacific Alliance Bank	San Gabriel
Universal Bank	West Covina
California Intl Bank N A	Westminster
Bank of Whittier N A	Whittier

At the Federal Level, the DOT is a key institution that can satisfy the requirements of utilizing minority-owned and women-owned businesses. The DOT has various programs and initiatives designed to promote diversity and inclusion in the transportation industry. These programs often include specific requirements for contractors to subcontract with disadvantaged businesses.

In California, Caltrans is a significant state agency that can contribute to the utilization of minority-owned and women-owned businesses. Caltrans has its own diversity and inclusion programs and may have specific requirements for contractors to subcontract with disadvantaged businesses, particularly on state-funded transportation projects.

By engaging with both federal and state agencies like the DOT and Caltrans, organizations can effectively implement strategies to utilize minority-owned and women-owned businesses, fulfilling regulatory requirements and promoting economic diversity.

Section 26.29 Prompt Payment Mechanisms

Hollister Municipal Airport requires that all subcontractors performing work on DOT-assisted contracts shall be promptly paid for work performed pursuant to their agreements, in accordance with all relevant federal, state, and local law. Prompt payment and return of retainage requirements also apply to lower-tier subcontractors.

In accordance with 49 CFR § 26.29, the Hollister Municipal Airport established a contract clause implementing this requirement and requires prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from the prime contractor's receipt of each payment from the Hollister Municipal Airport.

Hollister Municipal Airport ensures prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Pursuant to § 26.29, Hollister Municipal Airport has selected the following method to comply with this requirement:

- (1) "Hollister Municipal Airport will hold retainage from prime contractors and provide for prompt and regular incremental acceptances of portions of the prime contract, pay retainage to prime contractors based on these acceptances, and require a contract clause obligating the prime contractor to pay all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after Hollister Municipal Airport payment to the prime contractor.
 - a. The percent withheld may range from 0% to 10% but in no case may it exceed 10%. When establishing a suitable retainage value that protects the Owner's interests, give consideration that the performance and payment bonds also provide similar protection of Owner interests. Owner may elect to incrementally release retainage if owner is satisfied its interest with completion of the project are protected in an adequate manner.
 - b. From the total of the amount determined to be payable on a partial payment, 10-percent of such total amount will be deducted and retained by the Owner for protection of the Owner's interests. Unless otherwise instructed by the Owner, the amount retained by the Owner will be in effect until the final payment is made except as follows:
 - i. Contractor may request release of retainage on work that has been partially accepted by the Owner in accordance with Section 50-14. Contractor must provide a certified invoice to the RPR that supports

the value of retainage held by the Owner for partially accepted work.

- ii. In lieu of retainage, the Contractor may exercise at its option the establishment of an escrow account per paragraph 90-08.
- c. The Contractor is required to pay all subcontractors for satisfactory performance of their contracts no later than 30 days after the Contractor has received a partial payment. Contractor must provide the Owner evidence of prompt and full payment of retainage held by the prime Contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. A subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the Owner. When the Owner has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.
- d. When at least 95% of the work has been completed to the satisfaction of the RPR, the RPR shall, at the Owner's discretion and with the consent of the surety, prepare estimates of both the contract value and the cost of the remaining work to be done. The Owner may retain an amount not less than twice the contract value or estimated cost, whichever is greater, of the work remaining to be done. The remainder, less all previous payments and deductions, will then be certified for payment to the Contractor."

For every airport construction project funded under Federal grant assistance programs, Hollister Municipal Airport includes the applicable clause from FAA Advisory Circular 150/5370-10 (Section 90-06) pertaining to the selected retainage method. The applicable clause will be included verbatim. However, if state or local prompt payment laws provide for payment in less than 30 days, any reference to "30 days" will be revised accordingly.

Prompt Payment Monitoring for DBEs and Non-DBEs

Hollister Municipal Airport clearly understands and acknowledges that reliance on complaints or notifications from subcontractors about a contractor's failure to comply with prompt payment and retainage requirements is not a sufficient monitoring and oversight mechanism. Therefore, Hollister Municipal Airport undertakes proactive monitoring and oversight of prime contractors' compliance with subcontractor prompt payment and return of retainage requirements of 49 CFR Part 26. Such monitoring activities will be accomplished through the following method(s):

- Hollister Municipal Airport will provide an Owner's Representative for each project. The Owner's Representative will collect and review proof of payment to subcontractor when Contractor submits pay applications.

Hollister Municipal Airport requires prime contractors to maintain records and documents of payments to subcontractors, including DBEs, for a minimum of three (3) years unless otherwise provided by applicable record retention requirements for the Hollister Municipal Airport financial assistance agreement, whichever is longer. These records will be made available for inspection upon request by any authorized representative of Hollister Municipal Airport or DOT. This reporting requirement extends to all subcontractors, both DBE and non-DBE.

- Hollister Municipal Airport proactively reviews contract payments to subcontractors including DBEs monthly for active projects. Payment reviews will evaluate whether the actual amount paid to DBE subcontractors is equivalent to the amounts reported to Hollister Municipal Airport by the prime contractor.

Prompt Payment Dispute Resolution

Hollister Municipal Airport will take the following steps to resolve disputes as to whether timely prompt payment and retainage releases are being made as required by § 26.29.

Hollister Municipal Airport has established, as part of its DBE program, the following mechanism(s) to ensure prompt payment and return of:

- (1) Implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by the DBEs. The mechanism will provide for a running tally of actual DBE attainments (e.g. payment actually made to DBE firms for work committed to them at the time of contract award);
- (2) Provide DBE participation reports to DOT that show both commitments and attainments, as required by the DOT reporting form;
- (3) Perform desk audits to review all material and information concerning the contractor's compliance; and
- (4) Call for any additional investigation 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, and other evidence as may warrant further investigation.
- (5) Project Manager Actions:
 1. Foster a culture of open and honest communication between the Project Manager, DBELO, and subcontractors. Regular meetings and informal discussions can help identify and address potential issues early on.
 2. Third-Party Mediation: Use mediation as a first-line approach to resolving disputes. A neutral third party can facilitate discussions between the involved parties, helping them find common ground and reach a mutually agreeable solution.
 3. Encourage subcontractors to bring any concerns or disputes to the Project Manager promptly.

- (6) "Partial payments will be made to the Contractor at least once each month as the work progresses. Said payments will be based upon estimates, prepared by the RPR, of the value of the work performed and materials complete and in place, in accordance with the contract, plans, and specifications. Such partial payments may also include the delivered actual cost of those materials stockpiled and stored in accordance with paragraph 90-07, Payment for Materials on Hand. No partial payment will be made when the amount due to the Contractor since the last estimate amounts to less than five hundred dollars.

The Contractor is required to pay all subcontractors for satisfactory performance of their contracts no later than 30 days after the Contractor has received a partial payment. A subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the Owner. When the Owner has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

From the total of the amount to be payable on a partial payment, five (5) percent of such total amount will be deducted and retained by the Owner until the final payment is made, except as may be provided (at the Contractor's option) in the subsection 90-08 titled PAYMENT OF WITHHELD FUNDS of this section. The balance of the amount payable, less all previous payments, shall be certified for payment. Should the Contractor exercise his or her option, as provided in the subsection 90-08 titled PAYMENT OF WITHHELD FUNDS of this section, no such percent retainage shall be deducted."

Prompt Payment Complaints

Complaints by subcontractors regarding the prompt payment requirements are handled according to the following procedure.

- If affected subcontractor is not comfortable contracting prime directly regarding payment or unable to resolve payment discrepancies with prime, subcontractor should contact DBELO to initiate complaint via email at jeff.crechriou@hollister.ca.gov or phone, 831-636-4365, x 2000. Affected parties could also meet with Airport staff at 60 Airport Drive to communicate concerns about payment.
- If filing a prompt payment complaint with the DBELO does not result within 5 to 7 business days and meaningful action by Hollister Municipal Airport to resolve prompt payment disputes, affected subcontractor may contact the responsible FAA contact, which is done through an online form:
 - https://www.faa.gov/about/office_org/headquarters_offices/acr/external-discrimination-complaints/form.

- FAA Contact: 1 (888) WK-IT-OUT (1(888) 954-8688) OR 1 (800) 877-8399 (TTY RELAY SERVICE)
- Pursuant to Sec. 157 of the FAA Reauthorization Act of 2018, all complaints related to prompt payment will be reported in a format acceptable to the FAA, including the nature and origin of the complaint and its resolution.
- Subcontractor's Role:
 - Initial Discussion: If a subcontractor has a potential issue with prompt payment, they should first discuss it with the prime contractor.
 - Escalation to DBELO: If the Issue cannot be resolved with the prime contractor, the subcontractor should contact the DBELO to initiate a formal compliant process.

Enforcement Actions for Noncompliance of Participants

Hollister Municipal Airport provides appropriate means to enforce the requirements of § 26.29. These means include:

- Advise subcontractors of the availability of the payment and performance bond to assure payment for labor and materials in the execution of the work provided for in the contract
- Pay subcontractors directly and deduct this amount from the retainage owed to the prime
- Issue a stop-work order until payments are released to subcontractors, specifying in the contract that such orders constitute unauthorized delays for the purposes of calculating liquidated damages if milestones are not met
- Should Contractor fail to comply after Hollister Municipal Airport has employed one or more measures described above, Hollister Municipal Airport may terminate the contract with the Contractor.

Hollister Municipal Airport will actively implement the enforcement actions detailed above.

Section 26.31 Directory of Certified Firms

Hollister Municipal Airport is not a certifying member of the California Unified Certification Program (UCP). The UCP maintains a directory identifying all firms eligible to participate as DBEs and/or ACDBEs, and it contains all the elements required by §26.31. The directory lists all firms eligible to participate as a DBE and/or ACDBE in the program. In the listing for each firm, the UCP directory (<https://californiaucp.dbesystem.com/>) includes the following details about the firm:

- Business address

- Business phone number
- Firm website(s)
- The types of work the firm has been certified to perform as a DBE and/or ACDBE.
 - The type of work a DBE and/or ACDBE is eligible to perform is listed by using the most specific NAICS code available to describe each type of work the firm performs. Pursuant to § 26.81(n)(1) and (3), the UCP directory allows for NAICS codes to be supplemented with specific descriptions of the type(s) of work the firm performs.
 - The UCP directory may include additional data fields of other items readily verifiable in State or locally maintained databases, such as State licenses held, Pre-qualifications, and Bonding capacity.
 - The UCP directory is an online system that permits the public to search and/or filter for DBEs by:
 - Physical location
 - NAICS code(s)
 - Work descriptions
 - All additional data fields of readily verifiable optional information described above.

The directory includes a prominently displayed disclaimer that states the information within the directory is not a guarantee of the DBE's capacity and ability to perform work.

Section 26.33 Over-concentration

Hollister Municipal Airport has not identified that over-concentration exists in the types of work that DBEs perform.

Section 26.35 Business Development and Mentor-Protégé Programs

Hollister Municipal Airport has not established a Business Development Program, or a Mentor-Protégé Program as described by 49 CFR Part 26.

Section 26.37 Monitoring Responsibilities

Hollister Municipal Airport implements and carries out appropriate mechanisms to ensure compliance with 49 CFR Part 26 program requirements by all program participants, and describes and sets forth these mechanisms in this DBE program.

Hollister Municipal Airport actively monitors attainment toward overall goals by maintaining running tally that provides for a frequent comparison of cumulative DBE awards/commitments to DOT-assisted prime contract awards to determine whether our implementation of contract goals is projected to be sufficient to meet the annual goal.

The running tally for overall goal monitoring will be maintained by running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments. This mechanism to maintain a running tally of overall goal attainment will be used to inform Hollister Municipal Airport's decisions to implement goals on contracts to be advertised, according to our established contract goal-setting process.

Hollister Municipal Airport actively monitors participation with respect to each DBE commitment by using a running tally that provides for a frequent comparison of payments made to each listed DBE relative to the progress of work, including payments for such work to the prime contractor. The running tally for contract goal monitoring will be maintained by a running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments. These contract-specific running tallies will be used to determine whether the contractor is on track with meeting its DBE commitment and whether any projected shortfall exists that requires the prime contractor's good faith efforts to address to meet the contract goal pursuant to § 26.53(g).

Monitoring Contracts and Work Sites

Hollister Municipal Airport reviews contracting records and engages in active monitoring of work sites to ensure that work committed to DBEs at contract award or subsequently (e.g., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed, and such work is counted according to the requirements of § 26.55. Work site monitoring for counting and commercially useful function review is performed by the DBELO and Hollister Municipal Airport staff. Contracting records are reviewed by the DBELO and Hollister Municipal Airport staff. Hollister Municipal Airport will maintain written certification that contracting records have been reviewed and work sites have been monitored to ensure the counting of each DBE's participation is consistent with its function on the contract.

Section 26.39 Fostering Small Business Participation

Hollister Municipal Airport has created a Small Business element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

The small business element is incorporated as Attachment 10 to this DBE Program. The program elements will be actively implemented to foster small business participation. Hollister Municipal Airport acknowledges that implementation of the small business element is required for us to be considered by DOT as implementing our DBE program in good faith.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

Hollister Municipal Airport does not use quotas or race-conscious set-asides in any way in the administration of this DBE program.

Section 26.45 Overall Goals

Hollister Municipal Airport will establish an overall DBE goal covering a three-year federal fiscal year period if it anticipates awarding DOT-funded prime contracts the cumulative total value of which exceeds \$250,000 in DOT funds during any one or more of the reporting fiscal years within the three-year goal period. In accordance with §26.45(f), Hollister Municipal Airport will submit its Overall Three-year DBE Goal to FAA by August 1st of the year in which the goal is due, as required by the schedule established by FAA.

The DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45. If Hollister Municipal Airport does not anticipate awarding prime contracts the cumulative total value of which exceeds \$250,000 in DOT funds during any of the years within the three-year reporting period, an overall goal will not be developed. However, this DBE Program will remain in effect and Hollister Municipal Airport will seek to fulfill the objectives outlined in 49 CFR Part 26.1.

Step 1. The first step is to determine a base figure for the relative availability of DBEs in the market area. Hollister Municipal Airport will use DBE Directory information and Census Bureau Data as a method to determine the base figure. Hollister Municipal Airport understands that the exclusive use of a list of prequalified contractors or plan holders, or a bidders list that does not comply with the requirements of 49 CFR Part 26.45(c)(2), is not an acceptable alternative means of determining the availability of DBEs.

Step 2. The second step is to adjust, if necessary, the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination. Adjustments may be made based on past participation, information from a disparity study (to the extent it is not already accounted for in the base goal), and/or information about barriers to entry to past competitiveness of DBEs on contracts. Hollister Municipal Airport will examine all of the evidence available in its jurisdiction to determine what adjustment, if any, is needed. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

Any methodology selected will be based on demonstrable evidence of local market conditions and be designed to ultimately attain a goal that is rationally related to the relative availability of DBEs in the Hollister Municipal Airport market.

In establishing the overall goal, Hollister Municipal Airport will provide for consultation and publication. This includes consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the efforts by Hollister Municipal Airport to establish a level playing field for the participation of DBEs. The consultation will include a scheduled, direct, interactive exchange (e.g., a face-to-face meeting, video conference, teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process, and it will occur before Hollister Municipal Airport is required to submit the goal methodology to the operating administration for review pursuant to §26.45(f). The goal submission will document the consultation process in which Hollister Municipal Airport engaged. Notwithstanding paragraph (f)(4) of §26.45, the proposed goal will not be implemented until this requirement is met.

In addition to the consultation described above, Hollister Municipal Airport will publish a notice announcing the proposed overall goal before submission to the FAA on August 1st. The notice will be posted on Hollister Municipal Airport's official internet web site and may be posted in other sources (e.g., minority-focused media, trade association publications). If the proposed goal changes following review by FAA, the revised goal will be posted on Hollister Municipal Airport's official internet web site.

The public will also be informed that the proposed overall goal and its rationale are available for inspection during normal business hours at the principal office of Hollister Municipal Airport. This notice will provide that Hollister Municipal Airport will accept comments on the goals for 30 days from the date of the notice. Notice of the comment period will include the addresses to which comments may be sent (including offices and websites) and the location(s) where the proposed goal may be reviewed. **The public comment period will not extend the August 1st deadline.**

The Overall Three-Year DBE Goal submission to FAA will include any information and comments received, who provided the comment, and how Hollister Municipal Airport considered and responded to any comments and information received before finalizing the goal.

Hollister Municipal Airport will begin using the overall goal on October 1 of the relevant period, unless other instructions from FAA have been received.

Project Goals

If permitted or required by the FAA, an overall goal may be expressed as a percentage of funds for a particular grant or project or group of grants and/or projects, including

entire projects. Like other overall goals, a project goal may be adjusted to reflect changed circumstances, with the concurrence of the appropriate operating administration. A project goal is an overall goal, and it must meet all the substantive and procedural requirements pertaining to overall goals. A project goal covers the entire length of the project to which it applies. The project goal will include a projection of the DBE participation anticipated to be obtained during each fiscal year covered by the project goal. The funds for the project to which the project goal pertains are separated from the base from which the regular overall goal, applicable to contracts not part of the project covered by a project goal, is calculated.

Prior Operating Administration Concurrence

Hollister Municipal Airport understands that prior FAA concurrence with the overall goal is not required. However, if the FAA review suggests that the overall goal has not been correctly calculated or that the method employed by Hollister Municipal Airport for calculating goals is inadequate, FAA may, after consulting with Hollister Municipal Airport, adjust the overall goal or require that the goal be adjusted by Hollister Municipal Airport. The adjusted overall goal is binding. In evaluating the adequacy or soundness of the methodology used to derive the overall goal, the U.S. DOT operating administration will be guided by the goal setting principles and best practices identified by the Department in guidance issued pursuant to § 26.9.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment 5 to this program.

Section 26.47 Failure to meet overall goals

Hollister Municipal Airport cannot be penalized, or treated by the Department as being in noncompliance with Part 26, because DBE participation falls short of an overall goal, unless Hollister Municipal Airport fails to administer its DBE program in good faith.

Hollister Municipal Airport understands that to be considered to be in compliance with this part, an approved DBE Program and overall DBE goal, if applicable, must be maintained, and this DBE Program must be administered in good faith.

Hollister Municipal Airport understands that if the awards and commitments shown on the Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, the following actions must be taken in order to be regarded by the Department as implementing this DBE Program in good faith:

- (1) Analyze in detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year;
- (2) Establish specific steps and milestones to correct the problems identified in the analysis to enable the goal for the new fiscal year to be fully met;

- (3) Hollister Municipal Airport will prepare, within 90 days of the end of the fiscal year, the analysis and corrective actions developed under paragraph (c)(1) and (2) of this section. We will retain copy of analysis and corrective actions in records for a minimum of three years, and will make it available to FAA upon request.

Section 26.51 Means Recipients Use to Meet Overall Goals

Breakout of Estimated Race-Neutral & Race-Conscious Participation

Hollister Municipal Airport does not have a history of DBE participation or over-achievement of goals to reference and expects to obtain its DBE participation through the use of DBE contract goals or a conscious effort to obtain DBE participation. Therefore, the entire goal of 4.8% is to be obtained through race-conscious participation.

Hollister Municipal Airport will monitor DBE participation on an ongoing basis during the goal period and adjust the estimated breakout of RN and RC DBE participation as needed.

Contract Goals

If the approved projection under paragraph (c) of §26.51 estimates that the entire overall goal for a given year can be met through race-neutral means, contract goals will not be set during that year, unless the use of contract goals becomes necessary in order meet the overall goal.

Contract goals will be established only on those DOT-assisted contracts that have subcontracting possibilities. A contract goal need not be established 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).

Contract goals will be expressed as a percentage of the Federal share of a DOT-assisted contract.

Section 26.53 Good Faith Efforts Procedures in Situations where there are Contract Goals

Demonstration of good faith efforts (pre-award)

In cases where a contract goal has been established, the contract in question will only be awarded to a bidder/offeror that has made good faith efforts to meet the contract goal. The bidder/offeror can demonstrate that it has made good faith efforts by either

meeting the contract goal or documenting that it has made adequate good faith efforts to do so. Examples of good faith efforts are found in Appendix A to Part 26.

DBELO is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as Responsive.

Hollister Municipal Airport will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before committing to the performance of the contract by the bidder/offeror.

In all solicitations for DOT-assisted contracts for which a contract goal has been established, the following information will be required of every bidder/offeror:

- (1) Award of the contract will be conditioned on meeting the requirements of this section;
- (2) All bidders or offerors will be required to submit the following information to the recipient, at the time provided in paragraph (3) of this section:
 - a. The names and addresses of DBE firms that will participate in the contract;
 - b. A description of the work that each DBE will perform. To count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
 - c. The dollar amount of the participation of each DBE firm participating;
 - d. Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and
 - e. Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment. Each DBE listed to perform work as a regular dealer or distributor must confirm its participation according to the requirements of § 26.53 (c)(1).
 - f. If the contract goal is not met, evidence of good faith efforts (as elaborated in Appendix A of Part 26). The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract;
- (3) The bidder/offeror will be required to present the information stipulated in paragraph (2) of this section:
 - a. Under sealed bid procedures, as a matter of **responsiveness**, or with initial proposals, under contract negotiation procedures;

Provided that, in a negotiated procurement, such as a procurement for professional services, the bidder/offeror may make a contractually binding commitment to meet the goal at the time of bid submission or the presentation of initial proposals but provide the information required by paragraph (b)(2) of this section before the final selection for the contract is made by Hollister Municipal Airport. This paragraph (b)(3)(ii) does not apply

to a design-build procurement, which must follow the provisions in paragraph (e) of 49 CFR § 26.53.

For each DBE listed as a regular dealer or distributor Hollister Municipal Airport will make a preliminary counting determination to assess its eligibility for 60 or 40 percent credit, respectively, of the cost of materials and supplies based on its demonstrated capacity and intent to perform as a regular dealer or distributor, as defined in §§ 26.55(e)(2)(iv)(A), (B), (C), and (3) under the contract at issue. The preliminary determination will be made based on the DBE's written responses to relevant questions and its affirmation that its subsequent performance of a commercially useful function will be consistent with the preliminary counting of such participation. Where the DBE supplier does not affirm that its participation will meet the specific requirements of either a regular dealer or distributor, Hollister Municipal Airport will make appropriate adjustments in counting such participation toward the bidder's good faith efforts to meet the contract goal. The bidder is responsible for verifying that the information provided by the DBE supplier is consistent with the counting of such participation toward the contract goal.

In a design-build contracting situation, in which Hollister Municipal Airport solicits proposals to design and build a project with minimal project details at time of letting, Hollister Municipal Airport may set a DBE goal that proposers must meet by submitting a DBE Open-Ended DBE Performance Plan (OEPP) with the proposal. The OEPP replaces the requirement to provide the information required in paragraph (b) of § 26.53(b). To be considered responsive, the OEPP must include a commitment to meet the goal and provide details of the types of subcontracting work or services (with projected dollar amounts) that the proposer will solicit DBEs to perform. The OEPP must include an estimated time frame in which actual DBE subcontracts would be executed. Once the design-build contract is awarded, Hollister Municipal Airport will provide ongoing monitoring and oversight to evaluate whether the design-builder is using good faith efforts to comply with the OEPP and schedule. Hollister Municipal Airport and the design-builder may agree to make written revisions of the OEPP throughout the life of the project, e.g., replacing the type of work items the design-builder will solicit DBEs to perform and/or adjusting the proposed schedule, as long as the design-builder continues to use good faith efforts to meet the goal.

Hollister Municipal Airport will apply the requirements of this section to DBE bidders/offerors for prime contracts. In determining whether a DBE bidder/offeror for a prime contract has met a contract goal, Hollister Municipal Airport will count the work the DBE has committed to performing with its own forces as well as the work that it has committed to be performed by DBE subcontractors and DBE suppliers.

Administrative Reconsideration of Good Faith Efforts determinations

Within five days of being informed by Hollister Municipal Airport that it is not responsive because it has not documented adequate good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in

writing to the following reconsideration official: City Manager - David Mirrione, 375 Fifth Street, Hollister, CA 95023, (831) 636-4300, COH.Manager@hollister.ca.gov. The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

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 the reconsideration official to discuss the issue of whether the goal was met or the bidder/offeror made adequate good faith efforts to do. The bidder/offeror will be sent 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 procedural requirements (post-solicitation/award)

Hollister Municipal Airport will include in each prime contract the contract clause required by § 26.13(b) stating that failure by the contractor to carry out the requirements of this part is a material breach of the contract and may result in the termination of the contract or such other remedies set forth in that section that Hollister Municipal Airport deems appropriate if the prime contractor fails to comply with the requirements of this section.

Hollister Municipal Airport will require the awarded contractor to make available upon request a copy of all DBE subcontracts. The contractor shall ensure that all subcontracts or agreements with DBEs to supply labor or materials include all required contract provisions and mandate that the subcontractor and all lower tier subcontractors perform in accordance with the provisions of Part 26.

Hollister Municipal Airport will require that a prime contractor not terminate a DBE or any portion of its work listed in response to § 26.53(b)(2) (or an approved substitute DBE firm per § 26.53(g)) without our prior written consent, unless Hollister Municipal Airport causes the termination or reduction. A termination includes any reduction or underrun in work listed for a DBE not caused by a material change to the prime contract by the recipient. This requirement applies to instances that include but are not limited to: when a prime contractor seeks to perform work originally designed for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm.

Hollister Municipal Airport will include in each prime contract a provision stating that:

- (1) The contractor must utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains Hollister Municipal Airport's written consent as provided in § 26.53(f); and

- (2) Unless Hollister Municipal Airport's consent is provided under § 26.53(f), the prime contractor must not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE.

Hollister Municipal Airport may provide such written consent only if it agrees, for reasons stated in our concurrence document, that the prime contractor has good cause to terminate the listed DBE or any portion of its work.

Good cause does not exist if the prime contractor seeks to terminate a DBE or any portion of its work that is relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged, or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award. For purposes of § 26.53(f)(3), good cause includes the following circumstances:

- (1) The listed DBE subcontractor fails or refuses to execute a written contract;
- (2) The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
- (3) The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, nondiscriminatory bond requirements;
- (4) The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit worthiness;
- (5) The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant to 2 CFR parts 180, 215, and 1200 or applicable state law;
- (6) Hollister Municipal Airport has determined that the listed DBE subcontractor is not a responsible contractor;
- (7) The listed DBE subcontractor voluntarily withdraws from the project and provides to Hollister Municipal Airport written notice of its withdrawal;
- (8) The listed DBE is ineligible to receive DBE credit for the type of work required;
- (9) A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract; and
- (10) Other documented good cause that Hollister Municipal Airport determines compels the termination of the DBE subcontractor.

Before transmitting to Hollister Municipal Airport, the request to terminate a DBE subcontractor or any portion of its work, the prime contractor must give notice in writing to the DBE subcontractor, with a copy to Hollister Municipal Airport sent concurrently, of its intent to request to terminate and the reason for the proposed request.

The prime contractor's written notice must give the DBE five days to respond, advising Hollister Municipal Airport and the prime contractor of the reasons, if any, why it objects to the proposed termination of its subcontract or portion thereof and why Hollister Municipal Airport should not approve the prime contractor's request. If required in a

particular case as a matter of public necessity (e.g., safety), Hollister Municipal Airport may provide a response period shorter than five days.

In addition to post-award terminations, the provisions of this section apply to pre-award deletions or changes to DBEs or their listed work put forward by offerors in negotiated procurements.

When a DBE subcontractor or a portion of its work is terminated by the prime contractor as provided in § 26.53(f), or if work committed to a DBE is reduced due to overestimations made prior to award, the prime contractor must use good faith efforts to include additional DBE participation to the extent needed to meet the contract goal. The good faith efforts shall be documented by the contractor. If Hollister Municipal Airport requests documentation under this provision, the contractor shall submit the documentation within seven (7) days, which may be extended for an additional seven (7) days, if necessary, at the request of the contractor. Hollister Municipal Airport shall provide a written determination to the contractor stating whether or not good faith efforts have been demonstrated.

Section 26.55 Counting DBE Participation

DBE participation will be counted toward overall and contract goals as provided in § 26.55. The participation of a DBE subcontractor will not be counted toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

In the case of post-award substitutions or additions, if a firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, the firm's participation will not be counted toward any DBE goals, except as provided for in § 26.87(j).

For FAA-funded projects **only**, firms that exceed the business size standard in § 26.65(b) will remain eligible for DBE certification and may be counted for DBE credit toward overall and contract goals on FAA-funded projects as long as they do not exceed the small business size standard, as adjusted by the United States Small Business Administration, for the NAICS code(s) in which they are certified.

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

Hollister Municipal Airport is a **non-certifying member** of the CA Unified Certification Program (UCP) and relies upon the UCP's determinations of certification eligibility. CA UCP will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. Certifying CA UCP members make all certification decisions based on the facts as a whole.

<https://dot.ca.gov/programs/civil-rights/dbe-certification-information>

For information about the certification process or to apply for certification, firms should contact:

California Department of Transportation (Caltrans)
Office of Business & Economic Opportunity
1823 14th Street
Sacramento, CA 95811
Phone: 916.324.1700
Email: DBE.Certification@dot.ca.gov

California Unified Certification Program
<https://californiaucp.dbesystem.com/>

The Uniform Certification Application form, Personal Net Worth statement, and documentation requirements can be reviewed at <https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/ready-apply>.

SUBPART E – CERTIFICATION PROCEDURES

Any procedures included here are highlights only. Detailed certification procedures are enumerated in the full California UCP agreement. The full UCP agreement can be found at:

- <https://californiaucp.dbesystem.com/>
- <https://caltrans.dbesystem.com/>

Section 26.81 Unified Certification Programs

Hollister Municipal Airport is not a member of a Unified Certification Program (UCP) administered by California UCP.

Section 26.91 Actions Following DOT Certification Appeal Decisions

If Hollister Municipal Airport is a certifier to which a DOT determination under § 26.89 is applicable, we will take any and all required action(s) pursuant to § 26.91.

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.101 Compliance Procedures Applicable to Hollister Municipal Airport

Hollister Municipal Airport understands that if it fails to comply with any requirement of this part, Hollister Municipal Airport may be subject to formal enforcement action under § 26.103 or § 26.105 or appropriate program sanctions by the concerned operating administration, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include, in the case of the FHWA program, actions provided for under 23 CFR 1.36; in the case of the FAA program, actions consistent with 49 U.S.C. 47106(d), 47111(d), and 47122; and in the case of the FTA program, any actions permitted under 49 U.S.C. chapter 53 or applicable FTA program requirements.

Hollister Municipal Airport understands that, as provided in statute, it will not be subject to compliance actions or sanctions for failing to carry out any requirement of this part because it has been prevented from complying because a Federal court has issued a final order in which the court found that the requirement is unconstitutional.

Section 26.103 Enforcement Actions Applicable to FHWA and FTA Programs

The provisions of this section apply to enforcement actions under FHWA and FTA programs. **ONLY** paragraph (2) of this section is also applicable in FAA programs.

- (1) **Noncompliance complaints.** Any person who believes that a recipient has failed to comply with its obligations under this part may file a written complaint with the concerned operating administration's Office of Civil Rights. A complaint must be filed no later than 180 days after the date of the alleged violation or the date on which the complainant learned of a continuing course of conduct in violation of this part. In response to a complainant's written request, the Office of Civil Rights may extend the time for filing in the interest of justice, specifying in writing the reason for so doing. The Office of Civil Rights may protect the confidentiality of a complainant's identity as provided in § 26.109(b). Complaints under this part are limited to allegations of violation of the provisions of this part.
- (2) **Compliance reviews.** The concerned operating administration may review the recipient's compliance with this part at any time, including reviews of paperwork and on-site reviews, as appropriate. The Office of Civil Rights may direct the operating administration to initiate a compliance review based on complaints received.
- (3) **Reasonable cause notice.** If it appears, from the investigation of a complaint or the results of a compliance review, that Hollister Municipal Airport is in noncompliance with part 26, the appropriate DOT office will promptly send Hollister Municipal Airport, return receipt requested, a written notice advising that there is reasonable cause to find Hollister Municipal Airport in noncompliance.

The notice states the reasons for this finding and directs Hollister Municipal Airport to reply within 30 days concerning whether you wish to begin conciliation.

(4) Conciliation.

- a. If Hollister Municipal Airport requests conciliation, the appropriate DOT office shall pursue conciliation for at least 30, but not more than 120, days from the date of the request. The appropriate DOT office may extend the conciliation period for up to 30 days for good cause, consistent with applicable statutes.
- b. If Hollister Municipal Airport and the appropriate DOT office sign a conciliation agreement, then the matter is regarded as closed and Hollister Municipal Airport is regarded as complying. The conciliation agreement sets forth the measures Hollister Municipal Airport has taken or will take to ensure compliance. While a conciliation agreement is in effect, Hollister Municipal Airport remains eligible for FHWA or FTA financial assistance.
- c. The concerned operating administration shall monitor the implementation of the conciliation agreement and ensure that its terms are complied with. If Hollister Municipal Airport fail to carry out the terms of a conciliation agreement, Hollister Municipal Airport is in noncompliance.
- d. If Hollister Municipal Airport does not request conciliation, or a conciliation agreement is not signed within the time provided earlier in this section, then enforcement proceedings begin.

(5) Enforcement actions.

- a. Enforcement actions are taken as provided in this subpart.
- b. Applicable findings in enforcement proceedings are binding on all DOT offices.

Section 26.105 Enforcement Actions Applicable to FAA Programs

Compliance with all requirements of this part by airport sponsors and other recipients of FAA financial assistance is enforced through the procedures of Title 49 of the United States Code, including 49 U.S.C. 47106(d), 47111(d), and 47122, and regulations implementing them.

The provisions of § 26.103(b) and this section apply to enforcement actions in FAA programs.

Any person who knows of a violation of this part by a recipient of FAA funds may file a complaint under 14 CFR part 16 with the Federal Aviation Administration Office of Chief Counsel.

Section 26.107 Enforcement Actions Applicable to Participating Firms

If a firm that does not meet the eligibility criteria of subpart D of this part attempts to participate in a DOT-assisted program as a DBE on the basis of false, fraudulent, or

deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, the Department may initiate suspension or debarment proceedings against the firm under 2 CFR parts 180 and 1200.

If a firm, in order to meet DBE contract goals or other DBE program requirements, uses or attempts to use, on the basis of false, fraudulent or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of subpart D of this part, the Department may initiate suspension or debarment proceedings against you under 2 CFR parts 180 and 1200.

In a suspension or debarment proceeding brought under paragraph (a) or (b) of this section, the concerned operating administration may consider the fact that a purported DBE has been certified by a recipient. Such certification does not preclude the Department from determining that the purported DBE, or another firm that has used or attempted to use it to meet DBE goals, should be suspended or debarred.

The Department may take enforcement action under [49 CFR Part 31](#), Program Fraud and Civil Remedies, against any participant in the DBE program whose conduct is subject to such action under [49 CFR part 31](#).

The Department may refer to the Department of Justice, for prosecution under [18 U.S.C. 1001](#) or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of a DBE in any DOT-assisted program or otherwise violates applicable Federal statutes.

Section 26.109 Confidentiality, Cooperation, and Intimidation or Retaliation

In responding to requests for information concerning any aspect of the DBE program, the Department complies with provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). The Department may make available to the public any information concerning the DBE program release of which is not prohibited by Federal law.

Notwithstanding any provision of Federal or state law, information that may reasonably be construed as confidential business information will not be released to any third party without the written consent of the firm that submitted the information, including applications for DBE certification and supporting information. However, this information will be transmitted to DOT in any certification appeal proceeding under § 26.89 or to any other state to which the individual's firm has applied for certification under § 26.85.

All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews,



investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

Hollister Municipal Airport, contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. Hollister Municipal Airport understands that it is in noncompliance with Part 26 if it violates this prohibition.

ATTACHMENTS

- Attachment 1 Regulations: Link to 49 CFR Part 26 (eCFR)
- Attachment 2 Organizational Chart
- Attachment 3 Bidder's List Collection Form
- Attachment 4 Link to UCP Directory of Certified Firms
- Attachment 5 Overall Goal Methodology
- Attachment 6 Demonstration of Good Faith Efforts Forms
- Attachment 7 DBE Monitoring and Enforcement Mechanisms
- Attachment 8 Link to Certification Application Form and Personal Net Worth Statement
- Attachment 9 State's UCP Agreement
- Attachment 10 Small Business Element Program

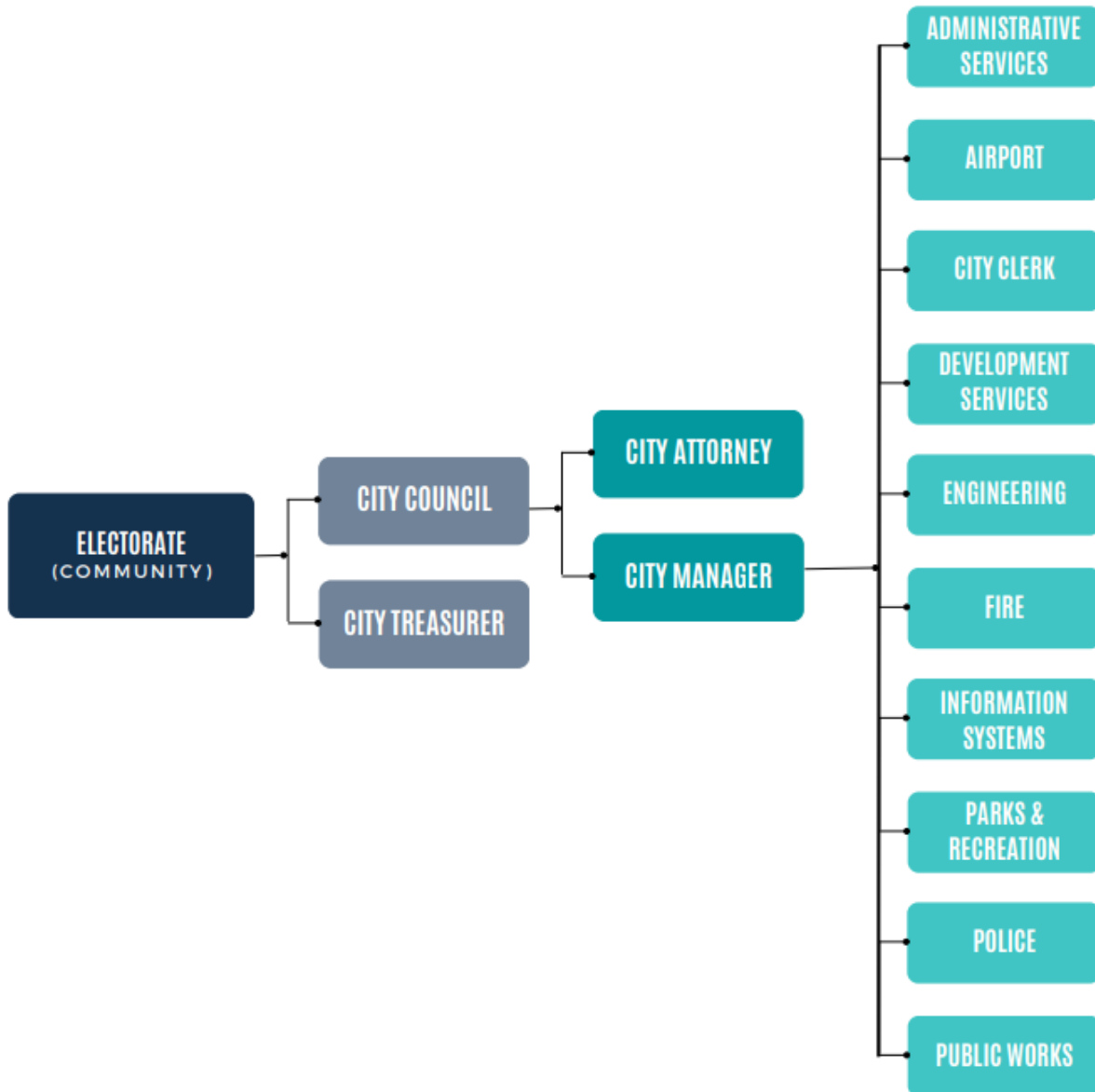
ATTACHMENT 1

DBE program regulations are codified in Title 49 of the Code of Federal Regulations, Part 26. They can be retrieved using the following link to the Electronic Code of Federal Regulations:

<https://www.ecfr.gov/current/title-49/subtitle-A/part-26>

ATTACHMENT 2

ORGANIZATIONAL CHART



ATTACHMENT 3

Bidder's List Collection Form

Firm Name	Firm Address (including ZIP code)	DBE or Non-DBE Status	NAICS Code(s) of Scope(s) Bid	Race/Gender of Majority Owner	Age of Firm	Annual Gross Receipts
				☐ Black American ☐ Hispanic American ☐ Asian-Pacific American ☐ Subcontinent Asian American ☐ Native American ☐ Non-minority Woman ☐ Other	☐ Less than 1 year ☐ 3 years ☐ 4-7 years ☐ 8-10 years ☐ More than 10 years	☐ Less than \$1 million ☐ \$1-3 million ☐ \$3-6 million ☐ \$6-10 million ☐ Over \$10 million
				☐ Black American ☐ Hispanic American ☐ Asian-Pacific American ☐ Subcontinent Asian American ☐ Native American ☐ Non-minority Woman ☐ Other	☐ Less than 1 year ☐ 3 years ☐ 4-7 years ☐ 8-10 years ☐ More than 10 years	☐ Less than \$1 million ☐ \$1-3 million ☐ \$3-6 million ☐ \$6-10 million ☐ Over \$10 million
				☐ Black American ☐ Hispanic American ☐ Asian-Pacific American ☐ Subcontinent Asian American ☐ Native American ☐ Non-minority Woman ☐ Other	☐ Less than 1 year ☐ 3 years ☐ 4-7 years ☐ 8-10 years ☐ More than 10 years	☐ Less than \$1 million ☐ \$1-3 million ☐ \$3-6 million ☐ \$6-10 million ☐ Over \$10 million

ATTACHMENT 4

California UCP Directory may be found here:

<https://californiaucp.dbesystem.com/>

ATTACHMENT 5

Overall DBE Three-Year Goal Methodology

Name of Recipient: Hollister Municipal Airport

Goal Period: FY 2025-2027

Overall Three-Year Goal: 9.0%, to be accomplished through race-conscious means

Describe the Number and Type of Contracts that the airport anticipates awarding:

FY	Project Description	Total Project Cost	FAA Funded Contractor Costs	DBE Goal
2025	Taxiway A Rehabilitation – Design	\$835,900	\$710,515	5.1%
2025	AOA Perimeter Fence Relocation	\$147,431	\$131,088	2.2%
2026	Taxiway A Rehabilitation – Construction Phase 1	\$9,720,000	\$8,359,200	6.0%
2026	Airport Layout Plan Update	\$450,000	\$396,000	3.8%
2027	Taxiway A Rehabilitation – Construction Phase 2	\$6,600,000	\$6,534,000	16.2%
2027	APMS	\$168,000	\$146,160	0.4%

Market Area: Merced, Monterey, San Benito, and Santa Clara County.

Step 1. Relative Availability of DBEs

The step 1 figure for the relative availability was calculated as follows:

Method: Use DBE Directories <https://californiaucp.dbesystem.com/>

and Census Bureau Data from <https://data.census.gov/cedsci/>

Weighted Availability of DBE firms:

Taxiway A Rehabilitation Design - \$835,881

AOA Perimeter Fence Relocation \$147,431

For FY- **2025**, award of the following is anticipated:

Taxiway A Rehabilitation Design								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Electrical Engineering	Electrical Engineering services	541330	\$572,105	784	1	0.1%	\$730	0.1%
Civil Engineering	Engineering services	541330	\$100,000	11	3	27.3%	\$27,273	3.8%
Geophysical Surveying and Mapping Services	Surveying and Mapping	541360	\$27,000	11	3	27.3%	\$7,364	1.0%
Geotechnical Engineers	Testing Laboratory (Geotechnical)	541380	\$95,000	79	1	1.3%	\$1,203	0.2%
	Administrative Costs	N/A	\$41,795					
	Project Total		\$835,900				\$36,569	5.1%
	FAA Funded		\$752,310					
	FAA Funded Contractor Fees		\$710,515					

AOA Fence Relocation								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Fencing Contractor	Fencing contractors (except electronic containment fencing for pets)	238990	\$132,570	192	1	0.5%	\$690	0.5%
Landscaping Services	Landscape services, sod	561730	\$2,800	715	5	0.7%	\$20	0.0%
Highway, Street, and Bridge Construction	Construction Management	237310	\$10,500	25	6	24.0%	\$2,520	1.9%
	Administrative Costs	N/A	\$1,600					
	Project Total		\$147,431				\$3,230	2.2%
	FAA Funded		\$132,688					
	FAA Funded Contractor Fees		\$131,088					

Taxiway A Rehabilitation - Construction Phase 1 \$9,720,000

Airport Layout Plan Update \$450,000

For FY- **2026**, award of the following is anticipated:

Taxiway A Rehabilitation Design – Construction Phase 1								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Highway, Street, and Bridge Construction - Paving	Heavy construction - paving	237310	\$7,800,000	25	1	4.0%	\$312,000	3.2%
Geophysical Surveying and Mapping Services	Surveying and Mapping	541360	\$100,000	11	3	27.3%	\$27,273	0.3%
Geotechnical Engineers	Testing Laboratory (Geotechnical)	541380	\$15,000	79	1	1.3%	\$190	0.0%
Highway, Street, and Bridge Construction	Striping/Airport runway line painting	237310	\$345,000	25	6	24.0%	\$82,800	0.9%
All Other Support Services	Flagging and traffic control services	561990	\$100,000	78	2	2.6%	\$2,564	0.0%
Highway, Street, and Bridge Construction	Construction Management	237310	\$972,000	25	2	8.0%	\$77,760	0.8%
	Administrative Costs	N/A	\$388,800					
	Project Total		\$9,720,000				\$502,587	5.2%
	FAA Funded		\$8,748,000					
	FAA Funded Contractor Fees		\$8,359,200					

Airport Layout Plan								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Planning	Administration of Urban Planning and Community and Rural Development	925120	\$250,000	0	0	-	-	0.0%
Civil Engineering	Civil engineering services	541330	\$41,000	784	1	0.1%	\$52	0.0%
Survey	Surveying and Mapping (except Geophysical) Services	541370	\$150,000	20	2	10.0%	\$15,000	3.8%
	City Administrative Costs	N/A	\$9,000			-	-	
	Project Total		\$450,000				\$15,052	3.8%
	FAA Funded		\$405,000					
	FAA Funded Contractor Fees		\$396,000					

Taxiway A Rehabilitation - Construction Phase 2 \$6,600,000

Airport Pavement Management System (APMS) \$168,000

For FY- **2027**, award of the following is anticipated:

Taxiway A Rehabilitation – Construction Phase 2								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Electrical Contractors and Other Wiring Installation Contractors	Electrical Contractors	238210	\$1,256,169	655	0	0.0%	\$0	0.0%
Geophysical Surveying and Mapping Services	Surveying and Mapping	541360	\$66,000	11	3	27.3%	\$18,000	0.3%
Highway, Street, and Bridge Construction - Paving	Heavy Civil/Paving	237310	\$3,630,000	25	6	24.0%	\$871,200	13.2%
Highway, Street, and Bridge Construction	Striping/Airport runway line painting	237310	\$563,110	192	1	0.5%	\$2,933	0.0%
Environmental Consulting Services	Sediment control system construction	541620	\$66,000	66	3	4.5%	\$3,000	0.0%
Flagging (i.e., traffic control) services	Flagging and traffic control services	561990	\$33,000	78	2	2.6%	\$846	0.0%
Landscaping Services	Landscape services	561730	\$33,000	715	5	0.7%	\$231	0.0%

Taxiway A Rehabilitation – Construction Phase 2								
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Weighted DBE Estimate
Highway, Street, and Bridge Construction	Construction Management	237310	\$660,000	25	6	24.0%	\$158,400	2.4%
Testing Laboratories	Geotechnical Testing laboratories or services	541380	\$132,000	79	1	1.3%	\$1,671	0.0%
Stormwater Pollution Prevention Plan (SWPPP)	Engineering Services	541330	\$99,000	784	1	0.1%	\$126	0.0%
	Administrative Costs	N/A	\$66,000					
	Project Total		\$6,600,000				\$1,056,407	16.2%
	FAA Funded		\$6,600,000					
	FAA Funded Contractor Fees		\$6,534,000					

Airport Pavement management System (APMS)									
Trade Description	NAICS Description	NAICS	Trade (\$)	Census	Directory	DBE (%)	DBE (\$)	Trade % of Fee	Weighted DBE Estimate
Civil Engineering	Engineering services	541330	\$125,000	784	1	0.1%	\$159	74.4%	0.1%
Geotechnical Engineers	Testing Laboratory (Geotechnical)	541380	\$30,060	79	1	1.3%	\$381	17.9%	0.2%
Admin	Administrative Costs	N/A	\$5,040						
	Project Total		\$168,000				\$540		0.4%
	FAA Funded		\$151,200						
	FAA Funded Contractor Fees		\$146,160						

- Sum of Weighted DBE Availability for *FY2025-2027*: \$1,614,385
- Sum of All Trades for *FY2025-2027*: \$17,918,550

Dividing the weighted DBE totals by the total estimate for all trades gives an initial DBE availability figure for the projects anticipated during the goal-setting period (This figure is expressed as a percentage and serves as the basis for the three-year overall goal.

Weighted DBE Goal at Step 1: 9.01%

No adjustments were made to the weighted DBE Goal.

Breakout of Estimated “Race and Gender Neutral” (RN) and “Race and Gender Conscious” (RC) Participation.

Hollister Municipal Airport does not have a history of DBE participation or over-achievement of goals to reference and expects to obtain its DBE participation through the use of DBE contract goals or a conscious effort to obtain DBE participation. Therefore, the entire goal of 4.8% is to be obtained through race-conscious participation.

Hollister Municipal Airport will monitor DBE participation on an ongoing basis during the goal period and adjust the estimated breakout of RN and RC DBE participation as needed.

PUBLIC PARTICIPATION

Consultation:

In establishing the overall goal, Hollister Municipal Airport provided for consultation and publication. This process included consultation with minority, women, and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Hollister Municipal Airport's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process, and was conducted before the goal methodology was submitted to the operating administration for review. Details of the consultation process are as follows.

A notice of the proposed goal was published on the Hollister Municipal Airport official website before the methodology was submitted to FAA. The notice can be found here:

<https://hollister.ca.gov/government/airport/index.php>

If the proposed goal changes following review by FAA, the revised goal will be posted on Hollister Municipal Airport official website.

Notwithstanding paragraph (f)(4) of §26.45, Hollister Municipal Airport proposed goals will not be implemented until the stakeholder consultation requirement has been met.

PUBLIC NOTICE

Hollister Municipal Airport hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of 9.0% for FAA-funded contracts/agreements, to be met through race-conscious means. The proposed goal pertains to federal fiscal years 2025 through 2027. A web conference will be held **Wednesday, January 15 at 3 p.m. via Zoom** for the purpose of consulting with stakeholders to obtain information relevant to the goal-setting process. A Zoom link will be posted on the Airport webpage, <https://hollister.ca.gov/government/airport/index.php>.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

Jeff Crechriou
Airport Director
831 636 4365
Hollisterairport@hollister.ca.gov

ATTACHMENT 6

Demonstration of Good Faith Efforts - Forms 1, 2, and 3

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner:

- ☐ Bidder/offeror has met the DBE contract goal
The bidder/offeror is committed to a minimum of ____ % DBE utilization on this contract.
- ☐ Bidder/offeror has not met the DBE contract goal
The bidder/offeror is committed to a minimum of ____ % DBE utilization on this contract and has submitted documentation demonstrating good faith efforts.

Legal name of bidder/offeror's firm: _____

Bidder/Offeror Representative:

Name & Title

Signature

Date

FORM 2: LETTER OF INTENT

Note: The authorized representative (AR) named below must be an individual vested with the authority to make contracting decisions on behalf of the firm.

Name of bidder/offeror's firm: _____

Name & title of firm's AR: _____

Phone: _____ Email: _____

Name of DBE firm: _____

Name & title of DBE firm's AR: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Work to be performed by DBE firm:

Description of Work	NAICS	Dollar Amount / %*	Manufacturer/Regular Dealer/Distributor/Broker**

**Percentage is to be used only in negotiated procurements*

***For DBE suppliers only, state how the DBE will perform. For dealer/distributor/broker, Form 3 must be included.*

The undersigned bidder/offeror is committed to utilizing the above-named DBE firm for the work described above. The total expected dollar value of this work is \$ _____. The bidder/offeror understands that if it is awarded the contract/agreement resulting from this procurement, it must enter into a subcontract with the DBE firm identified above that is representative of the type and amount of work listed. Bidder/offeror understands that upon submitting this form with its bid/offer, it may not substitute or terminate the DBE listed above without following the procedures of 49 CFR Part 26, §26.53.

Signature of Bidder/Offeror's Authorized Representative

Date: _____

The undersigned DBE affirms that it is ready, willing, and able to perform the amount and type of work as described above, and is properly certified to be counted for DBE participation therefore.

Signature of DBE's Authorized Representative

Date: _____

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

Submit this page for each DBE subcontractor.

Form 3: DBE Regular Dealer/Distributor Affirmation Form

OMB Approval Pending 04/17/2024



U.S. Department of
Transportation

DBE Regular Dealer/Distributor Affirmation Form

Bidder Name:

Contract Name/Number:

Sections 26.53(c)(1) of Title 49 Code of Federal Regulations requires recipients to make a preliminary counting determination for each DBE listed as a regular dealer or distributor to assess its eligibility for 60 or 40 percent credit, respectively, of the cost of materials and supplies based on its demonstrated capacity and intent to perform as a regular dealer or distributor, as defined in section 26.55(e)(2)(iv)(A),(B),(C), and (3) under the contract at issue. The regulation requires the recipient's preliminary determination to be made based on the DBE's written responses to relevant questions and its affirmation that its subsequent performance of a commercially useful function will be consistent with the preliminary counting of such participation. The U.S. Department of Transportation is providing this form as a tool for recipients, prime contractors, regular dealers, and distributors to use to carry out their respective responsibilities under this regulation. The form may be used by each DBE supplier whose participation is submitted by a bidder for regular dealer or distributor credit on a federally-assisted contract with a DBE participation goal. The form may also be used by prime contractors in connection with DBE regular dealer or distributor participation submitted after a contract has been awarded provided such participation is subject to the recipient's prior evaluation and approval. If this form is used, it should be accompanied by the bidder's commitment, contract, or purchase order showing the materials the DBE regular dealer or distributor is supplying. Use of this tool is not mandatory. If a recipient chooses a different method for complying with Section 26.53(c)(1), it must include that method in its DBE Program Plan.

DISCLAIMER: This form has not yet received OMB/PRA approval and is subject to change. We are making it available for your voluntary use.

DBE Name:

Total Subcontract/Purchase Order Amount:

Authorized DBE Representative (Name and Title):

NAICS Code(s) Related to the Items to be Sold/Leased:

1. Will all items sold or leased be provided from the on-hand inventory at your establishment? ☐ YES ☐ NO

(If "YES," you have indicated that your performance will satisfy the regular dealer requirements and may be counted at 60%. **STOP here. Read and sign the affirmation below.** If "NO" Continue.)

- a) Are you selling bulk items (e.g., petroleum products, steel, concrete, concrete products, sand, gravel, asphalt, etc.) or items not typically stocked due to their unique characteristics (aka specialty items)?

☐ YES ☐ NO (If "YES," Go to Question 2. If "NO" Continue.)

- b) Will at least 51% of the items you are selling be provided from the inventory maintained at your establishment, and will the minor quantities of items delivered from and by other sources be of the general character as those provided from your inventory?

☐ YES ☐ NO* (If "YES," you have indicated that your performance will satisfy the regular dealer requirements and may be counted at 60%. **STOP here. Read and sign the affirmation below.**

*If 1., 1.a), and 1. b) above are "NO," your performance on the whole will not satisfy the regular dealer requirements; therefore, only the value of items to be sold or leased from inventory can be counted at 60%. (Go to Question 3. to determine if the items delivered from and by other sources are eligible for Distributor credit.)

2. Will you deliver all bulk or specialty items using distribution equipment you own (or under a long-term lease) and operate?

☐ YES ☐ NO¹

(If "YES," you have indicated that your performance will satisfy the requirements for a regular dealer of bulk items and may be counted at 60%. **STOP here. Read and sign the affirmation below.**)

¹ If "NO," your performance will not satisfy the requirements for a regular dealer of bulk items; the value of items to be sold or leased cannot be counted at 60%. (Go to Question 3.)

3. Will the written terms of your purchase order or bill of lading from a third party transfer responsibility, including risk for loss or damage, to your company at the point of origin (e.g. a manufacture's facility)?

☐ YES² ☐ NO³

- a) Will you be using sources other than the manufacturer (or other seller) to deliver or arrange delivery of the items sold or leased?

☐ YES² ☐ NO³

² If your responses to 3 and 3.a) are "YES," you have indicated that your performance will satisfy the requirements of a distributor; therefore, the value of items sold or leased may be counted at 40%.

³ If you responded "NO" to either 3 or 3.a), counting of your participation is limited to the reasonable cost of fees or commissions charged, including transportation charges for the delivery of materials or supplies; the cost of materials or supplies may not be counted.

I affirm that the information that I provided above is true and correct and that my company's subsequent performance of a commercially useful function will be consistent with the above responses. I further affirm that my company will independently negotiate price, order specified quantities, and pay for the items listed in the bidder's commitment. This includes my company's responsibility for the quality of such items in terms of necessary repairs, exchanges, or processing of any warranty claims for damaged or defective materials.

Printed Name and Signature of DBE Owner/Authorized Representative:

The bidder acknowledges its responsibility for verifying the information provided by the DBE named above and ensuring that the counting of the DBE's participation is accurate. Any shortfall caused by errors in counting are the responsibility of the bidder.

Printed Name and Signature of Bidder's Authorized Representative:

ATTACHMENT 7

Administrative Enforcement Mechanisms

The Hollister Municipal Airport 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, as follows;
2. Breach of contract action, pursuant to State Code Civil Code Sections 3300-3302 and 3353-3360.

ATTACHMENT 8

DBE Certification Application Form and Personal Net Worth Statement:

<https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/ready-apply>

ATTACHMENT 9

California UCP Agreement:

Hollister Municipal Airport does not have an agreement with the California UCP but does rely on the California UCP certification to determine eligibility of a firms' participation in FAA-funded contracts to be counted toward DBE program and contract goals.

ATTACHMENT 10

Small Business Element

1. Objective/Strategies

(1) On prime contracts not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.

(2) To meet the portion of the overall goal projected to be met through race-neutral measures, ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.

(3) Unbundling: Hollister Municipal Airport will consider “unbundling” large projects into smaller more manageable contracts to increase opportunities for small businesses. This involves reviewing airport planning, environmental assessment, design, engineering, construction, management, and other professional services contracts to identify potential areas for unbundling. Additionally, the Hollister Municipal Airport will encourage prime contractors and consultants to adopt similar practices, fostering greater participation for small businesses.

2. Definition

The definitions provided shall be in accordance with 49 CFR Part §26.39.

- Small Business:
 - Defined pursuant to section 3 of the Small Business Act and Small Business Administration regulation implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in 26.65(b).
- Disadvantaged Business Enterprise:
 - At least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and
 - The management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
 - For the purposes of the small business of the Hollister Municipal Airport DBE Program, DBE's who are also defined as small businesses shall be in accordance with 49 CFR Part 26.

3. Verification

The Office of Small Business and DVBE Serves (OSDS) is the state's certifying that administers the small business, small business for the purpose of public works, and DVBE certification programs. Contractor shall maintain, and provide to the City, documentation from the OSDS recognizing subcontractors as being certified as a small business or DVBE.

4. Monitoring/Record Keeping

- Hollister Municipal Airport will collect small business information from Contractors and maintain a spreadsheet at the Airport office to track small business participation.

5. Assurances

- The program is permitted under state law;
- Certified DBEs that meet the size criteria established under the program are presumptively eligible to participate in the program;
- No limits are placed on the number of contracts awarded to firms participating in the program, but every effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
- Aggressive steps will be taken to encourage those minority and women owned firms that are eligible for DBE certification to become certified.
- The program is open to small businesses regardless of their location (i.e., there is no local or other geographic preference).



**STAFF REPORT
HOLLISTER AIRPORT ADVISORY COMMISSION
MEETING DATE: December 9, 2024
REPORT # Airport-2024-22**

AGENDA ITEM: REVIEW PROPOSAL FROM JRVS INVESTMENTS, LLC TO ENTER INTO A GROUND LEASE TO CONSTRUCT A NEW HANGAR BUILDING

STAFF CONTACT: Airport Director, Jeff Crechriou

RECOMMENDED ACTION: Provide staff feedback and consider the following:

1. Making a finding that constructing a hangar building with apron access in the proposed location would be the best and highest use of this location; and
2. Making a finding the Proposal would generate new additional Airport revenue; and
3. Making a recommendation to negotiate a 24-month Option Agreement with JRVS to potentially construct a new hangar building at the Airport in the proposed location for City Council consideration.

DISCUSSION: JRVS Investments LLC is a local investor group which has stated an interest in entering a ground lease to construct a hangar building in the location known as the Welding Building lot. The Welding Building is currently leased month to month for non-aviation storage and does not fully utilize the lot size nor utilize apron access.

This location has the potential for access to the apron and is in the main line of Hangar Buildings located on the west side of Skylane Drive. Having a hangar building in this location would provide an opportunity for a new airport tenant to utilize a hangar building with apron access.

The current non-aviation storage lease is generating \$649 monthly revenue or \$7,794 annual revenue. Should JRVS exercise the option, at the current Airport ground lease rate of \$.23 per square foot upon completion of the hangar building, the ground lease would generate \$2,875 monthly revenue or \$34,500 annual revenue in the first year (12-month period).

Should the proposal move forward, the Airport proposes to negotiate a 24-month Option Agreement for the right to enter into a ground lease to construct an approximately 12,500 square foot hangar building. The option agreement at the proposed rate of \$.12 per square foot would generate \$1,500 monthly revenue or \$18,000 annual revenue. The Airport would continue the current lease of the Welding Building for non-aviation storage and during the Option Agreement term would require JRVS to provide a 90-day notice to enter into a ground lease for this location. This 90-day period would allow the airport to end the current storage lease and draft the new ground lease for City Council consideration.

It should be noted that if the long-term lease is proposed to be greater than fifteen years, it may be subject to the California Surplus Land Act. This issue will require further analysis prior to drafting the lease agreements. Currently, JRVS is requesting a 35 year lease.

FISCAL IMPACT: A 24-month Option Agreement as proposed would generate \$18,000 annual revenue.

PREVIOUS COUNCIL OR COMMISSION ACTION: N/A

CEQA: N/A

ATTACHMENTS:

1. Map JRVS Proposal Location
2. JRVS Proposal Letter

Hollister Airport

JRVS Proposal Location

Legend

 JRVS Proposal Location



Google Earth

Image © 2024 Airbus

600 ft
Page 64 of 97

11/8/24

JRVS Investments, LLC

City of Hollister

Jeff Crechriou

Dear Jeff,

I am writing on behalf of JRVS Investments LLC, to outline our proposed lease terms for a city property located at the Hollister Airport. We see this partnership as a unique opportunity to drive local economic development, create jobs, and generate critical revenue for the airport, which in turn will enhance public use and access for our community. This investment will serve as a foundation for growth at the airport, helping to address the significant funding challenges currently impacting its operations and infrastructure. Below, I have summarized our proposed terms to establish an effective and mutually beneficial partnership:

- Bare Land Area: We are interested in securing the approximately 15-20,000 square-foot lot near the old Gavilan building, which currently houses an old, deteriorating storage building.**
- Initial Lease Term: We propose a 24-month lease period at \$0.12 per square foot, providing us a holding period to work on clearing the existing small welding shop, securing financing, and obtaining necessary permits to construct a hangar-style building. During this period, our focus will be on preparing the site and planning the building. Once these steps are completed, we would anticipate negotiating the terms for a long-term lease.**
- Long-Term Lease Rate: Upon completion of the building, the lease rate would adjust to \$0.23 per square foot, with a minimum lease term of 35 years. We would also request potential lease options at the conclusion of the initial term.**
- A small building on the site requires demolition, which we are prepared to handle, which is one additional reason to support the initial \$.12 per square foot cost during the 24 month initial term. This reflects our commitment to site improvement.**

Thank you for your time and consideration. Please feel free to reach out if there are any questions or further clarifications needed.

Warm regards,

JRVS Investments, LLC



**STAFF REPORT
HOLLISTER AIRPORT ADVISORY COMMISSION
MEETING DATE: December 9, 2024
REPORT # Airport-2024-23**

**AGENDA ITEM: RECEIVE AN UPDATE TO THE HOLLISTER MUNICIPAL AIRPORT
HANGAR WAITING LIST POLICY**

STAFF CONTACT: Airport Director, Jeff Crechriou

RECOMMENDED ACTION: Receive an update to the Airport Hangar Waiting List Policy and provide staff feedback.

DISCUSSION: The Airport has updated the Hollister Municipal Airport Hangar Waiting List Policy for more clarity and transparency. Please see the four (4) modifications presented in track changes in the attached document.

FISCAL IMPACT: N/A

PREVIOUS COUNCIL OR COMMISSION ACTION: N/A

CEQA: N/A

ATTACHMENTS:

1. Hangar Waiting List Policy

HOLLISTER MUNICIPAL AIRPORT HANGAR WAITING LIST POLICY

An applicant's position on a waiting list is established by the date and time that the Airport receives a completed application and full payment of all applicable fees. In order to secure a position on a Waiting List, an applicant must complete all of the following requirements and meet all of the following criteria:

GUIDELINES

APPLICANT PROCESS:

An applicant must submit a completed application form (blank forms available in the Airport Office) specifying the category of hangar list desired and pay a non-refundable fee for that list.

HANGAR LISTS:

There are four hangar waiting lists maintained at HOLLISTER Airport:

List 1: Standard "T" Hangars- 1000 sq. ft.

List 2: Larger "T" Hangars- door opening 50', height 13'3", depth 40", approximately 1400sq.ft.

List 3: Storage Space (end of hangars)

List 4: Gabe & Weatherly Hangar (community hangar space)

List 5: Executive Hangars

Note: Commercial activities are restricted to executive hangars

MULTIPLE WAITING LISTS AND RESERVATIONS:

Any person interested in reserving a position on a waiting list can do so for one or more listings. The airport will consider wingspan and length of the aircraft and intended use to determine the appropriate hangar list.

WAITING LIST PROCESS:

1. Waiting list applications will be accepted electronically, in person or through the mail. Telephone or fax applications will not be accepted. The applicant will select the list or lists of hangars for which a reservation(s) is (are) requested. Applications are accepted on a first-come, first serve basis.
2. The Application must include current mailing address, telephone numbers, email address, and aircraft information. Waiting list applicants are also required to select the size and type of hangar needed as identified on the wait list application. Individuals on a waiting list are responsible for keeping their mailing address and other contact information current with Airport staff at all times.
3. A deposit is required for each list application and to remain on the lists and in the same position a \$25 fee is due every January 31st.
4. POSITIONS ON THE HANGAR WAITING LIST CAN NOT BE TRANSFERRED TRADED OR SOLD

UPDATING THE WAITING LISTS

The Airport staff will periodically review the waiting lists to ensure the accuracy of the contact information and documentation for each applicant. Applicants who fail to respond or who do not provide the required documentation to the airport office within thirty (30) days of notice being sent by US mail will be removed from the applicable list. Their waiting list deposit shall be forfeited and they shall have no right to be reinstated in the same position on the list. Notification also will be sent via email.

POSTING THE LISTS

The waiting lists will be posted in the Airport Administration bulletin board and updated monthly.

NOTIFICATION OF HANGAR AVAILABILITY:

1. Once a hangar becomes available, the applicant at the top of the list will be contacted by telephone and/or email only. The Airport Office will attempt three times over five (5) business days to contact the applicant. If no contact is made, then the applicant will be moved to the last position on the waiting for that specific hangar list.
2. Once contacted, applicants will have five (5) business days following the date of contact to execute a rental agreement with the Hollister Municipal Airport. Failure to submit the executed rental agreement with rental payment and deposit within this time frame will forfeit the available occupancy and the applicant will be moved to the last position on that specific waiting.
3. Applicant must have an aircraft registered with the FAA within 90 days from the date of the execution of the hangar rental agreement with the aircraft hangared within the rented hangar. Failure to comply within 90 days of acquiring the hangar will result in:
 - a. Termination of the rental agreement and removal from the hangar.
 - b. Persons removed from the hangar waiting list may restore their names to the bottom of the waiting List by making a new application and deposit.

REFUSAL TO ACCEPT AVAILABLE HANGAR

In the event an applicant refuses a hangar when it becomes available, that applicant's position on the hangar list will be moved to the bottom position. An Applicant that has been dropped to the last position on one waiting list as a result of refusing occupancy/lack of contact of an available hangar can still maintain their position on the waiting lists of other hangar lists. An individual who refuses a hangar or does not contact the administrative office in regard to an available hangar can be moved to the bottom of list two (2) times. On the third unsuccessful attempt for placement, the individual will be removed from the list and their deposit forfeited.

FALSIFICATION OR OMISSIONS:

Any falsification, misstatement, or omission of material facts related to the applicant and/or the application will be grounds for removal from all waiting lists.

Note:

Your position on the hangar waiting list can be checked on the Airport bulletin board located in between Hollister Jet Center and Hollister Soaring Center LLC:



**STAFF REPORT
HOLLISTER AIRPORT ADVISORY COMMISSION
MEETING DATE: December 9, 2024
REPORT # Airport-2024-24**

AGENDA ITEM: AIRPORT DIRECTOR REPORT

STAFF CONTACT: Airport Director, Jeff Crechriou

RECOMMENDED ACTION: Receive the informational report.

DISCUSSION:

1. 2024 ACA Conference:

In early October, Airport staff attended the 2024 Association of California Airports (ACA) Conference to receive training, valuable updates on a variety of airport/aviation topics, and networking opportunities with industry colleagues and practitioners. The 2024 ACA Conference Agenda is attached.

2. 2024 NBAA-BACE:

Later in October, Airport staff and the Hollister Jet Center attended the 2024 National Business Aviation Association (NBAA) Business Aviation Convention and Exhibition (BACE) as exhibitors to market the airport and development opportunities at the airport, in the Airpark Business Park, and in the surrounding industrial zoned land. The Airport published an ad and editorial in the Aviation Business Daily Magazine which was provided to conference attendees. The Airport daily ad is attached.

3. Hangar Inspections:

Airport staff conducted hangar inspections on December 3rd to verify aircraft registration (N) numbers and to confirm corrections of violations identified in the July 2024 inspections. Thank you to Airport tenants for making sure the Airport had keys or combinations to access the hangars. Most hangars were found to be in compliance and most corrections had been made. Letters will be mailed soon to confirm the results of the inspections. Going forward, the plan is to inspect hangars once a year in the November/December timeframe.

4. Airport Grants:

The Airport anticipates receiving two grants from the Federal Aviation Administration (FAA) for Fiscal Year 2024-2025, 1) Taxiway A Reconstruction – Design and 2) Relocate Airport Operations Area Perimeter Fence. The FAA is awaiting the new Congress to pass an appropriation bill to fund the grants and anticipates being able to award grants in the February – April timeframe.

5. Cal Fire Concrete Pad Project:

The Airport has not received final plans for constructing the concrete pad and currently there is no anticipated start date for the project.

6. Airport Advisory Commission Status per Election Results:

Per Commission Bylaws Section 3. Term of Office: The term of office of the members of the Airport Advisory Commission appointed by individual Council Members shall be the same as the term of the appointing Council Member.

Three Council Members' terms end on December 17 and therefore three commissioner terms end as of December 17. The affected commissioners are the Mayoral appointment, District 1 appointment, and District 4 appointment. The Commission will not have a quorum until the new Council Members make appointments to the Airport Advisory Commission.

FISCAL IMPACT: N/A

PREVIOUS COUNCIL OR COMMISSION ACTION: N/A

CEQA: N/A

ATTACHMENTS:

1. 2024 ACA Conference Agenda
2. 2024 NBAA Conference – Aviation Business Daily Magazine Daily Ad

Association of California Airports Fall Conference
September 30th – October 4th, 2024
Beach Retreat & Lodge, South Lake Tahoe, California

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CALIFORNIA DEPARTMENT
OF TRANSPORTATION



Association of California Airports Fall Conference

AGENDA

Monday, September 30th

- 12:00 pm – 5:00 pm** ACA Board Retreat (by invitation only) – Mountain View Room
- 12:00 pm – 5:00 pm** FAA ACIP Meetings (by appointment only)
- 6:00 pm** ACA Board Dinner (by invitation only)

Tuesday, October 1st

- 8:00 am – 5:00 pm** FAA ACIP meetings (by appointment only)
- 8:00 am – 11:00 am** ACA Board Retreat (by invitation only) – Mountain View Room
- 12:00 pm – 5:00 pm** Workshop –Leasing / Reversion / Minimum Standards / Rules & Regs – Lakeview Room
Please note there is a \$75.00 fee to attend this workshop.
- Speakers:
- Curt Castagna, AGP Aviation
Robert Trimborn, Aviation Management Consulting Group

Wednesday, October 2nd

- 8:00 am – 5:00 pm** FAA ACIP meetings (by appointment only)
- 9:00 am – 5:00 pm** Open Registration
- 1:00 pm – 1:15 pm** Opening Remarks – Lakeview Ballroom
- 1:15 pm – 2:00 pm** Session 1: Keynote - The Reality of a “New Tourism” and the Role Your Airport Can Play

Keynote Speaker: Carl Ribaudo, SMG Consulting
- 2:00 pm – 2:45 pm** Session 2: Caltrans Update

Speaker: Tarek Tabshouri, P.E., Caltrans Division of Aeronautics
- 2:45 pm – 3:00 pm** Break/Networking Time

3:00 pm – 4:00 pm

Session 3: FAA Update

Speakers:

Cathryn Cason, FAA Los Angeles Airports District Office

Amy Choi, FAA San Francisco Airports District Office

4:00 pm – 5:00 pm

Session 4: Futureproof Your Airports - What does your airport need to meet the future? Vertiports, Charging Stations, Solar Farms, or Microgrids on Airports?

Speakers:

Lisa Harmon, Mead & Hunt

George Kivork, Joby Aviation

Michael Luetgens, City of Palo Alto

Melissa McCaffrey, Archer Aviation

Timothy Middleton, C.M., HMMH

6:00 pm

Harry's Welcome Reception – Beachfront Tent

Thursday, October 3rd

8:00 am – 5:00 pm

FAA ACIP Meetings (by appointment only)

9:00 am – 5:00 pm

Open Registration

8:30 am – 9:30 am

Session 5: Why Contact the ATO for Your Next Airfield Project

Speakers:

Katherine Kennedy, FAA

Dong Lee, FAA

Austin Mixsell, FAA

9:30 am – 10:30 am

Session 6: State of the Industry - NBAA, NATA, AOPA, VAI

Speakers:

Curt Castagna, NATA

Phil Derner, C.M., NBAA

Chuck Street, VAI

Jared Yoshiki, AOPA

10:30 am – 10:45 am

Break/Networking Time

10:45 am – 12:00 pm

General Membership Meeting

12:00 pm – 1:30 pm	Lunch on your own
1:30 pm – 2:30 pm	Session 7: The Unleaded Fuel Issue - Latest Edition Speakers: Curt Castagna, NATA Maria A. DiPasquantonio, FAA Robert Emmett, Vitol Aviation Mike Montalvo, World Fuel William Reinhardt, FAA
2:30 pm – 3:30 pm	Session 8: Optimizing Your Airport Project - A discussion about options for planning, design, and construction in our new reality Speakers: Jackie Caulk, P.E., MORE RNO T.J. Chen, Sacramento County Dept. of Airports Quinn Hennig-Hance, DeSilva Gates Construction Michael D. Hill, Sundt Construction Inc.
3:30 pm – 3:45 pm	Break/Networking Time
3:45 pm – 4:45 pm	Session 9: Building Relationships – Why We Do It Speakers: Mark Bautista, ACA Member Emeritus Mike Dikun, CAE, CM, Lochner Carol Ford, Ford and Associates, Cal Pilots John Pfeifer, P.E., FAA Retired Robert D. Trimborn, Aviation Management Consulting Group
5:30 pm – 6:00 pm	Reception
6:00 pm – 8:00 pm	Dinner

Friday, October 4th

8:15 am – 8:30 am	Opening Remarks by the ACA President
8:45 am – 10:30 am	Session 10: Roundtable/Town Hall
10:30 am – 11:30 am	Conference Wrap Up



**ACA Annual Conference
Leasing Workshop
Schedule and Agenda
October 1, 2024, 12 P.M. to 5 P.M.**

Location

Beach Retreat and Lodge at Tahoe

Lakeview Room
3411 Lake Tahoe Blvd.
S. Lake Tahoe, CA
530.541.6722

Speakers

Curt Castagna, President and CEO, Ascension Group Partners
Robert D. Trimborn, Senior Consultant, Aviation Management Consulting Group (AMCG)

Schedule

11:30 A.M.: Boxed lunch and beverages available for all registered workshop attendees

12 P.M.: Session Begins

5 P.M.: Session Ends

Talking Points

- Industry current issues with leasing and development
- FAA provisions & compliance overview
- Airport business strategy/plan
- Current Commercial Aeronautical Minimum Standards
- RFP development & process
- Leasing Policy
- Lease Agreement – Templar
 - Lease negotiations
 - Lease administration
- Aeronautical vs non- aeronautical leasing obligation
- Reversion guidance, options and best practices
- Subleasing and Assignment provisions
- Operational Compliance and Lease Terminations
- Question and Answer Session

Workshop - Leasing / Reversion / Minimum Standards / Rules & Regs



Curt Castagna
President and CEO, Ascension Group Partners

Curt Castagna, C.M. has a diverse background and more than 40 years of proven industry expertise, including in his concurrent role as President and CEO of Ascension Group Partners, who's core competencies are airport development, airport project management, and aviation consulting. Ascension maintains general aviation and business aircraft centers at the Long Beach, Van Nuys and Dallas Love Field Airports and manages the aviation facilities for the City of Santa Monica. He has overseen the complete development, construction, management, leasing, sales, service, and promotion of complex and diverse projects and uses this experience to help airports with a variety of consulting scopes.

Castagna was named the 11th President and CEO of the NATA (National Air Transportation Association) in August 2022. Prior to this post, Castagna served over six years as an NATA Board Member including two years as Board Chair and one year as Immediate Past Chair. Castagna serves as the industry chair of the EAGLE (Eliminate Aviation Gasoline Lead Emissions) Initiative—a collaborative effort between industry stakeholders and the FAA to advance the removal of lead from avgas by 2030 or sooner.

Castagna has a long history of leadership roles in airport tenants, community stakeholders and aviation trade associations. He is recognized by his peers and colleagues for establishing collaborative partnerships and negotiating complex general aviation challenges, while maintaining a focus on compromise and consensus building.

Devoted to mentoring future aviation professionals, he has over 30 years of experience as an adjunct professor in the Aviation Administration programs at California State University, Los Angeles, and Cypress Community College.

Castagna is a certified private and instrument-rated pilot and aircraft owner.

LinkedIn URL: <https://www.linkedin.com/in/curtc1/>



Robert D. Trimborn
Senior Consultant, Aviation Management Consulting Group

Robert (Bob) Trimborn has approximately 40 years of aviation, airport management, operations, planning, leadership and consulting experience including approximately 30 years of experience as airport manager at several high-profile general aviation reliever airports including Santa Monica Municipal Airport, Reno Stead Airport, and Hawthorne Municipal Airport.

He is past president and Certified Airport Executive of the Southwest Chapter American Association of Airport Executives and is a Certified Member of the American Association of Airport Executives.

Bob has a commercial pilot license with instrument ratings and is a Certified Flight Instructor. He has been actively involved in aviation since 1965. Bob is currently employed as a Senior Consultant for Aviation Management Consulting Group based in Centennial Colorado. AMCG provides a wide range of aviation management consulting services to airports, aviation businesses, aircraft operators, and others – having an interest in the general aviation segment of the industry.

Session 1: Keynote - The Reality of a “New Tourism” and the Role Your Airport Can Play

Carl Ribaudo

President – Chief Strategist, SMG Consulting

Carl is a strategic thinker, thought leader, and innovator in the tourism industry. He has worked and advised over sixty-five tourism destinations throughout the country as an analyst and strategist. Carl has developed scenario planning and economic modeling for DMO strategy development. Additionally, he is involved in various services, including marketing research (as a partner in the Travel Analytics Group), strategy and planning, tourism economic analysis, and measurement. Carl also serves as the managing director of the Regional Air Service Corporation for the Reno Tahoe region. His interests include destination competitiveness, organizational change, and destination and organizational strategy design. Carl is a trusted advisor to many CEO's and senior executives throughout the industry.

Carl obtained a Bachelor of Science degree from California State University at Northridge. He received his Master's in Business Administration (MBA) from the San Francisco State University Graduate School of Business. He has completed certificate programs at Cornell University in Organizational Change Leadership and Dartmouth College in Strategic Thinking.

He enjoys riding his BMW motorcycle on two-lane roads throughout the West, mountain biking, white water rafting, and downhill skiing.

Session 2: Caltrans Update



Tarek Tabshouri, P.E.

Acting Program Director -Aeronautics Division of Transportation Planning Caltrans

Tarek Tabshouri is the Chief of Technical Services in the Caltrans Division of Aeronautics where he oversees Aeronautics funding, engineering, aviation system planning, and the Caltrans UAS Program. Tarek recently completed a one-year acting assignment as Aeronautics Program Director during which he launched multiple initiatives and navigated the Division through a period of transition. Prior to his time in Aeronautics, Tarek oversaw the design of highway projects including the Highway 50 corridor in the City of South Lake Tahoe.

Outside his work duties, Tarek chairs the Caltrans Disabilities Advisory Committee which focuses on improving the hiring, retention, and promotion of individuals with disabilities. At home, Tarek participates in Scouting with his son as the Troop's Scoutmaster.

Session 3: FAA Update

Cathryn Cason, Manager, Los Angeles Airports District Office

Amy Choi, Manager, San Francisco Airports District Office

Session 4: Futureproof Your Airports

Lisa Harmon, Project Planner Aviation, Mead & Hunt

George Kivork, Head of U.S. State & Local Policy, Joby Aviation

Michael Luetgens, Manager of Airport Operations, City of Palo Alto



Melissa McCaffrey

Head of Government Affairs, Archer Aviation

Melissa McCaffrey is Archer's Head of Government Affairs. In this role, she leads Archer's government relations and policy efforts that support advanced air mobility at all levels of government. Prior to joining Archer, Melissa led Overair's Government Affairs division, where she developed and executed strategies to engage with governments globally. Before Overair, Melissa spent over 10 years at the Aircraft Owners and Pilots Association, the world's largest aviation association, where she held positions of increasing responsibility over her tenure. Her last role focused on managing government affairs policy and advocacy. Ms. McCaffrey holds a B.S. in Air Traffic Management from Embry-Riddle Aeronautical University and has been a licensed pilot for over 20 years.



Timothy Middleton, C.M.
Principal Consultant, HMMH

Timothy Middleton, C.M., a Principal Consultant based in San Diego, CA, has seventeen years of airport management, noise abatement, and environmental compliance experience. With a background in Political Science and Public Policy, having worked in both the public and private sector, Tim leverages his technical knowledge and public outreach expertise to effectively communicate to a wide range of clients, including members of the public, airport managers, the Federal Aviation Administration (FAA), and state and local officials.

Tim is a thought leader at HMMH in supporting work with clients in understanding and fostering community acceptance of new aircraft entrants in to the airspace that includes Advanced Air Mobility (AAM), and electric vertical take-off and landing (eVTOL) aircraft.

Session 5: Why Contact the ATO for Your Next Airfield Project

Katherine Kennedy
FAA/ATO Lead Planner

Katherine is a Virginia native and graduated from Virginia Tech with a bachelor's degree in Public and Urban Affairs. She began her career as a contractor for FAA headquarters Airports Safety and Standards and then spent 11 years working as a Community Planner for the FAA San Francisco Airports District Office. 1 year ago, she transitioned to the FAA Air Traffic Organization NAS Planning Team as a Lead Planner. She is excited to be continuing her work with Northern California airports.



Dong Lee
FAA/ATO Civil Engineer

Dong H. Lee is a Civil Engineer with the Federal Aviation Administration (FAA) with over 28 years of experience. He graduated from Cal Poly Pomona with a Bachelor of Science Degree in Civil Engineering in 1993 and subsequently earned a Master of Science Degree in Civil Engineering with an emphasis on Structural Engineering, Mechanics, and Materials from the University of California, Berkeley in 1994. Following his education, he briefly worked at a product liability investigative company analyzing vehicle accidents before joining the FAA in 1995 as a Resident Engineer. During his tenure at the FAA, he has acquired extensive knowledge of Navigational and Visual Aids, as well as Enroute and Infrastructure facilities. In 2010, he served as a Program Manager at the FAA Headquarters, supporting the Central Service Area for Engineering Services. Dong currently holds a Registered Professional Engineer License in California.

Austin Mixsell
Lead Engineer, NAVAIDS Engineering
FAA, Engineering Services
Northwest Mountain Region

Austin Mixsell services as the Lead Engineer for the Northwest Mountain NAVAIDS Engineering Group within Engineering Services. In this role, Austin is the focal point for the design, construction, and installation of Federally owned Navigational Aids in the region. These Navigational Aids include both Visual Aids (PAPI, REIL, MALSR, ALSF, etc.) and Instrument (ILS, VOR, DME, etc.). He has extensive experience in deploying this equipment under both the Facilities and Equipment (F&E) budget and via Reimbursable Agreements. Austin first joined the FAA in 2011 and has worked in the NAVAIDS Engineering Group throughout his time at the FAA.

Austin graduated from The University of Portland with a Bachelor of Science degree in Civil Engineering.

Session 6: State of the Industry - NBAA, NATA, AOPA, VAI



Curt Castagna
President and CEO, National Air Transportation Association

Curt Castagna, C.M. was named the 11th President and CEO of the NATA (National Air Transportation Association) in August 2022. Prior to this post, Castagna served over six years as an NATA Board Member including two years as Board Chair and one year as Immediate Past Chair.

Castagna serves as the industry chair of the EAGLE (Eliminate Aviation Gasoline Lead Emissions) Initiative—a collaborative effort between industry stakeholders and the FAA to advance the removal of lead from avgas by 2030 or sooner.

Castagna has a diverse background and more than 35 years of proven industry expertise, including in his concurrent role as CEO of Ascension Group Partners, who's core competencies are airport development, airport project management, and aviation consulting. Ascension maintains general aviation and business aircraft centers at the Long Beach and Van Nuys Airports. He has overseen the complete development, construction, management, leasing, sales, service, and promotion of complex and diverse projects.

Castagna has a long history of leadership roles in airport tenants, community stakeholders and aviation trade associations. He is recognized by his peers and colleagues for establishing collaborative partnerships and negotiating complex general aviation challenges, while maintaining a focus on compromise and consensus building.

Devoted to mentoring future aviation professionals, he has over 30 years of experience as an adjunct professor in the Aviation Administration programs at California State University, Los Angeles, and Cypress Community College.

Castagna is a certified private and instrument-rated pilot and aircraft owner.

LinkedIn URL: <https://www.linkedin.com/in/curtc1/>



Phil Derner, C.M.

Western Regional Representative, National Business Aviation Association

Phil Derner joined NBAA in 2018 after 13 years working as a Loadmaster, Dispatcher, and in operations management of Part 121, Part 121 Supplemental, Part 135, and Part 91 operations. He also owned and operated a New York City-based aviation news and consulting business for 14 years before moving to Southern California. He now serves as NBAA's Director of the Western Region, working hands-on with legislative efforts, industry advocacy, and workforce development initiatives in 7 western states.



Chuck Street

U.S. Western Region Representative, Vertical Aviation International

Chuck is the U.S. Western Region Representative for Vertical Aviation International (VAI), covering California and Hawaii. He advocates for vertical flight operators, pilots, and mechanics, with a strong focus on safety. Additionally, Chuck serves on the board of directors for Southern California Rotors in Los Angeles and has been the vice-chair of VAI's Fly Neighborly/Environment working group.

With over 24,000 flight hours as a helicopter pilot, much of his experience comes from his work as a pilot and traffic reporter for 102.7 KIIS-FM and KTLA-TV 5 in Los Angeles. Chuck is dedicated to promoting the benefits of vertical aviation to communities.



Jared Yoshiki

Regional Manager - Western Pacific Region, Aircraft Owners and Pilots Association

Jared started with AOPA in September 2022 and serves as the Regional Manager for the Western Pacific Region which includes the States of Arizona, California, Hawaii, and Nevada. Jared is a Commercial Pilot with Instrument and Multi-Engine add-ons and has almost 300 hours of flight time in both single and multi-engine aircraft. Jared comes to AOPA after most recently serving as a Chief of Staff to a California State Senator and with over 20 years of experience working in the California State Legislature. Jared attended Cal Poly Pomona where he studied Political Science and earned a Bachelor's Degree in Business Administration from Golden Gate University.

Jared and his wife are longtime residents of the Golden State and enjoy traveling the world. Jared enjoys flying his 1966 Piper Cherokee 180 during all times of the year in the warm California sun while also playing golf and fitting in a fishing trip where he can. Originally a Southern California boy, Jared now resides in West Sacramento.

Session 7: The Unleaded Fuel Issue - Latest Edition



Curt Castagna
President and CEO, National Air Transportation Association

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Castagna is a certified private and instrument-rated pilot and aircraft owner.

LinkedIn URL: <https://www.linkedin.com/in/curtc1/>



Maria A. DiPasquantonio

Federal Aviation Administration, Office of Senior Technical Experts Aviation

Maria currently serves as the Deputy Director, Office of Senior Technical Experts Program in the FAA's Aircraft Certification Office, where manages the Aviation Safety Research and Development Portfolio and serves in a leadership role in the Eliminate Aviation Gasoline Lead Emissions (EAGLE) Initiative. She is one of the primary architects of EAGLE, a government industry initiative which was launched in February 2022. In this role she works closely with the EAGLE government industry team and its associated work streams with the goal to eliminate the use of leaded aviation fuels for piston engine aircraft by the end of 2030.

Prior to her current position, Maria served as the Research Coordinator and Alternative Fuels Manager in the FAA's Aircraft Certification Office (AIR), Policy and Innovation Division, where she oversaw the Piston Aviation Fuels Initiative (PAFI). Prior to joining the Aircraft Certification Office, she served as the Deputy Director for the FAA's UAS Integration Pilot Program, responsible for working with state and local governments and tribal entities to test and evaluate the integration of civil and public drone operations into the National Airspace System. Maria has over thirty years of government experience in various leadership and program management positions, including international experience. She served in the FAA's regional office in Brussel Belgium, from 2012-2019, as the FAA Senior Representative to the European Union and as the Air Traffic Senior International Program Officer where she collaborated closely with the European Commission, EASA, SESAR Joint Undertaking, EuroControl, and European aviation organizations to harmonize various FAA technical and programmatic initiatives.



Robert Emmett
Avgas Program Manager, Vitol Aviation

Robert Emmett has been involved with energy and commodities trading for over 10 years. He is currently the Head of Compliance, Americas at Vitol and is a program manager for Vitol Aviation's unleaded avgas program. Robert is also an instrument-rated private pilot flying a Bellanca Super Viking.



Mike Montalvo
Senior Sales Executive – FBO Bulk Sales
World Fuel Services

Mike is a veteran 30-year fuel sales professional and has been a Senior Sales Executive with World Fuel for over 12 years. Since joining the company, Mike has managed and grown bulk aviation fuel sales and related services to FBO locations and end users in the Western US and Canada with a primary focus now on California and Hawaii.

Prior to joining World Fuel Services, Mike spent his career in sales and strategic account management with a renewable energy startup, along with major international and domestic downstream oil companies such as British Petroleum (BP) and Tesoro Petroleum (now Marathon Petroleum Corporation) gaining exposure to various operating geographies, industries and customers across marine transportation, convenience retail, and national chain grocery and warehouse retailers.

Mike received his Bachelor of Business Administration degree with a concentration in Marketing from the University of Washington in Seattle

William Reinhardt
Planning Branch Manager, Planning and Environmental Division
FAA

William Reinhardt is the Manager of the Airport Planning Branch in the Office of Airports, Planning and Environmental Division at the Federal Aviation Administration Headquarters in Washington, DC. Work at Headquarters focuses on providing comprehensive guidance on airport planning, managing the United States' National Plan of Integrated Airport Systems and broadly supports aviation infrastructure development, planning, environmental reviews, and policy development.

Mr. Reinhardt brings diverse aviation experience which blends working in both the federal and private sectors as a project management/planning practitioner and public administrator centered on supporting the development and maintenance of aviation and transportation infrastructure.

Session 8: Optimizing Your Airport Project - A discussion about options for planning, design, and construction in our new reality

Jackie Caulk, P.E.
RTAA Project Lead, MORE RNO

Jackie Caulk is the MoreRNO Program Director for the Reno-Tahoe Airport Authority. In this role, she oversees the airport's billion-dollar infrastructure improvement program, which includes two new concourses (Construction Manager At Risk, CMAR, delivery), a new headquarters building and police station (CMAR delivery), and a ground transportation facility (Public-Private Partnership).

Previously she served as the Engineering and Construction Manager for the Authority. Prior to joining the Authority, Mrs. Caulk served for 5 years as the Assistant Director of Construction and Project Management at Washoe County School District, overseeing their billion-dollar infrastructure program for new schools, repairs, and expansions. Mrs. Caulk began her career at HDR and in her 16 years there, she was a program and project manager, a staff engineer, a risk and value engineer, a construction inspector, and a contract manager. Mrs. Caulk received her Bachelor of Science in Civil Engineering from the University of Alaska Anchorage.



T.J. Chen

Chief Administrative Officer – Deputy Director, Planning and Development
Sacramento County Department of Airports

T.J. joined Sacramento County Department of Airports in 2015 as the Department's Chief Administrative Officer-Deputy Director for Planning and Development and leads the Department's efforts on airport planning, environmental compliance, wildlife and noise management, sustainability, engineering, architectural design, project delivery, and capital improvement program. T.J. also serves as the Program Executive for the Department's \$1.3 billion capacity enhancement program, SMForward. T.J. is a seasoned airport executive with over 25 years of airport planning and development experience and started his career as an engineering intern with the Federal Aviation Administration (FAA).

T.J. received his Bachelor of Science and Master of Science degrees in Civil Engineering from San Jose State University and is a licensed civil engineer in the State of California. T.J. currently serves as the Chapter President for Southwest Chapter of American Association of Airport Executives (SWAAAE) and is passionate about advocating for AAPI representation and Diversity, Equity and Inclusion in the airports industry. T.J. also served in the US Marine Corps Reserves and is a graduate of FAA's Emerging Leaders Program. In his spare time, T.J. is an avid runner and uses the hashtag, #anothercityanother5k, to track and share his running adventures.



Quinn Hennig-Hance
Area Manager, DeSilva Gates Construction

Quinn is an Area Manager with DeSilva Gates Construction, with over 20 years of experience in the civil/horizontal public infrastructure construction sector. Over the last 14 years, his work has been focused on the management of aviation construction projects totaling over \$650MM in value at both commercial and general aviation airports in Northern California.

With a proven track record of innovation and on-time delivery of these aviation projects, Quinn brings his knowledge and extensive experience from dozens of airport Apron, Runway and Taxiway construction projects to the panel. Offering key insights from the contractor's perspective on the makeup of both challenged and successful, award-winning, projects and project teams.



Michael D. Hill
Project Director, Sundt Construction Inc.

Mike brings 45 years of experience in the construction industry, beginning his career as a welder and carpenter. He currently serves as a Project Director at Sundt Construction Company, where he has been a dedicated team member for 23 years. Throughout his tenure, Mike has successfully led projects in Phoenix, Tucson, San Diego, and San Francisco. His notable achievements include overseeing the Terminal Expansion and Concourse Expansion projects at Tucson International Airport, the construction of landside smart curbs and the USO facility at San Diego Airport, the San Mateo County Sheriff's Jail, and the Interdisciplinary Science and Technology Building #4 at Arizona State University.

Mike holds a degree in Construction Management from Colorado State University, is LEED Accredited through the United States Green Building Council and carries the Certified Professional Constructor (CPC) certification from the American Institute of Constructors as well as the Design-Build Institute of America's (DBIA) designation. Mike has been a member of Arizona Airports Association for over 20 years and served 2 terms on its Board of Directors. He has also been a member of SWAAAE for almost 20 years and just completed 2 terms on its board of directors. Mike is also a member of the National Business Aviation Association and the local Arizona Chapter as well.

Mike and his wife have called Arizona home for 23 years. They have a daughter and son-in-law living in Phoenix, along with an 18-year-old grandson who is the starting running back for Liberty High School. Interestingly, despite living in Phoenix, Mike has also earned his Master 100-ton near coastal captain's license.

Session 9: Building Relationships – Why We Do It



Mark Bautista, Retired
ACA Member, Emeritus

Mark received his Bachelor of Science degree in Business Administration from St. Mary's College of California and his graduate degree in Public Administration from California State University, Stanislaus. He began his public career as a regional land use and transportation planner, and during the 1980s served as a city manager in two California cities. Since 1989 Mark has been employed in airport management; representing the County of Tuolumne for 12 years as airport manager for Columbia and Pine Mountain Lake Airports, the City of Salinas for 5 years as Airport Manager, and from 2005 to 2016, as Deputy General Manager for the Monterey Peninsula Airport District. Mark retired at the Airport District in March 2016.

In 2021 Mark was appointed to the Tuolumne County Airport Land Use Commission, where he currently holds the position of Chair. Mark has been a member of many aviation trade organizations, including The Aircraft Owner's and Pilot's Association, The Southwest Chapter of AAE, the American Association of Airport Executives, and the Association of California Airports, for which he served three separate terms as President and helped found the Annual ACA Conference, and Aviation Day, in California. For fun, Mark flies a WWII Stearman bi-plane, a Piper Cub and a Cessna 182. He and his wife, Debi, visit their daughters and grandchildren frequently.

Mike Dikun, CAE, CM, Western Territory Manager, Lochner



Carol Ford
Association of California Airports (ACA) Board Director
Corporate Non-Profit-California Pilots Association, President

Carol has worked with airports for years. She was awarded Airport Defender of the Year by the California Pilots Association in 1997. She now serves as President of CalPilots; a Director of the CalPilots/ACA Political Action Committee; AOPA representative for San Carlos Airport; President of the San Carlos Airport Association; and Past Chapter Chairperson, International Organization of Licensed Women Pilots. Carol has also founded Ford & Associates LLC, dedicated to ensuring airports receive funding they deserve. Carol has been a member of ACA for 22 years and has been instrumental in the development of the annual California Aviation Day event.

Carol was awarded the 2016 prestigious AOPA Joseph P. Crotti Award for General Aviation Advocacy in California. She was awarded the 2019 Michael A. Shutt Award. ACA's Michael A. Shutt Award annually recognizes an individual or organization that has made a significant contribution to the growth, development and general safety of California airports.

In 2023 she was nominated by the Aero Club of Northern California and received an NAA (National Aeronautic Association) award, presented to individuals who made a significant contribution in Aviation. Her work in supporting airports which are under attack from development and land use issues was lauded.



John Pfeifer, P.E.
Retired

John Pfeifer formerly served as the Chair of the California Transportation Commission's Technical Advisory Committee on Aeronautics. He served on the Boards of Directors of both the Association of California Airports (ACA) and the Nevada Airports Association (NvAA) for many years, and was Chair of the ACA Legislative Committee for nearly 18 years.

John held many positions during his 50-year career. He worked as an independent consultant with the Sacramento firm Advocation-Inc. from March 2015 until his semi-retirement in July 2016. He was Manager of the Aircraft Owners and Pilots Association (AOPA) Western-Pacific Region from January, 2012, through February, 2015. He was responsible for AOPA government affairs activities in Arizona, California, Hawaii, and Nevada. Prior to serving as Western Pacific Regional Manager, he was AOPA's California Regional Representative for ten years. His role as the California Regional Representative included representing AOPA in statewide and regional governmental affairs, as well as providing background and experience in a wide range of airport issues. He also has over 35 years of professional experience in the Federal Government, including 29 years in various engineering, planning, safety, and management positions in the Federal Aviation Administration (FAA). His last assignment for the FAA was as the Manager of the San Francisco Airports District Office, a position he held for 14 years.

He received a Bachelor of Science degree in Civil Engineering (Geological Engineering Specialty) from the University of California, Berkeley, in 1967, and is a Registered Professional Engineer (Retired) in the State of California. He served on active duty in the United States Navy, Civil Engineer Corps, from 1969 through 1972, during which he was assigned to the staff of the Armed Forces Aide to the President, serving as the Public Works Officer at Camp David.



Robert D. Trimborn
Senior Consultant, Aviation Management Consulting Group

Robert (Bob) Trimborn has approximately 40 years of aviation, airport management, operations, planning, leadership and consulting experience including approximately 30 years of experience as airport manager at several high-profile general aviation reliever airports including Santa Monica Municipal Airport, Reno Stead Airport, and Hawthorne Municipal Airport.

He is past president and Certified Airport Executive of the Southwest Chapter American Association of Airport Executives and is a Certified Member of the American Association of Airport Executives.

Bob has a commercial pilot license with instrument ratings and is a Certified Flight Instructor. He has been actively involved in aviation since 1965. Bob is currently employed as a Senior Consultant for Aviation Management Consulting Group based in Centennial Colorado. AMCG provides a wide range of aviation management consulting services to airports, aviation businesses, aircraft operators, and others – having an interest in the general aviation segment of the industry.



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