

**CLEVELAND AIRPORT SYSTEM
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
SMALL BUSINESS ENTERPRISE (SBE)
PARTICIPATION PLAN
FEBRUARY 2012**

A. Objective (49 CFR PART 26.39)

Recognizing that the DBE Program goals should be met through a mixture of race conscious and race neutral method and, that by definition, DBE firms are small businesses, the Cleveland Airport System (Airport) seeks to implement a small business elements into its current DBE policy in accordance with applicable law. The Airport is including this element to facilitate competition by and expand opportunities for small businesses. The Airport is committed to taking all reasonable steps to eliminate obstacles to small businesses that may preclude their participation in procurements as prime contractors or subcontractors. The Airport will meet its objectives using a combination of the following methods and strategies:

1. Set asides: Where feasible, the Airport will establish a percentage of the total value of all prime contract and subcontract awards to be set aside for participation by small businesses on FAA-assisted contracts. A “set-aside” is the reserving of a contract or a portion of a contract exclusively for participation by small businesses. This required that the Airport and its prime contractors/consultants set aside a portion of the value of each contract for participation by small businesses. A small businesses set-aside is open to all small businesses regardless of the owner’s gender, race or geographic location.
2. Unbundling: The Airport, where feasible, may “unbundle” projects or separate large contract which may be suitable for small business participation. The Airport will conduct contract review on each FAA-assiste3d contract to determine whether portions of the project could be unbundled or bid separately. Similarly, the Airport will encourage its prime contractors or prime consultant to unbundle contract to facilitate participation by small businesses.

B. Definitions

1. Small Business: A small business is a business that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve (12) months or on sales volume averaged over a three-year (3-year) period. Small businesses must meet the definitions specified in Section 3 of the Small Business Act and the Small Business Administration regulations (13 CFR Part 121).
2. Disadvantaged Business: A for profit small business (as defined by the Small Business Administration) – that is at least 51 percent (51%) owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent (51%) of the stock is owned by one or more such individuals; whose socially and economically disadvantaged owners do not exceed the current PNW cap of **\$1.32 million**; whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own the firm; and has been certified with the State of Ohio Unified Certification Program (UCP) in accordance with 49 CFR Part 26.

C. Certification and Verification Procedures

Firms seeking certification with the Airport must not exceed fifty percent (50%) of the NAICS Code threshold established by the SBA for their specific industry. All firms whose gross receipts exceed fifty percent (50%) of its industry NAICS threshold will not be certified as an SBE with the Airport.

The Airport will accept the following certifications for evaluation and possible certification and participation in the small business element of the Airport's DBE Program with applicable stipulations:

1. City of Cleveland, Office of Equal Opportunity Cleveland Small Business Certification (CSB) **only**.
2. Cuyahoga County Small Business Enterprise Certification
3. US SBA (8) a Certification
4. Northeast Ohio Regional Sewer District Certification
5. Northern Ohio Supplier Diversity Council

*All firms certified with the entities listed above seeking Airport small business certification must submit the most recent three (3) years business tax returns, complete sections 1, 2, 3, 4 and the Affidavit of Certification of the Ohio UCP DBE application and submit proof of certification and areas of expertise with its Airport Small Business application.

**For purposes of the small business element of the Airport's DBE Program, small businesses which are also owned and controlled by socially disadvantaged individuals will be encouraged to seek DBE certification.

***Minority and women-owned business enterprises awarded contracts under the small business enterprise set-aside will be strongly encouraged to seek DBE certification in order to be counted towards race neutral DBE participation.

D. Registry

The Airport will maintain an Airport Small Business Registry for all firms it grants SBE certification. This registry is separate from the Ohio UCP DBE Directory and maintained solely by the Airport.

E. Contracts and Goals

1. The project manager (PM) and DBELO or the Small Business Officer (SBO) will review FAA-assisted purchases and contracts to assess the small business opportunities, giving consideration to the size and scope of each purchase or contract to establish the set aside percentage. **This set-aside is in addition to the DBE contract goals which may be required pursuant to the applicable law or policy.** All Airport FAA-assisted contracts will have a minimum of a ten percent (10%) Small Business Enterprise (SBE) set-aside goal. All FAA-assisted contracts will be reviewed individually to determine if the SBE 10% set-aside goal is appropriate. The goal may be increased or decreased based on size and scope of the purchase. If it is determined after consideration of size and scope that a SBE goal of zero percent (0%) or no goal is to be assigned to a contract, the PM and/or SBO will document why a small business set aside goal is inappropriate. FAA assisted purchases and contracts valued at \$1 million or less will be SBE set-aside contracts. We will request the successful SBE contractor utilize certified DBE firms as subcontractor on the project.

2. Unbundling: The Airport, where feasible, may “unbundle” projects or separate large contract which may be suitable for small business participation. The Airport will conduct contract review on each FAA-assisted contract to determine whether portions of the project could be unbundled or bid separately. Similarly, the Airport will encourage its prime contractors or prime consultant to unbundle contract to facilitate participation by small businesses.

F. Monitoring

All FAA-assisted contracts will be monitored monthly for small business participation.

G. Enforcement

1. A firm that does not meet the eligibility criteria of the Airport’s small business program and that attempts to participate in a FAA-assisted program as a small business enterprise on the basis of false, fraudulent, or deceitful statement or representations or under circumstances indicating a serious lack of business integrity or honesty, the Airport may withhold payment, initiate suspension or debarment proceedings against that firm and recommend to The Department of Justice additional actions.
2. The Airport 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 small business in any FAA-assisted program or otherwise violates applicable Federal statutes.

H. Implementation Schedule

The Airport will implement the small business element within six (6) months of the FAA’s approval of the Small Business Participation Plan.

I. Assurances

The Airport makes the following assurances:

1. The DBE Program, including its small business element is not prohibited by state law;
2. Certified DBEs that meet the size criteria established under the DBE Program are presumptively eligible to participate in the small business element of the DBE Program;
3. There are no geographic or local preferences or limitations imposed on FAA-assisted contracts and the DBE Program is open to small businesses regardless of their location;
4. There are no limits on the number of contracts awarded to firms participating in the DBE Program;
5. Reasonable effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
6. Aggressive steps will be taken to encourage those minority and women owned firms participating in the small business element of the DBE Program that are eligible for DBE certification to become certified

SBE Application for Verification Checklist

Please submit the following documents applicable to your company. You may be requested to submit other documentation as requested upon review by the Office of Compliance and Inclusion.

Please submit the following for review:		
A.	Completed UCP Application Sections as indicated below:	
	1.	Section 1: CERTIFICATION INFORMATION
	2.	Section 2: GENERAL INFORMATION
	3.	Section 3: MAJORITY OWNER INFORMATION
	4.	Section 4: CONTROL
	5.	AFFIDAVIT OF CERTIFICATION
B.	NAICS Codes with Documentation	
C.	Copy of a one of the Certification from Approved Entity listed below:	
	1.	City of Cleveland, Office of Equal Opportunity Cleveland Small Business Certification (CSB) ONLY
	2.	Cuyahoga County Small Business Enterprise Certification
	3.	US SBA 8(a) Certification
	4.	Northeast Ohio Regional Sewer District Certification
	5.	Northern Ohio Supplier Diversity Council
D.	Most recent last 3 years of Federal Business Tax Returns	
	1.	Year:
	2.	Year:
	3.	Year:

