

Brian P. Kemp
Governor

Robyn A. Crittenden
Commissioner



Georgia Department of Human Services
Aging Services | Child Support Services | Family & Children Services

Disadvantaged Business Enterprise Program Plan

**Submitted to the Federal Transit
Administration September 2018-2020**

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

GDHS will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. GDHS estimates that, in meeting GDHS' overall goal of 4 %, GDHS will obtain 4 % from race-neutral participation.

The Georgia Department of Human Services (GDHS) engages in Purchase of Services contracts to provide statewide transportation services for elderly and disabled consumers. A mixture of governmental, for-profit, and non-profit companies serve as the prime contractors. Sub-contractual opportunities are afforded to transportation providers via the prime contractors' procurement process. The current makeup of prime contractors and sub-contractors are:

Prime	Entity Type	Sub-Contractors (DBEs Indicated)
Central Savannah River Area Regional Commission	Government	Burke County Transit; Columbia County Transit; Hancock County Transit; Lincoln County Transit; McDuffie County Transit; Taliaferro County Transit; Warren County Transit; Deanna Inc. (DBE)
Cherokee County Board of Commissioners	Government	N/A
City of Palmetto	Government	N/A
Clayton County Community Service Authority, Inc.	Non-Profit	N/A
Coastal Regional Commission	Government	Coastal Regional Coaches; Gateway BHS; Pineland Consumer Service Board
Deanna Specialty Transportation, Inc.	Non-Profit/Minority-Owned	Banks County Transit; Dawson County Transit, Hart County Transit; Deanna, Inc. (DBE) ; Forsyth SC, Franklin SC, Habersham SC, Gainesville SC, Lumpkin SC, Rabun SC, Towns SC, Union SC and White SC.
Fulton County Board of Commissioners	Government	TransDev N America
Heart of Georgia Altamaha Regional Commission	Government	Deanna Specialty; Pineland Consumer Service Board; Wayne County Board of Commissioners
Henry County Board of Commissioners	Government	N/A
Jefferson County Board of Commissioners	Government	N/A
McIntosh Trail Consumer Service Board	Government	N/A
Middle Georgia Regional Commission	Government	Macon-Bibb EOC
Murray County Transit	Government	N/A
Northeast Georgia Regional Commission	Government	Deanna Specialty Transportation; Banks County Transit; Elbert County Transit, Greene County Transit (Thorne Transportation Third Party Operator); Athens Community Council on Aging; Barrow County Senior Center; Jackson County Senior Center, Jasper County Senior Center; Madison County Senior Center; Morgan County Transit; Oconee County Senior Center; Oglethorpe County Senior Center; Walton County Senior Center

Owl, Inc	For-Profit/Minority-Owned	N/A
Quality Living Services	Non-Profit	N/A
River Valley Regional Commission	Government	Middle Flint; New Horizon Behavioral Health; Resource Management System; Talbot County Transit; Taylor County Transit; TransporCare
Southern Georgia Regional Commission	Government	MIDS, Inc.
Southwest Georgia Regional Commission	Government	MID'S Inc; Resource Management Systems (RMS); Thomas County Area Transit (TCAT)
Three Rivers Regional Commission	Government	Heard County Transit; Troup County Transit; Transitions Commute Solutions
Transit Alliance Group	Non-Profit	Bartow Transit; Burnt Mountain Center; Catoosa County Transit; Cedartown Transit; City of Tallapoosa; Dade County Transit; George Chambers Resource Center; Haralson Behavioral Health; Highland Rivers; Lookout Mountain; Mercy Care Rome; North Georgia Community Action (MATS); Paulding Enterprises; Rome Transit; Transitions Commute Solutions; Walker Transit; Whitfield Transit
View Point Health (Gwinnett County)	Government	Wiltun Services; Pioneer Transportation; Thorne Transportation; GwinTranz; Community Trans; P n P , Lot Transportation; Elite Transportation; Betty Care Transportation; Everett's Transportation; Empire Transportation; ALO Taxi Services; Everett's Transportation Services; Independent Enterprises; Newton County Senior Center; Thorne Transportation

Overall Goal/Method

Step One: 1 (Ready, willing and able DBEs) / 23 (All firms ready, willing, and able including DBEs and non-DBEs) = 4 %. Based on the above method used, GDHS believes it can accomplish the goal. The method is based on the total number of ready, willing and able registered DBEs in the Directory as well as DOAS Team Georgia Marketplace Minority Business Enterprise Listing.

A search was conducted using the NAICS code of 485991 to determine the number of certified DBEs vendors.

Step 2: The percentage is lower because there was a significant decrease of registered DBEs.

Section 26.51 Meeting Overall Goals/Contract Goals

GDHS will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. To do so, GDHS will track and report race neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to the following: DBE participation through a prime contract a DBE obtains through customary competitive procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award. Data will be maintained separately on DBE achievements in those contracts with and without contract goals.

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

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

Section 26.53 Good Faith Efforts Procedures**Award of Contracts with a DBE Contract Goal: 26.53(a)**

In those instances, where a contract-specific DBE goal is included in a procurement/solicitation, GDHS will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts: 26.53(a) & (c)

The following personnel are responsible for determining whether a bidder/offerer who has not met the contract goal has documented sufficient good faith efforts to be regarded as *responsible*.

The process used to determine whether good faith efforts have been made by a bidder are as follows:

GDHS will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. In this situation, GDHS will require the prime contractor to obtain GDHS' prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of

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

GDHS will ensure that all information is complete and accurate and adequately documents the bidder/offerer's good faith efforts before GDHS commits to the performance of the contract by the bidder/offerer.

Information to be Submitted: 26.53(b)

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

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

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

Administrative Reconsideration: 26.53(d)

Within thirty (30) days of being informed by GDHS that it is not *responsible* because it has not documented sufficient good faith efforts, a bidder/offerer may request administrative reconsideration. Bidder/offerers should make this request in writing to the following reconsideration official:

*Georgia Department of Human Services
Office of Facilities and Support Services
Dwayne Daniel, Director
2 Peachtree Street, 28th floor Atlanta, GA 30303
Email: Dwayne.Daniel@dhs.ga.gov
Office phone: 404-657-9454*

The reconsideration official will not have played any role in the original determination that the bidder/offerer did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offerer 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/offerer will have the opportunity to meet in person with GDHS' reconsideration official to discuss the issue of whether it met the goal or made adequate

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

Good Faith Efforts when a DBE is Terminated/Replaced on a Contract with Contract Goals: 26.53(f)

GDHS requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without GDHS' prior written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation.

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

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

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

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

Sample Bid Specification:

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the *[Name of Recipient]* to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerers, including those who qualify as a DBE. A DBE contract goal of 9.1% percent has been established for this contract. The bidder/offerer shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 1), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

Section 26.55 Counting DBE Participation

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

SUBPART D – CERTIFICATION STANDARDS

Section 26.81 Unified Certification Programs

GDHS is the member of a Unified Certification Program (GUCP) administered by GDOT and the Metropolitan Rapid Transit Authority. The UCP will meet all of the requirements of this section. GDHS will use and count for DBE credit only those DBE firms certified by the GDOT/MARTA.

Any firm or complainant may appeal a GUCP decision in a certification matter to DOT. Such appeals may be sent to:

U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch 1200 New Jersey Avenue SE
West Building, 7th Floor
Washington, DC 20590

GDHS will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs for GDHS' DOT-assisted contracting (e.g., certify a firm if DOT has determined that GDHS' denial of its application was erroneous).

Resort to this system is not a remedy a firm need exhaust before making a certification appeal to DOT under
26.89.

SUBPART F - COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation

GDHS will safeguard from disclosure to third parties' information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any contrary provisions of state or local law, GDHS will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

Monitoring Payment to DBEs

GDHS will require prime contractors to maintain records and documents of payments to DBEs for three (3) years following the performance of the contract. The records will be made available for inspection upon request by any authorized representative of GDHS or GDOT. This reporting requirement also extends to any certified DBE subcontractor.

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

Notification of DBE Opportunities

GDHS will implement a system in which FTA 5310 funds and contracting opportunities will be posted on its website.

ATTACHMENTS

Attachment 1: GDHS Organizational Chart

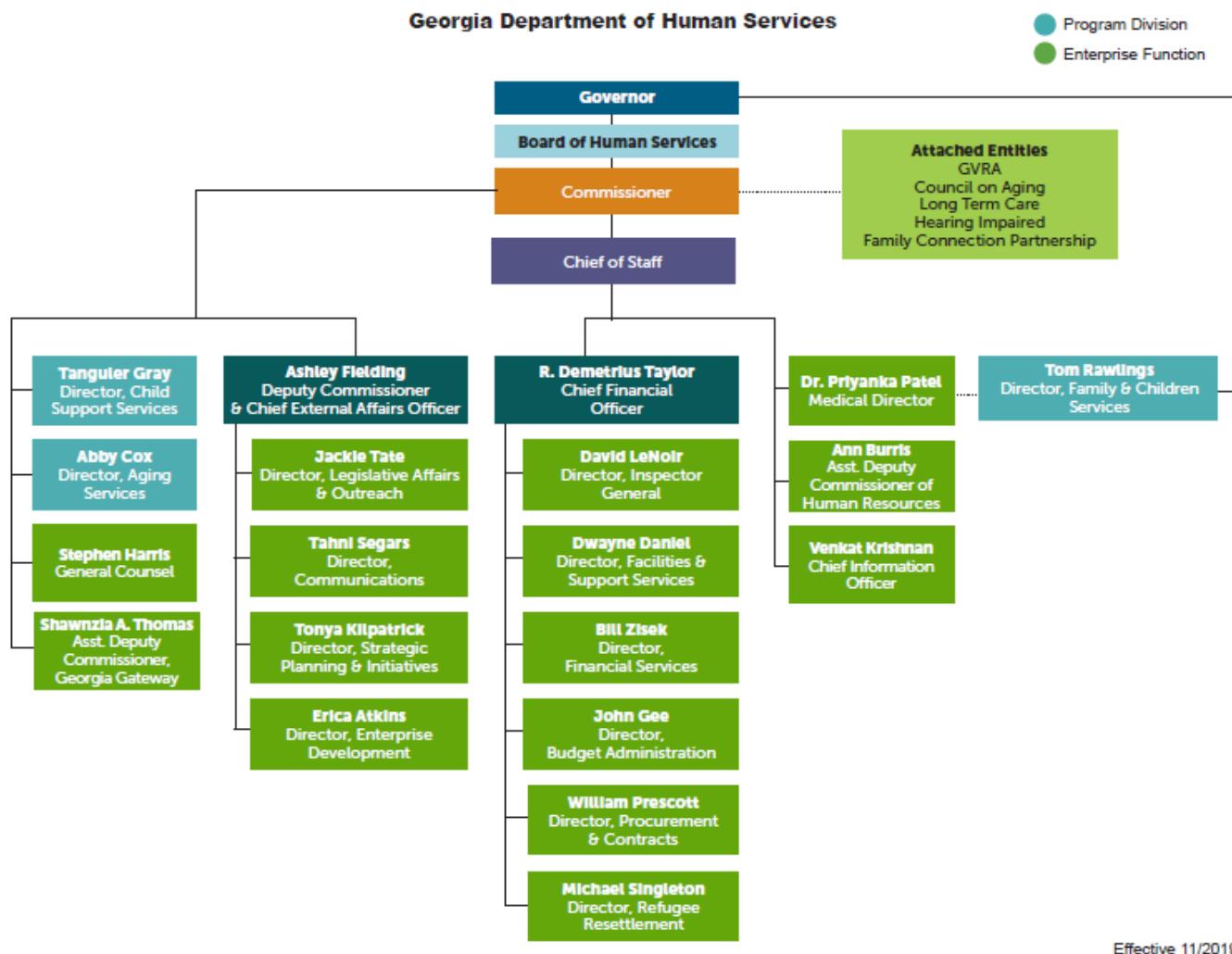
Attachment 2: DBE Directory

Attachment 3: Monitoring and Enforcement Mechanisms/Legal Remedies

Attachment 4: Goal Setting Methodology

Attachment 5: Good Faith Efforts

Attachment 6: DBE Regulation, 49 CFR Part 26

Attachment 1

Attachment 2**State of Georgia UCP Plan and DBE Directory Georgia Department of Transportation**

GDOT maintains the GUCP directory identifying all firms eligible to participate as DBEs. The DBE directory is updated as changes occur. The current DBE directory is available online at:

https://gdotbiext.dot.ga.gov/analytics/saw.dll?Dashboard&PortalPath=%2Fshared%2FExternal%2F_portal%2FUCP%20Directory&Page=UCP%20Directory&Action=Navigate&Syndicate=true&anon=1

State of Georgia UCP Directory													
Process Time: Feb-12-2020 04:45:24 PM													
Business Name	Vendor Number	Contact	Fax	Phone	Address	Address Line 2	City	State	Zip Code	Email	Certification Type	Certification Entity	NAICS
COMMUNITY CONNECTIONS TRANSPORTATION, INC.	00000000018106	Ms. KIMBERLY SAINT-PREUX		(407)579-4302	2785 BISHOP LANE		DELTONA	FL	32725	kimber.sp@communityconnections.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991
ELITE PARKING SERVICES OF AMERICA, INC.	00000000012579	Mr. DANE GREY	(904)513-0247	(904)297-4437	76 SOUTH LAURA STREET, SUITE 1702		JACKSONVILLE	FL	32202	dane.grey@eliteparking.com	Disadvantaged Business Enterprise/Airport Concessionaire Disadvantaged Business Enterprise (DBEA)	GDOT	48531, 485901, 56121, 56172, 56179, 62412, 81293
GOODS IN CONTROL TRANSPORTATION SERVICES, LLC.	200150	Ms. AUGUSTA NORA ABBEY	(866)488-4047	(404)918-1928	101 BECKETT LANE, STE. 505		FAYETTEVILLE	GA	30214	goodsincontrol@gsd.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991
GRESHAM TRANSPORTATION SERVICES, LLC	00000000013381	Mr. STEPHAN L. GRESHAM	(404)880-3374	(404)375-0739	235 PEACHTREE ST	SUITE 400	ATLANTA	GA	30303	slg@greshamtransportation.com	Disadvantaged Business Enterprise/Airport Concessionaire Disadvantaged Business Enterprise (DBEA)	GDOT	485113, 485901, 485909
LIFETIME PERSONAL CARE HOME, INC.	2U800	Ms. ADEDOYIN V. AYENI	(878)985-0457	(878)985-0456	40 AUBURN PARK DR.		AUBURN	GA	30011	lifetimech@aol.com	Disadvantaged Business Enterprise (DBE)	GDOT	485901, 62161, 62321, 62412
P & M TRANSPORTATION	00000000013791	Mr. MATTHEW A. MURPHY	(878)489-8716	(770)651-0892	1572 HAY 85 NORTH	Suite 611	FAYETTEVILLE	GA	30215	pandmtransportation@gmail.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991
PF TRANSPORT, INC.	00000000013454	Mr. FERNANDO CACERES	(770)963-4415	(878)240-4570	6650 PEACHTREE PARKWAY SUITE 240-171		NORCROSS	GA	30092	fernando@pftransport.net	Disadvantaged Business Enterprise (DBE)	GDOT	485991
S-N-S TRANSPORTATION LLC	00000000013375	Mr. KEVIN BILLUE	(912)261-8072	(912)275-8024	2914 NORWICH ST		BRUNSWICK	GA	31520	sns.transportation@yahoo.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991
SONOTA, LLC	00000000013144	Mr. HEROLD HUMPHREY	(904)207-7884	(419)351-3484	5001 GRANDE DRIVE	1422	PENSACOLA	FL	32504	heroldhumphrey@gmail.com	Disadvantaged Business Enterprise (DBE)	GDOT	42386, 42512, 485113, 485901, 541611, 541614, 56132, 81143
WILLIAMS TRANSPORTATION, LLC	00000000018326	Ms. TRACIE WILLIAMS		(404)720-5359	1904 WATERCREST DRIVE		JONESBORO	GA	30236	wiliamstransportation@gmail.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991
WILLIAMS TRANSPORTATION, LLC	00000000018326	Ms. TRACIE WILLIAMS		(770)841-9394	1904 WATERCREST DRIVE		JONESBORO	GA	30236	wiliamstransportation@gmail.com	Disadvantaged Business Enterprise (DBE)	GDOT	485991

NAICS contains any 485991
and Certification Entity is equal to GDOT

Attachment 3**Monitoring and Enforcement Mechanisms/Legal Remedies**

GDHS has established mechanisms to monitor and enforce that prompt payment and return of retainage is in fact occurring. Through internal review, the prompt payment practices of prime contractors are monitored for compliance. GDHS will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct about the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.37. GDHS will also consider similar action under GDHS' own legal authorities, including responsibility determinations in future contracts.

Attachment 4**Overall Goal Calculation and Method**

Step One: $\frac{1}{23}$ (Ready, willing and able DBEs) / $\frac{1}{23}$ (All firms ready, willing, and able including DBEs and non-DBEs) = 4 %. Based on the above method used, GDHS believes it can accomplish the goal. The method is based on the total number of ready, willing and able registered DBEs in the Directory as well as DOAS Team Georgia Marketplace Minority Business Enterprise Listing.

Step 2: The percentage is lower because there was a significant decrease of registered DBEs.