

Charleston Area Regional Transportation Authority

#### CARTA BOARD MEETING

April 16, 2025 1:00 PM

Barrett Lawrimore Conference Room 5790 Casper Padgett Way North Charleston, SC 29406

#### **AGENDA**

- 1. Call to Order
- 2. Consideration of Board Minutes March 19, 2025 Meeting
- 3. Financial Status Report Ron Mitchum
- FY26-28 Annual Disadvantaged Business Enterprise (DBE) Usage Goal Request for Approval – Jeff Burns
- 5. Bus Charge Management Software Contract Modification Request for Approval
- 6. Project Updates Andrea Kozloski
- 7. Ridership Report Megan Ross
- 8. Executive Director's Report Ron Mitchum
- 9. Other Business, If Any
- 10. Public Comments, If Any
- 11. Executive Session Legal Matters
- 12. Board Comments, If Any

The next CARTA Board Meeting will be held on May 21, 2025

# CHARLESTON AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA)

#### BOARD OF DIRECTORS MEETING March 19, 2025 Meeting Notes

A Charleston Area Regional Transportation Authority (CARTA) Board of Directors meeting was held at the Berkeley-Charleston-Dorchester Council of Governments (BCDCOG) in the Barrett Lawrimore Conference Room located at 5790 Casper Padgett Way in North Charleston, SC at 1:00 p.m. on Wednesday, March 19, 2025.

**MEMBERSHIP:** Brad Belt; MaryBeth Berry; Joe Boykin; Mike Brown; Daniel Brownstein; Reggie Burgess; William Cogswell; Henry Darby; Dwayne Green; Will Haynie; Brandon Hudson; James Lewis; Craig Logan; Pat O'Neil; Christie Rainwater; Michael Seekings; Jimmy Ward; Robert Wehrman

**MEMBERS PRESENT:** MaryBeth Berry; Joe Boykin; Daniel Brownstein; Dwayne Green; Brandon Hudson; James Lewis; Pat O'Neil; Michael Seekings; Robert Wehrman

**PROXIES:** Craig Harris for Brad Belt; Adam MacConnell for Reggie Burgess; Robert Somerville for William Cogswell; Jerry Lahm for Henry Darby; Chief Gebhardt for Christie Rainwater

**OTHERS PRESENT:** Elissa Smith (HDR); Robert Flagler (HNTB); William Hamilton (Best Friends of Lowcountry Transit); Tom Hiles (WSP); Andre Taylor (WeDriveU); Maddy Quon (Post & Courier); Scot Sibert (STV); Andrew Fisher (STV)

**STAFF PRESENT:** Ron Mitchum; Andrea Kozloski; Robin Mitchum; Sharon Hollis; Megan Ross; Matthew Spath; Kareem Wilson; Kim Coleman

#### 1. Call to Order

Chairman Seekings called the CARTA Board of Directors Meeting to order at 1:00 p.m. followed by a moment of silence and a quorum determination.

#### 2. Consideration of Board Minutes: February 19, 2025 Meeting

Mr. Boykin made a motion to approve the January 15, 2025 Meeting Minutes as presented.

Mr. Hudson seconded the motion. The motion was unanimously approved.

#### 3. Financial Status Report - Robin Mitchum

Robin Mitchum, Deputy Director of Finance and Administration, presented the financial status report for the period ending January 31, 2025. She noted that, overall, the agency remains in good shape, continues to be in line with the budget at 33% complete for the year, and ended the month with unexpended funds of \$865,232. Ms. Mitchum briefed the Board of Directors regarding the Balance Sheet and provided information on the following activities for FY25 thus far:

#### **Revenues:**

- Farebox is the fares collected on the revenue vehicles.
- Passes & Mobile Ticketing are bus pass fares sold to customers.

- Federal Revenue includes operating for the year-to-date. Federal Revenue is recorded as eligible expenditures are incurred.
- Advertising is the advertising on the buses.
- Insurance proceeds are a result of accidents.
- Sale of Assets is the proceeds from the sale of a 1986 Chevrolet truck and a 2017 van.
- Miscellaneous Revenue is the sale of scrap metal.

#### **Expenditures:**

- Retiree Benefits include the cost of retiree insurance.
- Supplies include office, facility maintenance and rebranding supplies.
- Printing includes costs of printing passes.
- Automotive is the cost to service the 2018 Ford F-150.
- Office Equipment Rental includes the monthly battery lease for the electric buses.
- Office Equipment Maintenance (OEM) includes GMV Sycromatics, GMV Digital Signage, Genfare Support, Swiftly real time passenger predictions, Swiftly GPS Playback, Swiftly ontime performance, Swiftly run-times, RCN NetCloud Essentials and NetCloud Advanced for mobile routers and other IT services.
- Rent includes the Ashley Phosphate Park & Ride lot, Dorchester Village Shopping Center Park
   & Ride lot, Leeds Avenue lot lease from Dominion and document storage.
- Communications is the cost of phone, internet and radio services at the facilities and on the buses.
- Utilities include electric and water at the SuperStop, Melnick Park & Ride, the Radio Shop at Leeds Avenue, Medcom Street and the charging stations at Leeds Avenue.
- Auditing is the cost of the FY24 GASB 75 Actuary.
- Custodial Services are the cost of janitorial services at the Melnick Park & Ride location.
- OnDemand Program is customer transportation cost for same-day service through independent rideshare.
- Other Professional Services include bus wash inspection services.
- Shared Contract Services (IGA & Management) is the extensive services the BCDCOG provides to CARTA.
- Fixed-Route Service is the cost of fixed and commuter service provided by National Express Shuttle and Transit.
- Money Transport is the cost of the armored guard service to transport cash deposits to the bank.
- Security Services is the contracted security service provided at the SuperStop by the City of North Charleston Police Department and by Extra Duty Solutions at the Mary Street bus stop.
- Vehicle Maintenance is the cost to maintain the fleet.
- Facility Repair & Maintenance is the cost to maintain facilities.
- Operating Fees & Licenses include credit card transaction fees and vehicle title and registration fees.
- Insurance includes the cost of liability insurance provided by the Insurance Reserve Fund. The insurance policy renews January 1. CARTA will add and remove items on the policy throughout the year, but this is the majority of the cost for the fiscal year.
- Paratransit is the cost of paratransit transportation provided by National Express Shuttle and Transit.
- Interest is the interest on the Melnick Park & Ride loan.

#### **Capital Expenditures:**

- Rolling Stock is the purchase of the Hometown Trolley Villager.
- Bus Facilities/Charging Stations is the Leeds Avenue parking lot repairs and charging infrastructure.
- Bus Shelter Construction/Bench Install is the installation of shelters and benches.
- Security/Cameras & Equipment is the purchase of cameras, radios, access control equipment and AVL equipment.
- Facilities Construction is Shipwatch Square engineering.
- Capital (IT, Facility Repairs, Maint.) is the purchase of bike racks.

Ms. Mitchum reviewed the activity of the OnDemand Program as of January 31, 2025. She noted that the FY25 total cost is \$175,285 at 84% completion with an available balance of \$119,084. The Board of Directors received the Financial Status Report and the OnDemand Program Activity Report as information.

#### 4. Beach Reach Service - Request for Approval - Megan Ross

Megan Ross, Transit Planner, discussed the Beach Reach Service. She delivered a presentation regarding the service noting the partnership with CARTA, the Isle of Palms, the Town of Mt. Pleasant, and the Mt. Pleasant Town Centre. She reviewed the timing of when the beach reach service will be offered and she discussed funding since its inception in 2021. Ms. Ross discussed ridership totals since 2021 and reviewed the cost prediction for 2025. She noted that the cost estimate is based on the current hourly rate for the operating contractor as well as projected fuel and insurance costs. Ms. Ross stated that the total cost should be approximately \$30 thousand for the 2025 service period. She stated that beach reach marketing and communications support will be strong. Mr. Brownstein inquired about the possibility of the service being offered on Sullivan's Island. It was noted that he and Mayor O'Neil will hold a discussion following today's meeting. Ms. Ross addressed questions and comments.

Mr. Brownstein made a motion to approve the Beach Reach Service as presented.

Mr. Lewis seconded the motion. The motion was unanimously approved.

#### 5. Transportation Network Contract Renewal (Uber) – Request for Approval

Chairman Seekings requested a motion to combine the review and approval of the Transportation Network Contract Renewals for both Uber and Lyft (Agenda Items 5 and 6).

Mr. Lamb made a motion to combine the review and approval of the Transportation Network Contract Renewals for Uber and Lyft. Mr. Hudson seconded the motion.

The motion was unanimously approved.

Ron Mitchum, Executive Director, presented the Transportation Network Contract Renewal. He noted that staff is requesting approval to amend the Uber Technologies, Inc.-Transportation Network Company contract for an additional year pursuant to the terms outlined in the contract. The contract was awarded on April 22, 2023 as a two-year contract with three options to renew annually. If approved, the amendment will extend the contract from April 22, 2025 – April 21, 2026.

#### 6. Transportation Network Contract Renewal (Lyft) – Request for Approval

Mr. Mitchum presented the Transportation Network Contract Renewal. He noted that staff is requesting approval to amend the Lyft, Inc.-Transportation Network Company contract for an additional year pursuant to the terms outlined in the contract. The contract was awarded on April 11, 2023 as a two-year contract with

three options to renew annually. If approved, the amendment will extend the contract from April 11, 2025 – April 10, 2026. Mr. Mitchum addressed questions and comments.

Mr. Wehrman made a motion to approve the Transportation Network Contract Renewals for Uber Technologies, Inc. and Lyft, Inc. as presented.

Mr. Boykin seconded the motion. The motion was unanimously approved.

#### 7. Project Updates – Andrea Kozloski

Andrea Kozloski, Deputy Director of Operations and Support, delivered a report regarding upcoming events and activities noting the following dates: Driver Appreciation Day on March 18<sup>th</sup>; CARTA Night at the Stingrays on March 23<sup>rd</sup>; MUSC Senior Expo on March 27<sup>th</sup>; City of Charleston Small Business Expo on April1st; and MUSC Earth Day on April 17th. She also delivered an update on CARTA Amenities, noting shelters in progress; 30 new solar lights installed; and benches in progress. Ms. Kozloski presented a slide depicting a bus-stop sign with built-in seats on either side of the pole. Staff will research purchasing additional units if this amenity is wellreceived by riders. She then highlighted paratransit operator, Roberta Franklin, who is a proud member of the Million Mile Club having driven over one million miles as well as another operator, Shelly, who received several commendations from multiple riders. Ms. Kozloski presented slides depicting a Black History Month Celebration at Leeds Avenue and photos of new bus wraps. She then shared a brief video regarding Driver Appreciation Day. Ms. Kozloski delivered a report on Project Updates, briefing the Board of Directors on the following projects: Service Planning Initiatives; Downtown Route Study; US 52 BRT Study; CARTA OnDemand; Shelter Improvement Program; Shipwatch Square Transit Center; Transit Oriented Development Study; LCRT; Dorchester Transit Signal Priority (TSP) Pilot Project; Mt. Pleasant Street Park & Ride; Fairgrounds Park & Ride; O&M Facility - LCRT; and Mobile Ticketing Sales and Use. Ms. Kozloski addressed questions and comments and noted that Sharon Hollis will be available following today's Board Meeting if any Board Member would like more detailed information regarding the LCRT. The Board of Directors received the Upcoming Activities & Events Report and the Project Updates Report as information.

#### 8. Ridership Report – Megan Ross

Ms. Ross presented the Ridership Reports for February 2025. She noted that passenger trips totaled 160,193 and there were 9.8 customers per service hour (9.4 last month). Ms. Ross stated that overall ridership when comparing February 2025 to January 2025 increased by 10.1%, overall ridership when comparing February 2025 to February 2024 decreased by 15.5%, and overall ridership when comparing 2025 YTD to 2024 YTD decreased 17.6%. She stated that Tel-A-Ride ridership for February 2025 was 4,213 (a decrease of 22.7% when comparing 2024 YTD to 2025 YTD). Ms. Ross reviewed safety trends for February 2025 noting that there were six preventable accidents which were mirror clips (5 on fixed-route vehicles and 1 on a paratransit vehicle). There were also two non-preventable accidents. She discussed complaints and commendations regarding Customer Services for the month of February noting there were seven complaints (operator issues and a passby) and there were two commendations. Ms. Ross reviewed On-Time Performance noting that the fixedroute on-time performance for February 2025 was 73% and 95% for paratransit. She noted that missed trips for February 2025 resulted in 359.87 service hours missed, which was 2.30% of total scheduled monthly revenue hours. Ms. Ross discussed paratransit services in detail regarding the breakdown of total passengers per hour, trips requested, no-shows and cancelations, the average ride length and distance as well as on-time performance. She then discussed OnDemand trips for February 2025, noting that the ridership for the month of February was 3,902 passengers between both Uber and Lyft. The trip cost averaged \$11.49, higher than January's average of \$10.56, and that 39% of the overall rides were from Tel-A-Ride passengers. Ms. Ross delivered an update on the APC that was reported for the month of February 2025 noting the totals based on operator counts and partial Genfare numbers as well as based on 100% of the trips surveyed in February. Ms.

Ross and Mr. Mitchum addressed questions and comments. The Board of Directors received the Ridership Report as information.

#### 9. Executive Director's Report – Ron Mitchum

Mr. Mitchum briefly discussed SCDOT's Statewide Multimodal Transportation Plan, "Momentum 2050," noting the 30-day review period. He stated that the Plan as well as a link will be emailed to the Board of Directors following today's meeting. Mr. Mitchum discussed potential Park & Ride opportunities, noting that the former HOP space may become available for temporary use. He noted that the LCRT's 90% review continues and agreements are being addressed regarding construction. Mr. Mitchum addressed questions and comments. The Board of Directors received the Executive Director's Report as information.

#### 10. Other Business, If Any

There was no further business discussed.

#### 11. Public Comments, If Any

There was one Public Comment noted for the record:

 William Hamilton (Best Friends of Lowcountry Transit): expressed concerns regarding politics in relation to supporting public transit and a missed service on a paratransit vehicle. Mr. Hamilton stated that BFLT will support the Beach Reach Service with the pirate theme again throughout the upcoming season.

#### 12. Executive Session – Legal Matters

Mr. Boykin made a motion that the Board of Directors convene into Executive Session.

Mr. Hudson seconded the motion. The motion was unanimously approved.

Non-Board Members, Guests and Non-Essential Staff Members were excused.

Mr. Brownstein made a motion to reconvene the Board of Directors meeting.

Mr. Lewis seconded the motion. The motion was unanimously approved.

Chairman Seekings reconvened the Board of Directors meeting noting that no action was taken related to legal matters discussed during Executive Session.

#### 13. Board Comments, If Any

Mr. Lewis thanked Executive Director Mitchum and staff for continuing to look out for senior riders and employees using transit to get to their place of employment, medical appointments, etc. as the need for senior services grows in the Downtown Charleston area.

#### 14. Adjourn

Chairman Seekings thanked the Board of Directors for their continued dedicated service to the Board and the communities they serve. There being no further business before the Board, Chairman Seekings adjourned the meeting at 2:05 p.m.

Respectfully submitted, Kim Coleman



#### Charleston Area Regional Transportation Authority

#### MEMORANDUM

TO: Board of Directors

FROM: Robin W. Mitchum, Deputy Director of Finance & Administration

SUBJECT: February 28, 2025 Financial Report Overview

DATE: April 8, 2025

Please find attached the February 28, 2025 Financial Report. Below is a brief overview of the activities for FY25.

#### **Revenues**

- Farebox is the fares collected on the revenue vehicles.
- Passes & Mobile Ticketing is bus pass fares sold to customers.
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#### **Expenditures**

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  of North Charleston Police Dept. and by Extra Duty Solutions at Mary Street.
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#### Capital Expenditures

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- Bus Shelter Construction /Bench Install is the installation of shelters and benches.
- Security/Cameras & Equipment is the purchase of cameras, radios, access control
  equipment, and AVL equipment.
- Facilities Construction is Shipwatch engineering.
- Capital (IT, Facility Repairs/Maint) is the purchase of bike racks and a Genfare vault.

Overall, the agency ended the month with excess of revenues of \$1,458,369.

If you have any questions, please contact me at 843-529-2126 or <a href="mailto:robinm@bcdcog.com">robinm@bcdcog.com</a>.

Amount owed to National Express Shuttle & Transit as of 02/28/2025 was \$1,194,366.14.

CARTA
Statement of Revenues & Expenditures
For the Month Ending February 28, 2025

Time elapsed: 42%

	FY25 Budget	Actual	% of Budget
Operating Revenues	4 222 400	400 745	250/
Farebox	1,322,466	468,745	35%
Passes & Mobile Ticketing	607,295	240,848	40%
COC Shuttle	453,476	165,112	36% 42%
MUSC	763,456	320,293	42% 42%
City of Charleston - DASH Federal	741,452 10,156,366	308,938	42% 45%
Sales Tax - Charleston County		4,549,721 5,489,103	45% 41%
Advertising	13,415,772 850,000	405,491	41%
Insurance Proceeds	650,000	61,569	46 / <sub>0</sub> N/A
Sale of Assets	_	11,775	N/A N/A
Miscellaneous	_	227	N/A N/A
TOTAL OPERATING REVENUES	28,310,283	12,021,822	<b>42%</b>
TOTAL OF ERATING REVERGES	20,010,200	12,021,022	<b>42</b> /0
Operating Expenditures			
Retiree Benefits	9,581	4,054	42%
Supplies	75,000	19,505	26%
Printing	42,000	1,905	5%
Automotive	3,525	914	26%
Postage	200	-	0%
Dues/Memberships	2,500	-	0%
Office Equipment Rental	116,225	43,750	38%
Office Equipment Maintenance	333,633	159,161	48%
Rent	34,385	15,820	46%
Communications	170,185	73,288	43%
Utilities	322,832	83,240	26%
Advertising	7,500	-	0%
Professional Services			
Auditing	32,340	200	1%
Legal	1,000	-	0%
Custodial	25,542	9,675	38%
On Demand Program	350,000	220,130	63%
Other	25,000	1,450	6%
Contract Services			
Shared Services - IGA	3,640,486	1,575,908	43%
Fixed Route	16,244,786	5,511,713	34%
Money Transport	11,836	5,981	51%
Security Services	105,560	45,281	43%
Vehicle Maintenance	348,701	142,366	41%
Facility Repair & Maintenance	47,250	16,788	36%
Operating Fees & Licenses	50,000	24,167	48%
Insurance			90%
	1,085,307	979,507	90 /0
Fuel	1,085,307 1,493,500	505,957	34%
Fuel Paratransit	· · ·		

# CARTA Statement of Revenues & Expenditures For the Month Ending February 28, 2025

Time elapsed:	
42%	

Interest Non-Capitalized Assets TOTAL OPERATING EXPENDITURES  Excess (Deficit) of Revenues Over (Under) Expenditures	FY25 Budget 43,440 25,000 28,310,283	Actual 18,945 4,329 10,563,453 1,458,369	% of Budget 44% 17% <b>37%</b>
Capital Revenues Rolling Stock Bus Facilities/Charging Stations Security/ Cameras & Equipment Facilities Construction Sales Tax - Charleston County TOTAL CAPITAL REVENUES	600,000 - 131,511 2,211,406 875,728 3,818,645	217,267 103,520 113,846 413,397 848,030	22%
Capital Expenditures Rolling Stock Bus Facilities/Charging Stations Bus Shelter Construction/Bench Install Security/ Cameras & Equipment Facilities Construction Capital (IT, Facility Repairs/Maint) TOTAL CAPITAL EXPENDITURES	750,000 - 100,000 2,764,257 164,388 40,000 3,818,645	257,193 266,478 114,212 48,070 142,696 19,381 848,030	22%

#### CARTA BALANCE SHEET 2/28/2025

#### **ASSETS**

GENERAL OPERATING (BB&T) 17,953,788.50 PETTY CASH 160.00 ACCOUNTS RECEIVABLE 3,658,929.97 PREPAID EXPENSES 255,391.77 INVENTORY - FUEL 27,508.05 LAND 8,555,977.53 VEHICLES 52,020,587.67 EQUIPMENT 2,638,126.77 FAREBOXES 1,214,379.70 SHELTERS 4,594,488.59 BUS SIGNAGE 254,913.32 FACILITIES 10,778,222.27 PARK RIDE FACILITY 183,927.64 ACCUMULATED DEPRECIATION (39,053,161.58) RIGHT TO USE LEASES 1,179,416.40 ACCUMULATED DEPRECIATION - RTU (406,830.95) TOTAL ASSETS 63,855,825.65  LIABILITIES EQUITY  LIABILITIES & EQUITY  LIABILITIES & EQUITY  LIABILITIES & EQUITY  LIABILITIES & EQUITY  LEASE LIABILITY 127,941.00 OPEB LIABILITY 127,941.00 OPEB LIABILITY 127,941.00 OPEB LIABILITY 127,941.00 COPED	ASSETS		
PETTY CASH       160.00         ACCOUNTS RECEIVABLE       3,658,929.97         PREPAID EXPENSES       255,391.77         INVENTORY - FUEL       27,508.05         LAND       8,555,977.53         VEHICLES       52,020,587.67         EQUIPMENT       2,638,126.77         FAREBOXES       1,214,379.70         SHELTERS       4,594,488.59         BUS SIGNAGE       254,913.32         FACILITIES       10,778,222.27         PARK & RIDE FACILITY       183,927.64         ACCUMULATED DEPRECIATION       (39,053,161.58)         RIGHT TO USE LEASES       1,179,416.40         ACCUMULATED DEPRECIATION - RTU       (406,830.95)         TOTAL ASSETS       63,855,825.65     **COUNTS PAYABLE**  **ACCOUNTS PAYABLE** **ACCRUED INTEREST** **1,716.91** **UNEARNED REVENUE** **OPERATION - RTU** **UNEARNED REVENUE** **GAMMENT - RTU** **INTERIOR - RTU** **INTER			
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VEHICLES       52,020,587.67         EQUIPMENT       2,638,126.77         FAREBOXES       1,214,379.70         SHELTERS       4,594,488.59         BUS SIGNAGE       254,913.32         FACILITIES       10,778,222.27         PARK & RIDE FACILITY       183,927.64         ACCUMULATED DEPRECIATION       (39,053,161.58)         RIGHT TO USE LEASES       1,179,416.40         ACCUMULATED DEPRECIATION - RTU       (406,830.95)         TOTAL ASSETS       63,855,825.65          LIABILITIES         ACCOUNTS PAYABLE       1,756,257.33         NOTE PAYABLE - BB&T       1,756,257.33         NOTE PAYABLE - BB&T       1,716.91         UNEARNED REVENUE       64,000.00         OPEB LIABILITY       127,941.00         LEASE LIABILITY       809,492.48         TOTAL LIABILITIES       3,953,071.01         EQUITY         CURRENT YEAR FUND BALANCE       1,458,368.66         INVEST IN CAPITAL ASSETS       39,568,527.46         FUND BALANCE       18,875,858.52         TOTAL EQUITY       59,902,754.64	INVENTORY - FUEL		•
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TOTAL LIABILITIES & FUND EQUITY 63,855,825.65		TOTAL EQUITY	
		· 	59,902,754.64

#### CARTA OnDemand Program 2/28/2025

		FY 21	FY 22	FY 23	FY 24	FY 25			œ
		Total	Total	Total	Total	Total			%
<u>Activity</u>	BUDGET	Costs	Costs	Costs	Costs	Costs	Total	Balance	Complete
OnDemand Program (80/20)	737,786	1,421	20,778	98,039	323,179	220,130	663,547	74,239	90%
Total	737,786	1,421	20,778	98,039	323,179	220,130	663,547	74,239	90%
								-	
Federal FTA 5310	587,000	1,137	16,622	75,202	258,544	176,104	527,609	59,391	90%
Local	150,786	284	4,156	22,837	64,635	44,026	135,938	14,848	
Total	737,786	1,421	20,778	98,039	323,179	220,130	663,547	74,239	90%



#### Charleston Area Regional Transportation Authority

#### **MEMORANDUM**

**Date:** April 8, 2025

**To:** CARTA Board of Directors

**From:** Ronald E. Mitchum, Executive Director

Subject: Annual Disadvantaged Business Enterprise (DBE) Usage Goal for FY 2026, 2027, & 2028

CARTA has established a Disadvantaged Business Enterprise (DBE) and Small Business Participation Program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. CARTA receives Federal financial assistance from the USDOT, and as a condition of receiving this assistance, CARTA provides assurance that it will comply with 49 CFR Part 26.

It is the policy of CARTA to ensure that DBE firms, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy –

- 1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
- 2. To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts;
- 3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- 4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBE firms;
- 5. To help remove barriers to the participation of DBE firms in DOT assisted contracts; and
- 6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program; and
- 7. To facilitate competition in DOT-assisted public works projects by small business concerns, both DBEs and non-DBE small businesses.

Using the prescribed goal setting methodology, it is reasonable to establish a minimum annual goal of 5.0% DBE participation on DOT-assisted contracts for FY 2026 2027, and 2028.

CARTA staff strives to involve DBE firms in every contract and will continue to build and maintain relationships to facilitate the development of disadvantaged businesses and individuals. CARTA will strive to meet the USDOT aspirational goal of 10%, beyond the goal established using the goal setting methodology prescribed by FTA.

CARTA Staff recommends adoption of this annual DBE Usage Goal for Fiscal Years 2026, 2027, and 2028 and associated DBE Plan amendments in accordance with DBE Final Rule at 49 CFR § 26.21(a). Please feel free to contact me with any questions or for further information.

Charleston Area Regional Transportation Authority

Disadvantaged Business Enterprise & Small Business Participation Goal Setting Methodology for the FY 2026, FY 2027, and FY 2028



#### April 2025

FTA Recipient ID# 1115, DBE Report Group A

5790 Casper Padgett Way North Charleston, SC 29406 Telephone (843) 529.0400 Contact Person: Jeffrey Burns

# Charleston Area Regional Transportation Authority

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#### Goal Setting Methodology for the DBE Program

#### INTRODUCTION

The United States Department of Transportation (USDOT) has revised the Disadvantaged Business Enterprise program and published revised program regulations (49 CFR Part 26) on April 9, 2024. The USDOT has set a 10% "aspirational goal" at the national level, which the USDOT uses as a tool in evaluating and monitoring the national DBE program. The revised program rule does not authorize or require recipients to set overall goals at the 10% level. Instead, the revised regulation requires individual recipients to establish a goal that reflects the amount of participation by DBEs that can be achieved in the recipient's area in the absence of discrimination. On February 23, 2010, 49 CFR Part 26 was updated to allow for the establishment of goals which apply to the three forthcoming fiscal years, in this case FY 2026, FY 2027, and FY 2028.

The USDOT outlined a two-step process recipients must use to set the usage goals. Initially, recipients determine a baseline figure that represents the number of ready, willing, and able DBE firms relative to the number of all businesses ready, willing, and able to participate in USDOT funded projects. The second step involves examining all evidence available to determine what adjustments, if any, are needed to the base figure. Evidence that must be considered in the second step includes the current capacity of DBEs to perform work in the recipient's program as measured by the volume of work DBEs have performed in recent years. A recipient's goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs to participate in the recipient's USDOT funded contracts.

The purpose of the goal setting process for CARTA's DBE Program is to determine the overall program goal for the Federal Transit Administration funding it receives for Federal Fiscal Years 2026-2028, and as a condition of receiving this assistance, CARTA has signed an assurance that it will comply with 49 CFR Part 26.

#### **DBE PROGRAM POLICY STATEMENT**

CARTA has established a Disadvantaged Business Enterprise (DBE) and Small Business Participation Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. CARTA has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, CARTA affirms that it will comply with 49 CFR Part 26.

It is the policy of CARTA to ensure that DBEs, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy —

- 1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts,
- 2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts,

#### Charleston Area Regional Transportation Authority

- 3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law,
- 4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs,
- 5. To help remove barriers to the participation of DBEs in DOT assisted contracts; and
- 6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program; and
- 7. To facilitate competition in DOT-assisted public works projects by small businesses, both DBEs and non-DBE small businesses.

#### METHODOLOGY FOR SETTING THE BASE FIGURE

The initial step in the goal setting process is to establish the base figure that represents the number of willing, ready, and able DBE firms relative to the number of businesses ready, willing and able to perform work for the FTA funded projects undertaken by CARTA. CARTA has historically undertaken the same mix of contracting activities which include the following: vehicle cleaning, grounds maintenance, professional services to include engineering, financial, consulting, and legal services, fixed route and paratransit operations and vehicle maintenance, facility maintenance and construction, and bus shelter construction projects. CARTA's Intermodal Facility construction was the last major project that influenced usage goal. During the upcoming period, construction of a passenger transfer facility, construction of the Mt. Pleasant Street Park-n-Ride facility, and improvements to the maintenance facility are construction projects planned for this period that would allow for additional categories to be added to the potential vendor list. The base figure is developed by reviewing available vendors in these contracting sectors and reviewing the available certified DBE firms in those same functional areas. Several options were presented in the USDOT's revised regulations including:

- DBE Directory and Census Bureau Data
- Bidders List
- Disparity Study Data
- Goal of another recipient
- Alternative Methods

The standard method of utilizing DBE Directory Information and Census Bureau data was selected for the establishment of the baseline figure. Census Bureau data for Berkeley, Charleston, and Dorchester counties, which encompasses all of CARTA's current service area, was used in determining the total number of businesses available for CARTA's FTA funded projects. This geographic area also comprises the Charleston Urbanized Area as defined by the US Census Bureau. As mandated by USDOT regulations, CARTA is a participant in the SCDOT Unified Certification Program, which was approved most recently in February 2024.

The base figure is developed by reviewing available vendors in these contracting sectors as found in the 2022 US Census Business Patterns Database. Firms in NAICS code categories that

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CARTA will be utilizing in FY 2026, FY 2027, and FY 2028 were identified and compiled. The South Carolina Department of Transportation's Unified DBE directory was then used to identify DBE firms in the NAICS code categories that CARTA will be utilizing in Fiscal Years 2026-2028.

- Total number of businesses in the Berkeley-Charleston-Dorchester Region: 120,769
- Total number of DBEs in the South Carolina UCP Directory: 571
- Total number of SBEs in the South Carolina UCP Directory: 195
- Total number of businesses with potential to be used by CARTA: 15,915
- Total number of DBEs providing services likely to be used by CARTA: 571
- Overall percentage of DBE businesses feasible for CARTA to use: 4.1%

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

CARTA Project Type	NAICS Code	Anticipated Project Cost	% of total DOT funds (weight)
Audit Services	541211	\$ 60,000.00	0.11%
Armored Transport Services	561613	\$ 24,000.00	0.0%
Bus Shelter Repair	238110	\$ 79,200.00	0.2%
Bus Shelter Construction	236220	\$ 280,000.00	0.5%
Facility Maintenance	236220	\$ 224,000.00	0.4%
Fixed Route/Paratransit Operations	485113	\$ 10,725,000.00	20.0%
Grounds Maintenance	561730	\$ 28,800.00	0.1%
Janitorial Services	561720	\$ 28,800.00	0.1%
Uniforms	812332	\$ 33,600.00	0.1%
NTD Data Collection & Reporting	541910	\$ 20,160.00	0.0%
Vehicle Cleaning Service	811192	\$ 66,000.00	0.1%
Office Equipment	532420	\$ 72,000.00	0.1%
Replacement Vehicle Parts	423120	\$ 432,000.00	0.8%
Vehicle Tires	423130	\$ 300,000.00	0.6%
Printing	323111	\$ 72,000.00	0.1%
Professional Services - Engineering	541330	\$ 9,600,000.00	17.9%
Professional Services – Legal	541110	\$ 156,000.00	0.3%
Professional Services – Public Relations	541820	\$ 108,000.00	0.2%
Professional Services – Transit Planning	541320	\$ 3,200,000.00	6.0%
Park-N-Ride Construction	236220	\$ 9,600,000.00	17.9%
Park-N-Ride Site Preparation / Paving	238910	\$ 4,000,000.00	7.5%

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Security Cameras & Equipment	561621	\$ 840,000.00	1.6%
Building Construction	236220	\$ 10,800,000.00	20.2%
Building Construction - Landscaping	561730	\$ 80,000.00	0.2%
Building Construction - HVAC	238220	\$ 840,000.00	1.6%
Building Construction - Electrical	238210	\$ 1,848,000.00	3.5%
Building Construction - Interior Finishes	238130	\$ 2,352,000.00	4.4%
Building Construction - Paving	238990	\$ 880,000.00	1.6%
Total		\$ 53,517,560.00	74.7%

**Step 2 - Determine the relative availability of DBEs by NAICS Code:** 

NAICS Code	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
541211	1	693	0.1%
561613	0	11	0.0%
238110	72	275	26.2%
236220	38	513	7.4%
236220	38	513	7.4%
485113	0	0	
561730	61	1896	3.2%
561720	30	1104	2.7%
812332	0	27	0.0%
541910	2	56	3.6%
811192	8	289	2.8%
532420	1	7	14.3%
423120	2	143	1.4%
423130	2	53	3.8%
323111	2	79	2.5%
541330	3	918	0.3%
541110	0	2565	0.0%
541820	10	81	12.3%
236220	38	513	7.4%
238910	78	640	12.2%
561621	1	133	0.8%
236220	38	597	6.4%
561730	61	1896	3.2%
238220	7	513	1.4%
238210	22	1023	2.2%
238130	9	146	6.2%

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238990	47	1231	3.8%
Totals	571	15915	3.59%

Step 3 - (Weight) x (Availability) = Weighted Base Figure

NAICS Code	Weight	x	Availability	Weighted Base Figure
541211	0.00112	Х	0.00144	0.0000
561613	0.00045	Х	0.00000	
238110	0.00148	Х	0.26182	0.0004
236220	0.00523	Х	0.07407	0.0004
236220	0.00419	Х	0.07407	0.0003
485113	0.20040	Х	0.00000	
561730	0.00054	Х	0.03217	0.0000
561720	0.00054	Х	0.02717	0.0000
812332	0.00063	Х	0.00000	
541910	0.00038	Х	0.03571	0.0000
811192	0.00123	Х	0.02768	0.0000
532420	0.00135	Х	0.14286	0.0002
423120	0.00807	Х	0.01399	0.0001
423130	0.00561	Х	0.03774	0.0002
323111	0.00135	Х	0.02532	0.0000
541330	0.17938	Х	0.00327	0.0006
541110	0.00291	Х	0.00000	
541820	0.00202	Х	0.12346	0.0002
236220	0.17938	Х	0.07407	0.0133
238910	0.07474	Х	0.12188	0.0091
561621	0.01570	Х	0.00752	0.0001
561621	0.01570	Х	0.06365	0.0010
236220	0.20180	Х	0.03217	0.0065
561730	0.00149	Х	0.01365	0.0000
238210	0.03453	Х	0.02151	0.0007
238130	0.04395	Х	0.06164	0.0027
238990	0.01644	Х	0.03818	0.0006

Rounded, Weighted

Base Figure:

4.0%

**STEP 2 ADJUSTING THE BASE FIGURE** 

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The base figure in the first step estimates the ready, willing, and able DBE firms relevant to all businesses ready, willing, and able to participate in CARTA's FTA-funded projects. The second step involves examining all evidence available to determine what adjustment, if any, is needed to the base figure. Based on past performance in DBE goal attainment, there is no adjustment warranted to the base figure.

An adjustment is justified based on the number of available contracts. There is only one prime contract available for each project. The exceptions are the construction projects and the professional service contracts where multiple awards are available due to the scale and use of subcontractors. Effective availability, expressed in the number of contracts, has been modified to add subcontracting opportunities, resulting in higher effective DBE utilization rate.

#### **DETERMINATION OF THE FY 2026-2028 OVERALL DBE GOAL**

Due to the level of attainment of DBE participation in past years, the adjusted baseline goal is consistent with historical attainment levels. There is a large construction project to be undertaken in Fiscal Year 2026. It is the Agency's goal to exceed the historical attainment levels and the adjusted baseline goal. Therefore, a five percent (5%) goal has been established for fiscal years 2026, 2027, and 2028. This will remain constant until the bus rapid transit project commences in 2029.

#### Fiscal Year 2026-2028 Overall DBE Goal – 5%

As a recipient of FTA funds, CARTA is required to express its goal as a percentage of all FTA funds that will be expended in the forthcoming fiscal year. CARTA will also strive to meet the US DOT aspirational goal of 10%. If there are any overages to the actual goal that is derived via the methodology in this document, they must be obtained by race-neutral means.

#### RACE NEUTRAL VERSUS RACE CONSCIOUS GOALS

As average attainment exceeds the base figure, the goal is 100% race neutral.

#### **PUBLIC PARTICIPATION & CONSULTATION PROCESS**

The USDOT regulations require consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations that could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses. CARTA partnered with SCDOT at public outreach events to receive public input as well as share details on how to improve setting and achieving DBE goals.

During the month of March 2024, staff began direct engagement efforts related to the individual FTA DBE programs and goals for BCDCOG, a FTA recipient in the region, and CARTA. Initially, staff contacted 91 individuals, inviting them to provide feedback through one-on-one interviews. Groups targeted by staff included existing SCDOT-certified DBEs within the field of transportation planning and engineering, managers of municipal and state-level small and

#### Charleston Area Regional Transportation Authority

minority business programs, non-profits associated with small and minority business advocacy, and economic development departments and local chambers of commerce. Initially, 34 initial interviews ranging in length from 15 to 60 minutes were completed by phone, video, and in-person conversations using a script developed for public agencies and a separate script for certified DBEs, chambers of commerce, and non-profits. At the end of each interview, staff asked each interviewee for any additional referrals that should be contacted as part of the engagement effort, yielding an additional 24 potential interview targets and 5 additional interviews completed to-date. In addition to documenting barriers related to DBE participation, certification, payment, and monitoring, interviewees provided feedback on goal setting, BCDCOG's procurement process, and best practices.

The planned continuing engagement activities include a DBE/MBE forum scheduled for early April 2025 in partnership with the regional municipalities, participation in the Charleston Black Expo, the Charleston Regional Development Alliance's incubator program, collaboration with the County procurement offices, and brown bag presentations to the chambers of commerce to encourage firms to complete

CARTA participated in SCDOT's DBE certification process, and continued conversations with interviewees on available resource sharing.

The consultation process supported CARTA's data, methodology, and approaches to its determination of an overall goal. The local consultation process was a constructive activity to receive feedback on the goal and the methodology to establish the goal. The sign-in sheet is attached.

Following this consultation, CARTA's Board of Directors approved CARTA's FFY 26- FFY 28 DBE goal, where a notice of the proposed overall goals, informing the public of the proposed goal and its rational are available for inspection during normal business hours at our administrative office for 30 days following the date of the notice. CARTA will accept comments on the goal for 30 days from the date of the notice published in the newspaper of general circulation.

Comments received during the consultation meeting included the need for a centralized place for DBEs to view projects available for bid, the frustration over the cumbersome process to be certified as a DBE, and the difficulty for a DBE firm to establish a work history with a general contractor. Additional comments included the fact that DBEs were less aware of FTA-funded projects opposed to FHWA-funded as a contracting opportunity.

During this consultation session, the comments received included the prohibitive bonding requirements in federal contracts, the lack of a consistent application of the prompt payment clause, and the fact that small businesses do not understand the DBE process. The discussion also touched on the ability of a small business to meet the bonding requirement and obtain loans to sustain operations.

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Based on the comments received, CARTA staff informed the attendees that our construction projects are included in the South Carolina Business Opportunities publication (SCBO), a publication provided by the State Fiscal Accountability Authority as the central place to view projects available for bid. CARTA staff also informed the group of the on-going contracting opportunities available with FTA-funded properties, such as tire contracts, building maintenance service, and professional services. The regional Council of Governments has a revolving loan fund to support small businesses and workforce development agency offers paid on-the-job training for small business to gain qualified employees. Regarding the financial elements, it was suggested that a small business representative attend pre-bid meetings to meet the general contractors and look for opportunities to have the prime contractor hold the bond. It was reiterated that resources are available at the local and state level to assist in becoming a certified DBE.

In addition, since 2007 CARTA has participated in a large local Expo and Trade Show that targets minority business-owners and consumers. In conjunction with the Expo, CARTA participates in forums to discuss CARTA business opportunities with minority owned firms via the local municipalities and the county governments. Firms were provided information on how to become certified through SCDOT's Unified Certification Program. Several other local municipalities' purchasing functions participated in the Expo and the Business Opportunities Forum as well. CARTA plans to participate annually in the Expo to increase awareness of contracting opportunities, and to encourage firms to become certified.

Finally, CARTA has partnered with Charleston County Procurement and its Small Business Program which also includes minority firms. Charleston County outreach channels and databases are used to target firms to receive solicitations for CARTA projects and purchases. Participation in this program has led to a higher attainment of utilization of DBE firms. A meeting with the County staff was held to provide an update on contracting opportunities at CARTA and to inform them of our participation in the program.

In accordance with 49 CFR 26.45(g)(1)(ii), the goal methodology and the proposed overall goal was posted on CARTA's agency web site before August 1<sup>st</sup>. The posting can be viewed at http://www.ridecarta.com/business-center/title-vi.

Charleston Area Regional Transportation Authority

Insert coordination meeting sign-in sheet.

# Charleston Area Regional Transportation Authority

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

\* Enter all the FTA-assisted projects below. Project amounts should be assigned relevant NAICS Code(s).

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1	541211	Audit Services	\$60,000.00	0.11%
		Armored	\$24,000.00	0.04%
2	561613	Transport Services		
3	238110	Bus Shelter Repair	\$79,200.00	0.15%
4	236220	Bus Shelter Construction	\$280,000.00	0.52%
5	236220	Facility Maintenance	\$224,000.00	0.42%
6	485113	Fixed Route/Paratransit Operations	\$10,725,000.00	20.04%
7	561730	Grounds Maintenance	\$28,800.00	0.05%
8	561720	Janitorial Services	\$28,800.00	0.05%
9	812332	Uniforms	\$33,600.00	0.06%
10	541910	NTD Data Collection & Reporting	\$20,160.00	0.04%
11	811192	Vehicle Cleaning Service	\$66,000.00	0.12%
12	532420	Office Equipment	\$72,000.00	0.13%
13	423120	Replacement Vehicle Parts	\$432,000.00	0.81%
14	423130	Vehicle Tires	\$300,000.00	0.56%
15	323111	Printing	\$72,000.00	0.13%
16	541330	Professional Services - Engineering	\$9,600,000.00	17.94%
17	541110	Professional Services – Legal	\$156,000.00	0.29%

# Charleston Area Regional Transportation Authority

		Professional	\$108,000.00	0.20%
		Services – Public		
18	541820	Relations		
		Professional	\$3,200,000.00	5.98%
		Services – Transit		
18	541320	Planning		
		Park-N-Ride	\$9,600,000.00	17.94%
19	236220	Construction		
	238910	Park-N-Ride Site	\$4,000,000.00	7.47%
		Preparation /		
20		Paving		
	561621	Security Cameras	\$840,000.00	1.57%
21		& Equipment		
	236220	Building	\$10,800,000.00	20.18%
22		Construction		
	561730	Building	\$80,000.00	0.15%
		Construction -		
23		Landscaping		
	238220	Building	\$840,000.00	1.57%
		Construction -		
24		HVAC		
	238210	Building	\$1,848,000.00	3.45%
		Construction -		
25		Electrical		
	238130	Building	\$2,352,000.00	4.39%
		Construction -		
26		Interior Finishes		
	238990	Building	\$880,000.00	1.64%
		Construction -		
27		Paving		
	Total FT	A-Assisted	\$53,517,560.00	75%
	Contract	Funds		

# Charleston Area Regional Transportation Authority

#### Step 2 - Determine the relative availability of DBE's by NAICS Code:

Number of available DBE firms and the number of available firms.

Step 2 - Determine the relative availability of DBE's by NAICS Code:

	NAICS Code	Project	Number of DBEs available to perform this work	Number of all firms available (including DBEs)
1	541211	Audit Services	1	693
2	561613	Armored Transport Services	0	11
3	238110	Bus Shelter Repair	72	275
4	236220	Bus Shelter Construction	38	513
5	236220	Facility Maintenance	38	513
6	485113	Fixed Route/Paratransit Operations	0	0
7	561730	Grounds Maintenance	61	1896
8	561720	Janitorial Services	30	1104
9	812332	Uniforms	0	27
10	541910	NTD Data Collection & Reporting	2	56
11	811192	Vehicle Cleaning Service	8	289
12	532420	Office Equipment	1	7
13	423120	Replacement Vehicle Parts	2	143
14	423130	Vehicle Tires	2	53
15	323111	Printing	2	79
16	541330	Professional Services - Engineering	3	918
17	541110	Professional Services – Legal	0	2565

# Charleston Area Regional Transportation Authority

	541820	Professional	10	81
		Services – Public		
18		Relations		
	236220	Park-N-Ride	38	513
19		Construction		
	238910	Park-N-Ride Site	78	640
		Preparation /		
20		Paving		
	561621	Security Cameras	1	133
21		& Equipment		
	236220	Building	38	597
22		Construction		
	561730	Building	61	1896
		Construction -		
23		Landscaping		
	238220	Building	7	513
		Construction -		
24		HVAC		
	238210	Building	22	1023
		Construction -		
25		Electrical		
	238130	Building	9	146
		Construction -		
26		Interior Finishes		
	238990	Building	47	1231
		Construction -		
27		Paving		
	Co	mbined Totals	571	15915

# Charleston Area Regional Transportation Authority

Step 3 - (Weight) x (Availability) = Weighted Base Figure

	NAICS	/ X (IValiability) = VVeight				Weighted Base
	Code	Project	Weight	X	Availability	Figure
1	541211	Audit Services	0.00112	Х	0.00144	0.0000
		Armored Transport				
2	561613	Services	0.00045	X	0.00000	
3	238110	Bus Shelter Repair	0.00148	X	0.26182	0.0004
		Bus Shelter				
4	236220	Construction	0.00523	X	0.07407	0.0004
5	236220	Facility Maintenance	0.00419	X	0.07407	0.0003
		Fixed Route/Paratransit				
6	485113	Operations	0.20040	X	0.00000	
l _	T < 1.700	Grounds	0.00074		0.00015	0.0000
7	561730	Maintenance	0.00054	X	0.03217	0.0000
8	561720	Janitorial Services	0.00054	X	0.02717	0.0000
9	812332	Uniforms	0.00063	X	0.00000	
10	<b>541010</b>	NTD Data Collection	0.00020		0.00551	0.0000
10	541910	& Reporting	0.00038	X	0.03571	0.0000
11	011102	Vehicle Cleaning	0.00122		0.02769	0.0000
11	811192	Service Office Equipment	0.00123	X	0.02768	0.0000
12	532420		0.00135	X	0.14286	0.0002
13	423120	Replacement Vehicle Parts	0.00807	X	0.01399	0.0001
14	423120	Vehicle Tires	0.00561		0.01399	0.0001
		Printing		X		
15	323111	Professional Services -	0.00135	X	0.02532	0.0000
16	541330	Engineering	0.17938	X	0.00327	0.0006
10	341330	Professional Services –	0.17730	Λ	0.00327	0.0000
17	541110	Legal	0.00291	X	0.00000	
	0.1110	Professional Services –	0.00291		0.0000	
18	541820	Public Relations	0.00202	X	0.12346	0.0002
		Park-N-Ride				
19	236220	Construction	0.17938	X	0.07407	0.0133
		Park-N-Ride Site				
20	238910	Preparation / Paving	0.07474	X	0.12188	0.0091
24	561601	Security Cameras &	0.01570		0.00752	0.0001
21	561621	Equipment	0.01570	X	0.00752	0.0001
22	561621	Building Construction	0.01570	X	0.06365	0.0010
22	226220	Building Construction -	0.20100		0.02217	0.0065
23	236220	Landscaping  Diding Construction	0.20180	X	0.03217	0.0065
24	561730	Building Construction - HVAC	0.00149	***	0.01365	0.0000
<i>2</i> 4	201/30	ΠVAC	0.00149	X	0.01365	0.0000

# Charleston Area Regional Transportation Authority

		Building Construction -				
25	238210	Electrical	0.03453	X	0.02151	0.0007
		Building Construction -				
26	238130	Interior Finishes	0.04395	X	0.06164	0.0027
		Building Construction -				
27	238990	Paving	0.01644	X	0.03818	0.0006
					Total	0.0367
					Rounded,	
					Weighted	
					Base	
					Figure:	4%

Charleston Area Regional Transportation Authority

**Insert Board Minutes Adopting the DBE Usage Goals** 

#### Charleston Area Regional Transportation Authority

#### **DBE Usage Goal Affidavit of Publication**

The Charleston Area Regional Transportation Authority (CARTA) announces a
DISADVANTAGED BUSINESS ENTERPRISE GOAL FOR 2026-2028

CARTA has established an overall goal of 5% for Disadvantaged Business Enterprise (DBE) participation in Federally funded contracts through the Federal Transit Administration. A description of the methodology used to develop the goal is available for public inspection and comment for thirty (30) days from the date of this notice. The document will be available between the hours of 8:30 AM and 5:00 PM, Monday through Friday at the BCDCOG Offices located at 5790 Casper Padgett Way, North Charleston, SC 29406. Public comments regarding the goal and the associated DBE Plan update will be accepted at the address above or at contact@bcdcog.com. Qualified DBE firms are encouraged to participate in the SCDOT Unified Certification Program.

This is CARTA's final DBE Usage Goal unless substantial comment is received and would constitute a change to the goal as presented above.



# DISADVANTAGED BUSINESS ENTERPRISE & SMALL BUSINESS PARTICIPATION PROGRAM MANUAL



**April 2025** 

FTA Recipient ID# 1115
Tier I Recipient
5790 Casper Padgett Way
North Charleston, SC 29406
Telephone (843) 529.2128
Contact Person: Jeffrey Burns

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#### I. DBE &SMALL BUSINESS PARTICIPATION PROGRAM ADMINISTRATION

#### DBE Program Policy Statement

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

It is the policy of CARTA to ensure that DBE's, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy -

- 1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
- 2. To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts;
- 3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- 4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBE's;
- 5. To help remove barriers to the participation of DBE's in DOT assisted contracts; and
- 6. To assist the development of firms that can compete successfully in the market place outside the DBE Program; and
- 7. To facilitate competition in DOT-assisted public works projects by small business concerns, both DBEs and non-DBE small businesses.

The **Grants and Contracts Compliance Administrator** has been delegated as the DBE Liaison Officer. In that capacity, **Grants and Contracts Compliance Administrator** 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 CARTA in its financial assistance agreements with the Department of Transportation.

CARTA has disseminated this policy statement to the CARTA Board of Directors and all the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts through public notices and direct mailings.

If you have any questions or would like further information regarding this Program, please contact the DBE Liaison Officer, by telephone at 843.724.7195 or by email at jburns@ridecarta.com.

Executive Director

Ronald &

#### **GENERAL REQUIREMENTS**

## **Applicability** (Sections 26.3 and 26.21)

CARTA, a recipient of federal financial assistance from the Federal Transit Administration ("FTA") and the Federal Highway Administration ("FHWA") of the U.S. DOT, is required to implement a DBE Program in accordance with 49 CFR Part 26, which is incorporated herein by this reference. The Program outlined herein applies to all CARTA contracts that are funded, in whole or in part, by U.S. DOT federal financial assistance. In the event of any conflicts or inconsistencies between the Regulations and this DBE Program with respect to U.S. DOT-assisted contracts, the Regulations shall prevail.

## Nondiscrimination. (26.7)

CARTA 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, CARTA 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.

#### **Definitions of Terms** (26.5)

The terms used in this program have the meanings defined in 49 CFR 26.5. Some of the most common terms are defined below:

Affiliation has the same meaning the term has in the Small Business Administration (SBA) regulations, 13 CFR part 121.

- (1) Except as otherwise provided in 13 CFR Part 121, concerns are affiliates of each other when, either directly or indirectly:
  - (i) One concern controls or has the power to control the other; or
  - (ii) A third party or parties controls or has the power to control both; or
  - (iii) An identity of interest between or among parties exists such that affiliation may be found.
- (2) In determining whether affiliation exists, it is necessary to consider all appropriate factors, including common ownership, common management, and contractual relationships. Affiliates must be considered together in determining whether a concern meets small business size criteria and the statutory cap on the participation of firms in the DBE program.

Alaska Native means a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian (including Tsimshian Indians not enrolled in the Metlaktla Indian Community), Eskimo, or Aleut blood, or a combination of those bloodlines. The term includes, in the absence of proof of a minimum blood quantum, any citizen whom a Native village or Native group regards as an Alaska Native if their father or mother is regarded as an Alaska Native.

Alaska Native Corporation (ANC) means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601, et seq.).

Business, business concern or business enterprise means an entity organized for profit with a place of business located in the United States, and which operates primarily within the United States or which makes a significant contribution to the United States economy through payment of taxes or use of American products, materials, or labor.

Compliance means that a recipient has correctly implemented the requirements of this part.

Contract means a legally binding relationship obligating a seller to furnish supplies or services (including, but not limited to, construction and professional services) and the buyer to pay for them. For purposes of this part, a lease is considered to be a contract.

Contractor means one who participates, through a contract or subcontract (at any tier), in a DOT-assisted highway, transit, or airport program.

Days mean calendar days. In computing any period of time described in this part, the day from which the period begins to run is not counted, and when the last day of the period is a Saturday, Sunday, or Federal holiday, the period extends to the next day that is not a Saturday, Sunday, or Federal holiday. Similarly, in circumstances where the recipient's offices are closed for all or part of the last day, the period extends to the next day on which the agency is open.

Department or DOT means the U.S. Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).

Disadvantaged business enterprise or DBE means a for-profit small business concern—

- (1) That is 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
- (2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it?

Distributors are permitted to drop-ship from manufacturers if the firm has a distributorship agreement or assumes all responsibility for the materials after point of origin, allowing 40% credit for the cost of materials.

DOT-assisted contract means any contract between a recipient and a contractor (at any tier) funded in whole or in part with DOT financial assistance, including letters of credit or loan guarantees, except a contract solely for the purchase of land.

FTA Tier I recipient means an FTA recipient to whom this part applies that will award prime contracts (excluding transit vehicle purchases) the cumulative total value of which exceeds \$670,000 in FTA funds in a Federal fiscal year.

FTA Tier II recipient means an FTA recipient to whom this part applies who will award prime contracts (excluding transit vehicle purchases) the cumulative total value of which does not exceed \$670,000 in FTA funds in a Federal fiscal year.

Good faith efforts means efforts to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

Immediate family member means father, mother, husband, wife, son, daughter, brother, sister, grandmother, grandfather, grandson, granddaughter, mother-in-law, or father-in-law.

Indian tribe means any Indian tribe, band, nation, or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services

provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of "tribally-owned concern" in this section.

Indian Tribe or Native American Tribe means any federally or State-recognized Tribe, band, nation, or other organized group of Indians (Native Americans), or an ANC.

Joint venture means an association of a DBE firm and one or more other firms to carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

Liabilities mean financial or pecuniary obligations. This includes, but is not limited to, accounts payable, notes payable to bank or others, installment accounts, mortgages on real estate, and unpaid taxes.

Native Hawaiian means any individual whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

Native Hawaiian Organization means any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii, is controlled by Native Hawaiians, and whose business activities will principally benefit such Native Hawaiians.

Noncompliance means that a recipient has not correctly implemented the requirements of this part.

Operating Administration or OA means any of the following parts of DOT: the Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The "Administrator" of an operating administration includes his or her designees. Personal net worth means the net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include: The individual's ownership interest in an applicant or participating DBE firm; or the individual's equity in his or her primary place of residence. An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

Personal net worth or PNW means the net value of an individual's reportable assets and liabilities, per the calculation rules in § 26.68.

Primary industry classification means the North American Industrial Classification System (NAICS) designation which best describes the primary business of a firm. The NAICS is described in the North American Industry Classification Manual—United States, 1997 which is available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA, 22161; by calling 1 (800) 553–6847; or via the Internet at: http://www.ntis.gov/product/naics.htm.

*Primary recipient* means a recipient which receives DOT financial assistance and passes some or all of it on to another recipient.

Principal place of business means the business location where the individuals who manage the firm's day-to-day operations spend most working hours and where top management's business records are kept. If the offices from which management is directed and where business records

are kept are in different locations, the recipient will determine the principal place of business for DBE program purposes.

Program means any undertaking on a recipient's part to use DOT financial assistance, authorized by the laws to which this part applies.

Race-conscious measure or program is one that is focused specifically on assisting only DBEs, including women-owned DBEs.

Race-neutral measure or program is one that is, or can be, used to assist all small businesses. For the purposes of this part, race-neutral includes gender-neutrality.

Recipient is any entity, public or private, to which DOT financial assistance is extended, whether directly or through another recipient, through the programs of the FAA, FHWA, or FTA, or who has applied for such assistance.

Recipient means any entity, public or private, to which DOT financial assistance is extended, whether directly or through another recipient, through the programs of the FAA, FHWA, or FTA, or that has applied for such assistance.

Secretary means the Secretary of Transportation or his/her designee.

Set-aside means a contracting practice restricting eligibility for the competitive award of a contract solely to DBE firms.

Small Business Administration or SBA means the United States Small Business Administration.

SBA certified firm refers to firms that have a current, valid certification from or recognized by the SBA under the 8(a) BD or SDB programs.

Small business concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b).

Socially and economically disadvantaged individual means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is—

- (1) Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.
- (2) Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
  - (i) "Black Americans," which includes persons having origins in any of the Black racial groups of Africa;
  - (ii) "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
  - (iii) "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;
  - (iv) "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the

Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong;

- (v) "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka; (vi) Women;
- (vii) Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

Spouse means a married person, including a person in a domestic partnership or a civil union recognized under State law.

Transit vehicle manufacturer (TVM) means any manufacturer whose primary business purpose is to manufacture vehicles built for mass transportation. Such vehicles include, but are not limited to buses, rail cars, trolleys, ferries, and vehicles manufactured specifically for paratransit purposes. Businesses that perform retrofitting or post-production alterations to vehicles so that such vehicles may be used for public transportation purposes are also considered TVMs. Businesses that manufacture, mass-produce, or distribute vehicles primarily for personal use are not considered TVMs.

Tribally-owned concern means any concern at least 51 percent owned by an Indian tribe as defined in this section.

Unsworn declaration means an unsworn statement, dated and in writing, subscribed as true under penalty of perjury.

## **Administrative Requirements**

DBE Program Updates (26.21)

We will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

DBE Financial Institutions (Section 26.27)

It is the policy of CARTA to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions and to encourage prime contractors on U.S. DOT-assisted contracts to make use of these institutions.

The Liaison Officer has researched the website for The Federal Reserve Board at www.federalreserve.gov/releases/mob/ to identify minority-owned banks derived from the Consolidated Reports of Condition and Income filed quarterly by banks (FFIEC 031 through 034) and from other information on the Board's National Information Center database. The Liaison Officer will continue to use this source to solicit minority-owned banks to participate in the DBE Program.

To date, the Liaison Officer has identified no minority-owned financial institutions that offer services in the Charleston Area (as of February 1, 2008). Together with CARTA's Finance Officer, the Liaison Officer shall explore the full extent of services offered by banks and other financial institutions that qualify as DBEs in the Charleston Area and determine areas in which CARTA may reasonably utilize their services. CARTA shall also encourage its prime contractors to use the services of DBE financial institutions.

## DBE Database (Section 26.31)

CARTA will refer interested persons to the DBE directory available from the SCDOT Disadvantaged Business Enterprise Program website at <a href="http://www.scdot.org/doing/Dbe\_programs.shtml#certify">http://www.scdot.org/doing/Dbe\_programs.shtml#certify</a>

### Bidders List (Section 26.11)

CARTA will require all prime contractors bidding or proposing on U.S. DOT-assisted contracts to submit the following information about the prime contractor and all subcontractors who provide a bid, proposal or quote to the prime contractor: the firm's name, address, status as a DBE or non-DBE, number of years in business, annual gross receipts, scope of work to be performed, on the contract, and dollar amount of that work.

This information must be received by CARTA before a recommendation is made to the Board of Directors before award of contract. If the information is not received within the time specified, the bidder/proposer will be deemed non-responsive.

Data gathering will be conducted by requiring firms bidding on contracts with subcontracting opportunities to submit a form entitled, Prime Contractor and Subcontractor/Subconsultant/Supplier Report. In the case of firms bidding on contracts without subcontracting opportunities, data gathering will be conducted by requesting firms to complete a survey entitled, Bidder Information Survey. The Liaison Officer will maintain the confidentiality of any proprietary information in accordance with applicable South Carolina law. This information will be requested of all bidders as further described in Section IX.

CARTA will submit to USDOT an annual listing of solicitation respondents (Bidders) no later than December 1 of each 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, the data will be entered no later than December 1 following the fiscal year in which the design-build contractor awards the relevant subcontract(s).

#### Over-Concentration (Section 26.33)

If the Administrator determines that DBE participation is so over-concentrated in certain types of work or contracting opportunities assisted by FTA or FHWA that it unduly burdens the participation of non-DBEs in that type of work, the Administrator will develop appropriate measures to address the over-concentration. The Administrator will seek approval of such measures from FTA or SCDOT on behalf of FHWA and, at that time, the measures will become a part of this Program. Currently, overconcentration has not been identified in CARTA's program.

# Business Development Programs (Section 26.35)

CARTA does not have a Business Development Program; however CARTA will work with the U.S Small Business Administration and local small business development enterprises to foster business development. CARTA participates extensively in transportation industry associations, including the American Public Transportation Association and the Transit Association of South Carolina to publicize business opportunities. Additionally, advertisements for contractor opportunities with CARTA are circulated through the South Carolina Business Opportunities Publication. Through those associations, CARTA staff will be available for and communicate with representatives of small businesses to become acquainted with the owners and to identify qualified businesses that may furnish services and products. CARTA staff will provide information on how to do business with CARTA, technical assistance on specified contracts, and other topics of interest to small business concerns.

Additionally, to ensure that potential bidders are aware of the DBE policy, CARTA makes reference to this policy in its contract specifications and advertisements of all U.S. DOT-assisted contracts.

Monitoring Actual DBE Participation (Sections 26.37 and 26.55)

CARTA will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. The Liaison Officer shall monitor and track the actual DBE participation through contractor and subcontractor reports of payments. The Liaison Officer will maintain a running tally of payments actually made to DBE firms and may require prime contractors and DBE subcontractors and suppliers to provide appropriate documentation to verify such payments.

The Liaison Officer shall ensure that DBE participation is counted toward contract goals and the annual overall goal in accordance with the Regulations. Credit toward overall or contract goals will only be given upon satisfactory evidence that payments were actually made to DBEs.

CARTA will implement appropriate mechanisms to ensure compliance with the requirements in this part by all program participants (e.g., applying legal and contract remedies available under Federal, State, and local law).

The following monitoring and enforcement mechanism to ensure that work committed, or in the case of race-neutral participation, the work subcontracted, to all DBEs at contract award or subsequently is performed by the DBEs to which the work was committed or subcontracted to, and such work is counted according to the requirements of § 26.55. This mechanism includes a written verification that you have reviewed contracting records and monitored the work site to ensure the counting of each DBE's participation is consistent with its function on the contract. The monitoring will be conducted in conjunction with monitoring of contract performance for other purposes such as a commercially useful function review.

A running tally mechanism will be implemented through the following processes. For the overall usage goal and each DBE commitment, a running tally that provides a frequent comparison of cumulative DBE awards/commitments to DOT-assisted prime contract awards to determine whether your current implementation of contract goals is projected to be sufficient to meet your annual goal will track in a contract oversight spreadsheet. Each project manager will be responsible for maintaining the database, using this mechanism to inform the DBLO's decisions to implement goals on contracts to be advertised according to your established contract goal-setting process and to monitor that each listed DBE relative to the progress of work, including payments for such work to the prime contractor 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).

#### Reporting to U.S. DOT (Section 26.11)

CARTA may 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 report of proposed DBE participation.

The Liaison Officer will continue to provide the reports regarding DBE participation and annual overall goals required by the Regulations to FTA and SCDOT.

## No Quotas or Set-Asides (Section 26.43)

CARTA does not, and will not, use quotas nor set-asides in any way in the administration of this Program.

# Fostering Small Business Participation (26.39)

CARTA has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted public works projects by small business concerns, both DBEs and non-DBE small businesses. CARTA is committed to 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 following strategies will be employed to facilitate competition by small business concerns:

- CARTA will partner with local agencies, including Charleston County, the member municipal jurisdictions of CARTA, SC Department of Transportation, and the Charleston Metro Chamber of Commerce to foster participation of small businesses;
- Procurement procedures will be reviewed and evaluated to ensure that unnecessary or unjustified contract requirements are eliminated that could preclude participation in procurements;
- CARTA will take all reasonable steps to eliminate obstacles to their small business participation, including unnecessary and unjustified bundling of contract requirements by the following measures:
  - o The procurement officer will evaluate each procurement opportunity for approaches simplify contract requirements, such as diversity, size, or specialized nature of the elements of the performance specified; aggregate dollar value of the anticipated award, and/or geographical dispersion of the contract performance sites
  - Requiring bidders on large contracts to identify and/or provide specific subcontracts appropriate for small business participation
- CARTA staff will participate in community outreach events to educate and encourage participation in procurements;
- Prime contracts will be advertised that are of a size small businesses can reasonably compete for and perform, including requiring bidders on large contracts to identify and/or provide specific subcontracts appropriate for small business participation;
- In multi-year design-build contracts or other large contracts, for example a "megaproject," bidders on the prime contract will be required to specify elements of the contract or specific subcontracts that are of a size that small businesses, including DBEs, can reasonably perform;
- Explore alternative acquisition strategies and techniques to structure procurements that facilitates the ability of consortia or joint ventures consisting of small businesses, including DBEs, to compete for and perform prime contracts.

The Small Business Participation will be implemented as part and parcel of the overall DBE program. The above listed strategies will be the responsibility of the Liaison Officer, who will report to the Executive Director activities on an ongoing basis. A correspondence will be developed to inform the partner agencies of the Agency's new initiative. Periodic updates to that correspondence will be distributed. The Liaison Officer will attend meetings and events to apprise those with Small Business interests of CARTA's program. Lastly, the Liaison Officer will ensure that organizations supporting Small Businesses are informed of procurement opportunities and provide the needed support to facilitate their participation in those procurements.

## DBE Liaison Officer (DBELO) (26.25)

We have designated the following individual as our DBE Liaison Officer: Jeffrey Burns, Grants and Contracts Compliance Administrator, 5790 Casper Padgett Way, North Charleston, SC 29406, 843.529.2128 or <a href="mailto:iburns@bcdcog.com">iburns@bcdcog.com</a>. In that capacity, the DBE Liaison Officer is responsible for implementing all aspects of the DBE program and ensuring that CARTA complies with all provisions of

49 CFR Part 26. The DBE Liaison Officer has direct, independent access to the Executive Director concerning DBE program matters.

The DBE Liaison Officer is responsible for developing, implementing and monitoring the DBE program, in coordination other appropriate officials. Duties and responsibilities include the following:

- Responsible for the overall implementation, administration and monitoring of the DBE Program;
- Gathers and reports statistical data and other information as required by DOT;
- Reviews third party contracts and purchase requisitions for compliance with this program;
- Works with all departments to set overall annual goals;
- Ensures that bid notices and requests for proposals are available to DBE's in a timely manner;
- Identifies contracts and procurements so that DBE goals are included in solicitations (both raceneutral methods and contract specific goals) and monitors results;
- Analyzes CARTA's progress toward goal attainment and identifies ways to improve progress.
- Participates in pre-bid meetings;
- Advises the Executive Director and CARTA Board on DBE matters and achievement;
- Chairs the DBE Advisory Committee;
- Determines contractor compliance with good faith efforts;
- Provides DBE's with information and assistance in preparing bids, obtaining bonding and insurance;
- Plans and participates in DBE training seminars;
- Provides outreach to DBE's and community organizations to advise them of opportunities; and
- Maintains CARTA's updated directory on certified DBE's.

## Federal Financial Assistance Agreement Assurance (26.13)

CARTA has signed the following assurance, applicable to all DOT-assisted contracts and their administration: The same assurance will be included in all agreements with subrecipients.

CARTA 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 recipient 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 recipient's 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 CARTA of its failure to carry out its approved program, the Department may impose sanctions as provided for under 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.).

#### Required Contract Clauses (26.13, 26.29)

#### Contract Assurance

CARTA will ensure that the following clause is placed in every DOT-assisted contract and subcontract: The contractor 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 CARTA deems appropriate.

#### **Prompt Payment**

CARTA will include the following clauses in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 10 days from the receipt of each payment the prime contractor receives from CARTA. The prime contractor agrees further to return retainage payments to each subcontractor within 10 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of CARTA. This clause applies to both DBE and non-DBE subcontractors.

If the prime withholds payment from the subcontractor without a bona fide reason or without providing prompt written documentation to CARTA, sanctions may be imposed upon the prime. CARTA will determine if the prime is withholding payment without a just cause, interest may accrue on the unpaid amount owed to the subcontractors(s), however if a determination of just cause is made, then no interest will accrue. If interest accrues on the amount due the subcontractor, the prime is responsible for including that total amount to the subcontractor at the time of payment.

#### Monitoring and Enforcement Mechanisms (26.29(d), 26.37)

CARTA has established the following process to monitor and enforce that prompt payment and return of retainage is in fact occurring. Depending on the scope and nature of the project being advanced, CARTA will contract with a consultant to provide construction management services. One of the responsibilities of the construction management consultant will be to support CARTA in monitoring the work performed by a DBE firm(s). Otherwise, the internal Project Supervisor assigned to oversee the project will perform these tasks and communicate directly with the DBELO. DBE Liaison Officer verifies payments via direct communication with the contractor and/or subcontractor.

- 1. Requiring prime contractors (in sub-contracts in excess of \$10,000), to provide subcontractors with all contract provisions, including the prompt payment provision. This will ensure that the subcontractors are knowledgeable of the prompt payment requirement.
- 2. Because the contract requires prompt payment by the prime contractor to the subcontractor, the subcontractor is entitled to prompt payment. Because subcontractors will be aware of this right, and it is in their greatest financial interest to assure that this right is respected, we believe it is reasonable to expect that subcontractors not receiving prompt payment will contact CARTA.
- 3. If CARTA is contacted by a subcontractor regarding possible violation of the prompt payment clause by the prime contractor we will make inquiries to the prime contractor. Any delay or postponement of payment from the above referenced period may occur only for good cause following written approval from CARTA. This language applies to both DBE and non-DBE subcontracts. Failure to satisfy prompt payment to subcontractors no later than thirty (30) calendar days from the receipt of payment from the CARTA may constitute a breach of contract and may result in termination of the Contractor for default or such other remedy deemed appropriate.

The following mechanism will be used for proactive monitoring and oversight of prime contractors' compliance with subcontract prompt payment and return of retainage requirements. CARTA staff will:

- Review payments from prime contractors to subcontractors, in addition to payments made
  to all lower-tier subcontractors, with supporting documentation to determine the amount
  and timeliness of payments. A payment certification form will be required with each pay
  application showing subcontractor / supplier utilization from the prime contractor.
- Review contract and subcontract documents for inclusion of appropriate prompt payment clauses.

• Review the specifications contained in the contractual clause that may address any measures of performance in prompt payment and return of retainage.

Prompt and full payment of payment and retainage from CARTA to the prime contractor will be made within 30 days. Payment from the Contractor must be made to the subcontractor for the work item within seven (7) days of the Contractor's receipt of payment from CARTA. A subcontractor shall be considered to have "satisfactorily performed a work item of the subcontract" when the CARTA pays the Contractor for that work item. In the case of a second or third tier subcontractor, the 7-day time period begins to run when the first-tier subcontractor receives payment from the Contractor or when the second-tier subcontractor receives payment from the first-tier subcontractor.

The following mechanism will be used for proactive monitoring for the return of retainage. CARTA staff will use a method consistent with § 26.29(b), SCDOT's procedure, and the SC Prompt Pay Act (S.C. Code Section 29-6-40).

- Comparing invoices to cancelled checks under audit procedures or taking a risk-based approach to the selection of projects based on past contractor performance.
- Reviewing contractual clauses and other specifications to ensure that retainage is released promptly, even though it is not held by the recipient. Payment to the subcontractor shall not be withheld without prior CARTA written approval.
- Ensuring that written policies and SOPs exist to monitor incremental releases of retainage based upon satisfactory completion of work after the prime contractor has received payment from the Recipient.

Failure to comply with any of the above provisions shall constitute a material breach of the contract and shall result in one or more of the following sanctions: (1) no further payments to the Contractor unless and until compliance is achieved; (2) monetary sanctions; (3) the Contractor being declared in default and being subject to contract termination, (4) imposing liquidated damages; (5) disqualifying the contractor from bidding on future contracts, and/or (6) other remedies the recipient deems equally appropriate.

Any subcontractor who believes it is due payment in accordance with the Prompt Payment Clause may request information from the assigned CARTA project manager as to whether and when payment for the subcontractor's work has been made to the Contractor. If payment has been made to the Contractor, and a subcontractor certifies that the subcontractor has not been paid within seven (7) calendar days of CARTA's payment to the Contractor or paid as provided above for subtiers, the DBELO will be notified. If CARTA has not approved the delay in payment, appropriate remedies set forth above will be applied. On federally funded projects, the subcontractor may contact the Federal Transit Administration should CARTA fail to address the non-payment issue.

The Contractor agrees by submitting this bid or proposal that it will include this clause titled "Prompt Payment Clause," provided by CARTA, without modification, in all subcontracts with its subcontractors. The contractor is responsible for requiring all its subcontractors to include this Prompt Payment Clause in all lower tier subcontracts. If Contractor knowingly enters or knowingly allows a subcontractor or lower tier subcontractor to enter into a subcontract without the Prompt Payment Clause, CARTA may apply the appropriate remedies set forth above or pursue other available remedies, including breach of contract.

These prompt payment requirements flow down to all lower tier subcontractors.

As provided for in 49 CFR Part 26.37, CARTA will provide a written certification for the project file confirming that the Authority has reviewed contracting records and monitored work sites. The file will note the findings from this effort and any action taken if required. CARTA will use the confirmed

information submitted on these reports to keep a running tally of actual payments made to DBE firms for work committed to them at the time of contract award.

All contractors will be required to complete the standard reporting form that CARTA uses for the compiling of data for submission to FTA. CARTA will make this process part of the contract administration duties of all contract administrators, with unsatisfactory performance fees if reports are not submitted in a timely fashion.

We will consider the use of interim audits of contract payment to DBE's. 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.

We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with 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 26.109. We also will consider similar action under our own legal authorities, including responsibility determinations in future contracts.

Attachment B lists the regulations, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.

**Determining, Achieving Goals and Counting Annual Overall DBE Participation** (Section 26.45) In accordance with Section 26.45, CARTA will submit its triennial overall DBE goal to FTA on August 1 of the year specified by FTA.

The process generally used by CARTA to establish overall DBE goals is as follows:

- 1. Staff determines a base figure for the relative availability of DBEs.
- 2. After calculating the base figure of relative availability of DBEs, evidence is examined to determine what adjustment is needed to the base figure in order to arrive at the overall goal.

A description of the methodology to calculate the overall goal and the goal calculations can be found in Attachment D to this program. This section of the program will be updated every three years.

Before establishing the overall goal each year, CARTA will consult with minority, women, and general consultant groups, as well as small business resource organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and CARTA's efforts to establish a level playing field for the participation of DBEs. CARTA has relied upon the Consultation Committee's comments to the South Carolina Department of Transportation in this regard.

Following this consultation, CARTA will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rational are available for inspection during normal business hours at your principal office for 30 days following the date of the notice, and informing the public that CARTA and DOT will accept comments on the goals for 45 days from the date of the notice.

CARTA posts notices in the paper of general circulation and on CARTA's website. A notice will also be placed any in the minority-focused newspaper, The notice will include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

CARTA's overall goal submission to DOT will include: the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the methodology, worksheets, etc., used to develop the goal; a summary of information and comments received during this public participation process and our responses; and proof of publication of the goal in media outlets listed above.

CARTA will begin using our overall goal on October 1 of the specified year, unless other instructions have been received from DOT. If CARTA establishes a goal on a project basis, the goal will used by the time of the first solicitation for a DOT-assisted contract for the project. The goal will remain effective for the duration of the three-year period established and approved by FTA.

## Race Neutral versus Race Conscious Usage Goal Measures (26.51)

As average attainment exceeds the base figure, the goal is 100% race neutral. CARTA will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation.

CARTA uses the following race-neutral means to increase DBE participation. Where feasible, CARTA will unbundle large contracts to make them accessible to small businesses. CARTA will encourage prime contractors to subcontract portions of work normally done by their own forces, when a subcontractor submits a lower quote than the prime contractor cost estimate.

If the usage goal is established with a race conscious goal adjustment, the following is a summary of how our estimated breakout of race-neutral and race-conscious DBE participation would occur. The basis for these observances was the performance data studied for past attainment levels. An average race neutral percentage was developed using this data.

We will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

#### Goal Setting and Accountability (26.47)

If the awards and commitments shown on CARTA Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

- 1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
- 2. Establish specific steps and milestones to correct the problems identified in the analysis; and
- 3. Implement a corrective action plan, and maintain information/records regarding the analysis and efforts made.

#### Transit Vehicle Manufacturers (26.49)

CARTA will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of this section. Alternatively, CARTA may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM complying with this element of the program.

Within 30 days of becoming contractually required to procure a transit vehicle, CARTA report to FTA the following: (1) the name of the TVM that was the successful bidder; and (ii) The Federal share of the contractual commitment at that time.

# Publishing and Adopting the Triennial Overall Usage Goals (Section 26.45(g))

DBE Report. This DBE Report will be submitted to the CARTA Board of Directors concurrently with notification to DBE resource and community organizations. The CARTA Board of Directors will consider authorization for publicizing the proposed goal for public comment and adoption of the goal thereafter.

Publication of the Proposed Triennial Overall DBE Goal. Pursuant to 49 CFR § 26.45(g), CARTA will publish the proposed overall usage goal in general circulation and DBE-oriented media. The notice will include a statement that the methodology and proposed goal are available for inspection by the public for thirty (30) days from the date of publication. A notice will be circulated to include a statement that CARTA will accept public comments on amendment to the DBE Program for a period of forty-five (45) days from the date of publication, and it will provide instructions for the submission of comments.

Upon receipt of any public comments, the Liaison will prepare a summary report analyzing the public comments and recommending any modifications to the annual overall DBE goal or methodology and will furnish it to the Executive Director for review. If no comments are received that would substantially change the goals analysis, the results of the public comment period will be presented as an informational matter to the Board of Directors with no further action required.

### Adoption of the Annual Overall DBE Goal

Following review of the DBE Report, the Board of Directors shall adopt an annual overall DBE goal for DBE participation.

# Contract Specific Goals (26.51)

CARTA will use contract goals to meet any portion of the overall goal CARTA does not project being able to meet using 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 our overall goal that is not projected to be met through the use of race-neutral means.

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

We will express our contract goals as a percentage of the total amount of a DOT-assisted contract.

Where a contract-specific DBE goal has been established, the bidder or proposer must meet the contract-specific goal or demonstrate that it made sufficient good faith efforts to do so. A bidder shall be ineligible for contract award if it does not meet the goal or demonstrate sufficient good faith efforts.

The goal shall be established by the Executive Director based upon a recommendation from the Liaison Officer. The contract-specific goal shall apply to the percentage participation of DBEs in the total contract work and be set forth in the Special Provisions of the contract specifications. CARTA is not required to establish a contract-specific goal for every prime contract with subcontracting opportunities. For each contract involving subcontracting opportunities, the

factors outlined below will be considered to determine whether a contract-specific goal should be established for the particular contract and, if so, what the percentage goal shall be:

- The projected portion of the annual overall goals that will be met by establishing contractspecific goals;
- The progress toward achieving the annual overall goals;
- The full range of activities in the proposed contract;
- The availability of DBEs as prime contractors or subcontractors in the types of work involved in the performance of the proposed contract;
- The unique conditions of the project that might affect the ability of the prime contractor to coordinate, utilize, or incorporate subcontractors or suppliers into the project. (Projects consisting of only one or two sub trades may not be appropriate for a contract-specific goal due to the fact that establishing a goal could result in restrictive bidding.);
- The effect that the contract-specific goal might have on the time of completion; and
- Any other relevant criteria

# <u>Sample Bid Specification</u>

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 MPO 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/offerors, including those who qualify as a DBE. A DBE contract goal of 2.12 percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment E), 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 contract 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.

## **Awarding Contracts with Contract-Specific Goals**

CARTA shall award contracts to the lowest responsive and responsible bidder as required by the procurement guidelines, where applicable. For such contracts, as well as for contracts awarded pursuant to a Request for Proposal procedure where the lowest responsible bidder standard does not apply, a bidder that fails to demonstrate that it achieved the contract-specific DBE participation goal and fails to demonstrate that it made sufficient good faith efforts to do so shall not be deemed "responsive" and, therefore, shall be ineligible for award of the contract.

a. Evaluation of Bids or Proposals. After the bid opening, or submission deadline for proposals, the Administrator shall evaluate all bids/proposals to determine whether the bidders/proposers submitted all of the information required by 49 CFR § 26.53(b). The responsible bidder with the lowest apparent bid price, or the most highly ranked proposer, who also meets the contract-specific DBE goal or demonstrates sufficient good faith efforts shall be recommended for the contract award. In the event that the bidder with the lowest monetary bid price fails to meet the contract-specific goal or fails to demonstrate sufficient good faith efforts, or is otherwise unresponsive or not responsible, the Administrator shall evaluate the bidder with the next lowest bid price. Should the Administrator determine

that additional information is needed to evaluate a bidder's or proposer's submission with regard to the DBE requirements, the Administrator shall request said bidder or proposer to submit the required information, or may contact the listed DBEs directly.

- b. <u>Evaluation of DBE Certification Status</u>. CARTA shall require that any DBEs listed by bidders for participation in the contract be certified DBEs as of the time of bid opening. The Liaison Officer shall review the Bidder's DBE Report to confirm each DBE firm's certification status. CARTA shall accept current certifications by SCDOT, U.S. DOT and its agencies, the Small Business Administration, or other U.S. DOT federal financial assistance recipients.
- c. <u>Determination of Amount of DBE Participation</u>. The Liaison Officer shall review the total dollar value of the work and the total contract bid price reported on the Prime Contractor and Subcontractor/Subconsultant/Supplier Report for accuracy and shall compare it to the contract-specific goal established for the contract.

### Good Faith Efforts (26.53)

CARTA treats bidder/offerors' compliance with good faith efforts requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit the following information. The bidder/offerors must submit the following information as a portion of the bid response document.

- 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 contractor's commitment; and
- 6. If the contract goal is not met, evidence of good faith efforts.

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts.

The following personnel are 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: Procurement/Contracts Administrator.

We will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

A DBE Open-Ended Performance Plan (OEPP) is a plan a proposer submits on design-build (D-B) contracts documenting their commitment to attain the DBE goal (or goals if the sponsor elects to assign a DBE goal to professional services, and another to construction). This plan is a modification from the requirements of § 26.53(b). OEPPs are only required on D-B contracts with DBE contract goals. The OEPP addresses the lack of contract details at time of proposal on D-B contracts, making it difficult for proposers to name DBEs for specific subcontracted work since details about the project, such as final design, quantities, materials, and scheduling are mostly unknown until the work is designed. An OEPP must include the following:

- A list of work types or items that the contractor plans to solicit DBEs to perform to meet the goal(s). The anticipated work must align with the type of work needed on the project. The State's DBE database must show that DBEs are available for this type of work.
- An anticipated timeframe for when the listed work opportunities will be executed.
- A projected dollar value for each work opportunity.
- A stated commitment by the proposer to make good faith efforts to meet the goal(s).
- Throughout the project, CARTA will monitor the OEPP frequently to verify that the design builder is making good faith efforts to achieve the OEPP and the DBE goal(s) consist with the monitor procedures presented in the Monitoring Actual DBE Participation Section of this document. This monitoring includes maintaining a running tally of payments made on DBE subcontracts and preparing for upcoming work opportunities as defined by the OEPP. Monitoring ensures that the OEPP, as defined by the projected type of work, timeframes, and dollar value, is coming to fruition with signed subcontracts with DBEs.

#### **Administrative Reconsideration**

Within 10 days of being informed by CARTA that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. Bidder/offerors should make this request in writing to the following reconsideration official:

Robin Mitchum, Deputy Director of Finance and Administration 5790 Casper Padgett Way, North Charleston, SC 29406

Phone: 843.529.2128 robinm@bcdcog.com

The reconsideration official will not have played any role in the original determination that the bidder/offeror did not make 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 our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeror 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 replaced on a contract

We will require a 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. We 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, we will require the prime contractor to obtain prior <u>written</u> approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts. Included here by reference are any if the administrative remedies we will use for noncompliance (see 26.53(f)(3)). The following two sentences are examples of such remedies. If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

## **Counting DBE Participation** (26.55)

Only the work actually performed by a DBE will be counted towards the DBE goal. The cost of supplies and materials obtained by the DBE or equipment leased (except from the prime contractor or its affiliate) may also be counted. DBE participation will be counted toward overall and contract goals as provided in 49 CFR 26.55.

DBE achievement will not be counted toward the overall goal until the DBE has been paid. The Liaison Officer will track the participation of DBEs in contract-specific goal contracts separately from the participation of DBEs that is considered race-neutral. Additionally, the Liaison Officer will not count that portion of a DBE's participation that is achieved after the certification of the DBE has been removed during the performance of a contract.

Work performed by DBE contractor toward DBE goals only if the DBE is performing a commercially useful function on that contract. A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by performing, managing, and supervising the work involved. To perform a commercially useful function, the DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a commercially useful function, CARTA will evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is performing and the DBE credit claimed for its performance of the work, and other relevant factors.

During the pre-award determination of contractor's responsibility, it will be determined whether a DBE supplier submitted by the contractor/bidder as a regular dealer or distributor has demonstrated the ability and intent to perform as a regular dealer or distributor during the contract, allowing 60% or 40%, respectively, of the cost of materials to count toward goal. This will ensure preliminary counting determinations and contract goal attainment decisions are based on the DBE's ability and intent to comply with the rule's commercially useful function (CUF) requirements.

On determination, expenditures for materials or supplies DBEs will count toward DBE goals as provided in the following:

- If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies.
- For purposes of this <u>paragraph (e)(1)</u>, a manufacturer is a firm that owns (or leases) and operates a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications. Manufacturing includes blending or modifying raw materials or assembling components to create the product to meet contract specifications. When a DBE makes minor modifications to the materials, supplies, articles, or equipment, the DBE is not a manufacturer. Minor modifications are additional changes to a manufactured product that are small in scope and add minimal value to the final product.
- If the materials or supplies are purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies (including transportation costs).

The contractor must request, in writing to the Contract Manager for approval, the substitution of a DBE firm. The letter must include the names and addresses of the firms, the dollar amounts, and the reasons for the substitution. If the Contract Manager approves the substitution, CARTA will notify both the contractor and the DBE firm being substituted the substitution and a procedure for written objection from the DBE subcontractor. If the contractor is meeting the contract goal with this

substitution, the contractor must provide the required good faith effort to the Contract Manager for consideration.

# **Public Participation and Outreach Effects** (Sections 26.45 and 26.51)

CARTA's activities, managing public participation and outreach efforts, are directed at assisting CARTA in soliciting public input to set annual overall DBE participation goal and meeting annual overall DBE usage goal.

In establishing annual overall DBE goals, CARTA will conduct public participation process. This will include:

- Prior to finalizing the triennial Annual Overall Goals Analysis Report, CARTA will consult with U.S. DOT agencies, other U.S. DOT grantees, minority, women's and general contractor groups, community organizations, or other officials or organizations which could be expected to have information concerning the availability of disadvantaged and nondisadvantaged businesses, the effects of discrimination on opportunities for DBEs, and CARTA's efforts to establish a level playing field for the participation of DBEs.
- CARTA will publish a triennial notice announcing its proposed annual overall goals, informing the public that CARTA's Overall Goals Analysis Report is available for inspection during normal business hours at the CARTA office for a period of thirty (30) days, and that CARTA and the U.S. DOT will accept comments on the proposed goals for forty-five (45) days from the date of the notice. The notice will be distributed in general circulation media, local minority-focused media, and trade association publications.
- The recipient 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 recipient 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 recipient's 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 recipient of its failure to carry out is 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.).

#### Certification Procedures (26.81 - 26.91)

CARTA is a member of a Unified Certification Program (UPC) that is administered by the South Carolina Department of Transportation (SCDOT) for its certification program. The UCP will meet all of the requirements of this section. CARTA will use and count for DBE credit only those DBE firms certified by SCDOT. More information on SCDOT's program can be found at:

South Carolina Department of Transportation Office of Business Development and Special Programs P.O. Box 191

Columbia, SC 29202 - 0191 Telephone: (803) 737-1372

FAX: (803) 737-2021

http://www.scdot.org/doing/businessDevelop SCUnified.aspx

The UCP is a "One-Stop Shopping" certification program that eliminates the need for firms to obtain DBE certification from multiple agencies in the State. Certified firms under the new UCP will be recognized by recipients of FAA, FHWA and FTA funds in the State of South Carolina. The South

Carolina Department of Transportation is the lead agency for the UCP and will be handling all certification requests and related issues. Currently there are 27 participating UCP Partners located around the State.

## **Procedures for Certification Decisions**

CARTA will follow the certification processes of Subpart E of 49 CFR Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. The SCDOT UCP's certification procedures and/or UCP program is available at: <a href="http://www.scdot.org/doing/businessDevelop SCUnified.aspx">http://www.scdot.org/doing/businessDevelop SCUnified.aspx</a>. For information about the certification process or to apply for certification, firms should contact: Gary Linn, Brenda Parnell, or Syrees Oliver at (803) 737-1372.

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

Department of Transportation Office of Civil Rights Certification Appeals Branch 1200 New Jersey Ave., SE, West Building 7<sup>th</sup> Floor Washington, DC 20590

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

#### **Compliance and Enforcement**

#### Monitoring Payments to DBE's

We will require prime contractors to maintain records and documents of payments to DBE's for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of CARTA or DOT. This reporting requirement also extends to any certified DBE subcontractor. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award. We will perform interim audits of contract payments to DBE's. 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.

#### Reporting to DOT

CARTA will report DBE participation on June 1 and December 1 using the "Uniform Report of DBE Awards or Commitments and Payments" form. These reports will reflect payments actually made to DBEs on DOT-assisted contracts. The procedure established to ensure report are submitted accurately and on-time entails coordination between the Project Manager and Accounting staff.

Additional information to be collected and reported using the Uniform Report form starting in 2024 are items such as names of DBE contractors that performed work and the work categories/trades performed, dollar value of contracts, number of firms that were listed at commitment but replaced (as well as an explanation for the replacement), and number of firms decertified during the reporting period.

On project award and contract execution, the payment information in the accounting system for that vendor is notated indicating their DBE status. At the end of the semi-annual reporting period, the Accounts Payable Clerk prepares a report displaying commitments and actual payments and delivers the it to the Grants and Contracts Compliance Administrator. The Grants and Contracts Compliance Administrator prepares the "Uniform Report of DBE Awards or Commitments and Payments" form and transmit it for review by the Deputy Director of Finance and Administration. At this time, the Grants and Contracts Compliance Administrator will review the previous period's report

ensure it is still accurate and prepare an update when necessary. The Deputy Director of Finance and Administration submits the verified report(s) in the TrAMS system.

## Subrecipient Oversight

Any entity receiving federal funds, from CARTA must comply with CARTA's DBE Program and 49 CFR Part 26. CARTA and its subrecipients are required to comply with all applicable provisions of 49 CFR Part 26. If a subrecipient is found in violation of CARTA's DBE Program and 49 CFR Part 26, they will be eliminated from the Program. While this Subrecipient Guide to Disadvantaged Business Enterprise Program sets forth general requirements of 49 CFR Part 26, it is intended to be a summary of those requirements and not exhaustive. Subrecipients are responsible for reviewing and ensuring compliance with all applicable requirements of CARTA's DBE Program and FTA 49 CFR Part 26.

As a designated recipient of FTA funds, CARTA receives, administers, and allocates funds to subrecipients and is responsible for documenting compliance with 49 CFR Part 26. CARTA's responsibilities include monitoring subrecipient compliance with 49 CFR Part 26, collecting and reporting DBE participation information to the FTA and provide assistance and support to subrecipients.

CARTA will work with the subrecipient to ensure compliance with 49 CFR Part 26. This will include providing information, guidance and support for DBE participation reporting. Subrecipients may refer to CARTA's Disadvantaged Business Program by visiting http://www.rideCARTA.com/business-center/title-vi.

To track 49 CFR Part 26 compliance, CARTA will:

- Review subrecipient's awards of federal funds to determine if a DBE Program is required
- Assist subrecipient with the development of a DBE Program if needed
- Assist subrecipient with bi-annual DBE participation reporting
- Report subrecipient's DBE participation to the FTA

If a subrecipient awards more than \$100,000 in federal funds to one contractor in a calendar year, that subrecipient is required to have a DBE Program. The Small Business/DBE staff will review subrecipient awards of federal funds to determine if they need to have a DBE program. If the subrecipient does not have a DBE Program, the Small Business/DBE staff will work with the subrecipient to ensure that a DBE Program is created that meets requirements, such as adopting the CARTA's Program. If the agency has a DBE Program, it must be submitted to CARTA staff's Disadvantaged Business Enterprise Liaison Officer (DBELO) for review and approval.

An entity receiving federal funds from CARTA must comply with 49 CFR Part 26 and CARTA's DBE Program and must:

- Report biannually Disadvantaged Business Enterprise (DBE) activity
- Confirm DBE actual performance on BCDCOG assisted contracts
- Include specific clauses in CARTA-assisted solicitations and contracts
- Develop a DBE Program if applicable.

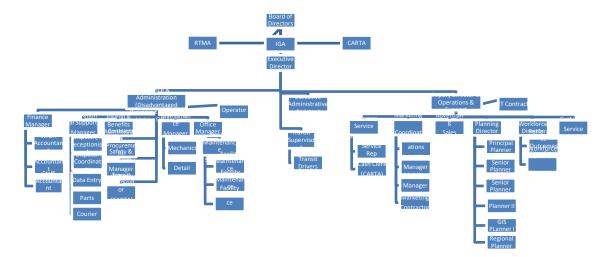
To assist subrecipients, CARTA has provided the following a number of guidance documents, including a policy template, subrecipient DBE reporting frequently asked questions, required contract clauses, and the DBE Reporting Form and a sample completed document. These items and more information can be found the CARTA Subrecipient Monitoring Procedures for Federal Awards document and the CARTA Program Management Plan for Federal Transit Administration Programs.

# **Confidentiality**

We 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, we 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.

Pursuant to the S. C. Freedom of Information Act ("FOIA") any person has the right to inspect or copy the public records of CARTA unless the records are exempt from disclosure by Section 30-4-40, S.C. Code of Laws, 1976, as amended. For a complete copy of FOIA, see http://www.scstatehouse.gov/code/t30c004.php.

# Appendix A – Organizational Chart



# **Appendix B - SCDOT DBE Directory**

The purpose of SCDOT's Disadvantaged Business Enterprise (DBE) Program is to assist potential contractors in their efforts to identify and utilize DBEs that are participating in the Department's DBE Program. Certification is granted through the Department as verification that a business is bona-fide in its claim to be a disadvantaged business enterprise. Certified firms are used to meet goals on federally assisted contracts. The SCDOT is required to provide a list of certified contractors to firms bidding on prime contracts who in turn, agree to utilize certified minority businesses on construction projects throughout the state.

The SCDOT DBE Directory can be found at http://www.scdot.org/doing/businessDevelop\_SCUnified.aspx#dbe.

# Appendix C - Monitoring and Enforcement Mechanisms/Legal Remedies

Monitoring and Enforcement Mechanisms/Legal Remedies

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

- 1. Breach of contract action, pursuant to the terms of the contract; and/or
- 2. FTA 49 CFR part 26.

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

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

# Appendix D - Overall DBE Usage Goal Calculation

#### METHODOLOGY FOR SETTING THE BASE FIGURE

The initial step in the goal setting process is to establish the base figure that represents the number of willing, ready, and able DBE firms relative to the number of businesses ready, willing and able to perform work for the FTA funded projects undertaken by CARTA. CARTA has historically undertaken the same mix of contracting activities which include the following: vehicle cleaning, grounds maintenance, professional services to include engineering, financial, consulting, and legal services, fixed-route and paratransit operations and vehicle maintenance, facility maintenance and construction, and bus shelter construction projects. CARTA's Intermodal Facility construction was the last major project that influenced usage goal. During the upcoming period, the construction of a passenger transfer facility will be and maintenance facility improvements are the only construction projects planned for this period that would allow for additional categories to be added to the potential vendor list. The base figure is developed by reviewing available vendors in these contracting sectors and reviewing the available certified DBE firms in those same functional areas. Several options were presented in the USDOT's revised regulations including:

- DBE Directory and Census Bureau Data
- Bidders List
- Disparity Study Data
- Goal of another recipient
- Alternative Methods

The standard method of utilizing DBE Directory Information and Census Bureau data was selected for the establishment of the baseline figure. Census Bureau data for Berkeley, Charleston, and Dorchester counties, which encompasses all of CARTA's current service area, was used in determining the total number of businesses available for CARTA's FTA funded projects. This geographic area also comprises the Charleston Urbanized Area as defined by the US Census Bureau. As mandated by USDOT regulations, CARTA is a participant in the SCDOT Unified Certification Program, which was approved most recently in February 2024.

The base figure is developed by reviewing available vendors in these contracting sectors as found in the 2022 US Census Business Patterns Database. Firms in NAICS code categories that CARTA will be utilizing in FY 2026, FY 2027, and FY 2028 were identified and compiled. The South Carolina Department of Transportation's Unified DBE directory was then used to identify DBE firms in the NAICS code categories that CARTA will be utilizing in Fiscal Years 2026-2028.

- Total number of businesses in the Berkeley-Charleston-Dorchester Region: 120,769
- Total number of DBEs in the South Carolina UCP Directory: 571
- Total number of SBEs in the South Carolina UCP Directory: 195

- Total number of businesses with potential to be used by CARTA: **15,915**
- Total number of DBEs providing services likely to be used by CARTA: **571**
- Overall percentage of DBE businesses feasible for CARTA to use: 4.1%

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

CARTA Project Type	NAICS Code	Anticipated Project Cost	% of total DOT funds (weight)
Audit Services	541211	\$ 60,000.00	0.11%
Armored Transport Services	561613	\$ 24,000.00	0.0%
Bus Shelter Repair	238110	\$ 79,200.00	0.2%
Bus Shelter Construction	236220	\$ 280,000.00	0.5%
Facility Maintenance	236220	\$ 224,000.00	0.4%
Fixed Route/Paratransit Operations	485113	\$ 10,725,000.00	20.0%
Grounds Maintenance	561730	\$ 28,800.00	0.1%
Janitorial Services	561720	\$ 28,800.00	0.1%
Uniforms	812332	\$ 33,600.00	0.1%
NTD Data Collection & Reporting	541910	\$ 20,160.00	0.0%
Vehicle Cleaning Service	811192	\$ 66,000.00	0.1%
Office Equipment	532420	\$ 72,000.00	0.1%
Replacement Vehicle Parts	423120	\$ 432,000.00	0.8%
Vehicle Tires	423130	\$ 300,000.00	0.6%
Printing	323111	\$ 72,000.00	0.1%
Professional Services - Engineering	541330	\$ 9,600,000.00	17.9%
Professional Services – Legal	541110	\$ 156,000.00	0.3%
Professional Services – Public Relations	541820	\$ 108,000.00	0.2%
Professional Services – Transit Planning	541320	\$ 3,200,000.00	6.0%
Park-N-Ride Construction	236220	\$ 9,600,000.00	17.9%
Park-N-Ride Site Preparation / Paving	238910	\$ 4,000,000.00	7.5%
Security Cameras & Equipment	561621	\$ 840,000.00	1.6%
Building Construction	236220	\$ 10,800,000.00	20.2%
Building Construction - Landscaping	561730	\$ 80,000.00	0.2%
Building Construction - HVAC	238220	\$ 840,000.00	1.6%
Building Construction - Electrical	238210	\$ 1,848,000.00	3.5%
Building Construction - Interior Finishes	238130	\$ 2,352,000.00	4.4%
Building Construction - Paving	238990	\$ 880,000.00	1.6%
Total		\$ 53,517,560.00	74.7%

Step 2 - Determine the relative availability of DBEs by NAICS Code:

NAICS Code	Number of DBEs available to perform this work	Number of all firms available (including DBEs)	Relative Availability
541211	1	693	0.1%
561613	0	11	0.0%
238110	72	275	26.2%
236220	38	513	7.4%
236220	38	513	7.4%
485113	0	0	
561730	61	1896	3.2%
561720	30	1104	2.7%
812332	0	27	0.0%
541910	2	56	3.6%
811192	8	289	2.8%
532420	1	7	14.3%
423120	2	143	1.4%
423130	2	53	3.8%
323111	2	79	2.5%
541330	3	918	0.3%
541110	0	2565	0.0%
541820	10	81	12.3%
236220	38	513	7.4%
238910	78	640	12.2%
561621	1	133	0.8%
236220	38	597	6.4%
561730	61	1896	3.2%
238220	7	513	1.4%
238210	22	1023	2.2%
238130	9	146	6.2%
238990	47	1231	3.8%
Totals	571	15915	3.59%

Overall availability of DBEs

Step 3 - (Weight) x (Availability) = Weighted Base Figure

NAICS Code	Weight	x	Availability	Weighted Base Figure
541211	0.00112	х	0.00144	0.0000

561613	0.00045	х	0.00000	
238110	0.00148	Х	0.26182	0.0004
236220	0.00523	Х	0.07407	0.0004
236220	0.00419	Х	0.07407	0.0003
485113	0.20040	Х	0.00000	
561730	0.00054	Х	0.03217	0.0000
561720	0.00054	Х	0.02717	0.0000
812332	0.00063	Х	0.00000	
541910	0.00038	Х	0.03571	0.0000
811192	0.00123	Х	0.02768	0.0000
532420	0.00135	Х	0.14286	0.0002
423120	0.00807	Х	0.01399	0.0001
423130	0.00561	Х	0.03774	0.0002
323111	0.00135	Х	0.02532	0.0000
541330	0.17938	Х	0.00327	0.0006
541110	0.00291	Х	0.00000	
541820	0.00202	Х	0.12346	0.0002
236220	0.17938	Х	0.07407	0.0133
238910	0.07474	Х	0.12188	0.0091
561621	0.01570	Х	0.00752	0.0001
561621	0.01570	Х	0.06365	0.0010
236220	0.20180	Х	0.03217	0.0065
561730	0.00149	Х	0.01365	0.0000
238210	0.03453	Х	0.02151	0.0007
238130	0.04395	Х	0.06164	0.0027
238990	0.01644	Х	0.03818	0.0006

Rounded, Weighted Base Figure:

4.0%

## STEP 2 ADJUST THE BASE FIGURE

The base figure in the first step estimates the ready, willing, and able DBE firms relevant to all businesses ready, willing, and able to participate in CARTA's FTA-funded projects. The second step involves examining all evidence available to determine what adjustment, if any is needed to the base figure. Based on past performance in DBE goal attainment, there is no adjustment warranted to the base figure.

An adjustment is justified based on the number of available contracts. There is only one prime contract available for each project. The exceptions are the construction projects and the professional service contracts where multiple awards are available due to the scale and use of subcontractors. Effective availability, expressed in the number of contracts, has been modified to add subcontracting opportunities, resulting in higher effective DBE utilization rate.

#### **DETERMINATION OF THE FY 2026-2028 OVERALL DBE GOAL**

Due to the level of attainment of DBE participation in past years, the adjusted baseline goal is consistent with historical attainment levels. There is a large construction project to be undertaken in Fiscal Year 2026. It is the Agency's goal to exceed the historical attainment levels and the adjusted baseline goal. Therefore, a five percent (5%) goal has been established for fiscal years 2026, 2027, and 2028. This will remain constant until the bus rapid transit project commences in 2029.

## Fiscal Year 2026-2028 Overall DBE Goal - 5%

As a recipient of FTA funds, CARTA is required to express its goal as a percentage of all FTA funds that will be expended in the forthcoming fiscal year. CARTA will also strive to meet the US DOT aspirational goal of 10%. If there are any overages to the actual goal that is derived via the methodology in this document, they must be obtained by race-neutral means.

## **RACE NEUTRAL VERSUS RACE CONSCIOUS GOALS**

As average attainment exceeds the base figure, the goal is 100% race neutral.

#### **PUBLIC PARTICIPATION & CONSULTATION PROCESS**

The USDOT regulations require consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations that could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses. CARTA partnered with SCDOT at public outreach events to receive public input as well as share details on how to improve setting and achieving DBE goals. During the month of March 2024, staff began direct engagement efforts related to the individual FTA DBE programs and goals for BCDCOG, a FTA recipient in the region, and CARTA. Initially, staff contacted 91 individuals inviting them to provide feedback through one-on-one interviews. Groups targeted by staff included existing SCDOT-certified DBEs within the field of transportation planning and engineering, managers of municipal and state-level small and minority business programs, non-profits associated with small and minority business advocacy, and economic development departments and local chambers of commerce. Initially, 34 initial interviews ranging in length from 15 to 60 minutes were completed by phone, video, and inperson conversations using a script developed for public agencies and a separate script for certified DBEs, chambers of commerce, and non-profits. At the end of each interview, staff asked each interviewee for any additional referrals that should be contacted as part of the engagement effort, yielding an additional 24 potential interview targets and 5 additional interviews completed to-date. In addition to documenting barriers related to DBE participation, certification, payment, and monitoring, interviewees provided feedback on goal setting, BCDCOG's procurement process, and best practices. Contacts made through the process above were contacted again to provide feedback on the 20025-2028 established goal.

The planned continuing engagement activities include a DBE/MBE forum scheduled for early April 2025 in partnership with the regional municipalities, participation in the Charleston Black

Expo, the Charleston Regional Development Alliance's incubator program, collaboration with the County procurement offices, and brown bag presentations to the chambers of commerce to encourage firms to complete

CARTA participated in SCDOT's DBE certification process, and continued conversations with interviewees on available resource sharing.

The consultation process supported CARTA's data, methodology, and approaches to its determination of an overall goal. The local consultation process was a constructive activity to receive feedback on the goal and the methodology to establish the goal. The sign-in sheet is attached.

Following this consultation, CARTA's Board of Directors approved CARTA's FFY 26- FFY 28 DBE goal, where a notice of the proposed overall goals, informing the public of the proposed goal and its rational are available for inspection during normal business hours at our administrative office for 30 days following the date of the notice. CARTA will accept comments on the goal for 30 days from the date of the notice published in the newspaper of general circulation.

Comments received during the consultation meeting included the need for a centralized place for DBEs to view projects available for bid, the frustration over the cumbersome process to be certified as a DBE, and the difficulty for a DBE to establish a work history with a general contractor. Additional comments included the fact that DBEs were less aware of FTA-funded projects opposed to FHWA-funded as a contracting opportunity.

During this consultation session, the comments received included the prohibitive bonding requirements in federal contracts, the lack of a consistent application of the prompt payment clause, and the fact that small businesses do not understand the DBE process. The discussion also touched on the ability of a small business to meet the bonding requirement and obtain loans to sustain operations.

Based the comments received, CARTA staff informed the attendees that our construction projects are included in the South Carolina Business Opportunities publication (SCBO), a publication provided by the State Fiscal Accountability Authority as the central place to view projects available for bid. CARTA staff also informed the group of the on-going contracting opportunities available with FTA-funded properties, such as tire contracts, building maintenance service, and professional services. The regional Council of Governments has a revolving loan fund to support small businesses and workforce development agency offers paid on-the-job training for small business to gain qualified employees. Regarding the financial elements, it was suggested that a small business representative attend pre-bid meeting to meet the general contractors and look for opportunities to have the prime contractor hold the bond. It was reiterated that resources are available at the local and state level to assist in becoming a certified DBE.

In addition, since 2007 CARTA has participated in a large local Expo and Trade Show that targets minority business-owners and consumers. In conjunction with the Expo, CARTA participates in

forums to discuss CARTA business opportunities with minority owned firms via the local municipalities and the county governments. Firms were provided information on how to become certified through SCDOT's Unified Certification Program. Several other local municipalities' purchasing functions participated in the Expo and the Business Opportunities Forum as well. CARTA plans to participate annually in the Expo to increase awareness of contracting opportunities, and to encourage firms to become certified.

Finally, CARTA has partnered with Charleston County Procurement and its Small Business Program which also includes minority firms. Charleston County outreach channels and databases are used to target firms to receive solicitations for CARTA projects and purchases. Participation in this program has led to a higher attainment of utilization of DBE firms. A meeting with the County staff was held to provide an update on contracting opportunities at CARTA and to inform them of our participation in the program.

In accordance with 49 CFR 26.45(g)(1)(ii), the goal methodology and the proposed overall goal was posted on CARTA's agency web site before August 1<sup>st</sup>. The posting can be viewed at <a href="http://www.ridecarta.com/business-center/title-vi">http://www.ridecarta.com/business-center/title-vi</a>.

Insert coordination meeting sign-in sheet.

Insert Board Minutes adopting the DBE Usage Goals here

# **DBE Usage Goal Affidavit of Publication**

# Appendix E – Demonstration of Good Faith Effort Forms

# FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offero following manner (please chec			ents of the bid specification in the
The bidder/offeror is com	nmitted to a mini	mum of	_ % DBE utilization on this contract.
			of %) is committed to a minimum of entation demonstrating good faith
Name of bidder/offeror's firm: State Registration No By			
(Signature)		Title	
FORM 2: LETTER OF INTENT Name of bidder/offeror's firm: Address: City: Name of DBE firm:	State:	Zip:	_
Address:City:	State:	Zip:	<u> </u>
Telephone:	ormed by DBE firr		
	d to utilizing the	above-nam	ned DBE firm for the work described
Affirmation The above-named DBE firm aff estimated dollar value as state By	ed above.	erform the p	portion of the contract for the
(Signature)	(Title)		
If the bidder/offeror does not re this Letter of Intent and Affirma (Submit this page for each DBB	tion shall be null	-	contract, any and all representations in

# Appendix F – Payment Affidavit – Subcontractor / Supplier Utilization Form

#### PAYMENT AFFIDAVIT - SUBCONTRACTOR / SUPPLIER UTILIZATION

Contractors must submit this form with <u>each</u> request for payment from CARTA, including any invoice or request for final payment. Requests for payment are limited to work that has been <u>completed</u> and approved for all subcontractors and suppliers in connection with the Contract. Copy this form as needed. The Contractor on the <u>Prime Contract</u> (i.e., <u>Prime</u>) is responsible for collecting and submitting this Affidavit from all subsequent lower tier contractors.

Section 1: PROJECT INFORMAT	TION					
Project Name						
Contractor Name			Purch	ase Order #		
Total Contract Amount			Invoi	ice Amount	\$	
Payment Period	//20_	through//20	City [	epartment)		
FINAL PAYMENT  Che	ck this box onl	y when submitting Final Pa	y request.			
Section 2: PAYMENTS TO SUB	CONTRACTORS					
Complete the chart below for al	l subcontractors u	used on the Project/Contract reg	ardless of dollar	amount.		
Company Name	DBE	Work Performed	Percentage of Total Contract	Percent of Subcontract Completed	Payment this Period	Cumulative Payments to Date
Section 3: PAYMENTS TO SUPP		t the Contractor require certain :	unnliers to be w	nified and may	withhold navena	at of any amounts
		ils to comply with such request.	oppliers to be vi	erined and may	withinitie paymen	nt or any amounts
The undersigned certifies the preceding chart is a true and accurate statement of all payments that have been made to subcontractors on this Project/Contract, and that all Suppliers providing goods under this contract have been verified through documentation submitted to CARTA in connection with this Payment Affidavit. If no subcontractors or suppliers are listed on the preceding chart, the undersigned certifies that no subcontractors or suppliers were used in performing the Project/Contract for the payment period indicated. Failure to provide accurate and truthful information is a violation of the CARTA Policy and may result in the sanctions prescribed therein.						
This day of _		20				
Signature	Print Name and Title					
To be completed by CARTA for FINAL PAYMENT						
Total Baid to Control		Proposed DBE	Amount S		DREA	
Total Paid to Contractor  Prime Contractor DBE	\$	r roposed but	Amount y		DBE Comn	nitment:%
Total Paid to Subcontractors	\$	Total to DBE Subco	ntractors \$		D	BE Final: %
		7528 TO 55E 300C0				

Charleston Area Regional Transportation Authority

Updated 10.01.24

## Appendix G – Regulations: 49 CFR Part 26

49 CFR Part 26 can be located via the internet using the following link:

http://www.ecfr.gov/cgi-bin/textidx?SID=e35ccc93abd73e0598b0d47f3163b030&node=49:1.0.1.1.20.6.18.6.13&rgn=div9



## Charleston Area Regional Transportation Authority

## **MEMORANDUM**

**To:** CARTA Board of Directors

From: Ronald Mitchum, Executive Director

Subject: Request for Approval - Battery Electric Bus Charge Management Software

**Date:** April 8, 2025

Charleston Area Regional Transportation Authority (CARTA) is requesting approval to amend the ChargePoint, Inc. – Battery Electric Bus Charge Management Software contract # CARTA2023-04 for an additional year pursuant to the renewal terms outlined in the contract.

The contract was awarded May 1, 2024 as a one (1) year contract with four (4) options to annually renew. This amendment will extend the contract through May 1, 2026.





## Charleston Area Regional Transportation Authority

## **MEMORANDUM**

**Date:** April 7, 2025

**To:** CARTA Board of Directors

From: Ronald E. Mitchum, Executive Director

**Subject:** Transit Planning Project Updates for March 2025

Please find the progress reports for transit planning projects.

- 1. Service Planning Initiatives (Project Manager: Megan Ross)
- 2. Downtown Route Study (Project Manager: Megan Ross)
- 3. US 52 BRT Study (Project Manager: Sharon Hollis/Megan Ross)
- 4. CARTA On-Demand (TNC Pilot Project) (Project Manager: Courtney Cherry)
- 5. Shelter Improvement Program (Project Manager: Rainee Kearney)
- 6. Shipwatch Square Transit Center (Project Manager: Sharon Hollis)
- 7. Transit Oriented Development Study (Project Manager: Sharon Hollis)
- 8. Lowcountry Rapid Transit (Project Manager: Sharon Hollis)
- 9. Dorchester Transit Signal Priority (TSP) Pilot Project (Project Manager: Sharon Hollis)
- 10. Mt. Pleasant Street Park and Ride (Project Manager: Robin Mitchum)
- 11. Fairgrounds Park and Ride (Project Manager: Robin Mitchum)
- 12. O&M Facility LCRT (Project Manager: Robin Mitchum)
- 13. Mobile Ticketing Sales and Use (Project Manager: Jeff Burns)

Please let me know if you need additional information.

#### 1. Service Planning Initiatives

- Staff have continued working with Syncromatics and UTA for our Automatic Passenger
  Counters. All counters were installed, and we have started working on the forms to complete
  on board checks to ensure accuracy. This step is also what will allow our APCs to be NTD
  certified.
- Staff continue to work with MUSC assisting with the relocation of the main park and ride lot.
   We will continue working with them and evaluating the changes needed to accommodate their riders.
- Staff continue working with the College of Charleston to increase knowledge and ridership for staff and students. Staff are working to market the service to students and assist operations with operator customer service training. Additionally, We Drive U has dedicated a staff member to help with service quality for CoC and MUSC passengers.
- Staff continued demos with vendors for a CAD/AVL system. The on-site demos will help determine the best vendor for our vehicles.
- Staff moved forward with Spare to take over the paratransit operating software. The kickoff meeting has been set for April 10<sup>th</sup>, with an insistent timeline to change over the system.
- Staff met with Charleston County to start the preparation for hurricane season.
- Staff continue working with development review and infrastructure improvement along the bus routes.
- Staff continue assisting with the on-board survey collection and on-board ridership collection for the LCRT process. Final report reviewed and received.
- Staff began reporting daily service reports to the Executive Director. To help support ongoing improvement efforts.
- Staff tracks and investigates all missed service. It is reported to We Drive U and docked as liquidated damages.
- Staff began investigating all the extended hour requests submitted by We Drive U staff.
- Staff assisted with the monthly NTD sample reporting on ridership.
- Staff developed scope for Comprehensive Operational Analysis and Regional Transit Framework Plan update.

#### 2. Downtown Route Study

Staff continue to coordinate implementation planning.

#### 3. US 52 BRT Study

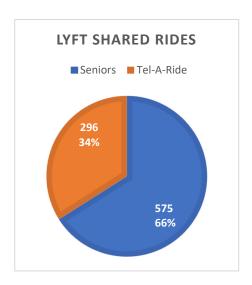
- Long Range TCL Transit Plan Final Report Completed
- BRT alignments and screening underway
- Next stakeholder committee meeting at the end of March; public outreach and plan presentations in May and June.

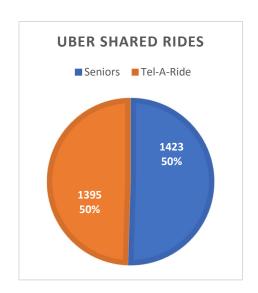
#### 4. CARTA OnDemand (TNC Pilot)

Staff contracts with service providers Uber and Lyft to provide subsidized transportation. CARTA OnDemand launched on February 1, 2021. On March 1st, program changes were implemented and updated for senior vouchers. The service offers door-to-door subsidized services for seniors (60+) and

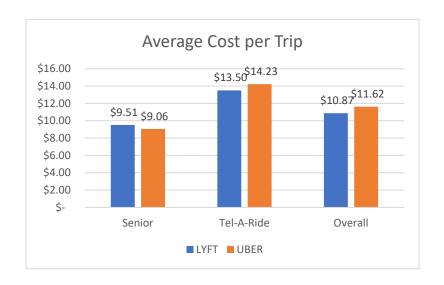
Tel-A-Ride customers and covers the Tel-a-Ride service area Monday through Friday, between the hours of 7 AM and 5 PM. Senior customers pay an initial \$5 with a maximum trip subsidy of \$14 and any surplus amount being charged to the rider. Tel-A-Ride customers pay an initial \$4 with a maximum trip subsidy of \$30 and any surplus amount being charged to the rider.

In March 2025, CARTA OnDemand implemented program changes that went into effect March 1st. Changes included reduction in CARTA max subsidy, monthly vouchers to weekly vouchers, and an increase in min customer pay. Additionally, the age requirement increased to 60 years old and a total of 210 customers were removed or temporarily removed due to their age. In March, there were 1,763 senior riders and 208 Tel-A-Ride customers approved to use OnDemand service, a total of 1,971. Also in March, CARTA OnDemand had a total of 3,689 trips with 46% of the trips being taken by paratransit customers and 54% being taken by senior customers.





In March, the 3,689 trips (Tel-A-Ride and senior) averaged \$11.44 per trip. Tel-A-Ride trips averaged \$14.10 and senior trips averaged \$9.19. To date (February 2021 – present), CARTA has spent a total of \$696,611 on the OnDemand program.

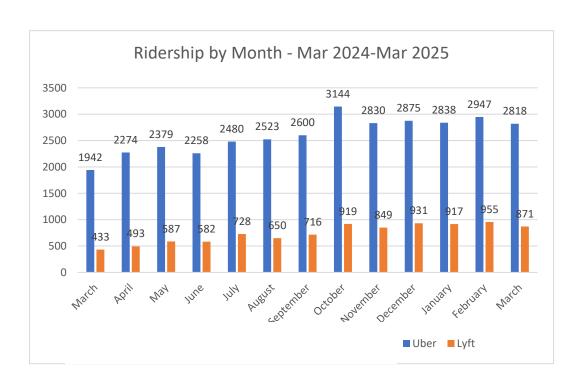


#### LYFT STATISTICS

- 871 Trips provided
- Avg TripCost:\$10.87
- 127 Unique Riders
- Total Cost: \$9,466.74

## **UBER STATISTICS**

- 2818 Trips provided
- Avg Trip Cost: \$11.62
- 340 Unique Riders
- Total Cost: \$32,686.81



#### Ongoing Tasks:

#### **Program Parameters**

- Parameters to CARTA OnDemand were updated and approved 11/2024. Changes to be implemented March 1st, 2025. Changes include an increase in the customer fair, reduction in CARTA subsidy amount, an age increase, and reduction in vouchers allocated.
- These changes will result in the removal of any current customers under 60 years of age

#### Coordination with TNC provider

 Staff coordinates with Uber and Lyft to ensure consistent service delivery and address service delivery and billing issues

#### Marketing

- Marketing collateral has been distributed by request and through various public outreach processes
- Outreach efforts specific to CARTA OnDemand have been held at local community gatherings

#### Application approval and customer service

- Staff improved application process to provide more efficient approval process
- Staff approves applications from seniors and paratransit customers as they are received
- Staff provides customer service by responding to inquiries about the service and assisting new riders with information on how to use Uber

#### Performance Monitoring (ongoing)

- Staff has tracked ridership and expenditures on a monthly basis
- Ridership has risen consistently

There are no outstanding or settled claims exceeding \$100,000. There are no claims or litigation involving third-party contracts and potential third-party contracts.

#### 5. CARTA Shelter Improvement Program (SIP)

Bus stops play an important role in how our riders experience transit. CARTA is working to continuously improve our bus stops by providing the best amenities for riders as they board and depart the bus.

#### Shelters/Benches in development:

- 124 Azalea and Elegans Dr. Shelter Installation- Engineering Phase.
- Cooper Crest Apartments- CARTA initiating infrastructure.
- 21 Greenridge Rd CARTA initiating infrastructure. Permits have been submitted, pending approval.
- Hungryneck /Towne Center Shelter Installation complete.
- 512 Johnnie Dodds Blvd- Plans in progress, awaiting developer meeting to discuss potential shelter location change per Transit suggestion.
- Bench Installations along West Ashley and N. Charleston corridors are being coordinated.
   Several bench locations are in the engineering and planning phase. Locations include:
  - o Stop 810 Ashley River Road @ Magwood Drive
  - o Stop 857 Ashley River Road @ Tobias Gadson Boulevard

- o Stop 805 Ashley River Road @ Bees Ferry Road
- o Stop 362 Northwoods Boulevard @ Ashley Phosphate Road
- Stop 402 Northwoods Boulevard @ Ashley Phosphate Road
- Stop 627 Skylark Drive @ Savannah Highway
- Courier Square II Currently reviewing site plans and determining the need.
- 133 Azalea Dr / Meridian Rd-. Permits have been submitted, pending approval.
- 710 Coleman Blvd / Patriots Point Rd- Shelter in progress.
- 674 Coleman Blvd / Patriots Point Blvd- Shelter in progress.
- 135 The Citadel-Shelter in progress.
- 304 Morrison Dr / Jackson St Bench Only in progress. Issue with ADA.
- 302 Morrison Dr / Jackson St (Sanders-Clyde Elementary) Shelter. Issue with ADA.
- Savage Road: Installation of sidewalks and shelter pads scheduled to start in Spring.
- Dorchester Road SCDOT Safety Audit, currently reviewing for SCDOT.
- 783 Calhoun St / Ashley Ave- CARTA initiated infrastructure. Shared easement agreement.
   Reached out to MUSC on easement agreement progress.
- 575 Calhoun St / Jonathan Lucas St (far side) CARTA initiated infrastructure. Shared easement agreement. Reached out to MUSC on easement agreement progress.
- 485 Jonathan Lucas St / MUSC Quad- CARTA initiated infrastructure. Shared easement agreement. Reached out to MUSC on easement agreement progress.
- Letters of Coordination provided for the following projects:
  - o 1136 and 1154 Bees Ferry Road
  - o US Highway 52
  - o 1789 Sol Legare Road
  - o 1655 Main Road
  - 5187 Ashley Phosphate Road
  - o 4350 Gwinnett Street
  - Charleston Southern University
  - o 9564 Koester Road
  - Point Hope Parkway

#### **Solar Lighting Project**

Solar lighting systems provide security and illumination in needed areas when grid power is unattainable or costly to bring to a site. CARTA has invested \$178,180 into solar lights for the region. In phase 1, 125 were installed. 50 new lights were purchased in Phase 2, and 40 of those lights have been installed.

#### **Digital Signage**

The first phase of this project has been completed. Continue to monitor digital signs.

Two locations have been selected for new digital signs. DRC has instructed us to work directly with the City of Charleston Traffic and Transportation department for the exact locations and sign placement.

- Stop ID No. 51 Meeting St / Spring St
- Stop ID No. 783 Calhoun St / Ashley Ave

#### 6. Shipwatch Square/Transit Hub

- NEPA: NEPA is complete.
- A&E Design: 90 percent design is in review; cost estimate is underway.
- Workforce Development Task: Working with Trident Tech to develop scope and budget for workforce development task.

#### 7. Transit Oriented Development Study

- Phase 2 is complete.
- Phase 3 scope is in development, to be procured Spring 2025.

#### 8. Lowcountry Rapid Transit

A&E Design: 90% Design review set submitted in February 2025; approval scheduled for April 2025.

<u>Key Stakeholder Coordination</u>: Project team members met with key stakeholders along the corridor including VA, Charleston Moves, Charleston Chamber, and MUSC. Maintenance agreement discussions began with the municipalities.

<u>FTA Coordination:</u> Bi-Monthly and quarterly meetings are held with FTA and the Project Management Oversight Consultant (PMOC) throughout the Engineering phase. PMOC participates in monthly risk review meetings. Project is updating project management plans for next project rating submittal to FTA in July 2025. Next onsite visit from FTA/PMOC is scheduled for May 2025.

<u>NEPA:</u> Documented Categorical Exclusion was approved by FTA in July 2021. A reevaluation document for 60% design was submitted to FTA in August 2024 and was approved by FTA in October 2024. No change in NEPA determination. The team is evaluating NEPA requirements for various fleet fuel mixes and other changes that may have occurred with 90% design for reevaluation needs to be submitted in May.

<u>Maintenance Facility:</u> 30% Design is complete. Active procurement for final design is underway. Final design is anticipated to start in May 2025.

<u>Transit Signal Prioritization:</u> Transit signal prioritization at intersections is included as part of the LCRT project. A demonstration project of TSP on Dorchester Road was initiated to develop the technology and infrastructure on a smaller scale corridor to advance that technology on CARTA transit buses traveling on Dorchester Road. Progress on that effort is provided in #10 below.

<u>Public Involvement:</u> Stakeholder and neighborhood meetings are ongoing. Presentations to neighborhood and community groups are underway. Outreach to on corridor businesses is ongoing.

<u>ROW Acquisition:</u> ROW acquisition for the corridor, led by SCDOT, is underway. Currently there are 321 active parcels in the ROW process.

<u>Utility Coordination:</u> Monthly utility coordination meeting with all impacted utilities underway. Pre Utility Agreements (required for FTA funding) have been sent to utility providers for review.

<u>Construction Related Activities:</u> Meetings related to coordination on MOT, IGAs, CEI, bidder outreach, and construction phase project procedures are underway.

<u>Systems Integration:</u> With 60% design complete, tasks associated with transit systems and integration (vehicles, fare vending, technology, etc.) are being initiated. Meetings related to Systems Networking, TSP, AVL and Fare Vending are underway. Route redesign and CARTA infrastructure modifications to be developed in the coming year.

#### 9. Dorchester TSP

The TSP Team has been working on the following tasks:

- Bi-Monthly Meetings
- IGA, procurement, and parameter documents development continued to advance.

#### 10. Mt. Pleasant Street Park and Ride

We have performed some additional infiltration tests and are updating the design accordingly. Revisions should be back to the City in 2 weeks (4/23/2025). Because of the soil types, the size of the underground retention will increase, but we were able to meet the requirements of the City's Special Protected Area.

## 11. Fairgrounds Park and Ride

The ECFC & CARTA lawsuit is scheduled for mediation on May 14, 2025.

#### 12. O&M Facility (Acres Drive, Ladson)

The adjacent property owner is reviewing the agreement for a 10ft sewer easement. Facility design contract has been awarded.

## 13. Mobile Ticketing Sales & Use

During the month of March 2025, mobile ticket sales totaled \$32,907.19. This a 22.5% increase in sales revenue over March 2024 and a 10.5% increase from February 2025. Mobile ticket sales comprised 21.8% of total farebox revenue for the month and totals 21.2% of the revenue fiscal year to date. Mobile ticketing revenue comprised 15.0% of total farebox revenue last year fiscal year to date. Mobile ticket sales are 36.5% greater than mobile ticket sales last year fiscal year to date. There were 1,825 unique users over the month, conducting 21,563 transactions. The pass type with the highest frequency of use is the local, fixed-route, one-trip ticket and the route with the highest usage is Route 10. The next endeavor will be to implement a pass program with our institutional partners using the expanded functionality of the validator with processes in development. Also, contactless EMV capabilities on the new validator, which will allow customers to make direct payment with a credit card, is in development and is projected to be available later this year.



## Charleston Area Regional Transportation Authority

## **MEMORANDUM**

**Date:** April 9<sup>th</sup>, 2025

**To:** Ronald E. Mitchum, Executive Director

**From:** Megan Ross, Transit Planner

**Subject:** March 2025 Ridership Report Summary Statistics

The following information presents an overview of the ridership statistics for the month of March 2025.

• Ridership for the month was 250,715, which is a 25.5% increase from March of last year and a 56.5% increase from the month of February.

Fare Riders
Pass Riders
Transfers
66.39% of total
27.55% of total
6.06% of total

- The passengers per hour averaged 14.1, which is a 24.8% increase from March of last year and a 43.9% increase from the month of February.
  - The average cash payment per passenger was \$0.34, a 31% decrease from last year.
- Revenue for the month totaled \$69,911.61, a 2.54% decrease from last year.

Farebox Revenue 64.9% of totalPass/Presale Revenue 35.1% of total

- The system wide cost per passenger was \$5.39.
- Routes that did not meet performance standards include Rt. 41 Coleman Blvd. and Rt. 104-Montague Ave.
- Farebox recovery for the system was 16.7%.
- Tel-A-Ride ridership for the month was 4,410.
- The cost per Tel-A-Ride trip was \$42.56.

Please feel free to contact me with any questions or for further information.

# **CARTA Monthly Performance March 2025**

## **Fixed Route Performance:**

Passengers per Hour: 14.1

• On Time Performance: 69.5%

Complaints per 100,000 Passengers: 1.2
 Compliments per 100,000 Passengers: 0.4

Miles between Road Calls: 22,040

Revenue Vehicle Accidents per 100,000 Miles: 5.4

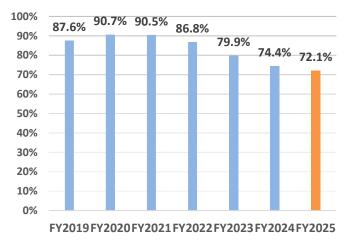
• Preventable Accidents per 100,00 Miles: 0.8

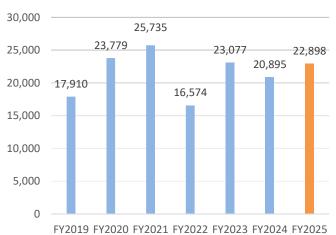
#### Fixed Route Annual Trends FY 2019 - FY2025

(Notes: 1 - FY2025 is partial year data)

## ON TIME PERFORMANCE

## **TOTAL MILES B/W ROAD CALLS**





## ACCIDENTS PER 100,000

#### **PASSENGERS PER MILES COMPLAINTS PER HOUR** 8.0 7.5 100,000 PSGRS 16 14.5 7.0 3 14 2.7 2.6 6.0 5.4 10.6 10.9 11.1 10.7 12 5.0 4.7 5.0 44 10 2 4.1 1.7 1.5 4.0 3.0 0.6 0.5 2.0 1 1.0 FY202A FY2021 FY2022 FY2023 0.0 FY2019FY2020FY2021FY2022FY2023FY2024FY2025

#### **Paratransit Performance:**

Total Passengers: 4,410; Passengers per Hour: 1.7

No Shows: 182

• On-Time Performance: 86.0%

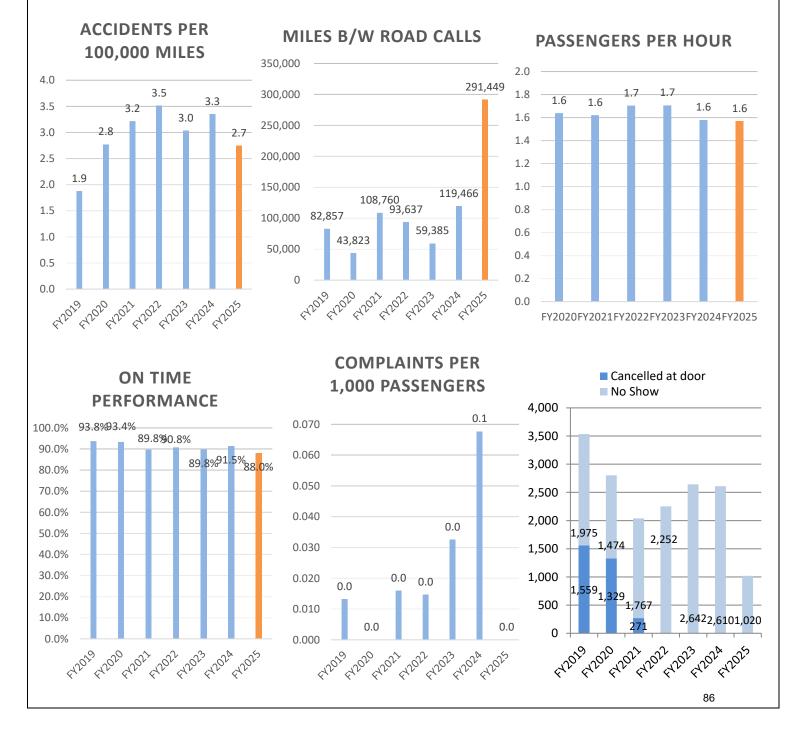
Complaints per 1,000 Passengers: 0.0Compliments per 1,000 Passengers: 0.0

Miles between Road Calls: 52,154

Total Revenue Accidents per 100,000 Miles: 0.0
 Preventable Accidents per 100,000 Miles: 0.0

#### Paratransit Annual Trends - FY2019 - FY2025

(Notes: 1 - FY2025 is partial year data; 2- Effective January 2021, cancelled at door is rolled into No Shows)



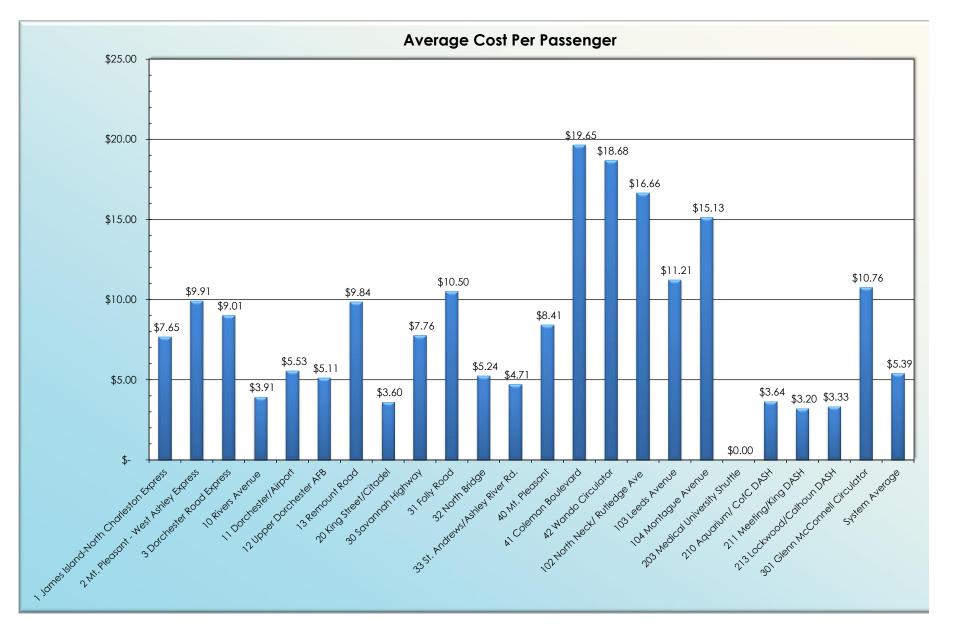
# Revenue/Cost/Ridership for the Month of March 2025

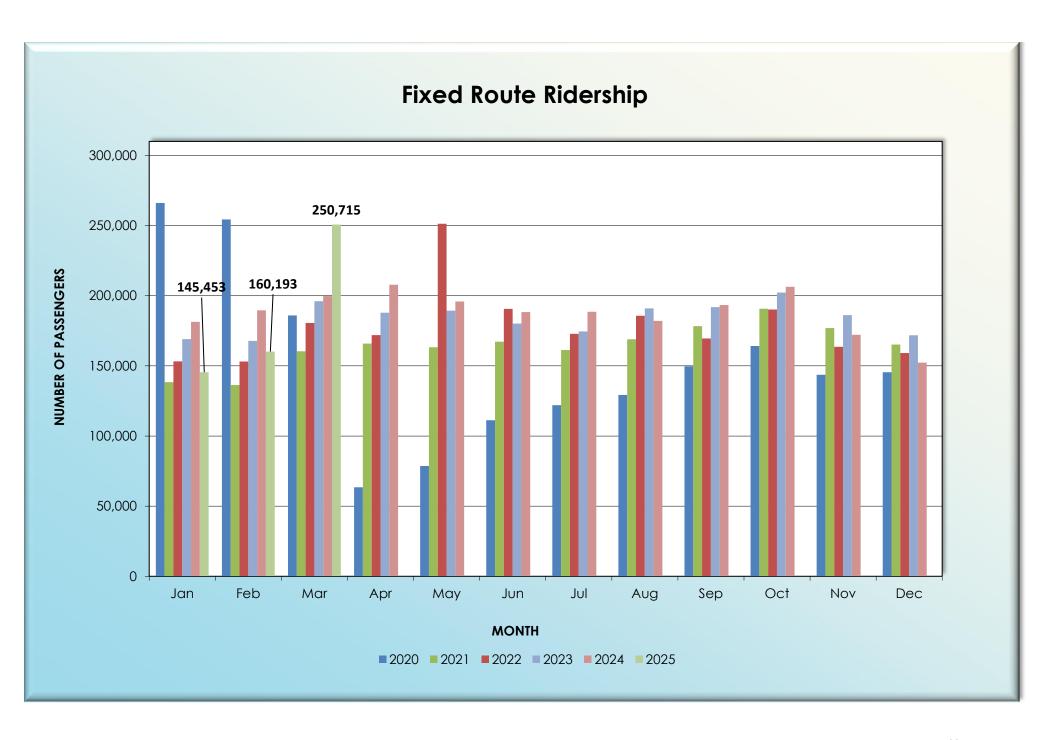
	ĺ									Allowable				Passenger Pe	r				
									Deviation	Deviation				Hour Target					1
							Percent		From	Under	2024	2025	Change	•			Change	Change	1
	Farebox	Pass/Presale		2025	Cost of	Hours	Cost	Cost Per	System	Performance	Passengers	Passengers	9	Performance	2024	2025		•	% of Total
Route Name	Revenue	Revenue	2024 Revenue	Revenue	Operation	Operated	Recovered	Passenger	Average		Per Hour	Per Hour		Standards	Ridership	Ridership	Year		Ridership
				\$11,690.04	•	663.98			·	0.00.00	1 61 11001				-				•
1 James Island-North Charleston Express	\$275.66 \$ 520.05		' '	\$ 7,439.11	\$ 58,468.46	641.17	19.3% 12.7%	\$ 7.65	2.65% -3.93%	-5.00% -5.00%	8	10	20%		5,399		985 1,104	18%	
2 Mt. Pleasant-West Ashley Express	1		\$ 7,276.02	\$5,665.19	\$ 42,532.96	466.42		\$ 9.91			6	8	31%	1:	.,		,	27% 19%	
3 Dorchester Rd-Summerville Express	\$502.54	<b>A</b>	\$ 3,003.73	\$3,003.17	\$ 42,332.76	400.42	13.3%	\$ 9.01	-3.34%	-5.00%	/	9	18%	1	3,445	4,091	646	19%	1.63% 0.00%
4 Airport Express	\$ -	\$ -	- · ·	ф -	φ -		-	-	-	-5.00%	-	-	-	1:	-	-	-	-	
7 HOP Shuttle (Hospitality on Peninsula)	\$ -	\$ -	\$ 45.867.69	\$ 45,897.08	\$ 250.795.12	2.750.24	10.007		1 / 407	-15.00%	14	19	2007	10	- 27,000	- 50.051	1.40/1	-	0.00%
10 Rivers Avenue 11 Dorchester Rd/Airport	\$ 32,033.73		1	1 -7	\$ 110,483.39	1,211.57	18.3% 12.5%	\$ 3.91 \$ 5.53	1.64%			19	38% 37%	20		52,351 17,483	14,361	38% 37%	
	\$ 9,178.55	, , , , , , , , , , , , , , , , , , , ,		T,	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1,211.57		1	-4.16%		11	14			, , , , ,		4,725	34%	
12 Upper Dorch/Ashley Phosphate Rd	\$ 11,422.78		' '	\$ 5,216.29	\$ 74,735.89	819.56	1 11070	\$ 5.11 \$ 9.84	-2.61%		- 11	15	34% 15%			20,019 7,067	5,114		
13 Remount Road	\$ 3,344.88 \$ 4.75			1 -,	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	668.77	7.0% 9.8%	1	-9.68% -6.81%	-10.00% -10.00%	18	23	28%				841 3,371	13% 28%	
20 King Street/Meeting St	\$ 3,281.85	.,		\$ 5,188.29		669.28	9.8% 8.5%	\$ 7.76	-6.81% -8.16%	-10.00%	18	23	60%	20		7,199	2,700		2.87%
30 Savannah Highway 31 Follv Road	\$ 2.898.15	7	' '		\$ 77,643.95	851.45			-0.16%			0	54%				2,700	60% 54%	
32 North Bridge	\$ 2,070.13	, , , , , , , , , , , , , , , , , , , ,			\$ 78,315.11	858.81	11.8%	1	-10.36%	-10.00%	10	15	56%	20			4,707	56%	
33 St. Andrews/Ashley River Rd	\$ 6,138.03			'	1	718.53			-4.07%		14	17	22%				2,151	22%	
40 Mt. Pleasant	\$ 2,729.92				\$ 62,262.89	682.78	7.3%	\$ 8.41	-9.35%	-10.00%	- 14	10	59%	20			2,545	59%	
41 Coleman Boulevard	\$ 1,144.97				1	383.97	4.6%		-12.10%		3	10	43%				499	42%	
42 Wando Circulator	\$ 931.20					369.16		\$ 18.68	-12.53%	-15.00%	2	5	95%	1/	880		848	96%	
102 North Neck/ Rutledge Ave	\$ 1,164.19	. '				488.28	4.1%	\$ 16.66	-12.52%	-15.00%	<u> </u>	5	25%	10		2,562	471	23%	
103 Leeds Avenue	\$ 630.57		' '			166.07	6.4%	\$ 11.21	-10.28%	-15.00%	6	8	35%	10	961	1,265	304	32%	
104 Montague Avenue	\$ 1,644.36	. '	'	•		740.94			-12.54%		3	6	65%	10		,	1,659	63%	
203 Medical Shuttle	\$ -	\$ 44,226,34				485.76	,	\$ 0.00	83.18%	-10.00%	32	33	3%	10	15,751	16,040	289	2%	
210 Aguarium/ CofC DASH	\$ 0.75	, , , , , , , , , , , , , , , , , , , ,	' '	\$ 33,992.19		795.40	46.9%	1	30.21%	-15.00%	14	13	-2%	10		-,	(188)	-2%	
211 Meeting/King DASH	\$ -	\$ 25,791.44		\$ 25,791.44	\$ 111,172.79	1,219.13	23.2%	\$ 3.20	6.54%	-15.00%	24	22	-9%	10		26,670	1,208	5%	
213 Lockwood/Calhoun DASH	\$ -	\$ 9,791.44		\$ 9,791.44	\$ 39,642.23	434.72		\$ 3.33	8.04%		21	21	-4%	10	9,275		(319)	-3%	
301 Glenn McConnell Circulator	\$ 1,298.86		<del>                                     </del>	\$ 2,094.71	\$ 34,419.77	377.45	6.1%	\$ 10.76	-10.57%	-15.00%	7	8	20%	10	2,499	3,005	507	20%	
TOTAL	\$84,885.77	\$ 185,025.84		\$269,911.61	\$ 1,620,392.20	17,769.36	16.7%	\$ 5.39			11.3	14.1	25%		199,767	250,715	50,948	25.5%	

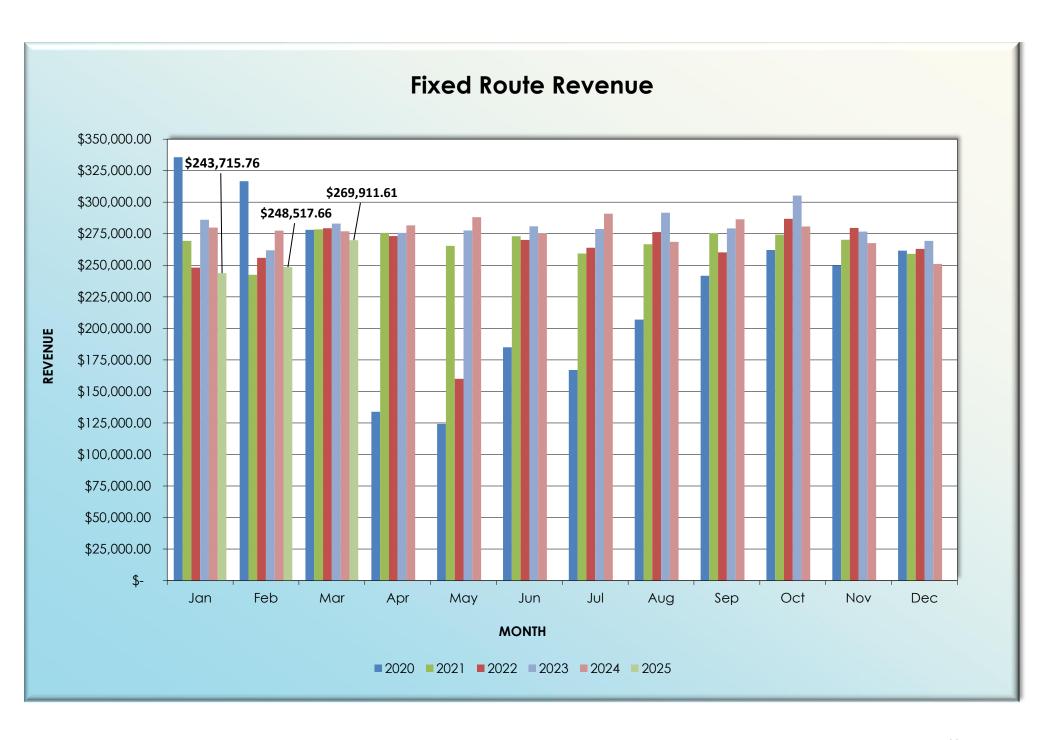
NOT meeting Revenue Recovery Standards
Meeting Passenger Per Hour Standards
NOT Meeting Passenger Per Hour Standard

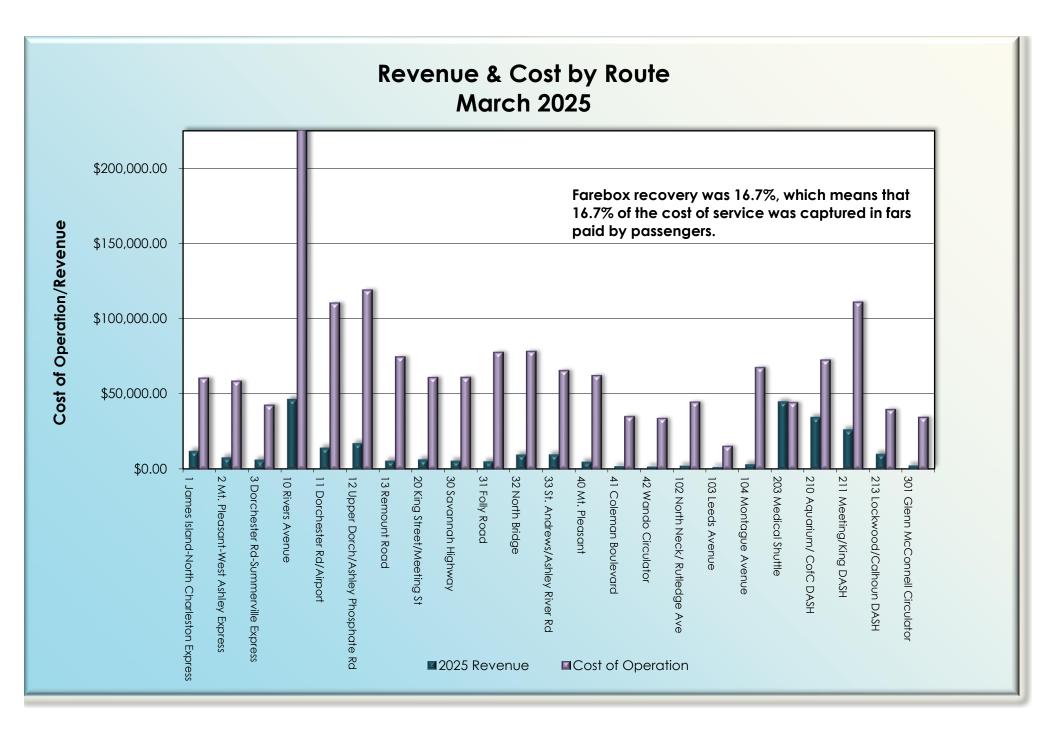
## Revenue/Cost/Ridership for the Month of March 2025

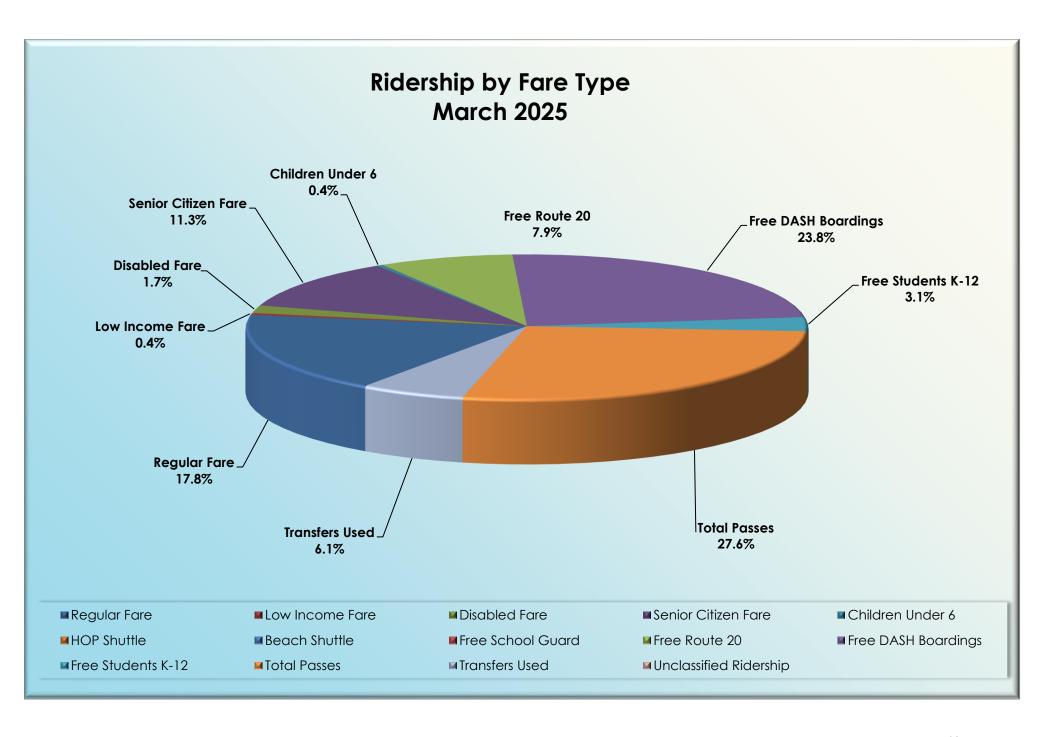
Route Name	Average Cost Per Passenger
1 James Island-North Charleston Express	)
2 Mt. Pleasant - West Ashley Express	\$ 9.91
3 Dorchester Road Express	\$ 9.01
4 Airport Express	-
7 HOP Shuttle (Hospitality on Peninsula)	-
10 Rivers Avenue	\$ 3.91
11 Dorchester/Airport	\$ 5.53
12 Upper Dorchester AFB	\$ 5.11
13 Remount Road	\$ 9.84
20 King Street/Citadel	\$ 3.60
30 Savannah Highway	\$ 7.76
31 Folly Road	\$ 10.50
32 North Bridge	\$ 5.24
33 St. Andrews/Ashley River Rd.	\$ 4.71
40 Mt. Pleasant	\$ 8.41
41 Coleman Boulevard	\$ 19.65
42 Wando Circulator	\$ 18.68
102 North Neck/ Rutledge Ave	\$ 16.66
103 Leeds Avenue	\$ 11.21
104 Montague Avenue	\$ 15.13
203 Medical University Shuttle	\$ 0.00
210 Aquarium/ CofC DASH	\$ 3.64
211 Meeting/King DASH	\$ 3.20
213 Lockwood/Calhoun DASH	\$ 3.33
301 Glenn McConnell Circulator	\$ 10.76
System Average	\$ 5.39

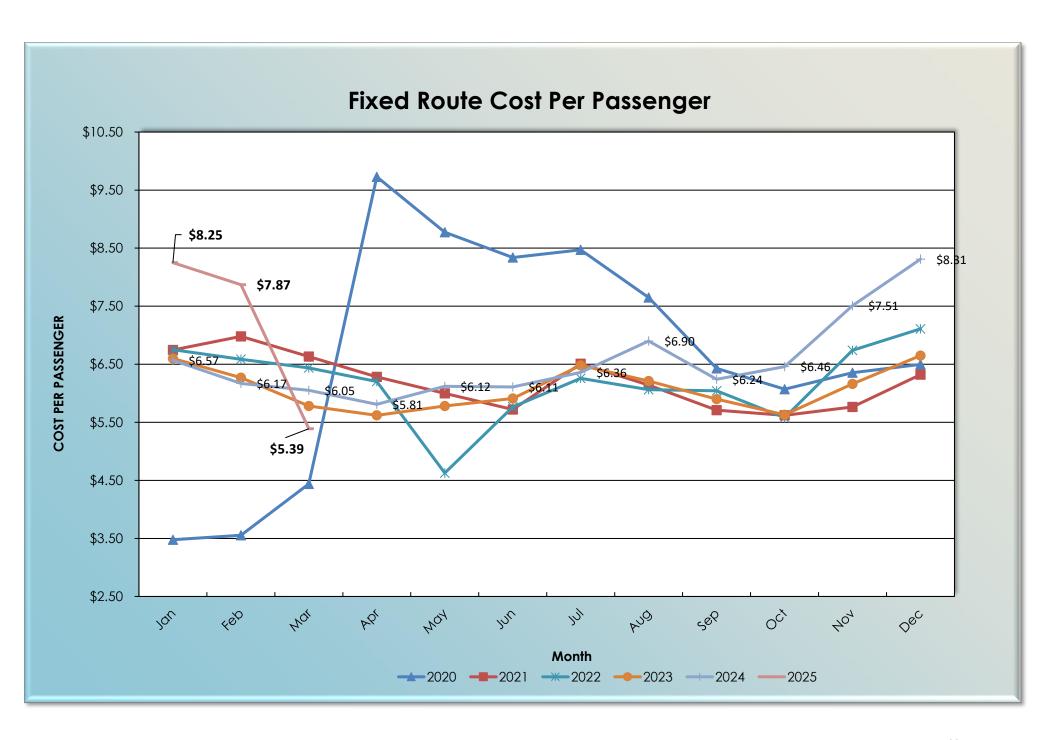


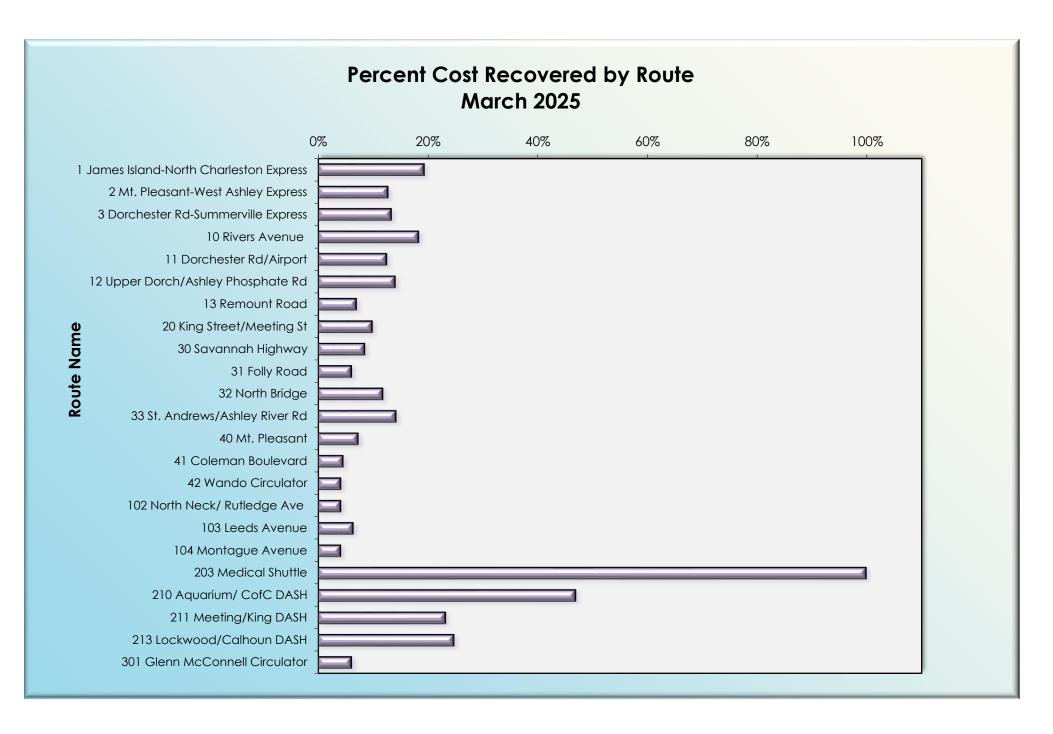


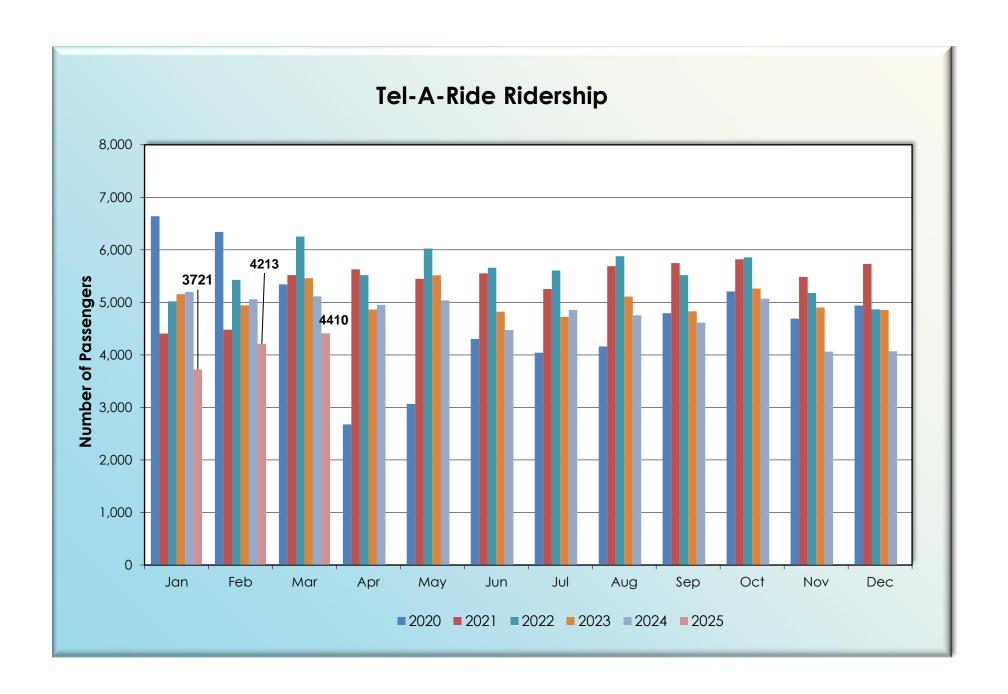


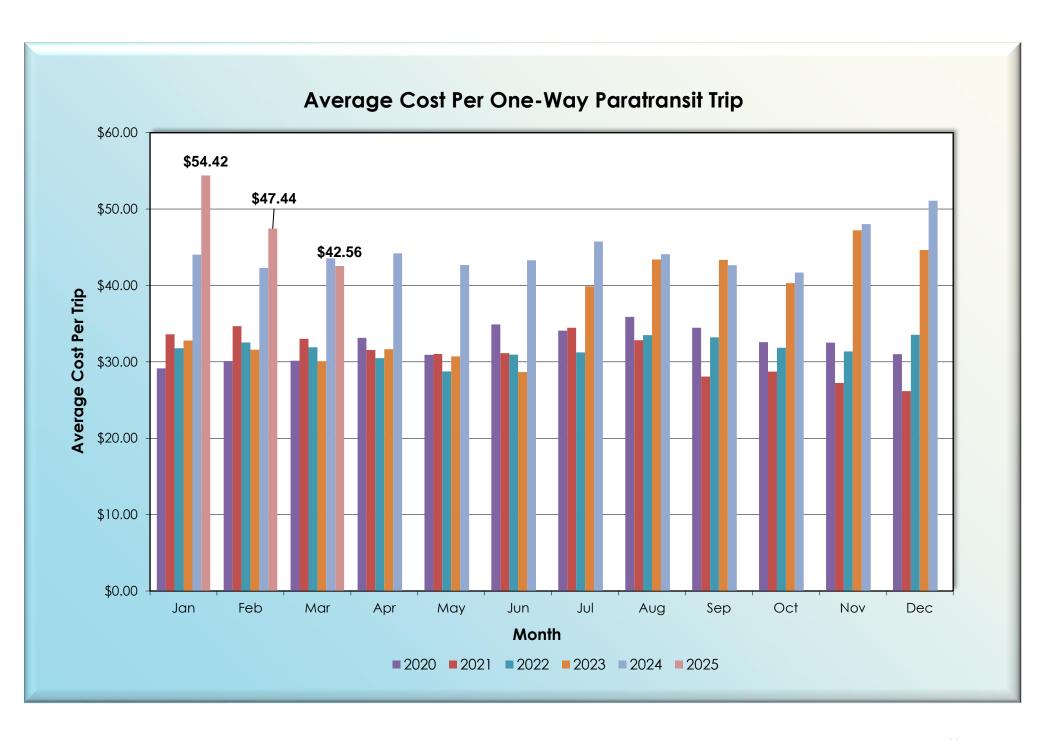


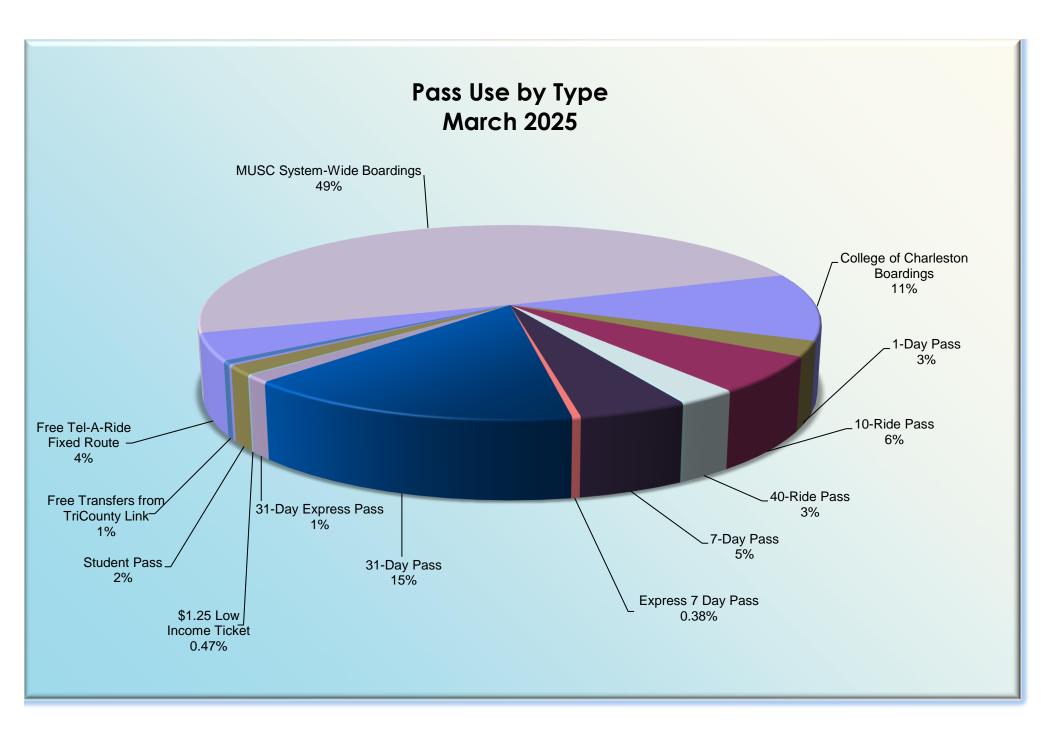


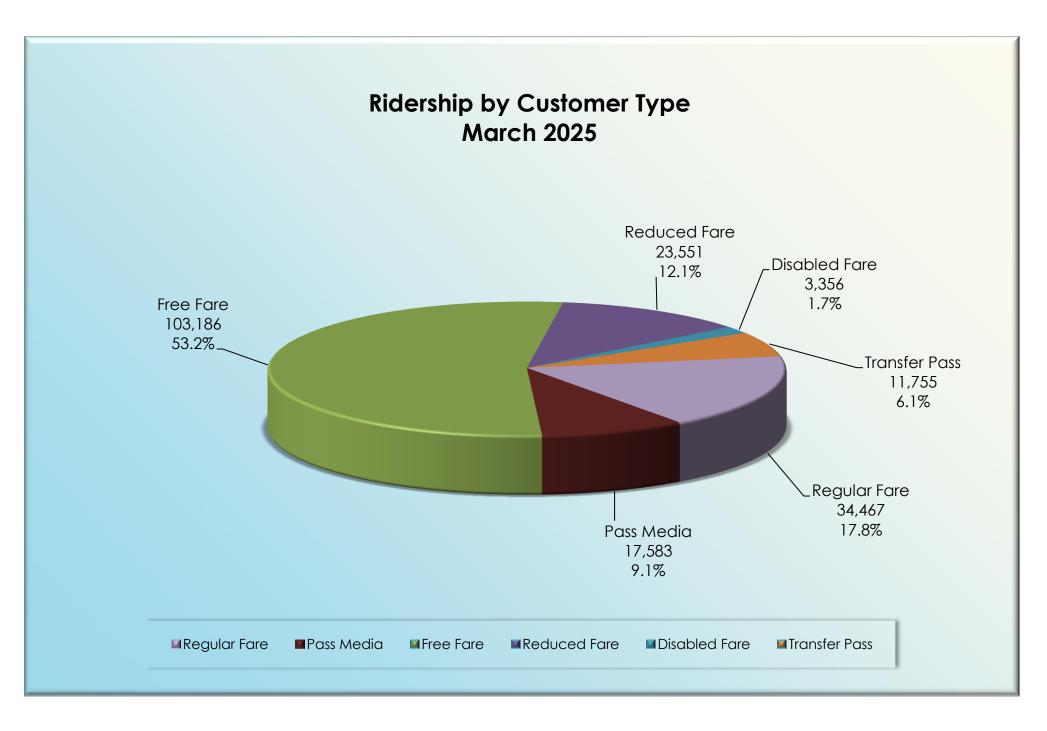












Ridership Classificatio	n for Marc	h 2025
Type of Fare		
Regular Fare	34,467	17.78%
Low Income Fare	840	0.43%
Disabled Fare	3,356	1.73%
Senior Citizen Fare	21,822	11.25%
Children Under 6	690	0.36%
HOP Shuttle	0	0.00%
Beach Shuttle	0	0.00%
Free School Guard	26	0.01%
Free Route 20	15,271	7.88%
Free DASH Boardings	46,206	23.83%
Free Students K-12	6,043	3.12%
Subtotal	128,721	66.39%
Type of Pass		
1-Day Pass	1,345	0.69%
10-Ride Pass	3,228	1.66%
40-Ride Pass	1,350	0.70%
3-Day Pass	91	0.05%
7-Day Pass	2,590	1.34%
7-Day Express Pass	204	0.11%
31-Day Pass	8,001	4.13%
31-Day Express Pass	639	0.33%
\$1.25 Low Income Ticket	68	0.04%
Student Pass	821	0.42%
1-Ride Courtesy Pass	3	0.00%
1-Ride Pass	135	0.07%
Free Transfers from TriCounty Link	295	0.15%
Free Tel-A-Ride Fixed Route	2,397	1.24%
MUSC System-Wide Boardings	26,232	13.53%
College of Charleston Boardings	6,023	3.11%
Total Passes	53,422	27.55%
Transfers		
Issued	23,449	
Transfers Used	11,755	6.06%
Wheelchair Count	172	
Unclassified Ridership	0	0.00%
Total Ridership	193,898	100.00%

