



# HUNTSVILLE

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Tommy Battle  
Mayor

## **DBE PROGRAM**

### **DBE POLICY OBJECTIVES STATEMENT**

The City of Huntsville, Alabama, Department of Parking & Public Transit, has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26, as amended. The City of Huntsville, Alabama, has received Federal Financial Assistance from USDOT, and as a condition of receiving this assistance, the City of Huntsville, Alabama, has signed an assurance that it will comply with 49 CFR, Part 26, as amended.

It is the policy of the Department of Parking & Public Transit to ensure that DBE's, as defined in Part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also our policy to:

1. Ensure nondiscrimination in the award and administration of USDOT assisted contracts
2. Create a level playing field on which DBE's can compete fairly for USDOT assisted contracts
3. Ensure that the DBE program is narrowly tailored in accordance with applicable laws
4. Ensure that only firms that fully meet 49 CFR, Part 26, as amended, eligibility standards are permitted to participate as DBE's
5. Help remove barriers to the participation of DBE's in USDOT assisted contracts
6. Assist the development of firms that can compete successfully in the market place outside the DBE program

Kimberly A. Smith has been delegated as the DBE Liaison Officer (DBELO). In that capacity, Kim Smith is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Department of Parking & Public Transit in its financial assistance agreements with the Department of Transportation.

The Department of Parking & Public Transit has disseminated this policy statement to the Mayor of the City of Huntsville, Alabama, and all components of our organization. We will distribute this statement to DBE and Non-DBE business communities that perform work for us on USDOT assisted contracts through the City of Huntsville, Alabama, Procurement Division website, the North Alabama African American Chamber of Commerce (NAAACA), Alabama A & M

## The Star of Alabama

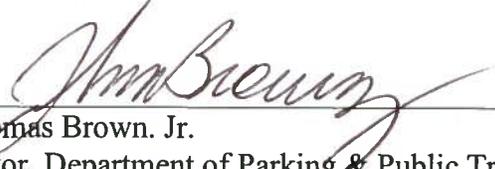
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University (AAMU) DBE and SBD Outreach Center, and the Top of Alabama Council of Government (TARCOG.) Distribution shall also be via the Department of Parking & Public Transit website, [http://www.hsvcity.net/PublicTran/public\\_trans\\_notices.php](http://www.hsvcity.net/PublicTran/public_trans_notices.php).



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J. Thomas Brown, Jr.  
Director, Department of Parking & Public Transit

2-19-13

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## **DBE PROGRAM**

### **SUBPART A – GENERAL REQUIREMENTS**

#### **APPLICABILITY-**

The City of Huntsville, Alabama, Department of Parking & Public Transit is the recipient of federal transit funds authorized by Federal Transit laws in Title 49, U.S. Code.

#### **DEFINITIONS-**

The City of Huntsville, Alabama, Department of Parking & Public Transit will adopt the definitions contained in Section 26.5 of Part 26 for this program.

#### **NON-DISCRIMINATION REQUIREMENTS-**

The City of Huntsville 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, the Department 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.

#### **RECORD KEEPING REQUIREMENTS-**

The City of Huntsville, Alabama, Department of Parking & Public Transit will report DBE participation to the relevant operating administration, the Federal Transit Administration (FTA), using the Uniform Report of DBE Awards or Commitments and Payments, found in Appendix B to the DBE regulation.

The City of Huntsville, Alabama, Department of Parking & Public Transit will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders approach to calculating overall goals. The bidders list will include the name, address, DBE or non-DBE status, and annual gross receipts of firms. We will collect this information in the following ways: The Department of Parking & Public Transit will include contract clauses requiring prime contractors to report the names/addresses, other information, of all firms who quote to them on subcontracts; and bidders must fill out a bidder questionnaire in the online system with pertinent information to become a vendor of the City of Huntsville.

#### **ASSURANCES-**

The City of Huntsville, Alabama, has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

The City of Huntsville, Alabama, 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 City

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 City's DBE Program, as required by 49 CFR Part 27 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 City of Huntsville, Alabama, of its failure to carry out its approved program, the Department may impose sanction as provided for under Part 27 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.*).

We will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

## **SUBPART B – ADMINISTRATIVE REQUIREMENTS**

### **DBE PROGRAM UPDATES-**

Since the City of Huntsville, Alabama, Department of Parking & Public Transit, has received a grant of \$250,000 or more in FTA planning, capital, and/or operating assistance in a federal fiscal year, 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 LIAISON OFFICER-**

We have designated the following individual as our DBE Liaison Officer; Kimberly A. Smith, City of Huntsville, Department of Parking & Public Transit, 500 B Church Street, Huntsville, AL 35801, phone (256) 427-6831, fax (256) 427-6862, email address: [kim.smith@huntsvilleal.gov](mailto:kim.smith@huntsvilleal.gov). In that capacity, Kim Smith is responsible for implementing all aspects of the DBE program and ensuring that Public Transit complies with all provisions of 49 CFR, Part 26. Ms. Smith has direct, independent access to the Director of Public Transit concerning DBE program matters. The DBELO has input from and consultation with the City of Huntsville, Procurement Division, Alabama State DOT, North Alabama African American Chamber of Commerce (NAAACA) and several City of Huntsville staff members to help with the coordination of DBE listing and use.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials and co-workers. Duties and responsibilities include the following:

1. Gather and report statistical data and other information as required by DOT
2. Review third party contracts and purchase requisitions for compliance with this program

3. Work within department to set overall annual goals
4. Ensure that bid notices and requests for proposals are available to DBE's in a timely manner
5. Identify contacts and procurements so that DBE goals are included in solicitations (both race neutral methods and contract specific goals) and monitor results
6. Analyze progress toward goal attainment and identify ways to improve progress
7. Participate in pre-bid meetings if of significant content
8. Advise CEO/governing body on DBE matters and achievements
9. Participate with legal counsel and project director to determine contractor compliance with good faith efforts
10. Provide DBE's with information and assistance in preparing bids, obtaining bonding and insurance
11. Coordinate with Chamber of Commerce NEAR Small Business Division in DBE training seminars
12. Refer interested vendors and potential DBE's to AL DOT for DBE certification
13. Provide outreach to DBE's to advise them of opportunities
14. Maintain Public Transit updated directory on certified DBE's

#### DBE FINANCIAL INSTITUTIONS-

It is the policy of the City of Huntsville, Alabama, Department of Parking & Public Transit to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions.

We have made the following efforts to identify and use such institutions: monitor and utilize a comprehensive list of minority owned/operated financial institutes as available on the U.S. Department of Treasury website: [http://fms.treas.gov/mbdp/current\\_list.html](http://fms.treas.gov/mbdp/current_list.html). We will also re-evaluate the availability of DBE financial institutions every third year as the program update is underway.

To date the City of Huntsville has not identified any socially or economically disadvantaged financial institutes in the community.

#### PROMPT PAYMENT MECHANISMS-

The City of Huntsville, Alabama, will include the following clause in each prime contract:

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

The prime contractor agrees to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following a written approval of the City of Huntsville. This clause applies to both DBE and non-DBE subcontracts.

The City of Huntsville, Department of Parking & Public Transit, has established the following method to monitor and enforce that prompt payment and return of retainage is in fact occurring:

The Department of Parking & Public Transit will randomly contact the subcontractors, via telephone conversations, to confirm prompt payment and return of retainage.

#### DIRECTORY-

The Department of Parking & Public Transit utilizes the directory of the Alabama State DOT (ALDOT), the certifying entity of the statewide UCP, identifying all firms eligible to participate as DBE's and the Alabama A & M University (AAMU) DBE/SBE Outreach Center, a certifying extension of ALDOT. The directory's lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. The directories are revised by the Alabama State DOT annually, or as new certifications are registered. We make the directory available at the Alabama State DOT website, <http://cpmsweb2.dot.state.al.us/alucp/default.aspx?agency=1#results.html>, and the AAMU list may be found in Attachment 2 to this program document.

#### OVERCONCENTRATION-

The Department of Parking & Public Transit has not identified that overconcentration exists in the types of work that DBE's perform. We will re-evaluate for overconcentration every three years as the DBE program is being updated.

The Department of Parking & Public Transit has not established a business development program. We will re-evaluate the need for such a program every three years as the DBE program is being updated.

#### MONITORING AND ENFORCEMENT MECHANISMS-

The Department of Parking & Public Transit will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. 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 provided in 26.109 (DOJ for criminal prosecution, DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules).
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts. The list of 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 is attached.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBE's at contract award is actually performed by the DBE's. This will be accomplished by viewing DBE (and non-DBE) payroll records during the course of the contract and participating in on-site Owner/Contractor on-going meetings and project manager observations during project. This will occur for each contract/project on which DBE's are participating.
4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

#### SMALL BUSINESS PARTICIPATION-

The City of Huntsville, Alabama, Department of Parking & Public Transit has incorporated the following non-discriminatory element to its DBE program, in order to facilitate competition on DOT-assisted projects by small business concerns (both DBE's and non-DBE small businesses):

- Department of Parking & Public Transit will remove any unnecessary or unjustified bundling of contract requirements;
- The department will require bidders on large contracts to identify and/or provide specific subcontracts appropriate for small business participation;
- The department will develop acquisition strategies and structure procurements to facilitate bids by and awards to small businesses;
- We will let prime contract of a size that small businesses can reasonably compete for and perform;

For our purposes a Small Business is defined as meeting the SBA (Small Business Administration) criteria for meeting small business concerns and its average annual gross receipts (as defined by SBA rules) over the firm's previous three fiscal years do not exceed \$16.6 million.

This program element was incorporated into the DBE program and put into place on February 17, 2012. The revised SBE will be put into place effective immediately, February 20, 2013.

In addition, we are encouraging all proposers to utilize the DBE and Small Business lists available from Alabama A & M University (AAMU) and the SBA registry, as well as ALDOT's DBE lists.

Public Transit also works in conjunction with and coordinates with AAMU, ALDOT and the Small Business program of the Huntsville Chamber of Commerce to enhance and promote small business participation by participating in DBE and Small Business workshops and conferences.

#### **SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING**

##### SET-ASIDES OR QUOTAS-

The City of Huntsville, Alabama, Department of Parking & Public Transit does not use quotas in any way in the administration of this DBE program.

##### OVERALL GOALS-

In accordance with Section 26.45, the City of Huntsville, Alabama, Department of Parking & Public Transit will submit its triennial overall DBE goal to the Federal Transit Administration (FTA) on August 1, 2015.

The Department of Parking & Public Transit will also request use of project-specific DBE goals as appropriate, and/or will establish project-specific DBE goals as directed by FTA.

The process generally used by the Department of Parking & Public Transit to establish overall DBE goals is as follows:

Step 1-the Department of Parking & Public Transit utilizes the previously referenced DBE lists from AAMU, ALDOT and NAAAC, to establish a basis for ready, willing and able DBE's that may participate in contracting opportunities derived from our DOT-assisted contracts.

Step 2-the Department then disseminates the proposed budget(s) and calculates the available contracts for DBE participation to achieve an initial DBE goal. At this point historical DBE contract participation and availability is used to adjust the DBE goal.

Before establishing the overall goal each year, the Department of Parking & Public Transit will consult with the ALDOT, AAMU and NAAACC to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBE's, and the Department of Parking & Public Transit efforts to establish a level playing field for the participation of DBE's.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale 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 you and DOT will accept comments on the goals for 45 days from the date of the notice.

This notice will be published in the local Huntsville newspaper, the Huntsville Times, the local minority newspaper, Speakin' Out News, the NAAACC (North Alabama African American Chamber of Commerce) and the City of Huntsville, Department of Parking & Public Transit website.

Normally, we will issue this notice by June 1 of required DBE Update year, the next one scheduled for 2015. The notice will include addresses to which comments may be sent and addresses, including offices and websites, where the proposal may be reviewed.

Our overall goal submission to DOT will include: the goal, which includes the breakout of estimated race-neutral and/or race-conscience participation; 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.

We will begin using our overall goal on October 1, 2012, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

#### GOAL SETTING AND ACCOUNTABILITY-

If the awards and commitments shown on the Department of Parking & Public Transit's 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. Submit the plan to FTA within 90 days of the affected fiscal year.

#### TRANSIT VEHICLE MANUFACTURERS GOALS-

The City of Huntsville, Alabama, Department of Parking & Public Transit 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, the Department of Parking & Public Transit, 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.

#### MEETING OVERALL GOALS/CONTRACT GOALS-

The City of Huntsville, Alabama, Department of Parking & Public Transit will meet the maximum feasible portion of its overall goal using a combination of race-neutral means of facilitating DBE participation and race-conscience means.

In order to reach the race-neutral goals, the Department will:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39 of this part;
2. Providing technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate)

The Department of Parking & Public Transit will use contract goals to meet any portion of the over goal the Department does not project being able to meet using race-neutral means. Contract goals will be 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.

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

#### GOOD FAITH EFFORTS PROCEDURES-

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, the City of Huntsville, Alabama, will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made

adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

#### EVALUATION OF GOOD FAITH EFFORTS-

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; Kim Smith, DBELO

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

- solicitations through all reasonable and available means the interest of all certified DBE's who have the capability to perform the work of the contract. The bidder must solicit this interest within a sufficient amount of time to allow the DBE's to respond to the solicitations. Actions that will generate solicitations for DBE's:
  - Attendance at pre-bid meetings
  - Advertising and/or written notices
  - Notices to be distributed to ALDOT, AAMU and NAAACC that will be disseminated to individual DBE's
- The dissemination of the open solicitations referenced above will provide adequate information about the plans, specifications and requirements of the contract in a timely manner to all interested DBE's and will assist them in responding to solicitations.

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.

#### INFORMATION TO BE SUBMITTED-

The City of Huntsville, Alabama, Department of Parking & Public Transit treats bidder/offers' 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/offeror's to submit the following information:

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

#### ADMINISTRATION RECONSIDERATION-

Within 10 days of being informed by the City of Huntsville, Alabama, 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: John Thomas Brown, Jr., 500 B Church Street, 256-427-6811, [tommy.brown@huntsvilleal.gov](mailto:tommy.brown@huntsvilleal.gov). The reconsideration official will not have played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. 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.

#### DBE TERMINATION/REPLACEMENT-

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

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

In those instances where "good cause" exists to terminate a DBE's contract, the Department will require the prime contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. 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 our prior approval of the substitute DBE and to provide copies of a new or amended subcontracts, or documentation of good faith efforts.

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

#### SAMPLE BID SPECIFICATION-

The requirements of 49 CFR, Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the City of Huntsville, Alabama, to practice nondiscrimination based on race, color, sex or national origin in the award of 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 \_\_\_\_ percent has been established (or a DBE contract goal has not be established) for this contract. The bidder/offeror shall make good faith efforts, as defined in the performance of this contract.

The bidder/offeror will be required to submit the following information;

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

#### COUNTING DBE PARTICIPATION-

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

### **SUBPARTS D & E – CERTIFICATION**

The City of Huntsville, Alabama, is a non-certifying entity.

The City of Huntsville, Alabama, is a member of the Unified Certification Program (UCP) administered by The State of Alabama, Department of Transportation (ALDOT). The UCP will meet all of the requirements of this section. The City will use and count toward DBE credit only those DBE firms certified by the ALDOT UCP.

Contact information for interested firms or individuals follows:

Alabama Department of Transportation  
Personnel and Compliance Bureau  
Disadvantaged Business Enterprise (DBE)  
Mr. John Huffman, DBE Coordinator  
2720 Gunter Park Drive West  
Montgomery, AL 36109  
1-800-269-5081 or 1-334-244-6261  
Fax: 1-334-260-5313

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

U.S. Department of Transportation  
Office of Civil Rights Certification Appeals Branch  
1200 New Jersey Avenue, SE  
West Building, 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.

## **SUBPART F – COMPLIANCE AND ENFORCEMENT**

### **INFORMATION, CONFIDENTIALITY, COOPERATION-**

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.

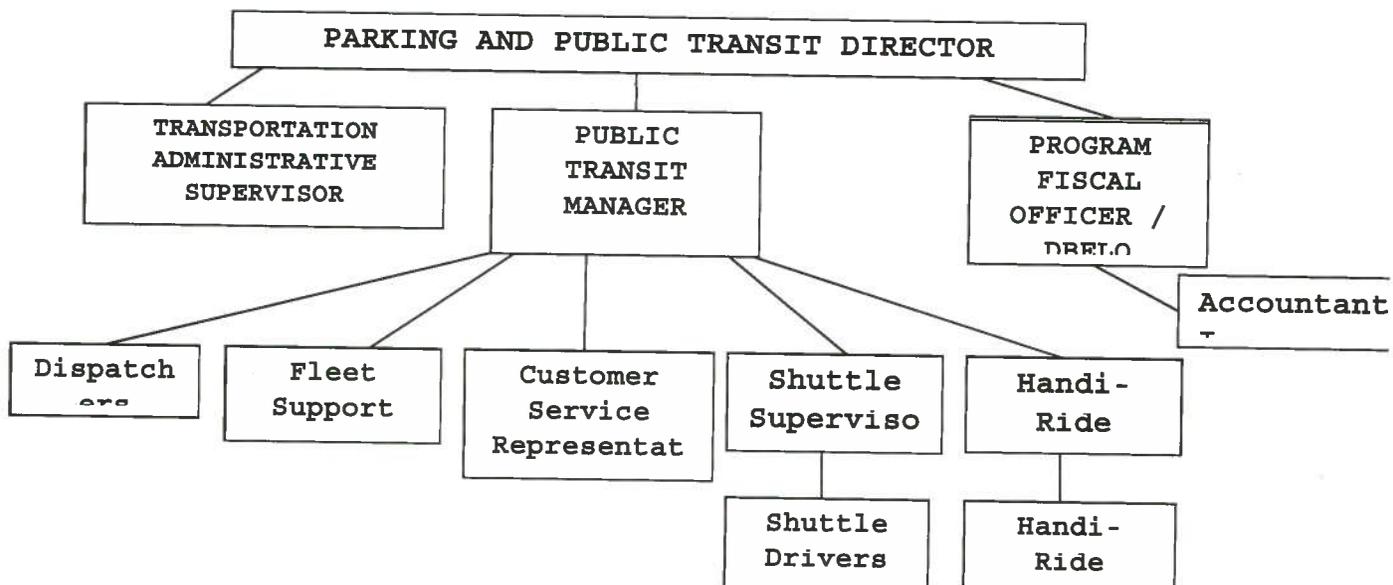
### **MONITORING PAYMENTS TO DBE's –**

We will require prime contractors to maintain records and documentations 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 the City or DOT. This reporting requirement also extends to any certified DBE subcontractor.

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 state in the schedule of DBE participation.

ATTACHMENT 1

DEPARTMENT ORGANIZATIONAL CHART



**ATTACHMENT 2**

**DBE DIRECTORY ACCESS**

The certified DBE list can be accessed at the following:

ALDOT (Alabama Department of Transportation)  
<http://www.dot.state.al.us/pcweb/DBE%20Program.html>

Huntsville-Madison County Airport Authority  
<http://www.hsvairport.org/hmcaa/dbe.html>

Alabama A & M University (AAMU)  
DBE Supportive Services Program  
School of Business  
P O Box 429  
Normal, AL 35762  
Kim Vincent  
256-372-5681  
Fax: 256-372-5683

### ATTACHMENT 3

#### **MONITORING AND ENFORCEMENT MECHANISMS/LEGAL REMEDIES**

The City of Huntsville, Alabama, 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.

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
3. Prosecution pursuant to 18 USC 1001.

ATTACHMENT 4

**OVERALL GOAL CALCULATION**

AMOUNT OF GOAL -

1. The City of Huntsville, Alabama, Department of Parking & Public Transit's overall goal for the following time period FY 2012 – FY 2013 is the following: 5.33% of the Federal Financial assistance we will expend in DOT-assisted contracts, exclusive of FTA funds to be used for purchase of transit vehicles.
2. \$2,986,946 is the dollar amount of DOT-assisted contracts that the City of Huntsville, Alabama, Department of Parking & Public Transit expects to award during FFY 2013. This means that the Department of Parking & Public Transit has set a goal of expending \$159,204.

METHODOLOGY –

Step 1 –

The base figure for relative availability of DBE's was determined:

$$\text{Base Figure} = \frac{\text{Ready/Willing/Able DBE's}}{\text{All firms Ready/Willing/Able}}$$

The data source or demonstrable evidence used to derive the numerator was:

Alabama DOT (ALDOT) FTA DBE list  
Alabama A & M University (AAMU) DBE list  
ALDOT FHWA DBE list for construction projects  
Huntsville-Madison County Airport Authority DBE list

The data source or demonstrable evidence used to derive the denominator was:

City of Huntsville Vendor List  
Central Contracting Register  
U.S. Census for list for Alabama

When we divided the numerator by the denominator we arrive at the base figure for our overall goal and that number was 2%.

Step 2 –

After calculating a base figure of the relative availability of DBE's, evidence was examined to determine what adjustment was needed to the base figure in order to arrive at the overall goal.

In order to reflect as accurately as possible the DBE participation we would expect in the absence of discrimination we have adjusted our base figure by 3.33%.

The data used to determine the adjustment to the base figure was:

Portion of proposed project that fall under FTA allowable costs  
DBE and Total Historical expenditures by type of work  
Determined Contracting Opportunities

The reason we chose to adjust our figure using this data was because:

The actual FTA allowable costs adjusted by actual past contracts afforded to DBE's and non-DBE's alike give a more accurate picture of DBE potential use.

From this data, we have adjusted our base figure to: 5.33%.

**PUBLIC PARTICIPATION –**

We published our goal information in these publications:

The Huntsville Times local newspaper  
Speakin' Out News the local minority newspaper  
The City of Huntsville's website  
TARCOG (Top of Alabama Regional Council of Governments)  
NAAACC (North Alabama African American Chamber of Commerce)

We did not receive any comments from the public.

If comments were received the summaries would follow.

There were no responses necessary.

**BREAKOUT ESTIMATED RACE-NEUTRAL & RACE CONSCIOUS PARTICIPATION –**

The City of Huntsville, Department of Parking & Public Transit will meet the maximum feasible portion of its overall goal by using race-conscious means of facilitating DBE participation. The Department of Parking & Public Transit uses the following race-neutral means to increase DBE participation:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39 of this part;
2. Providing technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate)

We estimate that, in meeting our overall goal of 5.33%, we will obtain .33% from race-neutral participation and .33% from race-conscious measures.

The following is a summary that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation and we will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

**ATTACHMENT 5**

**DEMONSTRATION OF GOOD FAITH EFFORTS**

*These forms to be provided as part of solicitation documents*

**FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION**

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

\_\_\_\_\_ The bidder/offeror is committed to a minimum of \_\_\_\_\_% DBE utilization on this contract.

\_\_\_\_\_ The bidder/offeror (if unable to meet the DBE goal of \_\_\_\_\_%) is committed to a minimum of \_\_\_\_\_% DBE utilization on this contract and submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: \_\_\_\_\_

State/City Registration No. \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature

FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of DBE firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Description of work to be performed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

By: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature

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

This page should be submitted for each DBE subcontractor.

## ATTACHMENT 6

### CERTIFICATION FORMS

The following are the links to the Alabama State Department of Transportations (ALDOT) UCP agreement, certification forms and procedures, as well as where to obtain further DBE/SBE information, certifications and guidance:

<http://www.dot.state.al.us/pcweb/frm/dbe/ALUCP%20Document.pdf>

<http://www.dot.state.al.us/pcweb/frm/dbe/DBEProgram.pdf>

<http://www.dot.state.al.us/pcweb/doc/dbe/University%20of%20Alabama%20at%20Huntsville%20Mentor%20Protege%20Program.PDF>

<http://www.dot.state.al.us/pcweb/Supportive%20Services.html>

Alabama A & M University (AAMU)  
DBE Supportive Services Program  
School of Business  
P O Box 429  
Normal, AL 35762  
Kim Vincent  
256-372-5681  
Fax: 256-372-5683

**ATTACHMENT 7**

THE DBE REGULATIONS UNDER 49 CFR PART 26 ARE AVAILABLE FOR REVIEW AT THE CITY OF HUNTSVILLE, DEPARTMENT OF PARKING & PUBLIC TRANSIT, 500 B CHURCH STREET, HUNTSVILLE, AL 35801, 256-427-6831, DURING REGULAR BUSINESS HOURS FROM 8:00 A.M. TO 4:30 P.M.

**ALABAMA A&M UNIVERSITY  
DBE SUPPORTIVE SERVICES – NORTHERN TIER**

FIRST	LAST	COMPANY	ADDRESS	CITY	STATE	ZIP	PHONE	WORK TYPE(S)	EMAIL
Mike	Hollaway	4M Services	995 Bainbridge Road	Muscle Shoals	AL	35661	256-366-7816	Erosion Control, Landscaping	serv4M@aol.com
Anthony	Adams	Adams-Brown Services, Inc.	4835 University Square Suite 15	Huntsville	AL	35816	704-1787 704-1789 (f)	Paving, Consulting	aadams@absieng.com
Otis P.	Harty	Agilis Infrastructures, LLC	231 Glen Meadows Lane	Harvest	AL	35749	543-5922 694-4215 (f)	IT Consulting	ohts:harty@agilis.com oharty@yahoo.com
Adolfo	Ruiz	All Maintenance	1008 Orbie Street	Russellville	AL	35653	256-324-0492 256-332-9855	Carpet Cleaning	JR27488@yahoo.com
Eric	McCrary	AKEEM Construction	1711 Weymouth Lane	Huntsville	AL	35806	694-1084	General Construction	akeemh@rational@yahoo.com
Bill	Journey	A-Metro Security & Telecom	555 Sparkman Drive Ste 1616	Huntsville	AL	35816	721-0400 651-4900 (c) 721-1900 (f)	Concessionaire	bjourney@aol.com acklinhs@aol.com
Sharon	Thompson	AST Consulting & Contracting, LLC	303-D Beltline Place, SW	Decatur	AL	35603	350-9883 350-8989 350-9883 (f)	Consulting	sthompson_ast@gmail.com
Robyn	Abernathy	Bobby Terry Company, Inc.	110 Robyn Street	Athens	AL	35611	256-232-3138 1-800-239-2211 256-232-3594 (f)	Electrical, Ductwork, HVAC	robymr@bobbyterry.com dispatch@bobbyterry.com charisa@bobbyterry.com
Christopher	Stuckey	BobWorks, LLC/Print Daddy	2101 Clinton Avenue W Suite 502	Huntsville	AL	35805	828-9848 746-0024 (f)	Consulting	chris@bobworksconsulting.com www.bobworksconsulting.com
Harvey	Summerhill	C&H Hauling	1122 Shirley Drive	Tuscumbia	AL	35674	349-0278	Trucking	
Goodwin	Charles	C.W. Goodwin	1026 County Road 327	Danville	AL	35619	256-580-2720		
Carmen	Hastings	Carcel & G Construction, LLC	P.O. Box 59	Logan	AL	35098	736-5556	Minor structure concrete, Land Clearing, Grade, Drain & Base	carcel@hiwaay.net
Diaz-Plotter	Lori	CommandTec, LLC	P.O. Box 22073 303 Williams St., Ste 1312E	Huntsville	AL	35814	585-350-5182		loridiaz@yahoo.com
Michelle	Underwood	Concrete Builders	2102 Miller Ferry Way	Huntsville	AL	35801	883-7107	Concrete, Minor structure concrete, Culvert Construction, Trucking	michelle@concretebuilders.us
Dan	Carthen	Dan's Backhoe	P.O. Box 131	Belle Mina	AL	35615	355-6931	Trucking	

**ALABAMA A&M UNIVERSITY  
DBE SUPPORTIVE SERVICES – NORTHERN TIER**

Trisha	McDonald	Daystar Trucking	721 County Road 421	Cullman	AL	35057	734-4802 339-1879	Trucking	patdm01@aol.com
Don	Stout, Jr.	D&K Janitorial Service	511 Lisa Lane	Huntsville	AL	35810	886-3113	Janitorial	Edwardst2@yahoo.com
James	Dean	Dean Plumbing Company, Inc.	3100B Leeman Ferry Road	Huntsville	AL	35801	883-6130 656-3382 883-6135 (F)	Plumbing	michael@deanplumbing.com
Edie	Hester	EDSU, Inc.	18788 Highway 43 North	Russellville	AL	35653	332-9511	Grade, Drain & Base, Trucking and Land Clearing	edhes53@msn.com
Ricky	Edwards	Edwards Trucking	41 Douglas Drive	Guntersville	AL	35976	582-7440	Trucking	
Gabriel	Mena	Enlogica Solutions, LLC	10031 Shadow Wood Drive	Huntsville	AL	35803	256-337-8432 256-585-6350 (F)	Consulting	gmena@enlogicasolutions.com
Marion	Pritchett	Eternal Security, Inc.	1595 Slaughter Road	Madison	AL	35758	658-4780	Security Systems Installation, Wiring	heisd12secure@bellsouth.net
William	Slavin	Firelake Construction, Inc	85 Trico Drive	Guntersville	AL	35976	785-218-4976 256-302-2355 256-489-3447(F)		jfoley@firelakeconstruction.com
Fred	Williams	Fred Williams Trucking, LLC	10650 Rosa Lane	Madison	AL	35756	256-233-3956	Trucking, Excavation	
Gene	Anderson	G&G, Inc.	6685 Highway 20	Florence	AL	35633	256-767-4163	Concrete, Land Clearing, Excavation, Paving, Culvert Construction, Curb & Gutter, Bldg and Framing	
								Trucking, Excavation	
Brian	Rutherford	General Haulers	287 County Road 117	Town Creek	AL	35672	974-4483	Trucking	
Stephen	Gunn	Gideon	688 Discovery Drive, Ste 105	Huntsville	AL	35806	256-585-3361 256-655-2841	Software Development, Consulting	stepheng@gideon-services.com pauljr@gideon-services.com
Delores V.	Smith	Helping Hands Transport Service, Inc.	1803 Linwood Drive, SW	Hartselle	AL	35640	256-773-6264 256-345-4278	Transportation Service	hipnghands256@aol.com
JoAnn	Longshore	InfoPro Corporation	P.O. Box 2886	Huntsville	AL	35804	890-8222	Consulting	
Terrance	Swint	Greenwood Oak	P.O. Box 671795	Marietta	GA	30006	404-257-5600	Information Technology	hswint@elpos.net swintt@elpos.net
Jennie	Adams	JICA, Inc.	253 Stewart Road	Toney	AL	35773	256-859-9742	Building/Framing, Masonry	JICACORP@aol.com

**ALABAMA A&M UNIVERSITY  
DBE SUPPORTIVE SERVICES – NORTHERN TIER**

Elisa	Krupa	Knowledge Vortex	3809 Sullivan Street, Ste. 1	Madison	AL	35758	256-541-2744	IT	<a href="mailto:elisa.krupa@kvortex.com">elisa.krupa@kvortex.com</a> <a href="mailto:kvortex.com">kvortex.com</a>
Lorraine	Conaway	L&C Clean Up, LLC	124 Athens Blvd	Madison	AL	35758	256-603-6257 256-461-1373	Janitorial	<a href="mailto:lor57conaway@yahoo.com">lor57conaway@yahoo.com</a>
Louise	Stutts-Hayes	L. Stutts Hauling	760 Hatton School Road	Leighton	AL	35646	446-6226	Trucking	
Jin	Johnson	Lee Precision Machine Shop, Inc.	26182 US Hwy 72	Athens	AL	35613	233-3131 233-3707 (f)	Welding/Ironwork	<a href="mailto:pms7731@aol.com">pms7731@aol.com</a>
Ali	Sleiman	Machine Technology	1647 Blake Bottom Road	Huntsville	AL	35806	837-9776 682-7855	Welding/Ironwork, Utility, Demolition, Land Clearing and Consulting	<a href="mailto:msleiman@krology.net">msleiman@krology.net</a>
Karen	Jackson	Millennium Media, Inc.	4218 Oakwood Avenue	Huntsville	AL	35810	534-2039 585-0968	Concessionaire	<a href="mailto:kjacksonmct@krology.net">kjacksonmct@krology.net</a>
Eileen	Useary	MEWS	811 Highway 72	Athens	AL	35611	232-8456	Dealer/Supplier, Electrical	<a href="mailto:emews1@bellsouth.net">emews1@bellsouth.net</a>
Lilly	Grissom	MGM Construction, Inc.	5055 Wilson Dam Road	Tuscumbia	AL	35762	381-5180	Culvert Construction, Minor Structure Concrete, Curb and Gutter	<a href="mailto:MGMConstruction@comcast.net">MGMConstruction@comcast.net</a>
Alan	Mitchell	Mitchell Industrial Contractors	188 Westchester Drive	Madison	AL	35758	772-5554 772-5579	Welding/Ironwork, Trucking, Painting, Landscaping, Concrete	<a href="mailto:alan@mitchellindustrialcontractors.com">alan@mitchellindustrialcontractors.com</a> <a href="http://www.mitchellindustrialcontractors.com">www.mitchellindustrialcontractors.com</a>
Mollie	Tolbert	Molea, LLC	4159 Musgrove Drive	Florence	AL	35630	710-5368 381-0776(f)		<a href="mailto:molea11@aol.com">molea11@aol.com</a>
Glenda	Moses	Moses Excavating	7376 County Road 72	Fyffe	AL	35971	653-3152	Trucking	<a href="mailto:mosesex@farmerstel.com">mosesex@farmerstel.com</a>
Sharon	Myers	Myers Technical Services, LLC	600 Boulevard South, Suite 104	Huntsville	AL	35802	705-3692 705-3513 (f)	Consulting	<a href="mailto:smyers@myers-tech.com">smyers@myers-tech.com</a>
Carol	Keasler	O.K. Inc.	P.O. Box 1978	Gadsden	AL	35902	494-0472	Trucking	
Debra	Sanders	Orr's Environmental, Inc.	P.O. Box 403	Capshaw	AL	35472	256-604-7312 877-878-6341	Consulting	
Janice	Crutcher	Plastering, Inc.	121 Kimberly Lane	Huntsville	AL	35810	859-0510 755-2656	Building/Framing, Masonry	<a href="mailto:janpatt2825@aol.com">janpatt2825@aol.com</a>
MaryGail	Broussard	PMG Software Professionals, Inc	143 Rainbow Glen Circle	Madison	AL	35758	256-651-7375 256-464-6464 256-325-3943(f)		
Dale	Baxter	Providence Security Services, Inc.	703 Pratt Street	Huntsville	AL	35801	797-1148	Security, Consulting	<a href="mailto:psst@krology.net">psst@krology.net</a>
Suzanne	Pritchett-Whisenant	R.J. Whisenant	724 Mullin Hills Circle	Huntsville	AL	35802	881-2723 797-2581	Curb & Gutter, Concrete	<a href="mailto:rjwhis@bellsouth.net">rjwhis@bellsouth.net</a>

**ALABAMA A&M UNIVERSITY  
DBE SUPPORTIVE SERVICES – NORTHERN TIER**

James	Rooks	Rooks Trucking	74 Grey Fox Circle	Horton	AL	35980	891-2906	Trucking	
Larry	Russell	Russell Janitorial & Carpet Cleaning Services	2105 Carleton Drive SW	Decatur	AL	35603	256-341-4601 256-227-4509	Janitorial, Carpet Cleaning	maxjanit@charter.net lrussell@decatur-al.gov
Marlon	Rutherford	Rutherford Contracting, Inc.	P.O. Box 280 1395 Sanderson Lane	Courtland	AL	35618	256-637-0020 256-637-0028 (fax)	Vegetation Establishment, Sediment/Erosion Control, Concrete, Landscaping, Grade, Drain & Base, Paving, Striping, and Trucking	marlonr@hughes.net
Coleman	Thomas	Stanley Construction	4410 Evangel Circle, Suite A	Huntsville	AL	35816	837-6850	Land clearing, Concrete, Curb & Gutter, Paving, Demolition, Excavation, Vegetation Establishment, Retaining Wall, Minor Structure Concrete	Tcoleman2@gmail.com
Kelly	Wade Salatto	SWADE North America, Ltd. dba Thrifty Car Rental/Dollar Rent a Car	P.O. Box 169 1000 Glenn Hearn Blvd	Auburn Huntsville	AL AL	36831 35824	334-246-5056 334-821-1865 (F)	Transportation	kwade@swadecorp.com
Terrence	Muhammad	T&D Trucking	145 Jefferson Patton	Harvest	AL	35749	837-5538	Trucking	terence@netscape.com
Dorothy	Huston	TMT Group, Inc.	204 Lowry Street	Huntsville	AL	35804	536-9717 536-9718 (F)	Consulting	tmtgroupinc.com
Kay	Blackmon	Valley Carriers	251 Blackmon Road	Guntersville	AL	35976	582-7220	Trucking	valleycarriers@hughes.net
Shaun	Gonzales	Weaver Environmental Services Co., Inc.	7142 Wall Triana Hwy	Madison	AL	35757	837-3650	Utility Work	sgonzales@bellsouth.net

Revised Oct. 2011: **59 DBE firms**

## ADVERTISING AFFIDAVIT

Account Number

0101623

Order Number

0000291249

Date

June 14, 2012

City of Hsv Public Transit  
500 Church Street Suite B  
Huntsville, AL 35801

Date	Position	Description	P.O. Number	Ad Size	Total Cost
06/14/2012	Legal	PUBLIC NOTICE DISADVANTAGED BUSINESS ENT	dbe goal fy12	1 x 129 L	135.45

PUBLIC NOTICE DISADVANTAGED BUSINESS ENTERPRISE ANNUAL PROGRAM GOAL FOR FY 2012 - FY 2015 FOR

CITY OF HUNTSVILLE DEPARTMENT OF PARKING & PUBLIC TRANSIT

Notice is hereby given that the City of Huntsville, Department of Parking & Public Transit, is submitting to the Federal Transit Administration (FTA), Southeast Region IV, as required by Title 49, C.F.R., Part 26, as amended, the Disadvantaged Business Enterprises (DBE) program goal for the Fiscal Year 2012. A goal of .33% has been established for General Operating

federally funded contracts and a goal of 5.00% has been established for Capital Construction federally funded contracts for Public Transit or designated sub-recipient.

This goal will apply to all contracts beginning October 1, 2012 thru September 30, 2015. The total DBE goal for the City of Huntsville, Department of Parking & Public Transit is 5.33%. The established goal will be applied to the Urbanized Area Formula Program (UAFF), Section 5307, and the Capital Bus Program, Section 5309, FTA grants.

The Public Transit division has prepared a document describing the methodology used to establish this goal. This document is available for review by all interested parties during normal business hours for forty-five days from the date of this notice, June 14, 2012. It is also available for review at [http://www.hsvcity.net/PublicTran/public\\_](http://www.hsvcity.net/PublicTran/public_)

trans\_notices.php under the DBE Program section. Public Transit will also receive written comments for informational purposes only for forty-five days from the date of this notice. Interested parties and potential DBE firms are encouraged to submit brochures, price lists and/or letters of interest to: Kim Smith, DBE Liaison Officer, City of Huntsville, Department of Parking & Public Transit, 500 B Church Street, Huntsville, AL 35801, (256) 427-6831, Fax# (256) 427-6832, k.smith@huntsvilleal.gov

June 14, 2012



### STATE OF ALABAMA MADISON COUNTY

Before me, Brandi Cook, a Notary Public in and for Said State, personally appeared Mecia Carlson, known to me, who being by me first duly sworn, deposes and said person is a Legal Advertising Representative of the Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on:

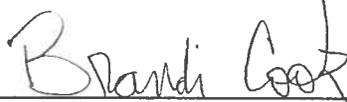
06/14/2012



Legal Advertising Representative

Sworn to before me this the

14th day of June 2012



Notary Public

My Commission expires October 04, 2014

# SPEAKIN' OUT NEWS

115 Wholesale Avenue, P.O. Box 2826, Huntsville, AL 35804

Phone: 256.551.1020 Fax: 256.551.0607

www.speakinoutnews.info

## PUBLISHER'S AFFIDAVIT

I, William Smothers, do solemnly swear that I am Editor and/or Publisher of Speakin' Out News, Huntsville, AL, and that the attached ad, City of Huntsville, Parking/Transit, appeared in the following publication issues:

DATE	PAGE #
1. <u>6/13/12</u>	<u>3</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

Subscribed and sworn to before me on this the 30th day of June, 2012.

Deloris Alsup  
Deloris Alsup, Notary Public  
Madison County  
State of Alabama

William Smothers  
William Smothers, Publisher

Notary Seal:

### ALMS PAN WEEK OF 6/11/12

**AUCTIONS**  
ALCTION U.S. bankruptcy plus consignments Tuesday June 19th 10 am. Trucks, trailers, truck bodies, tire equipment, tractor implements, tools for pictures & listing: [www.assettiquick.com](http://www.assettiquick.com) DZ Cycledele Hughes #1275, 1-205-612-4221.

**SERVICES**  
DORCE WITH or without children \$125. Includes name change and property settlement agreement. Save hundreds. Fast and easy. Call 1-888-733-7142  
strengthening our alumni partnerships with creative and effective communication and events. Visit UAS website at <http://uass.edu> for details and to apply. Closing date: 06/11/12 UAC/E/AA.

**HELP WANTED**  
ATTITUDE A must! Now hiring. Must be over 18, free to travel. 3-week expense paid training. Transportation provided. Cash paid daily. Call Dave at 1-855-317-4445

**REAL ESTATE**  
NORTH GEORGIA Mountain top foreclosure: 3+/- dividable acreage w/ underground utilities, minutes to a mountain lake, Blairsville, GA, priced to sell quickly! \$29,900 1-877-717-5263.

**VACATION!**  
SAVE UP to 50% on vacation homes/condos Gulf Shores, Paranalde, Hilton Head, Myrtle Beach, Disney, Mountains at [www.rockdottomvacations.com](http://www.rockdottomvacations.com).

**FOR SALE**  
ATTENTION! SLEEP apnea sufferers with Medicare. Get free CPAP replacement supplies at no cost, plus free home delivery! Best of all, prevented skin sores and bacterial infection! Call 1-877-850-8041.

**DSM NETWORK** Starting at \$19.99/month plus 30 premium movie channels free for 3 months! Save! And ask about same day installation! Call 1-888-816-8471. (R)

**SAWMILLS FROM ONLY \$3,997** Make & save money with your own handmill! Cut lumber any dimension. In stock ready to ship. Free info & DVD: [www.NorwoodSawmills.com](http://www.NorwoodSawmills.com). 1-800-578-1363 ext. 300N. (R)

# Greflo Arrested

continued from page 1

the 15-year-old on the floor, the older girl ran to get her mother, and they felt vindicated after hearing Dollar speak.

"I think you're looking at a bunch of sensationalism," said George Blake of Ellenwood, adding that he thought the media rushed to tell the story without knowing the full story. The 49-year-old said he never questioned his pastor of eight years.

"It's not up to me to be satisfied with what he had to say," Blake said. "This is a man of God spreading the word of God."

# Building Schools

continued from page 1

the nation. I know how difficult it is to come into a challenging situation and to make tough decisions from the first day on the job. Dr. Wardynski and the Board are revitalizing Huntsville City Schools from top to bottom that the rates would remain low by cutting funding from other government programs. The president has made it clear that option is off the table and maintains it is not as "reasonable and responsible" as Bohner implies.

To be eligible for Stafford

tors need to know that we stand behind them.

When experts suggested a demographic study could help put our school system on the right track, the City of Huntsville stepped up to share in the cost. When experts suggested commissioning a financial review of the entire system, Word, Excel, data input/retrieval, and training. Driver's license/good driving record. Speaking skills, good mathematical, communication, and writing skills. Entry level salary \$22,548. Resumes to TARC06 (AD), 5075 Research Dr NW, Huntsville, AL 35805. No resumes postmarked after 06/22/12. EOE

to be eligible for Stafford

## PUBLIC NOTICE DISADVANTAGED BUSINESS ENTERPRISE ANNUAL PROGRAM GOAL FOR FY 2012 - FY 2015 FOR CITY OF HUNTSVILLE DEPARTMENT OF PARKING & PUBLIC TRANSIT

Notice is hereby given that the City of Huntsville, Department of Parking & Public Transit, is submitting to the Federal Transit Administration (FTA), Southeast Region IV, as required by Title 49, U.S.C., Part 26, as amended, the Disadvantaged Business Enterprises (DBE) program goal for the Fiscal Year 2012. A goal of .33% has been established for the program goal for the Fiscal Year 2012. A goal of 5.00% has been established for Operating federally funded contracts and a goal of 5.00% has been established for Capital Construction federally funded contracts for Public Transit or designated sub-reipient. This goal will apply to all contracts beginning October 1, 2012 thru September 30, 2015. The total DBE goal for the City of Huntsville, Department of Parking & Public Transit is **0.33%**. The established goal will be applied to the Urbanized Area Formula Program (UAFPP), Section 5307, and the Capital Bus Program, Section 5309, FTA grants.

The Public Transit division has prepared a document describing the methodology used to establish this goal. This document is available for review by all interested parties during normal business hours for forty-five days from the date of this notice, June 14, 2012. It is also available for review at <http://www.huntsville.gov/PDF/2012/PUBLIC%20TRANSIT%20DBE%20GOAL%20FY%2012-15.pdf> under the DBE Program section. Public Transit will also receive written comments for informational purposes only for forty-five days from the date of this notice.

Interested parties and potential DBE firms are encouraged to submit brochures, price lists and/or letters of interest to:  
Kim Smith, DBE Liaison Officer  
City of Huntsville, Department of Parking & Public Transit  
500 B Church Street, Huntsville, AL 35801  
(256) 427-6831, Fax# (256) 427-6832, [kim.smith@huntsvilleal.gov](mailto:kim.smith@huntsvilleal.gov)

LEGAL ADVERTISEMENT

# Auburn Shooting

continued from page 1

another guy dancing with a girl. Shouldn't the perfect job

# Jackie Reed

continued from page 2  
Wardynski being in control and demand, how true, wish the city of Huntsville could get the same dose as the school system. Maybe it will this election. **drop into your lap (or your in-box)?**

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## St. Bernard Abbey & Prep Golf Tournament

Cullman Municipal Golf Course  
June 22 - 8:00 a.m.

- Individuals and teams invited
- Cash prizes to 1st, 2nd and 3rd place teams
- Lunch/Awards reception to follow

Call Jacob Amos @ 256-590-7429  
[www.stbernardprep.com](http://www.stbernardprep.com)



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**Marshall England, Agent**  
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Huntsville, AL 35891  
[marshallengland@marshallengland.com](mailto:marshallengland@marshallengland.com)