



**GROWDENVER**  
The Office of Economic Development

# ACDBE Outreach Session

Presented by

The Division of  
Small Business Opportunity  
at  
Denver International Airport



# Who Is DSBO?

- Part of the city's Office of Economic Development (OED)
- Downtown and DIA locations
- Assists minority and women owned businesses
- Certifies minority and women owned business
- Sets and monitors goals for usage of certified businesses

# What is ACDBE?

## Airport Concessions Disadvantaged Business Enterprise

- Final rule for Airport Concessions (49 CFR, Part 23)
- Became effective on April 21, 2005
- Its purpose is to help firms compete and participate in concession opportunities, but does not necessarily guarantee award of a contract.

# ACDBE Program Objectives

## Program Objectives

- To ensure non-discrimination in the award and administration of opportunities for concessions by airports receiving DOT financial assistance;
- To help remove barriers to the participation of ACDBE's in opportunities for concessions at DIA;
- To create a level playing field on which ACDBEs can compete fairly for opportunities for concessions.

# Who Should Apply?

- Concessions operators (food & beverage, retail, services to travelling public)
- Firms that provide goods or services to concessionaires in the course of operating the concession
  - Food & beverage distributors
  - Retail goods
  - Paper products
  - Janitorial
  - Legal
  - HR/employees
  - Auto related (car rental and ground transportation)

# ACDBE Eligibility Requirements

- **Ownership**

- At least 51% of the firm's ownership must be managed and controlled by members of socially and economically disadvantaged groups. (Woman, Hispanic, Asian, Black, Native American)

- **Business Size**

- \$56.42M - F&B, retail, services and suppliers (3-year average gross receipts)
- \$75.23M – Car rental companies (3-year average gross receipts)
- \$1B in assets – Banks & financial institutions
- 1,500 employees – Pay telephones
- 350 employees – Automobile dealers

- **Personal Net Worth**

- \$1,320,000 cap
  - ***Excludes*** primary residence
  - ***Excludes*** ownership interest in applicant business

- **Time in Business**

- No specific time requirements, though must be actively in business

# Out of State Applications

**Out of State applications are accepted.**

**As of now, there is no reciprocity between states in processing ACDBE applications**

## **Instructions:**

- An applicant business must be certified in home state (state A).
- Applicant business will submit a complete application package to state B.
- Analyst will request site visit report from applicant's home certifying agency (state A).
- State B will have 60 days to determine applicant business has met eligibility requirements. Failure to review application in 60 days results in automatic certification of applicant business in state B.

# ACDBE Certification Process

**Applicant Business is to complete and submit application with attachments (see application in checklist)**

<https://denver.mwdbe.com/vendorstart.asp>

*Applications must be completed and submitted online at <https://denver.mwdbe.com/vendorstart.asp>*

*Once submission is complete, analyst will review documentation submitted*

*Site Visit to Business – Purpose is to meet owner, verify documents submitted in the application, tour business, review contracts*

*Analyst will compile all information collected during the review process and prepare to present to certification committee*

*Applicant is notified of the results via email (currently 45-60 days after submission is complete)*





# Certifications Supported by the City and County of Denver

- **DBE** – Disadvantaged Business Enterprise  
Federal Program US DOT – 49CFR Part 26
- **ACDBE** – Airport Concession Disadvantaged Business Enterprise  
Federal Program US DOT – 49CFR Part 23
- **M/WBE** – Minority Women Business Enterprise  
City & County of Denver – Article VII, Division 3, Chapter 28DRMC
- **SBE/SBEC** – Small Business Enterprise or Small Business  
Enterprise Concession  
City & County of Denver – Article VII, Division I, Chapter 28DRMC

# Mistakes and Pitfalls

- Incomplete information
  - You **must** answer all questions and upload documentation, even if n/a
- Insufficient documentation of ownership acquisition
- By-Laws/Operating Agreement issues
  - Insufficient management, control, and/or voting rights
- Lack of independence



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# Why should I apply for ACDBE certification?

# ACDBE Benefits

- Visibility
- Increased opportunities
  - Supply to non-ACDBEs
  - ACDBE operator
- Growth

# ACDBE Goals

- Airport Goal
- Individual Concessions Goals
  - Availability of certified firms
  - Goals on similar concessions
  - Overall airport goal

# ACDBE Compliance

Goals can be met by:

- Concession owner/operator ACDBE certified
- Non-certified owner obtaining goods and/or services from ACDBE certified firms
- Agreements entered into by two or more firms (joint ventures, management agreements, etc.)

***\*\*\*Goals are set as a percentage of gross revenues/receipts and participation of any kind is calculated as such\*\*\****



# Joint Ventures

For purposes of ACDBE participation, joint venture means an association of an ACDBE 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 ACDBE is responsible for a distinct, clearly defined portion of the work of the contract and whose shares in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest. The Division of Small Business Opportunity considers any entity that is comprised of an ACDBE and one or more other firms to be a joint venture even if the participants do not identify elsewhere as a joint venture. Joint venture entities are not certified as ACDBEs.



# Certification for Counting

- Must be ACDBE certified in the State of Colorado by either CDOT or City & County of Denver (out of state firms must be certified in home state prior to applying for certification in CO)
- Must be ACDBE certified in Colorado at the time the proposal is submitted
- Certification must be updated annually and renewed every three years
- Participation counts through end of the original contract term even if the ACDBE firm graduates from program during the original term
- Participation ceases to count if revoked or de-certified for any other reason during the term of the contract



When should firms apply for certification?

When should I start looking for a  
partner and/or supplier?



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**NOW!!!**





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Please refer to  
49 C.F.R., Part 23

# Suggestions

- Register to be notified of opportunities
- Attend pre-proposal conferences
- Download planholders and attendee lists
- Attend trainings and networking events
- Contact current concessionaires
- Read “Resource Materials”
- Check “Future Opportunities” frequently

<http://business.flydenver.com/bizops/concessions.asp>



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# DSBO Contacts and Information

<http://business.flydenver.com/bizops/smallBus.asp>

ACDBE Program

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MWBE Program

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49 C.F.R., Part 23:

[http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=b880432dedbe5f0d12a2409fe5535503&tpl=/ecfrbrowse/Title49/49cfr23\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=b880432dedbe5f0d12a2409fe5535503&tpl=/ecfrbrowse/Title49/49cfr23_main_02.tpl)

JV Guidance:

[http://www.dot.gov/sites/dot.dev/files/docs/Airport\\_Concession\\_Disadvantaged\\_Business\\_Enterprise\\_Joint\\_Venture\\_Guidance.pdf](http://www.dot.gov/sites/dot.dev/files/docs/Airport_Concession_Disadvantaged_Business_Enterprise_Joint_Venture_Guidance.pdf)



# DIA Contacts

## DSBO

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