

**Suffolk County Disadvantaged Business Enterprise (DBE)
Overall Goal and Goal Setting Methodology
for
Federal Transit Administration Assisted Contracts
FFY 2017-2019**

Amount of goal

The SCDPW/TD's overall DBE participation goal for FFY 2017-2019 is **6.55%** of the Federal financial assistance we will expend in FTA/ USDOT-assisted contracts, exclusive of FTA funds to be used for the purchase of transit vehicles.

The SCDPW/TD expects to let \$1,575,000 in FTA/ USDOT-assisted contracts in FFYs 2017-2019. Accordingly, we have set a goal of \$103,163 to be expended with DBEs during these fiscal years.

Methodology used to Calculate Overall Goal

To calculate its overall DBE goal, the SCDPW/TD has chosen to use the method outlined in Section 26.45 (1), "Use DBE Directories and Census Bureau Data." This method employs DBE Directories and Census Bureau Data to determine the number of "willing and able" DBEs in our market, divided by total number of all businesses in our market. The resulting numerical figure represents the "relative availability" of DBEs in our market. The market was defined as the ten counties which comprise the region of the New York Metropolitan Transportation Council (NYMTC), the Municipal Planning Organization (MPO) to which Suffolk County belongs. The counties included are Nassau, Suffolk, Putnam, Rockland, Westchester, Bronx, Kings, New York, Queens, and Richmond.

The FTA/ USDOT-assisted projects SCDPW/TD expects to let in FFY 2017-2019 are for bus shelter and bus stop sign installations, the provision and installation of an automated bus information telephone system, consulting services for in-plant inspection and FTA Post-Delivery Buy America audits for transit and paratransit buses, and demographic surveys for the Suffolk County Transit fixed route bus system. In deriving our goal for these years, we choose to use a methodology which focused specifically on those industrial categories which include businesses engaged in this type of civil construction, consulting services, wireless equipment manufacturing and installation, and marketing consulting and research work. This was determined to include the following NAICS Codes: 237310 Highway, street, and bridge construction, 237990 Other heavy and civil engineering construction, 238110 Poured concrete foundation and structure contractors, 238990 All other specialty trade contractors, 334210 Telephone apparatus manufacturing, 334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing, 541613 Marketing consulting services, 541614 Process, physical distribution, and logistics consulting services, and 541910 Marketing research and public opinion polling.

Base Figure Calculation

To determine the base figure, DBE firms belonging to the above mentioned NAICS codes were identified through the NYS Unified Certification Program directory for each County in the NYMTC region. Next, the total amount of firms belonging to the above mentioned NAICS codes in those counties, as found in the 2014 Census Bureau's County Business Patterns, were identified. The number of "willing and able" DBEs in our market was then divided by total number of businesses in the market. This gave us the percentage of DBE firms in our market by NAICS code.

Total # of firms												
NAICS Code	Nassau	Suffolk	Putnam	Rockland	Westchester	Bronx	Kings	New York	Queens	Richmond	Total # of firms	Percentage of DBE firms
237310	33	59	4	6	39	7	9	7	36	3	203	35.47%
237990	17	57	0	1	9	4	3	4	14	1	110	12.73%
238110	62	141	10	10	35	6	30	1	51	18	364	13.74%
238990	166	329	15	49	107	37	65	29	110	59	966	5.28%
334210	2	3	0	0	0	1	2	2	0	1	11	9.09%
334220	3	7	0	0	2		1	2	0	0	15	0.00%
541613	298	262	14	66	253	25	293	1009	145	40	2405	0.62%
541614	45	36	5	8	24	4	31	69	25	3	250	3.60%
541910	42	137	5	7	50	4	25	259	22	3	554	1.44%
# of DBE firms												
NAICS Code	Nassau	Suffolk	Putnam	Rockland	Westchester	Bronx	Kings	New York	Queens	Richmond	Total # of firms	
237310	18	15	3	2	6	4	4	13	5	2	72	
237990	4	2	1	0	0	0	1	4	1	1	14	
238110	5	5	1	2	1	2	11	7	13	3	50	
238990	8	7	3	2	3	4	9	6	7	2	51	
334210	0	0	0	0	0	0	0	1	0	0	1	
334220	0	0	0	0	0	0	0	0	0	0	0	
541613	0	1	0	1	4	2	2	5	0	0	15	
541614	0	0	0	0	3	0	1	4	1	0	9	
541910	0	0	0	0	3	1	1	2	1	0	8	

The related NAICS codes for each project type were then averaged to get a figure for available DBEs by project:

	237310 Highway, street, and bridge construction	237990 Other heavy and civil engineering construction	238110 Poured concrete foundation and structure contractors	238990 All other specialty trade contractors	Average
Bus shelter and sign installations	35.47%	12.73%	13.74%	5.28%	16.81%
	334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	334210 Telephone apparatus manufacturing			Average
Provision and installation of phone system	0.00%	9.09%			4.55%
	541614 Process, physical distribution, and logistics consulting services				Average
Consulting services for bus inspections	3.60%				3.60%
	541613 Marketing consulting services	541910 Marketing research and public opinion polling			Average
Demographic Surveys	0.62%	1.44%			1.03%

The categories were then weighted according to their percentage of total FTA dollars to be spent.

Category	NAICS Codes	Federal Amount	Percentage of Total Amount	DBE %	
Bus Shelter and Sign Installations	237310+237990+238110+238990	\$1,000,000	63.49%	16.81%	
Provision and Installation of Phone System	334220+334210	\$250,000	15.87%	4.55%	
Consulting Services for Bus Inspections	541614	\$125,000	7.94%	3.60%	
Demographic Surveys	541613+541910	\$200,000	12.70%	1.03%	
	Totals	\$1,575,000		12.13%	Base

Adjustment of Base Figure

The second step in calculating the County's DBE goal is to adjust the base figure, taking into consideration relevant and reliable data in order to make the goal as precise as possible. The County will use actual past DBE participation in similar contracting opportunities in order to better gauge the availability of DBEs to compete for contracts. There have been no recent disparity studies conducted in the market area which would give the County additional information in adjusting its goal.

The County has recently seen a race-neutral DBE participation rate of 3.42% in its Automated Vehicle Locator (AVL) project, which is very similar to the work to be performed in the phone system solicitation. The County has seen 2% DBE participation in its past two bus inspection consulting contracts. In its last bus shelter installation contract, there was 0% DBE participation. No past data on DBE participation is available for demographic survey.

Category	DBE Base %	DBE Historical %	Average DBE %
Bus Shelter and Sign Installations	16.81%	0%	8.41%
Provision and Installation of Phone System	4.55%	3.42%	3.99%
Consulting Services for Bus Inspections	3.60%	2%	2.80%
Demographic Surveys	1.03%	N/A	1.03%

Averaging the base DBE participation figure of 16.81% with past participation of 0% for the bus shelter installation project yields an estimate of 8.41% participation, averaging the base figure of 4.55% with past participation of 3.42% yields an average of 3.99% for the provision and installation of a telephone system, and averaging the base figure of 3.60% with past participation of 2% yields an estimate of 2.8% participation in bus inspection consulting contracts.

Adjusted Figure

Category	NAICS Codes	Federal Amount	Percentage of Total Amount	DBE %	
Bus Shelter and Sign Installations	237310+237990+238110+238990	\$1,000,000	63.49%	8.41%	
Provision and Installation of Phone System	334220+334210	\$250,000	15.87%	3.99%	
Consulting Services for Bus Inspections	541614	\$125,000	7.94%	2.80%	
Demographic Surveys	541613+541910	\$200,000	12.70%	1.03%	
	Totals	\$1,575,000		6.55%	Goal

The County of Suffolk believes that the goal of 6.55% truly and accurately reflects the participation that would be expected absent the effects of discrimination.

Race Neutral Measures

The SCDPW/TD will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. 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 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 an award. The race-neutral means to be employed for the purpose of increasing DBE participation are as follows:

SCDPW/TD will compile lists of all businesses in Nassau and Suffolk Counties, as well as New York City area that have bid on Suffolk County highway construction projects and engineering services projects in the recent past and send these companies directly, either by fax or mail the official “Notice

to Bidders” for particular FTA funded projects. As a race conscious measure, the New York State DBE Directory will also be gleaned for new companies or other companies that are qualified, but have not in the past bid on Suffolk County sponsored projects. Within a two-week period, if a company has not requested the RFB or RFP for the project, the company will be contacted by phone to determine whether they received the Notice to Bidders. During this conversation, the business owner will be encouraged to request bid packages. Bid packages will either be mailed out upon request, or made available for in-person pick-up during regular SCDPW/TD regular office hours. All bid package recipients will be encouraged to ask questions about the project in order to ensure participation by as many qualified businesses as possible. The response period will be made as long as reasonably possible to allow businesses to thoroughly assimilate the requirements of the project and ask relevant questions. If there seems to be a particular part of the bid package that elicits questions from several businesses, a letter of clarification and explanation will be sent out to all who requested the bid package. Follow up phone calls will be made to ensure receipt of the transmittal. In addition to the official Suffolk County newspapers, notice of projects will be placed on the Suffolk County Web site and the New York State Contract Reporter. Experience indicated that the Contract Reporter is the most widely read periodical for both DBE and non-DBE businesses. Joint project proposals between DBE and non-DBE business equals will be encouraged in order more equitably distribute available FTA funds. This will be done in addition to encouraging prime contractors to subcontract portions of work that might otherwise perform with their own forces.

- 1) Arranging solicitations, times for presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
- 2) 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);
- 3) Ensuring distribution of available DBE directories through print and electronic means, to the widest feasible universe of potential prime contractors.

Other Race Neutral Measures

As indicated in other sections of this document, Suffolk County assists small businesses, in general, in a variety of ways. Race neutral programs for assisting small businesses are offered through the Office of Economic Development and Suffolk Community College. As appropriate, the OED directs small business owners to other race neutral assistance programs such as those offered by the Small Business Administration, the New York State Empire State Development Corporation and the New York State Small Business Development Center at SUNY Farmingdale. Suffolk Community College offers a semester long Entrepreneurial Assistance Program to assist individuals in acquiring the skills to successfully operate a small business.

Contract Goals

Contract goals will be used to meet any portion of the overall goal that the SCDPW/TD 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.

Contract goals shall only be established on those USDOT/FTA-assisted contracts having subcontracting possibilities. A contract goal need not be established on every such contract, and where established, the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work). Such contract goals shall be expressed as a percentage of the total amount of the USDOT/FTA-assisted contract. Once Suffolk County's DBE goal of 6.55% is met, we will discontinue establishing a DBE goal on federally-funded or federally-assisted procurements for the remainder of that federal fiscal year.

Estimated Race-Neutral And Race-Conscious Participation

In meeting our overall goal of 6.55%, it is estimated that 90% (5.9% of the County's 2017 - 2019 federal contracting dollars) will be obtained through race-conscious measures. During the past three-year period, the County relied 100% on race-neutral measures and did not let any contracts with stated DBE goals. Using this approach, no prime contracts or subcontracts were awarded to DBE firms. The projects let during the past three years are similar to those planned for 2017-2019. Absent a race-conscious effort, which includes the use of contract goals, the County believes it would not be able to meet its 6.55% overall goal.

Public Participation Process

Before establishing the overall goal, the SCDPW/TD consults with NYSDOT, the New York State Economic Development Corporation, the Suffolk County Office of Minority Affairs, and the Suffolk County Women's Business Enterprise Coalition. The purpose is to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the County of Suffolk's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, the County will publish a notice in designated official County newspapers, the Suffolk County Transit website, and in Passenger Transport, a national public transit business publication. The notice will inform the public that the proposed goals and the rationale thereof will be available for inspection for 30 days following the date of the notice, during normal business hours, at the Suffolk County Department of Public Works/Transportation Division, 335 Yaphank Avenue, Room 202, Yaphank, NY. The notice will further indicate that the SCDPW/TD and FTA will accept comments on the goals for 45 days from the date of the notice. Addresses to which comments may be sent, as well as the addresses (including offices and websites) where the proposal may be reviewed will also be set forth in the notice.

The proposed goal will remain on the Suffolk County Transit website for the duration of the triennial period after it has been reviewed and concurred by the FTA.