

**Town of Huntington**  
**OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL**  
**FISCAL YEARS 2014-2016**

**Summary**

In keeping with the requirements of 49 C.F.R. Part 26 (Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation (DOT) Programs), an overall Disadvantaged Business Enterprise (DBE) goal has been developed for DBE participation in DOT-assisted contracting by the Town of Huntington during Fiscal Year 2014 through Fiscal Year 2016. The Town of Huntington receives funding from the Federal Transit Administration (FTA) of U.S. Department of Transportation. The Town of Huntington's FTA overall DBE goal for 2014-2016 is 2.5% of the federal financial assistance we will expend in FTA-assisted contracts, exclusive of FTA funds to be used for the purchase of transit vehicles.

This goal identifies the relative availability of DBEs based on evidence of ready, willing, and able DBEs in relationship to all comparable businesses which are known to be available to compete in the Transit Division's FTA-assisted contracts. The overall DBE goal reflects staff's determination of the level of DBE participation which would be expected absent the effects of discrimination.

**DBE Goal Methodology**

FTA-assisted contracting for Fiscal Years 2014 - 2016 is expected to consist of two contracts, exclusive of contracts for purchase of transit vehicles, which are not subject to this goal-setting process. Additional projects may be undertaken if additional revenue becomes available; the overall DBE goal will be adjusted if necessary. The anticipated contracts are listed in Table 1.

**Table 1: Anticipated FTA-assisted contracts for FY 2013-15 (excluding transit vehicle purchases)**

<b>Project</b>	<b>FTA share of contract</b>	<b>% of total contract dollars for FY 13-15</b>
General Construction	\$ 292,586	<b>0.9372</b>
Other Bldg. Finishing	\$ 19,613	<b>0.0628</b>
<b>Total</b>	<b>\$ 312,199</b>	<b>1</b>

A two-step process was used to establish the overall DBE goal, as described below.

### Step 1: Compute Base Figure

Per 49 CFR 26.45(c), a base figure was developed to determine the relative availability of DBEs to perform work on the five anticipated contracts (see Table 2). The formula for calculating the relative availability of DBEs is as follows:

*Base figure equals Ready, willing and able DBEs divided by All firms ready, willing and able (including DBEs and non-DBEs)*

**Table 2: Relative Availability of DBEs for Anticipated Contracts**

NAICS Code		Suffolk	Nassau	Queens	Kings	Total	Relative Availability (DBE's per Total)
236220	DBE	0	6	10	6	22	0.0228
	Total	278	212	268	208	966	
238390	DBE	1	2	4	2	9	0.0577
	Total	57	32	30	37	156	
<b>COMBINED</b>	<b>DBE Total</b>	<b>1</b>	<b>8</b>	<b>14</b>	<b>8</b>	<b>31</b>	<b>0.0276</b>
	<b>Total</b>	<b>335</b>	<b>244</b>	<b>298</b>	<b>245</b>	<b>1122</b>	

### Step 2: Compute Weighted Base Figure

However, based on guidance from FTA and the U.S. DOT Office of Small and Disadvantaged Business Utilization, a weighted base figure was computed that takes into account the relative size of the anticipated contracts (see Table 3). The formula used is as follows:

*Weighted Base Figure = [(Project's % of total contract dollars) \* (Relative availability of DBEs)] + [(Project's % of total contract dollars) \* (Relative availability of DBEs)]...*

The weighted base figure was developed by:

- 1) Using Unified Certification Program Directory to identify the number of registered DBEs in Suffolk, Nassau, Queens and Kings Counties that are willing to perform work in the Town of Huntington's market area for each of the anticipated contracts, based on

the NAICS (North American Industry Classification System) code(s) most relevant to each contract. Data was collected in May 2013.

2) Using 2011 Countywide Business Patterns (CBP) data from the U.S. Census Bureau to identify the total number of businesses available in Suffolk, Nassau, Queens and Kings Counties market area for work on each contract, based on the same NAICS codes.

3) Dividing the number of DBEs by the number of all businesses to determine the relative availability of DBES in the market area, for each contract (noted as “% DBE” in Table 2).

**Table 3: Weighted Base Percentage Calculation**

<b>NAICS Code</b>	<b>Project</b>	<b>Weight</b>	<b>x</b>	<b>Availability</b>	<b>Weighted Base Figure</b>
236220	General Construction	0.9372	x	0.0228	0.0213
238390	Other Building Finishing	0.0628	x	0.0577	0.0036
<b>Total</b>					<b>0.0250</b>
<b>BASE FIGURE</b>					<b>2.5%</b>

**Weighted Base Figure = 2.5%**

**Step 3: Adjust Base Figure**

Per 49 CFR 26.45(d), following calculation of a base figure, all available evidence must be examined to determine what adjustment, if any, is needed to the base figure in order to arrive at the overall DBE goal. The primary form of evidence available is the past participation of DBEs in Transit Division contracting. It is the judgment of the Transit Division that it is not possible to provide a rational basis for a numerical adjustment of the base figure based on past participation, due to the very different nature of the anticipated contracts, compared with past contracting. However, past participation by DBEs in recent contracting is generally in line with the proposed base figure.

Thus, the available evidence and information did not provide a rational basis for a numerical adjustment to the base figure computed in Step 1.

**Based on this analysis, the Town of Huntington proposes an overall DBE goal of 2.5% of FTA funds that will be expended in FTA-assisted contracts in Fiscal Years 2014-2016, exclusive of funds to be used for the purchase of transit vehicles.**

### **Use of Race-Neutral Methods and DBE Contract Goals**

The U.S. DOT regulations require that race-neutral methods be used to the maximum extent feasible to achieve the DBE overall goal. Race-neutral methods include making efforts to assure that bidding and contract requirements facilitate participation by DBEs and other small businesses; unbundling large contracts to make them more accessible to small businesses; encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves; and providing technical assistance, communications programs, and other support services to facilitate consideration of DBEs and other small businesses.

Because of the emphasis placed on race-neutral methods, the Town of Huntington does not propose to set contract-specific DBE goals on FTA-assisted contracts to be awarded in Fiscal Year 2014 through Fiscal Year 2016. Instead, the Town of Huntington will focus on developing race-neutral methods for facilitating DBE participation. The Town of Huntington will advise prospective contractors of areas for possible subcontracting, and of the availability of ready, willing, and able subcontractors, including DBE firms, to perform such work. The Town of Huntington will carefully monitor its progress during the course of the year and may establish contract-specific goals if race-neutral methods do not appear sufficient to achieve the overall DBE participation goals for Fiscal Year 2014 through Fiscal Year 2016. It is anticipated that the DBE goal for FTA-assisted contracts will be achieved through race-neutral methods.

### **Public Participation in Setting Overall DBE Goal**

This analysis was sent to minority, women's, and general professional and trade organizations, and other officials and organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses. On June 4, 2013 notices were sent to Women Economic Developers of Long Island (WEDLI), Black Women Enterprise, Long Island Development Corporation, Long Island Small Business Assistance Corporation, Long Island Hispanic Chamber of Commerce, Suffolk County Women's Business Enterprise Coalition, Town of Huntington Community Development Agency and Huntington Small Business Resource and Recovery Center. Notices were also published in the June 13, 2013 issues of the Observer and Long Islander in addition to the Town of Huntington Web Page.

The notice informed the public that the proposed DBE goal and its rationale were available for inspection during normal business hours for a period of thirty (30) days

following the date of the notice. The Town of Huntington accepted comments on the proposed goal for forty-five (45) days from the date of notice.

Interested parties were encouraged to submit comments to:

Rhonda Shepardson, DBE Liaison Officer, Town of Huntington, 423 Park Avenue,  
Huntington, NY 11743

And

Federal Transit Administration, U.S. Department of Transportation, Attention: Civil  
Rights Officer, One Bowling Green, Room 429, New York, NY 10004-1415.