

Town of Huntington
OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL
FEDERAL FISCAL YEARS 2022-2024

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 Federal Fiscal Year 2022 through Federal Fiscal Year 2024. 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 FFY 2022-2024 is 1% of the federal financial assistance it anticipates expending in FTA-assisted contracts, exclusive of FTA funds to be used for the purchase of rolling stock.

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

Overall DBE Goal Methodology

FTA-assisted contracting for Federal Fiscal Years 2022-2024 is expected to consist of five projects comprising activities that are classified by five NAICS codes, exclusive of contracts for purchase of rolling stock, 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 contracting opportunities are listed in Table 1.

Table 1: Anticipated FTA-assisted contracting opportunities for FFY 2022-2024 (excluding rolling stock purchases)

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

	NAICS Code	Project	Amount of DOT funds on project:	% of total DOT funds (weight)
1)	238290	Other Building Equipment Contractors	\$53,363	0.1706
2)	238990	Other Specialty Trade Contractors	\$16,419	0.0525
3)	423120	Batteries, Automotive, Merchant Wholesalers	\$168,000	0.5371

4)	423830	Industrial Machinery & Equipment Merchant Wholesalers	\$32,839	0.1049
5)	517911	Telecommunications Resellers	\$42,198	0.1349
Total FTA-Assisted Contract Funds			\$312,820	1

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 anticipated contracting opportunities (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 Contracting Opportunities

* Use DBE Directory, census data and/or a bidders list to enter the number of available DBE firms and the number of available firms.

	NAICS Code	Contracting Opportunities	Number of DBEs available to perform this work	Number of all firms available (Including DBEs)	Relative Availability	
1)	238290	Other Building Equipment Contractors	7	261	0.0268	
2)	238990	Other Specialty Trade Contractors	43	766	0.0561	
3)	423120	Batteries, Automotive, Merchant Wholesalers	1	270	0.0037	
4)	423830	Industrial Machinery & Equip Merchant Wholesalers	1	351	0.0028	
5)	517911	Telecommunications Resellers	0	72	0.0000	
Combined Totals			52	1,720	0.03023	Overall availability of DBEs

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 contracting opportunities (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 available to perform work

for the Town of Huntington for each of the anticipated contracting opportunities, based on the NAICS (North American Industry Classification System) code(s) most relevant to each contracting opportunity. Data was collected in December 2020.

2) Using 2019 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 to work on each contracting opportunity, 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 contracting opportunity (noted as "relative availability" in Table 2).

Table 3: Weighted Base Percentage Calculation

	NAICS Code	Project	Weight	x	Availability	Weighted Base Figure
1)	238290	Other Building Equipment Contractors	0.1706	x	0.0268	0.0046
2)	238990	Other Specialty Trade Contractors	0.0525	x	0.0561	0.0029
3)	423120	Batteries, Automotive, Merchant Wholesalers	0.5371	x	0.0037	0.0020
4)	423830	Industrial Machinery & Equipment Merchant Wholesalers	0.1049	x	0.0028	0.0003
5)	517911	Telecommunications Resellers	0.1349	x	0.0000	0.0000
					Total	0.0098
					Expressed as a % (*100)	.98%
					Rounded, Weighted Base Figure:	1%

Weighted Base Figure = 1%

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 the Town of Huntington's FTA-assisted contracting. It is the judgment of the Town of Huntington 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.

Thus, the available evidence and information did not provide a rational basis for a numerical adjustment to the base figure computed in Step 2.

Based on this analysis, the Town of Huntington proposes an overall DBE goal of 1% of FTA funds that are anticipated to be expended in FTA-assisted contracts in Federal Fiscal Years 2022-2024, exclusive of funds to be used for the purchase of rolling stock.

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 Federal Fiscal Years 2022-2024. 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 each year and may establish contract-specific goals if race-neutral methods do not appear sufficient to achieve the overall DBE participation goals for Federal Fiscal Years 2022-2024. It is anticipated that the DBE goal for FTA-assisted contracts will be achieved through race-neutral methods.

It should be noted that despite the challenges posed in engaging with the public due to the ongoing health crisis posed by the COVID-19 pandemic, the Town of Huntington, in advance of computing this goal, engaged in a consultative process, to the extent practicable, with minority, women's and general contractor groups, as detailed below:

- June 9, 2021- virtual meeting with Kevin Thorbourne, the Town of Huntington's Director of Minority Affairs. We discussed the challenges of conducting outreach during the pandemic; Thorbourne advised that he corresponds regularly with registered DBEs in the area and ensured he would provide those DBEs with information relevant to the Town's goal, once available. I also apprised

Thorbourne of the various contracting opportunities that are anticipated so that he can relay same to the minority communities that he serves.

- June 10, 2021- virtual meeting with Daniela Nicoletti-Rocca, President of a New York State Certified DBE firm known as Joseph Nicoletti Associates Professional Land Surveyors, P.C. We discussed outreach strategies to DBEs; Ms. Nicoletti-Rocca suggested that the Town consider offering more opportunities to women-owned businesses but otherwise had no concerns about the Town's goal or goal-setting methodology.
- June 14, 2021- The Huntington Town Board adopted Resolution No. 2021-347, at a meeting open to the public, directing the Huntington Town Clerk to publish notices of the proposed goal in the Long Islander, the Observer (in Spanish and English), and Minority Commerce Weekly.
- June 16, 2021 – email sent to Carmen Kasper, the Town's Director of Human Services, requesting assistance in disbursing the notices of publication in both Spanish and English, as well as the goal and methodology, to minority business owners so that DBEs in the area are apprised of the opportunity to comment/participate.
- June 16, 2021 – email sent to Kevin Thorbourne, the Town's Director of Minority Affairs, requesting assistance in disbursing the notices of publication in both Spanish and English, as well as the goal and methodology, to minority business owners so that DBEs in the area are apprised of the opportunity to comment/participate.
- June 21, 2021 through July 21, 2021- The Town of Huntington made the proposed goal and its rationale available for public review (during regular business hours of 8:30 a.m. through 4:30 p.m., Monday through Friday) at the Town Clerk's Office; no visitors were reported for this purpose.
- June 2021-present- The Town of Huntington made the proposed goal and its rationale available on the Town's web page at www.huntingtonNY.gov/DBE
- June 22, 2021- virtual attendance at a local Hispanic Task Force Meeting; a group which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses members. The attendees were provided with the Town's goal and methodology. There were no comments concerning the Town's goal or methodology; rather, many in attendance were interested in learning how to become registered DBEs; accordingly, I directed them to the New York State Department of Labor's website that outlines the required steps.

- July 12, 2021- virtual attendance at a local African-American Task Force Meeting; a group which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses members. The attendees were provided with the Town's goal and methodology. Many in attendance were registered DBEs. No comments were provided concerning the Town's goal or methodology; rather, many expressed appreciation for being apprised of the Town's goal and future contracting opportunities.
- August 11, 2021- the Huntington Town Board formally passed Resolution No. 2021-449, at a meeting open to the public, wherein it adopted the final Overall DBE Goal of 1% for Federal Fiscal Years 2022-2024.