

**COUNTY OF ROCKLAND
DEPARTMENT OF PUBLIC TRANSPORTATION
2023 - 2025 DBE GOAL**

**ATTACHMENT A TO DBE PROGRAM
Disadvantaged Business Enterprise Program Overall Goal
FFY 2023, FFY 2024 and FFY 2025**

OVERALL GOAL

The County of Rockland Department of Public Transportation's (RCDPT) overall goal for **FFY 2023– FFY 2025 is 1.18%** of the Federal financial assistance we will expend in Federal Transit Administration (FTA) assisted contracts and other services for the Transport of Rockland (TOR), and TRIPS paratransit bus systems. This goal is based upon RCDPT’s experience and projections that are relative to the availability of DBE’s that are willing and able to serve in the Local Market Area. RCDPT also wants to ensure that potential bidders do not consider this an obligation and place an undue burden on non-DBEs

PROPOSED PROGRAM OF PROJECTS

The Rockland County Department of Public Transportation’s (RCDPT’s) proposed DBE eligible, FTA-assisted contracts for Federal Fiscal years 2023, 2024 and 2025 are as follows:

PROPOSED PROJECT	TOTAL ESTIMATED PROJECT AMOUNT	FEDERAL ASSISTANCE
Purchase and Install ITS Equip	\$4,000,000.00	\$3,200,000.00
Bus Shelters	\$150,000.00	\$120,000.00
Consultant Services	\$500,000.00	\$400,000.00
Forensic Consultants	\$100,000.00	\$80,000.00
Roof Replacement	\$1,400,000.00	\$1,120,000.00
HVAC Replacement	\$500,000.00	\$400,000.00
New Facility	\$12,000,000.00	\$9,600,000.00
TOTAL	\$18,650,000.00	\$14,920,000.00

The amount of FTA-assisted contracts the Rockland County Department of Public Transportation expects to execute during the fiscal years 2023, 2024, and 2025 is approximately \$14,920,000.00 of FTA funds. This means we have set a goal of expending \$176,056.00 of FTA funds with DBEs during the three fiscal years. Despite the fact that the economic climate is currently in a state of flux, the County is hoping to exceed our goal through vendor outreach, involvement and education.

To foster DBE participation, RCDPT will attempt to breakdown future bids. Taking steps to breakdown a project may not necessarily create new contracting opportunities, but RCDPT feels that taking a proactive approach may identify as many contracting prospects as possible.

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METHOD

The following is a summary of the method used to calculate this goal:

This document describes the calculation of the proposed overall goal of the Rockland County Department of Public Transportation ("RCDPT") for participation by Disadvantaged Business Enterprises (DBEs) in Federal Fiscal Years ("FFY") 2023, 2024 & 2025 (October 1, 2022 - September 30, 2025). The proposed DBE Base goal is **1.18%** of the Federal financial assistance that RCDPT will expend in FTA-assisted contracts. This goal is based upon RCDPT's experience and projections; the relative availability of relevant DBEs in our local market to the maximum extent feasible given the data available to us now; and avoiding imposing undue burdens on non-DBEs.

As in prior years, RCDPT will continue to seek to do business with DBEs and to make DBEs aware of contracting opportunities. The calculation of the goal is subject to revision due to the consideration of any necessary verifications and corrections of the data, comments received, changes in circumstances, etc.

The process used in determining the goal is outlined below:

Step 1 - Base Figure Calculation

The method used to calculate the relative availability of DBEs for "Step 1" was based on the available DBE lists (New York State BizNet UCP Directory as of 03/01/2022) and US Census Bureau Data (County Business Patterns-North American Industry Classification System as of December 15, 2021). RCDPT's Local Market Area information is defined as counties in New York that comprise Region 8 of the NYSDOT: Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, Westchester, Bronx, New York, Kings, Queens and Richmond. The County also compiled data from the following Counties in NJ (Bergen, Morris, Passaic, Essex, and Hudson) for an analysis of all available businesses, the following NAICS codes were utilized:

NAICS Code	NAICS Description
541611	Computer Systems Design Services
238130	Framing contractors
541614	General Management, Distribution, and Logistics Consulting Services
541211	Offices of Certified Public Accountants, Forensic Consultants
238220	HVAC Replacement
236210	New Facility
541611	General Management Consulting Services
423330	Roof Replacement

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These areas cover almost 100% of RCDPT contracts.

A "base figure" was calculated by comparing the number of ready, willing, and able DBE firms (NYSDOT UCP data) and the number of all firms (County Business Patterns Census Data) for the 2023, 2024 and 2025 program of projects:

READY, WILLING AND ABLE DBEs	<u>152</u>
ALL FIRMS	<u>12,830</u>

Relative Availability of DBEs for Rockland Department of Public Transportation = 1.18%

BASE FIGURE WEIGHTING

The "base figure" was adjusted by weighting the availability of DBE firms to the specific projects that are proposed over the next three years. As a result, the overall Base goal is **1.18%**. Please refer to the charts below for the weighting methodology.

TOTAL FUNDING PERCENTAGE BY NAICS CODE

The following chart shows the percentage of Federal funding proposed to be spent by NAICS code:

Project	NAICS Code	Classification	Estimated Project Cost	Percent of Total Program Cost
Purchase and Install ITS Equip	541611	Computer systems design services	\$3,200,000	21.45%
Bus Shelters	238130	Framing contractors	\$120,000	0.80%
Consultant Services	541614	Process, physical distribution, and logistics consulting services	\$400,000	2.68%
Forensic Consultants Roof Replacement	541211	Offices of certified public accountants	\$80,000	0.53%
Roof Replacement	423330	Asphalt roofing shingles merchant wholesalers	\$1,120,000	7.51%
HVAC Replacement	238220	Plumbing, Heating, and Air-Conditioning Contractors	\$400,000	2.68%
New Facility	236210	Industrial Building Construction	\$9,600,000.	64.34%
Total			14,920,000.00	100%

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RELATIVE AVAILABILITY OF DBE'S IN THE MARKET AREA BY NAICS CODE

The following chart shows the percentage of DBE firms in the market area for each relevant NAICS code:

NAICS Code	Classification	Number of All Firms	Number of DBE Firms	Relative Availability	Percent of Total Program Cost	Weighted Percentage
541611	Purchase and Install ITS Equip	4,615	48	1.04%	21.45%	0.22%
423330	Asphalt roofing shingles merchant wholesalers	73	41	56.16%	7.51%	4.22%
238130	Framing contractors	358	32	8.94%	0.80%	0.07%
541614	Process, physical distribution, and logistics consulting services	340	12	3.53%	2.68%	0.09%
541211	Offices of certified public accountants	2,503	2	0.08%	0.53%	0.0004%
238220	Plumbing, Heating, and Air-Conditioning Contractors	4,850	9	0.19%	2.68%	0.01%
236210	Industrial Building Construction	91	8	8.79%	64.34%	5.66%
Total		12,830	152	1.18%	100%	10.27%

Rounded Weight Base Figure = 10.27%

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Step Two - Adjustments to Base Figure

Once the Step One Base Figure of **1.18%** was determined, RCDPT reviewed and assessed other available evidence and information to determine if an adjustment to this Base Figure should be made. We also considered the current capacity of willing, ready and able DBEs to perform the contracting work measured by the number of participating DBEs in the past.

If applicable, we consider any available disparity studies about the competitiveness of DBE in the Local Market Area. RCDPT is not aware of any applicable disparity studies or other information about barriers to entry or competitiveness of DBE in the Program.

If necessary, RCDPT will reserve the right to select a different methodology should the economic climate change.

Past Participation

The Rockland County Department of Public Transportation relied heavily on Race Neutral methods with a conscious effort to promote DBE, SBE, WBE, and VBE to meet and exceed the current Overall DBE Goal of 1.37%, despite the fact that there is a very limited availability of DBE firms in the Local Market Area. This Overall DBE Goal of 1.37% for Federal Fiscal Years 2020, 021 and 2022 was exceeded because the Construction Management consultant (HVEA) for a Park and Ride Lot construction project was a registered DBE and 100% of their work was DBE related. This is a very rare occurrence in Rockland County and does not happen often based on previous DBE Program experience. Prior to 2011, the Rockland County Department of Public Transportation relied heavily on Race Conscious methods to meet our Overall DBE Goal of 5.0%, but did not effectively reach this goal during this period, primarily due to very limited availability of firms in the Local Market Area. DBE participation was also limited because of the small number of contracts that the County awarded. RCDPT adjusted the “base figure” Overall Goal to 1.85% in 2011 and utilized Race Neutral methods. This method did not generate additional participation because of the limited availability of DBEs willing, ready and able to complete available project within the Local Market Area. In response to these limitations, RCDPT set a Race Neutral Overall Goal of 1.4% in 2014 which was successfully met due in large part to the fact that a primary DBE was awarded a contract for a D & E project in 2015. RCDPT adjusted the “base figure” Overall DBE Goal to 2.75% in 2017. Again, the method did not generate additional participation because of the limited availability of DBEs willing, ready and able to complete available projects was very limited in the Local market Area.

In this analysis Rockland County included neighboring counties in New Jersey because recent responses to procurements does include firms from New Jersey. The counties included Bergen, Morris, Passaic, Essex, and Hudson Counties in New Jersey. This analysis demonstrates that our DBE Goal and Weighted Base Goal is reduced. Prior to Inclusion of New Jersey Counties, Rockland County’s DBE Base Goal was 1.49%. The inclusion of counties in NJ have reduced Rockland County’s DBE Base Goal to 1.18%. The COVID pandemic throughout the years 2020

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and 2021 have hindered DBE involvement as many DBE, SBE, WBE, MBE, And VBE firms had to reduce their production and, in some instances, ceased to exist as a result of mandated shutdowns.

RCDPT's proposed program of projects for Federal Fiscal Years 2023, 2024 and 2025 has been determined based on the completion status of our current projects as well as the economic climate during this time frame. RCDPT will look to complete projects that were programmed in the previous triennial cycle that were not completed due to the need to focus on other more time-sensitive projects over the last three (3) years. Our current Bus Shelter Maintenance contractor is in the process of becoming a registered DBE in the state of New Jersey and New York through the Port Authority of New York and New Jersey and is in the process of obtaining their New York DBE Certificate. The COVID Pandemic of 2020 through 2021 has hindered progress for many firms in becoming certified DBE's

Despite the fact that RCDPT's proposed program of projects for Federal Fiscal Year 2023, 2024 and 2025 are similar to the previous triennial cycle and the median DBE participation over that triennial cycle was higher than the established DBE goal for that time period, RCDPT did not adjust its Step One Base Figure because of limitations regarding the availability of ready, willing and able DBE firms in the outreach area and because the DBE participation during the previous triennial cycle was adjusted by the economic climate during 2020 and 2021.

Disparity Study

RCDPT has not conducted a disparity study as part of the goal setting process. No other recent or relevant disparity studies were identified within the DBE Local Market Area.

Other Available Evidence

RCDPT is not in possession of other information that would have an impact on the DBE Goal assessment.

RCDPT will retain the "base figure" Overall Weighted Base goal is **1.18%** as there is no other evidence available suggesting that the base figure should be adjusted at this current time.

Step Three – Race Conscience vs. Race Neutral Split

RCDPT will continue to seek DBE participation utilizing a Race Neutral means. In 2015, the County Executive hired a Director of Economic Growth & Tourism. One of the primary responsibilities of this person is to conduct periodic outreach sessions within the county to promote small businesses in Rockland County. RCDPT has teamed up with this person to aid in this venture and educate them about the New York State UCP for DBE opportunities. There has been one (1) outreach seminar planned in the last 3 months, and more are planned for 2022. COVID restrictions Through 2020 and 2021 have limited SBE and DBE outreach and participation leading into 2022.

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Based on these increased outreach efforts and the potential for increased DBE participation, the RCDPT will use 100% Race Neutral methods with a conscious effort to include, inform and educate DBE (as well as WBE, SBE, MBE, and VBE) firms regarding the opportunities of participating in bidding on contracts advertised by the County of Rockland. However, this is subject to adjustment after more information is available on major contracting opportunities, the availability of Federal funding, and the degree of success of Race Neutral means.

The County's Department of Public Transportation will report any mandated Solicitation that requires a Race Conscious means of advertising (Set Aside Goal). For reporting purposes, Race Neutral participation includes, but is not 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
- DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

Public Notice and Consultation

The Rockland County Department of Public Transportation (RCDPT) has participated in outreach programs with the Rockland County Purchasing Division, The African American Coalition, and the County Executive's Office of Economic Development. Our goal is to promote, expand and educate DBE, SBE, MWBE, VBE firms about the opportunities available within Rockland County as well as other public agencies.

On March 15, 2022, RCDPT Participated a SB/DBE Outreach Event that was conducted via an on-line webinar. From the onset of COVID, restriction to all County Buildings was limited to the public unless necessary. Entrances around the Public Transportation building were secured and the public had to call from outside to gain entrance. A phone number was posted on the front door. During the Spring the County lifted the restriction for public access. Various methods will be applied to advertise future events hoping to reach out to the over 2,000 firms located in the New York State UCP database. With the hopes of COVID restrictions lightening, the County anticipates conducting Mini Matchmaker events to increase DBE participation. Those who attended our previous Mini Matchmaker events left with a positive attitude toward participating in future opportunities and a better understanding in how to participate.

The RCDPT format given by Rockland County's Director of Purchasing will be focused on local resources, such as Procurement Assistance, The County's DBE Requirements & RCDPT's DBE Goal will be explained to our participants how RCDPT achieves its goal through race-neutral means. Potential firms will be informed that all County contracts have a DBE/SB/MWBE/VBE goal even if not funded with FTA dollars. This presentation will also demonstrate upcoming Public Transportation projects that could offer contracting opportunities to a variety of DBE/SB/MWBE/VBE firms.

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This presentation will also include information how contracting opportunities become available through public notices from newspapers, the Empire State Purchasing Group Bid Notification System, The New York State Contract Reporter etc. Methods of Procurement, Assistance to Suppliers and Award of Contracts, will also be described during this presentation.

The County of Rockland outreach events will provide vendors the opportunity to submit a profile document identifying their firm as a DBE/SB/MWBE/VBE firm. These profiles are maintained by the Rockland County Purchasing Division and are provided to the County agencies, including the Department of Public Transportation, to assist them in identifying potential DBE/SB/MWBE/VBE firms for their projects and solicitations. The County of Rockland's Department of Public Transportation (RCDPT) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. RCDPT has received Federal financial assistance from the U.S. Department of Transportation and as a condition of receiving this assistance, the County of Rockland's Department of Public Transportation has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Rockland County Department of Public Transportation (RCDPT) to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in FTA-assisted contracts.

After the presentations, RCDPT will offer one-on-one consultations to all vendors interested. Vendors will be offered the opportunity and provide comments and questions regarding our presentations, including RCDPT's DBE Goal, during these consultations. Vendors will have the opportunity to have their voices heard regarding the County's procurement process including RCDPT's DBE Goal and the opportunities available to them as DBE/SB/MWBE/VBE firms, especially regarding potential contracts with RCDPT.

The County, in conjunction with RCDPT, will continue to participate in outreach initiatives throughout the remainder of 2022 and beyond regarding the County's procurement process, procurement resources and public transportation contracting opportunities. Future events, including a future meetings and on-line seminars as part of the process. RCDPT will share our goal development methodology, which will include an overview of the federally funded projects for which RCDPT anticipates awarding contracts. RCDPT will also aim to increase diverse participation in bidding by DBE/MWBE/VBE/SBE firms through the Empire State Purchasing portal in conjunction with the County's use of the Bonfire Purchasing software program. The Empire State Purchasing website in conjunction with the Bonfire Purchasing software program advertises Rockland County solicitations, as well as introduces them to solicitation opportunities for other counties and agencies. The Stakeholders meeting is anticipated to be conducted in summer of 2022 as the County expects increased participation following the summer months. We anticipate that through our Outreach programs, Stakeholder's meetings, and outreach initiatives to Minority agencies, as well as our updated website, RCDPT will promote our initiative of increased diversity and encourage DBE registration from firms, if acceptable, that are currently solely MBE, WBE, SBE, and VBE.