

**Westchester County
DISADVANTAGED BUSINESS
ENTERPRISE PROGRAM
(DBE)**

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DBE Overview

- The US Department of Transportation's DBE program seeks to ensure nondiscrimination in the awarding and administration of DOT-assisted contracts in the Department's highway, transit and airport financial assistance programs; and, to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.

DBE Overview (continued)

- USDOT recipients receiving planning, capital and/or operating assistance who will award prime contracts, the cumulative total value of which exceeds \$250,000 in USDOT funds in a Federal Fiscal Year, are required to develop DBE goals.
 - Federal Transit Administration (FTA)
 - Federal Highway Administration (FHWA)
 - Federal Aviation Administration (FAA)

What is a Disadvantaged Business Enterprise?

- DBEs are for-profit, small business concerns where socially and economically disadvantaged individuals own at least a 51% interest, and also control management and daily business operations.
- African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

DBE Requirements

- The economically disadvantaged individual cannot have a personal net worth that exceeds \$1.32 million.
- To participate in the DBE program, a small business owned and controlled by socially and economically disadvantaged individuals must receive *DBE certification from the relevant state* – generally through the New York State Uniform Certification Program (NYSUCP).

Why is it valuable for a small business concern to become certified as a DBE?

- Being a certified DBE can provide opportunities to obtain work with Westchester County.
- The County reviews contract opportunities to determine whether they present opportunities for DBEs.
- Based on both the funding source for the contract and applicable regulations, DBE participation goals may be applied.

Working with Westchester County

- It isn't necessary to be certified as a DBE to do work with Westchester County, and any business may compete for a County contract as either a prime contractor or subcontractor.
- However, **ONLY CERTIFIED DBE FIRMS** can be awarded contracts that meet DBE participation goals, unless there are no DBE firms willing or able to perform the required type of work.

Advantages of DBE Certification

- DBE certification provides your business with the opportunity to be listed in an electronic directory of certified firms, which is used by agencies and contractors to identify DBE firms for participation on contracts.
- Being a certified DBE may also open the door to opportunities for growing your business by making it easier for you to market your firm to government entities.
- However, if a firm is seeking to perform work on a contract as a DBE, it must first obtain DBE certification from a Certifying Partner in the NYSUCP.

Who Regulates the Program?

NYSDOT receives funding from three separate federal agencies:

- The Federal Highway Administration (FHWA) has oversight responsibility on all highway and bridge construction contracts that utilize federal assistance. <https://www.fhwa.dot.gov/>
- The Federal Transit Administration (FTA) has oversight responsibility on all local public transit contracts that utilize federal assistance. <https://www.transit.dot.gov/>
- The Federal Aviation Administration (FAA) has oversight responsibility on all air transportation related contracts that utilize federal assistance. <https://www.faa.gov/>

Other certification opportunities to obtain Government work:

- Minority /Women Business Enterprise (MWBE)

<http://mwbe.westchestergov.com/>

- Service-Disabled Veteran Owned Small Business (SDVOSB)

<https://www.sba.gov/federalcontracting/contracting-assistance-programs/service-disabled-veteran-owned-small-businesses-program>

<https://online.ogs.ny.gov/SDVOB/search>

How to apply for DBE certification:

- The NYSUCP is responsible for DBE certification in the state of New York and provides firms with "one-stop" shopping.
- To find out how a firm can become certified as a DBE, please visit the [DBE Certification Program website](#), learn and pick certifying partner.

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How to become certified as a DBE:

Contact one of the NYSUCP Certifying Partners listed below to begin your DBE certification process:



Metropolitan Transportation Authority (MTA)
Department of Diversity and Civil Rights
2 Broadway – 16th Floor
New York, NY 10004
Phone: (646) 252-1378
cgreene@mtahq.org



New York State Department of
Transportation
Contract Audit Bureau – DBE Certification
50 Wolf Road – 1st Floor
Albany, NY 12232
jejones@dot.ny.us

Additional Certifying Partners:



Port Authority of New York and New Jersey

Small Business Programs

233 Park Avenue South – 4th Floor

New York, NY 10003

(212) 435-7828

rhsu@panynj.gov



Niagara Frontier Transportation Authority

EEO/Diversity Development Department

181 Ellicott Street

Buffalo, NY 14203

linda_seay@nfta.com

To receive assistance with the certification process

- Attend a workshop that walks participants through the certification process.
- For more information on upcoming workshops, please contact Jackie Jones at (518) 457-1129 or jackie.jones@dot.ny.gov.

Upcoming Events in Westchester County:

Conxpo '19

May 14th 8am- 12pm

County Center

Manage Your Certification

Businesses become certified based on the information provided at the time of certification. It is the DBEs responsibility to notify its certification agency within 30 days of any change that may impact a firm's certification. DBEs must also annually affirm that there have been no changes other those previously reported.

Changes must be reported within 30 days of the occurrence of the change. They include:

- **changes in firm circumstances affecting its eligibility**
- **material changes in the information provided in the firm's application form**
- **Work code change/expansion requests**
- **Notification of address, phone, or other contact information changes**
- **Withdrawal of certification**

Additional requirement:

- **Submission of an Annual Affidavit of No-Change in Microsoft Word and supporting documents every year on the anniversary of the date of certification**

Failure to either notify your certifying agency of changes or submit an Annual Affidavit of No Change within required time frames is deemed a failure to cooperate; and, it is grounds for the removal of a firm's certification.

Where to learn about federal contract opportunities, including those with DBE Goals:

- Sign up for www.BidNet.com. BidNet gathers federal, state and local government RFPs from across the United States, and delivers new contract opportunities electronically on a daily basis.
- Access the New York State Contract Reporter and Dodge Projects for further information on contract opportunities.
[New York State Contract Reporter](#)
- Sign up for alerts from Westchester County to learn about potential MWBE and DBE opportunities.
[Westchester County](#)

DBE Directory/support services

Businesses granted DBE certification will be listed in the NYSUCP Directory. See <https://nysucp.newnycontracts.com>

A series of sessions designed to help DBE's, MWBEs and SDVOBS procure work with NYSDOT will be sponsored by the WorkSmart NY Program, the Office of Civil Rights, and r6 Catalyst. Some of the topics covered in the sessions will include:

- An Introduction to Equitable Business Opportunities (EBO)
- Understanding Procurement Opportunities
- Navigating the NYSDOT Website
- DBE vs. M/WBE Certification
- Commercially Useful Function (CUF).

For more information, please contact Jackie Jones at (518) 457-1129 or jackie.jones@dot.ny.gov.

For more information visit:

<http://business.westchestergov.com/getting-and-doing-business/disadvantaged-business-enterprises>

<https://www.faa.gov>

<https://www.transit.dot.gov/dbe>

<https://www.fhwa.dot.gov/civilrights/programs/dbess/>

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