



To: SUPERSEDED ^{BY} <i>EB00-066</i> EFFECTIVE <u>10/23/00</u>		New York State Department of Transportation ENGINEERING INSTRUCTION	EI 00-004
Title: DISADVANTAGED/MINORITY/WOMEN'S BUSINESS ENTERPRISE GOALS			
Distribution: <input type="checkbox"/> Manufacturers (18) <input type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Main Office (30) <input checked="" type="checkbox"/> Consultants (34) <input checked="" type="checkbox"/> Local Govt. (31) <input type="checkbox"/> Contractors(39) <input checked="" type="checkbox"/> Regions/Agencies (32) <input type="checkbox"/> ()	Approved:  P. J. Clark, Deputy Chief Engineer, Design <u>01/21/00</u> Date		

ADMINISTRATIVE INFORMATION

This Engineering Instruction (EI) supersedes the following guidance provided in Chapter 21 of the Highway Design Manual:

§21.9.2.2, Page 21-56 - Item 3. New guidance and requirements are transmitted with this EI.

Form C-258e (9/98), Appendix C. A revised form is attached to this EI.

DISADVANTAGED BUSINESS ENTERPRISE GOAL (DBE) IMPLEMENTATION:

ON CONTRACTS SCHEDULED FOR LETTING:

AFTER MARCH 9, 2000 AND PRIOR TO JULY 6, 2000. Depending on the Plans, Specifications, and Estimate (PS&E) amendment deadline, Regional Designers should either:

1. Do nothing; no action is necessary if the project's amendment deadline has passed,
2. If the amendment deadline has not passed, initiate an amendment request and submit the appropriate DBE goals issued with this EI, or
3. Submit the DBE goals issued with this EI as part of the original PS&E submittal.

ON OR AFTER JULY 6, 2000. Regional Designers will submit the appropriate DBE goals issued with this EI. The DBE goals will be inserted into proposals by Main Office Design Quality Assurance Bureau (DQAB).

PURPOSE

This EI issues:

1. Guidance regarding the preparation of Form C-258f (12/99) Disadvantaged/Minority/Women's Business Enterprise Goals.
2. New Disadvantaged Business Enterprise (DBE) goals. These proposed goals have been established by the Office of Equal Opportunity Development and Compliance (OEODC).
3. Minority Business Enterprise Goals and Women's Business Enterprise Goals. These existing goals have also been established by OEODC and are being issued so that project personnel have the information needed, in one document, to complete Form C-258f (12/99).
4. Form C-258f (12/99). Form C-258e (9/98) was revised to accommodate changes regarding DBE goal assignment.

CHANGES

The existing DBE goal table has been revised to reflect the current Regional availability of DBEs. This revision is in conformance with the current DBE regulations, 49CFR Part 26. Specifically, the changes are as follows:

1. The previous goal table was based on three project types (Highway, Bridge, and Other). The new goal table is based on eight project groups, with each project group encompassing several work type designations.
2. The new goals do not vary as the project dollar value varies. Contracts with an engineer's estimate of less than \$1.0 million will have a zero (0) DBE goal.

CONTACT

Address questions regarding D/M/DBE goals to the Office of Equal Opportunity Development and Compliance at (518) 457-1129. Address questions regarding the work descriptions listed on page 4 to the Main Office Program and Project Management System Section at 518-457-1132. Address general questions regarding this EI to Norman Schips of the Design Quality Assurance Bureau at 518-485-8611.

**REQUIREMENTS FOR §21.9.2.2, B. 3 Form C258f (12/99),
DISADVANTAGED/MINORITY/WOMEN'S BUSINESS ENTERPRISE GOALS**

3. Form C-258f (12/99), Disadvantaged/Minority/Women's Business Enterprise Goals. This form shall be prepared and submitted for all project types except simplified pavement preventive maintenance projects. (The goals for these projects are set on a case by case basis by the Office of Equal Opportunity Development and Compliance.) The designer shall fill in the Project Identification Number (PIN), Contract Number, Proposed Letting Date, Type of Project and Goals (100% state funded projects) or Group Number and Goal (projects with Federal-aid) from program tables (Federal-aid or State), issued by the Office of Equal Opportunity Development and Compliance (OEODC), and discussed below. Provide Form C-258f (12/99) in the envelope labeled "PS&E Section".

DBE goals are determined using Tables 1 and 2 for federally funded projects regardless of the size of the federal share. Table 1 is used to determine the group number (based on the work description), and Table 2 is used to obtain the goal (based on Region and group number).

Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) goals should be determined using Table 3.

For projects which are of a specialized nature with only a few pay items (e.g., pavement marking projects, landscape projects), resulting in no significant opportunities for D/M/WBE participation, the designer may request an exemption or reduction in the goals shown. Additionally, if a project is the result of a significant public interest such as health or safety, an exemption may be requested. These projects are unique, and any questions regarding the appropriateness of goals should be referred to OEODC. The specific reasons for the request must be given on the form, and the waiver/goal reduction request must be signed by the appropriate person indicated on the form. DQAB will forward the request to OEODC; they will approve or deny the request and return the form to DQAB.

1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	31	32	33
34	35	36	37	38	39	40	41	42	43	44
45	46	47	48	49	50	51	52	53	54	55
56	57	58	59	60	61	62	63	64	65	66
67	68	69	70	71	72	73	74	75	76	77
78	79	80	81	82	83	84	85	86	87	88
89	90	91	92	93	94	95	96	97	98	99
100	101	102	103	104	105	106	107	108	109	110
111	112	113	114	115	116	117	118	119	120	121
122	123	124	125	126	127	128	129	130	131	132
133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154
155	156	157	158	159	160	161	162	163	164	165
166	167	168	169	170	171	172	173	174	175	176
177	178	179	180	181	182	183	184	185	186	187
188	189	190	191	192	193	194	195	196	197	198
199	200	201	202	203	204	205	206	207	208	209
210	211	212	213	214	215	216	217	218	219	220
221	222	223	224	225	226	227	228	229	230	231
232	233	234	235	236	237	238	239	240	241	242
243	244	245	246	247	248	249	250	251	252	253
254	255	256	257	258	259	260	261	262	263	264
265	266	267	268	269	270	271	272	273	274	275
276	277	278	279	280	281	282	283	284	285	286
287	288	289	290	291	292	293	294	295	296	297
298	299	300	301	302	303	304	305	306	307	308
309	310	311	312	313	314	315	316	317	318	319
320	321	322	323	324	325	326	327	328	329	330
331	332	333	334	335	336	337	338	339	340	341
342	343	344	345	346	347	348	349	350	351	352
353	354	355	356	357	358	359	360	361	362	363
364	365	366	367	368	369	370	371	372	373	374
375	376	377	378	379	380	381	382	383	384	385
386	387	388	389	390	391	392	393	394	395	396
397	398	399	400	401	402	403	404	405	406	407
408	409	410	411	412	413	414	415	416	417	418
419	420	421	422	423	424	425	426	427	428	429
430	431	432	433	434	435	436	437	438	439	440
441	442	443	444	445	446	447	448	449	450	451
452	453	454	455	456	457	458	459	460	461	462
463	464	465	466	467	468	469	470	471	472	473
474	475	476	477	478	479	480	481	482	483	484
485	486	487	488	489	490	491	492	493	494	495
496	497	498	499	500	501	502	503	504	505	506
507	508	509	510	511	512	513	514	515	516	517
518	519	520	521	522	523	524	525	526	527	528
529	530	531	532	533	534	535	536	537	538	539
540	541	542	543	544	545	546	547	548	549	550
551	552	553	554	555	556	557	558	559	560	561
562	563	564	565	566	567	568	569	570	571	572
573	574	575	576	577	578	579	580	581	582	583
584	585	586	587	588	589	590	591	592	593	594
595	596	597	598	599	600	601	602	603	604	605
606	607	608	609	610	611	612	613	614	615	616
617	618	619	620	621	622	623	624	625	626	627
628	629	630	631	632	633	634	635	636	637	638
639	640	641	642	643	644	645	646	647	648	649
650	651	652	653	654	655	656	657	658	659	660
661	662	663	664	665	666	667	668	669	670	671
672	673	674	675	676	677	678	679	680	681	682
683	684	685	686	687	688	689	690	691	692	693
694	695	696	697	698	699	700	701	702	703	704
705	706	707	708	709	710	711	712	713	714	715
716	717	718	719	720	721	722	723	724	725	726
727	728	729	730	731	732	733	734	735	736	737
738	739	740	741	742	743	744	745	746	747	748
749	750	751	752	753	754	755	756	757	758	759
760	761	762	763	764	765	766	767	768	769	770
771	772	773	774	775	776	777	778	779	780	781
782	783	784	785	786	787	788	789	790	791	792
793	794	795	796	797	798	799	800	801	802	803
804	805	806	807	808	809	810	811	812	813	814
815	816	817	818	819	820	821	822	823	824	825
826	827	828	829	830	831	832	833	834	835	836
837	838	839	840	841	842	843	844	845	846	847
848	849	850	851	852	853	854	855	856	857	858
859	860	861	862	863	864	865	866	867	868	869
870	871	872	873	874	875	876	877	878	879	880
881	882	883	884	885	886	887	888	889	890	891
892	893	894	895	896	897	898	899	900	901	902
903	904	905	906	907	908	909	910	911	912	913
914	915	916	917	918	919	920	921	922	923	924
925	926	927	928	929	930	931	932	933	934	935
936	937	938	939	940	941	942	943	944	945	946
947	948	949	950	951	952	953	954	955	956	957
958	959	960	961	962	963	964	965	966	967	968
969	970	971	972	973	974	975	976	977	978	979
980	981	982	983	984	985	986	987	988	989	990
991	992	993	994	995	996	997	998	999	1000	1001

Table 1 - Work Type Description and Associated Project Group Number ¹.

Group Number	Work Description
1	Alignment work; Highway reconstruction: in-kind (concrete); Highway reconstruction: widen; New highway construction.
2	Highway reconstruction: in-kind (asphalt & overlay); In-place concrete recycling (crack/seal)w/multi-course overlay; Multi course overlay: standard mix; Multi course overlay superpave; Skid treatment with overlay; Single course overlay: standard mix; Single course overlay: superpave.
3	Intersection reconstruction or rehabilitation.
4	Bridge general repairs; New bridge; Bridge painting; General bridge rehabilitation; Complete bridge removal.
5	Guiderail installation improvement; Guiderail rehabilitation; Intelligent transportation systems; Lighting; Pavement marking; Railroad crossing improvements; Traffic signal coordination; Traffic signals/devices.
6	New or improved bicycle facility; Ferry terminal; Flood control; Landscape; NAVAIDS Installation; New or improved park and ride facility; New or improved pedestrian facility; Rest area/comfort station/information center; Rehabilitate pedestrian facility; Rock slope protection; Rail/transit rail track; Wetland mitigation; Retaining walls; Noise walls.
7	Clean and seal cracks.
8	Drainage rehabilitation.

1. Questions regarding work description definitions should be referred to the Main Office Program and Project Management System Section.

Table 2 - DBE Goal Assignment Table For Federally Funded Projects ¹.

REGION	GROUP NUMBER							
	1	2	3	4	5	6	7	8
1	12%	12%	12%	14%	10%	10%	4%	4%
2	12%	9%	11%	8%	10%	10%	4%	4%
3	10%	13%	6%	13%	10%	10%	4%	4%
4	10%	14%	9%	7%	10%	10%	4%	4%
5	12%	13%	13%	13%	10%	10%	4%	4%
6	10%	13%	9%	9%	10%	10%	4%	4%
7	10%	9%	10%	10%	8%	10%	4%	4%
8	9%	13%	9%	13%	8%	10%	4%	4%
9	10%	11%	14%	11%	10%	10%	4%	4%
10	11%	11%	11%	15%	12%	10%	4%	4%
11	13%	13%	13%	15%	12%	10%	4%	4%

1. The DBE goal for Contracts with an Engineer's Estimate less than \$1 million dollars is zero.

Table 3 Minority Business Enterprise (MBE) Goals and Women's Business Enterprise (WBE) Goals - 100% State Funded Projects.

REGION	PROJECT TYPE	PROJECT SIZE (\$ Million)							
		0.5-1.0		1.0-5.0		5.0-10.0		>10.0	
		MBE	WBE	MBE	WBE	MBE	WBE	MBE	WBE
1	Highway	2%	2%	3%	3%	4%	4%	5%	5%
	Bridge	2%	2%	3%	3%	4%	4%	5%	5%
	Other	2%	2%	3%	3%	4%	4%	5%	5%
2	Highway	1%	3%	1%	3%	1%	5%	2%	6%
	Bridge	1%	3%	1%	3%	1%	5%	2%	6%
	Other	1%	3%	1%	3%	1%	5%	2%	6%
3	Highway	4%	10%	5%	11%	6%	12%	6%	14%
	Bridge	4%	10%	5%	11%	6%	12%	6%	14%
	Other	4%	10%	5%	11%	6%	12%	6%	14%
4	Highway	8%	6%	9%	7%	10%	8%	12%	8%
	Bridge	8%	6%	9%	7%	10%	8%	12%	8%
	Other	8%	6%	9%	7%	10%	8%	12%	8%
5	Highway	4%	4%	4%	4%	5%	5%	5%	5%
	Bridge	4%	4%	4%	4%	5%	5%	5%	5%
	Other	4%	4%	4%	4%	5%	5%	5%	5%
6	Highway	3%	7%	3%	7%	4%	7%	4%	8%
	Bridge	3%	7%	3%	7%	4%	7%	4%	8%
	Other	3%	7%	3%	7%	4%	7%	4%	8%
7	Highway	1%	6%	1%	7%	2%	7%	2%	8%
	Bridge	1%	6%	1%	7%	2%	7%	2%	8%
	Other	1%	6%	1%	7%	2%	7%	2%	8%
8	Highway	12%	4%	13%	5%	15%	5%	17%	7%
	Bridge	12%	4%	13%	5%	15%	5%	17%	7%
	Other	12%	4%	13%	5%	15%	5%	17%	7%
9	Highway	4%	2%	5%	3%	5%	3%	6%	4%
	Bridge	4%	2%	5%	3%	5%	3%	6%	4%
	Other	4%	2%	5%	3%	5%	3%	6%	4%
10	Highway	6%	6%	6%	7%	7%	7%	7%	8%
	Bridge	6%	6%	6%	7%	7%	7%	7%	8%
	Other	6%	6%	6%	7%	7%	7%	7%	8%
11	Highway	5%	5%	6%	6%	7%	7%	8%	8%
	Bridge	6%	6%	7%	7%	8%	8%	9%	9%
	Other	5%	5%	6%	6%	7%	7%	8%	8%

DISADVANTAGED/MINORITY/WOMEN'S BUSINESS ENTERPRISE GOALS

PIN:
CONTRACT NO. _____

PROPOSED LETTING DATE: _____

FOR FEDERALLY FUNDED PROJECTS - Provide the project group number (i.e., 1 - 8) and DBE Goal

Group Number: DBE Goal %

FOR 100% STATE FUNDED PROJECTS - Check the type of project (i.e., Highway, Bridge, or Other), and provide the MBE Goal, and WBE Goal

Highway Bridge Other

MBE Goal % WBE Goal %

This section to be completed only when a waiver or reduction in goals is requested.

REQUEST FOR WAIVER OR REDUCTION IN GOALS (Strike out one of the following sentences; complete the other.)

It is requested that this contract be exempted from the assignment of goals for the following reasons:

OR

It is requested that goals be reduced to _____ for the following reasons:

Regional Design Engineer; or Program Manager responsible for design (signature):

The request is hereby _____ approved _____ denied.

Explanation for Denial:

Director (or designee), OEODC
Date ____/____/____