

Policy Statement Expressing RTS's Commitment to Utilize NYS Minority & Woman-Owned Business Enterprises

In accordance with the 2010 Business Diversification Act amending Article 15-A of New York State Executive Law §313 ("Article 15-A"), state agencies, authorities, boards and commissions are required to prepare, pursuant to 5 NYCRR Parts 140-145, a Master Goal Plan to submit to the Director of the Division of Minority and Woman's Business Development. Regional Transit Service (RTS) is committed to the development and implementation of an effective and New York State compliant Minority and Woman-Owned Business Enterprises ("M/WBE") program.

Certain transactions are considered "Exempt Transactions" and are not subject to M/WBE program standards. These Exempt Transactions include procurements less than \$25,000 for labor, services, supplies, equipment and materials or any combination of the foregoing, and contracts less than \$100,000 for acquisition, construction, demolition, replacement, major repair, renovation or improvement of real estate. In addition, staff benefits, debt service, OGS centralized services and single/sole source contracts are considered Exempt from the M/WBE program.

M/WBE program standards apply to all RTS procurement activities not assisted by the United States Department of Transportation (USDOT) where reasonably feasible. The regulations adhered to by RTS's federally-compliant Disadvantaged Business Enterprise program ("DBE") supersede those imposed by Article 15-A with regard to all USDOT-assisted capital, construction and professional service contracts. These contracts are also considered Exempt Transactions.

The primary objective for establishing an M/WBE program is to increase the participation of firms owned and controlled by minority and women-owned businesses in obtaining procurement contracts not involving exempt transactions. To this end, RTS's goals include the following:

- i To assist firms owned and/or controlled by M/WBEs so they may equitably compete for contracts and subcontracts;
- ii To assure that all contracts and procurements are administered without discrimination on the basis of race, color, national origin, or gender; and
- iii To assure that all contractors and subcontractors utilized by RTS in connection with Non-Exempt procurements undertake or continue existing programs of affirmative action to ensure that certified M/WBE firms are afforded equal opportunities without discrimination.

Obtaining Certification as a NYS Certified MBE or WBE

The New York State Empire State Development's Division of Minority and Women's Business Development (DMWBD) provides certification for MBE and WBE firms. The criteria and application process can be found on their website at:

<http://www.esd.ny.gov/MWBE/Certification.html>