



Disadvantaged Business Enterprise Policy Statement

In accordance with requirements of 49 CFR Part 26, entitled, "Participation by Disadvantaged Business Enterprise in Department of Transportation Programs", the Niagara Frontier Transportation Authority (NFTA), is committed to the development and implementation of an effective Disadvantaged Business Enterprise (DBE) Program.

The Term "disadvantaged business enterprise" as used in this program means a small business that is both owned and controlled by socially and economically disadvantaged persons. Socially and economically disadvantaged individual means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who a certifier finds to be socially and economically disadvantaged on a case-by-case basis. A determination that an individual is socially and economically disadvantaged must not be based in whole or in part on race or sex. For that reason, all applicants shall qualify as socially and economically disadvantaged if they can meet the relevant criteria described in § 26.67. Being born in a particular country does not, standing alone, mean that a person is necessarily socially and economically disadvantaged.

The phrase "owned and controlled" as used in this definition means that disadvantaged persons must own 51% of the business and they must control the management and daily operations of the business.

The Executive Director, under the direction of the Chair, has the responsibility and is accountable for the implementation of the DBE Program. The Chief Diversity Officer serves as the DBE Liaison Officer and shall report directly to the Executive Director in that capacity.

The DBE program is designed to ensure DBEs have the maximum opportunity to participate in NFTA business activities including concessions, professional service contracts, purchase of equipment and supplies, and construction and non-construction contracts.

To this end, this document delineates the following objectives:

- A. The appointment of the DBE Liaison Officer and their support staff to administer this program citing the authority, responsibility and duties to the Liaison Officer and support staff.
- B. Development of percentage goals and timetables for the dollar value of contracts to be awarded to DBEs.
- C. Procedures by which the NFTA will assist DBEs in participating in this program in a meaningful manner.
- D. The implementation of communications and informational programs to ensure DBEs are aware of opportunities with the NFTA.
- E. The establishment of monitoring, record keeping, and posting system for assessing accomplishments of the DBE program and program revision procedures, if necessary.

The NFTA requires all contractors and subcontractors to comply with the appropriate federal and state laws, rules and regulations pertaining to non-discrimination. Managers and supervisors at every level of the NFTA shall be responsible for progressive leadership and imaginative action in implementing this program.

Kimberley A. Minkel
Executive Director

Date

LaVonne E. Ansari, PHD
Acting Chair

Date