

The Central New York Regional Transportation Authority

# MWBE Master Goal Plan

## FY 2023-2024



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**Agency Overview**

The Central New York Regional Transportation Authority is a public authority of the State of New York constituting a public benefit corporation created by and having the powers and functions as set forth pursuant to Sections 1325-1348 of the Public Authorities Law of the State of New York. As a governmental entity, it is exempt from all sales, property and excise taxes. CNY Centro, Inc., Centro of Cayuga, Inc., Centro of Oswego, Inc., Centro of Oneida, Inc., Centro Call-A-Bus, Inc., Intermodal Transportation Center, Inc., are all herein collectively referred to as the Central New York Regional Transportation Authority (CNYRTA).

The CNYRTA provides public bus transportation with related services within a four-county area in central New York via subsidiary operating corporations. The cities served are Syracuse, Oswego, Fulton, Auburn, Utica and Rome. It also operates the William F. Walsh Regional Transportation Center, combining inter-city passenger rail and bus services with its own regional bus services.

The CNYRTA and its subsidiaries are governed by a Board of Members, currently made up of twelve positions plus one non-voting member representing collective bargaining units. Recommended member names are submitted by local legislative bodies (County or City of Syracuse) to the Governor, who appoints them, by and with the consent of the Senate.

The Mission Statement of the CNYRTA is to be responsive to the transportation needs of the Central New York Community by providing services which are safe, convenient, reliable and environmentally responsible with a goal of maximizing the taxpayers’ return on investment.

The Authority employs approximately 558 employees comprised of the following:

Bus Operators (full & part time)	309
Maintenance (buildings & grounds, vehicles)	115
Salaried (executive, managerial, Clerical, support, line service supervisors, etc.)	126
<u>Full/Part-time Customer Service Representatives</u>	<u>8</u>
Total	558

**Major Areas of Procurement:**

- Commodities: Natural Gas, Diesel Fuel, Oil, Lubricants, Bus Parts, Office Supplies, Printed Schedules, Computer/Communications Related Equipment.
- Services/Consultants Include: Janitorial Services, Actuarial Services, Security Services, Background Checks, Legal Services, Engineering Services, Auditing Services.

## Description of Procurement Strategy

### **Policy Statement- MWBE Goals for Contracts**

The entire organization is engaged in the MWBE program and collectively considers the objectives of the program as well as methods to increase participation.

It is our policy:

- To ensure nondiscrimination in the award and administration applicable contracts;
- To create a level playing field on which MWBEs can compete fairly;
- To ensure that the MWBE Program is narrowly tailored in accordance with applicable law;
- To help remove barriers to the participation of MWBEs; and
- To assist the development of firms that can compete successfully in the marketplace outside the MWBE program.

The CNYRTA researches the MWBE Directory for each singular formal contract over the \$25,000 threshold and creates the contract goal accordingly. If there are no MWBEs in the marketplace for a contract, a waiver is requested from the chamber prior to advertisement.

Small and Micro purchases are equally considered for MWBE participation. The NYS Directory of Certified Minority and Women-owned Businesses is utilized on a daily basis by the Procurement team to ensure MWBEs are contacted with any applicable opportunities.

### **Description of Procurement Strategy**

Each Invitation to Bid and Request for Proposal greater than \$25,000 is advertised in local newspapers, the New York State Contract Reporter, Minority Commerce Weekly, and CNY Vision (publications targeted to the minority public). The advertisement indicates that MWBE's are encouraged to respond. Businesses that are interested in competing for the contracts generally know that projects are advertised in these publications.

As part of the procurement process with bidders/proposers, CNYRTA requires that the contractor consider the use of DBE/MWBE/SDVOB firms as subcontractors.

CNYRTA will use the following means to increase MWBE participation:

- Review the MWBE directory and send a bid/proposal package to those businesses that meet the description of the specifications for that bid/proposal;
- Encourage prime contractors to subcontract work;
- Provide technical assistance and other services;
- Carry out information and communications programs on contracting procedures and specific contract opportunities;
- Providing the MWBE directory information to potential prime contractors; and
- Conduct pre-bid conferences to inform potential bidders about contracting opportunities and CNYRTA's commitment to maximize utilization of MWBEs.

The CNYRTA anticipates a minor challenge with MWBE subcontractor utilization due to the relatively small number of contracts that offer/provide subcontracting opportunities. However, the CNYRTA fulfills its thirty percent utilization goal with certified MWBEs acting as Prime Contractors in small and micro procurements as well as formal contracts to achieve a 30% utilization or greater.

The CNYRTA is dedicated to the MWBE program and finding ways to increase participation. Every effort is taken to ensure all available certified MWBEs are aware of procurement opportunities available.

### **Procedures for Resolution of Contractor Issues**

The CNYRTA will bring to the attention of the New York State Department of Economic Development any false, fraudulent, or dishonest conduct in connection with the program.

Requests for Proposals and Invitations to Bid issued by CNYRTA include notification to all proposing contractors that MWBEs will be given the full opportunity to submit proposals/bids and that CNYRTA will not discriminate on the grounds of sex, race, color, or national origin, in consideration for an award. The instructions to proposed contractors state that all proposing/bidding contractors must be in compliance with the requirements with regard to the participation of MWBEs.

In the event of non-compliance with the MWBE regulation by a participant in a procurement, it may be subject to remedies including withholding of further payments from CNYRTA and/or termination of the contract.

We will verify that the work committed to MWBEs at contract award is actually performed by the MWBEs. CNYRTA will maintain a running tally of actual MWBEs attainments (e.g., payments actually made to MWBE firms) and ensure that MWBE participation is credited toward overall or contract goals only when payments are actually made to MWBE firms.

CNYRTA requires its prime contractors to make good faith efforts to replace an MWBE subcontractor that is unable to perform successfully with another MWBE. CNYRTA approves all substitutions of subcontractors, in order to ensure that the substitute firm(s) are eligible MWBE(s).

Any MWBE subcontracting programs or documentation required by CNYRTA shall be submitted to CNYRTA by the apparent successful bidder/ proposer. Failure to submit such materials shall make the bidder/proposer ineligible for award.

CNYRTA shall advise each sub-recipient, contractor, or subcontractor that failure to carry out the requirements set forth in the required contract provisions shall constitute a breach of contract and may result in termination of the agreement or contract by CNYRTA or such remedy as CNYRTA deems appropriate.

### **Agency Initiatives/Determination for Areas of Business Development**

To ensure the use of certified MWBE subcontractors on formal contracts, the CNYRTA holds pre-bid/pre-proposal meetings to make certain potential proposers/bidders have a clear understanding of the program and know how to find potential subcontractors. The CNYRTA has found that vendors who attend these meetings, regularly submit complete and accurate utilization plans and vendors that do not attend, need more assistance completing the forms accurately. Additionally, CNYRTA utilizes the NYS Directory of Certified Minority and Women-owned Businesses on a daily basis to ensure an accurate and up to date pool of vendors are being contacted for any/all applicable purchases. The CNYRTA has found this practice essential for surpassing the 30% utilization goal.

The CNYRTA has realized an overall shortage of certified vendors in the Central New York area. Although many vendors are listed as available in “All districts”, a large majority of those vendors end up declining opportunities due to travel times and added costs.

## Outreach Efforts

CNYRTA will use the following means to encourage the MWBE community to participate in contracts with CNYRTA:

- Review the NYS Directory of Certified Minority and Women-Owned Businesses and send bid/proposal packages to those businesses that meet the description of the specifications for that bid/proposal.
- Include references to MWBE participation in advertisements.
- Place advertisements for contracts in the New York State Contract Reporter, including references to MWBE participation.
- Place advertisements for contracts in publications likely to attract proposals from MWBE, including local publications targeted to the minority public.
- Encourage prime contractors to subcontract work.
- Provide technical assistance and other services.
- Carry out information and communications programs on contracting procedures and specific contract opportunities.
- Reach out to certified vendors on a daily basis for discretionary purchasing opportunities.

The Authority's future plans include:

- Continue to utilize the NYS Directory of Certified Minority and Women-Owned Businesses on a daily basis to find vendors for micro and small purchases.
- Network with other NYS Transportation Authorities to discuss fresh ideas to improve MWBE participation.
- Research opportunities to attend MWBE training.
- Attend the MWBE Forum in order to connect with new certified vendors to include in our daily outreach for discretionary purchasing opportunities as well as larger contractual opportunities.
- Maintain records and reports which are necessary to monitor compliance.

**Organizational Chart**

The CNYRTA organizational structure does not include a specific unit solely dedicated to administering the MWBE goals. Linda Biata, Vice President of Finance (VP) acts as the MWBE Liaison Officer for CNYRTA. The VP reports to the Chief Executive Officer (CEO) concerning MWBE matters.

The VP supervises the administration of the MWBE program, and the Procurement Department is responsible for the implementation of the program, including but not limited to:

- Goal Setting
- Reporting
- Outreach Initiatives
- Contract Compliance Monitoring
- Communication with prime vendors

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The CNYRTA actively participates in the MWBE program, integrating it into everyday processes and procedures to ensure compliance with the program is continuing. Every effort is made to ensure quarterly reports are submitted accurately and timely, a representative from the Authority is present at all Authority meetings/webinars and vendor payments are input into the contract compliance module system regularly.