

Housatonic Area Regional Transit
Disadvantaged Business Enterprise Program
Fiscal Years 2026, 2027, 2028

OBJECTIVES

Housatonic Area Regional Transit has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. Housatonic Area Regional Transit has received Federal financing assistance from the Department of Transportation, and as a condition of receiving this assistance, Housatonic Area Regional Transit has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Housatonic Area Regional Transit to ensure that DBEs as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

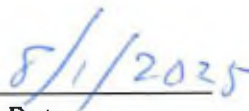
1. To ensure nondiscrimination in the award and administration of DOT-assisted Contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.

Lori Wilk has been delegated as the DBE Liaison Officer. In that capacity, Lori Wilk is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Housatonic Area Regional Transit in its financial assistance agreements with the Department of Transportation.

Lori Wilk will disseminate this policy statement and the goal methodology to the Board of Directors and all the components of our organization at our September 2025 Board Meeting. We distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. We conducted a DBE workshop on Friday, November 22, 2024, and invited them to participate in the public participation portion of our September board meeting. Invitations were sent out to members of the Small Business Community in Danbury, the Greater New England Minority Supplier Development Council, and the DBEs registered in the State of Connecticut, which match the NAICS codes based on expected contracts during the duration of this goal.



Chief Executive Officer



Date

GOAL

Housatonic Area Regional Transit's overall goal for FY 2026- FY 2028 is the following: 0.85% of the Federal Financial assistance we will expend in DOT-assisted contracts, exclusive of FTA funds to be used for the purchase of transit vehicles.

METHODOLOGY

Step one:

The base figure for the relative availability of DBEs was calculated as follows:

Ready, willing, and able DBEs from the State of Connecticut DBE directory (http://www.biznet.ct.gov/dot_dbe/DBESearchResults.aspx). The State of Connecticut directory does not allow for look up on the county level. Therefore, we printed the total list from Connecticut's website, and then chose only those vendors located in Fairfield County and our surrounding service area. This was divided by all firms considered ready, willing, and able to bid for work based on the County Business Patterns (NAICS), <https://data.census.gov/cedsci/table?q=CB1600CBP%3A%20Geography%20Area%20Series%3A%20County%20Business%20Patterns%20by%20Employment%20Size%20Class%20and%20Legal%20Form%20of%20Organization%3A%202016&g=&hidePreview=true&table=CB1600CBP&tid=CBP2016.CB1600CBP&lastDisplayedRow=1559>) (CT, Area name Fairfield County).

The majority of our funding is spent on labor costs. We then used all of the categories remaining as our possible list of contracts. After reviewing all contracting opportunities anticipated for the FTA-assisted contracts, we compiled a list of bidders based on the following NAICS codes. Housatonic Area Regional Transit has no sub-recipients; therefore, we have not included any in our calculations.

| | |
|--------|---|
| 22111 | Electric power generation |
| 221210 | Natural gas distribution |
| 238210 | Electrical contractors |
| 23822 | Plumbing, heating, and air conditioning contractors |
| 238290 | Other building equipment contractors |
| 423860 | Transportation equipment and supplies |
| 424120 | Stationary and office supplies |
| 44111 | New car dealers |
| 441320 | Tire dealers |
| 444130 | Hardware stores |

454310 Fuel dealers
522110 Commercial banking
524126 Direct property and casualty insurance carriers
524292 Third party administration of insurance and pension funds
5241 Insurance carriers
54111 Office of lawyers
541211 Offices of Certified Public Accountants
56211 Waste collection
541513 Computer facilities management services
541519 Other computer related services
561613 Armored car services
561730 Landscaping services

It is HART's policy and practice to break all projects down. Other major construction projects, which are still in the planning phase will have DBE goals included in the RFP for each project. The RFP's will have projects broken down to ensure that we have sub-contracting opportunities. Please see attachments for the results of the above calculations. The resulting base figure is 0.6%.

CERTIFYING AGENCY

HARTransit is a non-certifying member of the CT Unified Certification Program (UCP). CT UCP will use the certification standards of Subpart D of Part 26 to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. Certifying CT UCP members make all certification decisions based on the facts as a whole.

For information about the certification process or to apply for certification, firms should contact:

Connecticut Department of Transportation
Office of Contract Compliance
Attn: Shari Pratt
2800 Berlin Turnpike
Newington, CT 06111
(860) 594-2171
Shari.Pratt@ct.gov

The Uniform Certification Application form and documentation requirements are found in Attachment 2 to this program.

MARKET AREA

After compiling our Bidders list, we have determined that Fairfield County, Connecticut to be our market area. Based on our current and anticipated list of vendors, 25 in total, 81% of these vendors are located in Fairfield County. We have also expanded our bidders list to included bidders who are just outside of Fairfield County, but are within our service area.

Step 2:

Adjustments

In this step, after calculating a base figure of the relative availability of DBEs, evidence was examined to determine what adjustment was needed to the base figure in order to arrive at the overall goal.

1. Consider the District's historic use of DBEs. The median value for DBE participation for the Fiscal years 2023, 2024, 2025 is 1.45% excluding the construction project which had its own DBE goal of 6%. USDOT guidance suggests that the historic median be averaged with the base figure (0.6%) to adjust the goal. This results in an adjustment to .85%.
2. Consider evidence of past discrimination. There are no disparity studies available for the State of Connecticut documenting past discrimination, which could be used for this adjustment.

From this data, we are using our adjusted base figure of .85%. HART has been able to meet our median base figure over the last three years to meet our goal using only race-neutral methods and based on this we believe that we will be able to reach this goal. Therefore, we have chosen not to use the weighted goal amount of 0.6%.

RACE-NEUTRAL & RACE CONSCIENCE PARTICIPATION

Housatonic Area Regional Transit will meet its overall goal by using race-neutral means of facilitating DBE participation. Housatonic Area Regional Transit uses the following race-neutral means to increase DBE participation:

- All prior past participation by DBE Prime Contractors are considered for relevant contracts;
- Adding all potential DBE contractors to HART's bidders list and identifying them as such before going out to bid on all Direct contracts;

- Arrange solicitations, give date and times for the presentation of bids, quantities, specification, and delivery schedules in ways that facilitate DBE, and other small businesses, participation;
- Provide technical assistance and other services upon request;
- Conduct informational and communication workshops on contracting procedures, inviting members of the Connecticut Small Business Development Center (www.CTSBDC.com)

OVER-CONCENTRATION

HARTransit has not identified that over-concentration exists in the types of work that DBEs perform.

INFORMATION, CONFIDENTIALITY, COOPERATION AND INTIMIDATION OR RETALIATION.

Information that may reasonably be regarded as confidential business information, consistent with Federal, State, and local law will be safeguarded from disclosure to third parties.

(a) *Availability of records.* (1) In responding to requests for information concerning any aspect of the DBE program, the Department complies with provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). The Department may make available to the public any information concerning the DBE program release of which is not prohibited by Federal law.

(2) Notwithstanding any provision of Federal or state law, you must not release any information that may reasonably be construed as confidential business information to any third party without the written consent of the firm that submitted the information.

(b) *Confidentiality of information on complainants.* Notwithstanding the provisions of paragraph (a) of this section, the identity of complainants shall be kept confidential, at their election. If such confidentiality will hinder the investigation, proceeding or hearing, or result in a denial of appropriate administrative due process to other parties, the complainant must be advised for the purpose of waiving the privilege. Complainants are advised that, in some circumstances, failure to waive the privilege may result in the closure of the investigation or dismissal of the proceeding or hearing. FAA follows the procedures of 14 CFR part 16 with respect to confidentiality of information in complaints.

(c) *Cooperation.* All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

(d) *Intimidation and retaliation.* If you are a recipient, contractor, or any other participant in the program, you must not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. If you violate this prohibition, you are in noncompliance with this part.

[64 FR 5126, Feb. 2, 1999, as amended at 68 FR 35556, June 16, 2003; 76 FR 5101, Jan. 28, 2011]

FAILURE TO MEET OVERALL GOALS

HARTransit cannot be penalized, or treated by the Department as being in noncompliance with Part 26, because DBE participation falls short of an overall goal, unless HARTransit fails to administer its DBE program in good faith. HARTransit understands that to be considered to be in compliance with this part, an approved DBE Program and overall DBE goal, if applicable, must be maintained, and this DBE Program must be administered in good faith. HARTransit understands that if the awards and commitments shown on the Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, the following actions must be taken in order to be regarded by the Department as implementing this DBE Program in good faith:

- (1) Analyze in detail the reasons for the difference between the overall goal and the awards and commitments in that fiscal year; Revision Date: 2019-02-1217
- (2) Establish specific steps and milestones to correct the problems identified in the analysis to enable the goal for the new fiscal year to be fully met;
- (3) HARTransit will submit, within 90 days of the end of the fiscal year, the analysis and corrective actions developed under paragraphs (1) and (2) above to the FTA for approval.

FOSTERING SMALL BUSINESS PARTICIPATION

HARTransit has created a Small Business element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors. The small business element is incorporated as Attachment 1 to this DBE Program. The program elements will be actively implemented to foster small business participation. Implementation of the small business element is required in order for HARTransit to be considered by DOT as implementing this DBE program in good faith.

HARTransit has implemented our Small Business plan beginning on July 1, 2021. We are setting aside 5% of the expected grant award spending per fiscal year.

PUBLIC PARTICIPATION

Housatonic Area Regional Transit conducted a DBE workshop on Friday, November 22, 2024, at 10:00am. Invitations were sent out to member of the Small Business community in Danbury, the Greater New England Minority Supplier Development Council, and the DBE's registered in the State of Connecticut, which match the NAICS codes based on expected contracts during the duration of this goal. The contracting opportunities were discussed, and the methodology used for setting our goal. We also explained why our goal was increased from the original 0.6% to our stated goal of 1.4%. We informed the small business members that they could find the information regarding certification as a DBE on the State of CT website. At the end of the workshop we indicated if they had any comments that they wished to express to the board before they voted to accept the goals set for the Fiscal years 2026, 2027, and 2028, they could do so at HART's Board of Director's meeting on Wednesday, September 17, 2025. The Housatonic Area Regional Transit will make every effort to hold a workshop on our DBE on a bi-annual basis. There were no comments or feedback on HARTransit's plan. Therefore, no changes were made to HARTransit goal of 1.4%.

ADVERTISING

The District's proposed DBE goal and methodology was posted on the District's website, www.hartransit.com beginning on July 2025.

COVID 19 ACCOMODATIONS

The FTA has put in new guidelines regarding in person meeting and site visits. We have attached these guidelines to the end of this document. If you have any questions or wish to take advantage of these accommodations, please contact Lori Wilk at (203)744-4070 ext. 139.

ATTACHMENT 1

SMALL BUSINESS ELEMENT

OBJECTIVES/STRATEGIES

HARTransit will each year calculate and set aside 5% of the cost of our Prime contracts for small businesses. Only those firms meeting the definition of a small business, as described below, will be eligible for award of these contracts.

1. On prime contracts not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
2. To meet the portion of your overall goal you project to meet through race-neutral measures, ensuring that a reasonable number of prime contracts are of a size that small businesses, including DBEs, can reasonably perform.

Definition:

- DBE firms should be identified in the Small Business element of the recipient's DBE program as eligible for the program unless there is a DBE micro-Small Business Program element in place
- DBE firms and small firms eligible for the program should be similarly sized to reduce competitive conflict between DBE and non-DBE firms.
- All businesses meeting the criteria outlined in this element will be considered to be small businesses, without regard to race or gender.

VERIFICATION

HARTransit diligently attempts to minimize fraud and abuse in the small business element of its DBE program by verifying program eligibility of firms. In order to allow for participation of all small businesses, the small business vendor must be certified through one of the following: the State of Ct certification of SBE, Federal SBA8(a) certification, or SAM's small business certification, or other State's certification.

<https://portal.ct.gov/DAS/Procurement/Supplier-Diversity/SBE-MBE-Program-Certification-Application-Small-or-Minority-Business-Enterprise>

See attachment 3.

MONITORING/RECORD KEEPING

• Once an SBE has been awarded a contract, they will be entered into our accounting software system and labeled as an SBE. This will allow us to print out reports listing all SBE's and the dollar amount awarded to each vendor. We will then compare this amount quarterly to our grant award schedule to make sure we are on track to spend the set aside amount of the year's contracts.

Assurance

1. The program is authorized under state law;
2. Certified DBEs that meet the size criteria established under the program are presumptively eligible to participate in the program;
3. No limits are placed on the number of contracts awarded to firms participating in the program, but every effort will be made to avoid creating barriers to the use of new, emerging, or untried businesses; and
4. Aggressive steps will be taken to encourage those minority and women owned firms that are eligible for DBE certification to become certified.
5. The program is open to small businesses regardless of their location (i.e., there is no local or other geographic preference)

State of Connecticut
Department of Administrative Services
Supplier Diversity Program



This Certifies

Silver Petrucelli & Associates, Inc.

3190 Whitney Avenue Hamden CT 06518

As a

Small Business Enterprise
August 28, 2019 through August 28, 2021

Owner(s): Amanda Cleveland, NCIDQ; Christopher T. Nardi, AIA; David J. Stein, AIA; Dean A. Petrucelli, AIA; Robert R. Banning, P.E.; William R. Silver, AIA

Contact: Denise LaRosa

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FAX:

E-Mail: dlarosa@silverpetrucelli.com

Web Address: www.silverpetrucelli.com

****Affiliate Companies:**

Mag Yetishofsky

Supplier Diversity Director

Stanley Kuntor

Supplier Diversity Specialist

** A contractor awarded a contract or a portion of a contract under the set-aside program shall not subcontract with any person(s) with whom the contractor is affiliated.