



Niagara Frontier Transportation Authority
Serving Buffalo Niagara

Federal Aviation Administration
Disadvantaged Business Enterprise Goal Plan
(FFY 2025-2027)
Niagara Frontier Transportation Authority – 1792

Niagara Falls International Airport

Table of Contents

Contents

I. Summary	3
II. Introduction	4
III. Background.....	4
IV. FAA Assisted Contracts (FFY 2022-2024)	5
V. Goal Methodology.....	6
<i>Step One: Determining the Base Figure – 49 CFR 26.45(c)</i>	6
a. Determining the weight of each type of work by NAICS code	6
Market Area Analysis	7
Base Figure Analysis	7
b. Determining the Relative Availability of DBEs by NAICS Code.....	8
c. Step One Weighted Base Figure	9
<i>Step Two: Adjusting the Base Figure – 49 CFR 26.45(d)</i>	10
Adjustments Based on Past Participation.....	10
Finding the Adjusted Base Figure	10
Bidders List.....	11
Disparity Study.....	11
Other Available Evidence.....	11
VI. Proposed DBE Goal	11
VII. Calculating the Race/Gender-Neutral and Race/Gender-Conscious Split	11
Past Race-Neutral and Race-Conscious Goals	11
Adjusted Race-Neutral and Race-Conscious Split	12
Plans to Implement New Race-Neutral Methods.....	13
VIII. Public Participation and Facilitation	13
X. Conclusion.....	14

I. Summary

The Niagara Frontier Transportation Authority (NFTA) has established a Disadvantaged Business Enterprise Program in accordance with the United States Department of Transportation (USDOT) Code of Federal Regulations Title 49 Part 26 (CFR 49.26). As a requirement of CFR 49.26, the NFTA must submit triennially a DBE goal agency-wide that includes a narrative describing the methodology used to arrive at that goal. This document contains the NFTA's DBE goal for Federal Fiscal Years 2025 through 2027 (FFY 2025-2027) and the prescribed methodology.

The NFTA has determined its annual DBE goal for FFY 2025-2027 to be **16.9%** of the total federal financial assistance on Federal Aviation Administration (FAA) funded contracts for the Niagara Falls International Airport. The NFTA projects that **13%** will be achieved through race and gender-conscious methods, and the remaining **3.9%** will be through race and gender-neutral methods.

In developing our goal, the NFTA followed the prescribed federal methodology to determine relative availability of DBEs. The two data sources used were: The New York State Unified Certification Program (NYSUCP) DBE Directory of Certified Firms, and the 2021 U.S. Census Bureau County Business Pattern. The following eight (8) counties were sourced in determining relative availability of DBEs: Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara, Orleans, and Wyoming.

For public participation, the NFTA held a public meeting on June 28, 2024, where it announced its goal. The NFTA took part in public comments at the meeting. The NFTA responded to all comments and posted the responses on its website (<http://www.nfta.com/DBE>).

II. Introduction

Pursuant to CFR 49.26 “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Programs”, the NFTA sets forth its Triennial DBE Agency Goal and corresponding goal-setting methodology for FFY 2025-2027 (October 1, 2024, through September 30, 2027). The purpose of the DBE goal setting process is to ensure nondiscrimination in the awarding of USDOT-assisted contracts, to create a level playing field on which DBEs can compete fairly for those contracts, and to ensure the DBE Program is narrowly tailored in accordance with applicable law.

III. Background

The NFTA is a recipient of USDOT FAA funding in excess of \$250,000. As a condition of receiving this financial assistance, the NFTA will comply with all FAA DBE requirements. Therefore, in accordance with CFR 49.26.45(a)(2), the NFTA is required to develop and submit triennially an overall DBE agency goal for its FAA-assisted projects.

IV. FAA Assisted Contracts (FFY 2025-2027)

Table 1 outlines eight (8) projected FAA-assisted contracts considered in preparing this goal methodology for the Niagara Falls International Airport. These projects are anticipated to be awarded through contracts during the triennial period FFY 2025-2027.

Table 1: FAA Assisted Contracts (FFY25-27)

FFY25	
Project Title	Entitlement
Taxiway D Realignment and Extension - Design, Permits, Mitigation	\$900,000
Runway 6/24 Rehabilitation, Design	\$630,000
Part 77 Off-Airport Obstruction Removal 10L RPZ (Design)	\$180,000
Wildlife Hazard Assessment and Management Plan Update	\$75,000
FFY26	
Project Title	Entitlement
Part 77 Off-Airport Obstruction Removal 10L RPZ, Construction	\$225,000
Taxiway D Realignment and Extension - Construction	\$1,800,000
FFY27	
Project Title	Entitlement
Part 77 Off-Airport Obstruction Removal 10L Non-RPZ, Design and Land Easements	\$270,000
Parallel Taxiway Program, Design (Taxiway B, B1, B2, and Former E)	\$3,510,000
Runway 6/24 Rehabilitation, Construction	\$5,797,000
Total	\$13,387,000

V. Goal Methodology

Step One: Determining the Base Figure – 49 CFR 26.45(c)

a. Determining the weight of each type of work by NAICS code

Table 2 summarizes the *categories of work and estimated costs* related to the total FAA assisted contract cost (found in Table 1) for this triennial period.

Table 2: Determining the weight of each category of work by NAICS Code

NAICS Code	Category of Work	Amount of DOT funds on project	% of total DOT funds (weight)
237310	Highway, Street, and Bridge Construction	\$4,738,567.00	0.3540
541370	Surveying and Mapping (except Geophysical) Services	\$1,927,630.00	0.1440
541330	Engineering Services	\$1,280,817.00	0.0957
541360	Geophysical Surveying and Mapping Services	\$815,133.00	0.0609
561990	Flagging (i.e., traffic control) services	\$805,666.00	0.0602
237990	Other Heavy and Civil Engineering Construction	\$797,844.00	0.0596
238910	Site Preparation Contractors	\$713,700.00	0.0533
237310	Utility line (i.e., communication, electric power), construction	\$658,800.00	0.0492
238210	Electrical Contractors and Other Wiring Installation Contractors	\$378,585.00	0.0283
238910	Demolition contractor	\$331,653.00	0.0248
541380	Geotechnical testing laboratories or services	\$294,117.00	0.0220
238910	Excavation contractors	\$168,955.00	0.0126
541618	Other Management Consulting Services	\$91,683.00	0.0068
237210	Land Subdivision	\$89,322.00	0.0067
238110	Poured Concrete Foundation and Structure Contractors	\$81,000.00	0.0061
484110	General Freight Trucking, Local	\$66,713.00	0.0050
561730	Landscaping Services	\$50,844.00	0.0038
339950	Sign Manufacturing	\$37,985.00	0.0028
541611	Admin. Management and Gen. Management Consulting Services	\$37,769.00	0.0028
541620	Environmental Consulting Services	\$15,000.00	0.0011
541330	Erosion control engineering services	\$5,217.00	0.0004
TOTAL FAA-Assisted Contract		\$13,387,000.00	1.0000

Market Area Analysis

The NFTAs market area consists of the geographical area where the majority of contracting and subcontracting dollars are quoted, bid-on, and/or expended. This area includes the following eight counties: Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara, Orleans, and Wyoming.

Base Figure Analysis

In determining the base figure of Ready, Willing, and Able (RWA) DBEs to all RWA firms available to bid or propose on NFTA FAA-assisted contracting opportunities projected to be solicited during this triennial period, the NFTA followed the prescribed federal methodology in determining relative availability – utilize the New York State Unified Certification Program (NYSUCP) DBE Directory of Certified Firms to find the number of RWA DBE firms within the NFTAs market area by NAICS code, and utilize the 2021 U.S. Census Bureau County Business Pattern to find all RWA firms (including DBEs) within NFTAs market area by NAICS code.

$$\text{Step One Base Figure} = \frac{\text{Ready, willing, and able DBEs}}{\text{All firms ready, willing, and able (including DBEs and non-DBEs)}} \times 100$$

b. Determining the Relative Availability of DBEs by NAICS Code

The numbers of RWA DBEs and all RWA firms available to perform work on the contracting opportunities found in Table 1 are outlined below in Table 3.

Table 3: Determining the relative availability of DBEs by NAICS Code

NAICS Code	Category of Work	Number of RWA DBEs	Number of RWA Firms	DBE Relative Availability
237310	Highway, Street, and Bridge Construction	16	57	0.2807
541370	Surveying and Mapping (except Geophysical) Services	11	50	0.2200
541330	Engineering Services	12	346	0.0347
541360	Geophysical Surveying and Mapping Services	3	3	1.0000
561990	Flagging (i.e., traffic control) services	2	85	0.0235
237990	Other Heavy and Civil Engineering Construction	3	17	0.1765
238910	Site Preparation Contractors	13	236	0.0551
237310	Utility line (i.e., communication, electric power), construction	1	23	0.0435
238210	Electrical Contractors and Other Wiring Installation Contractors	5	469	0.0107
238910	Demolition contractor	4	236	0.0169
541380	Geotechnical testing laboratories or services	3	52	0.0577
238910	Excavation contractors	5	236	0.0212
541618	Other Management Consulting Services	3	18	0.1667
237210	Land Subdivision	1	15	0.0667
238110	Poured Concrete Foundation and Structure Contractors	10	126	0.0794
484110	General Freight Trucking, Local	7	167	0.0419
561730	Landscaping Services	9	1012	0.0089
339950	Sign Manufacturing	3	35	0.0857
541611	Admin. Management and Gen. Management Consulting Services	38	321	0.1184
541620	Environmental Consulting Services	2	55	0.0364
541330	Erosion control engineering services	1	346	0.0029
Combined Totals		152	3905	0.0389

c. Step One Weighted Base Figure

To ensure an accurate Step One Base Figure, the weight of each NAICS code was multiplied by the Relative Availability of DBEs to arrive at the *Weighted Base Figure*. The result of the Step One Weighted Base Figure calculation is **21.4%** (see Table 4).

Table 4: Weighted Base Figure

NAICS Code	Category of Work	% of total DOT funds (weight)	X	DBE Relative Availability	Weighted Base Figure
237310	Highway, Street, and Bridge Construction	0.35397	x	0.28070	0.0994
541370	Surveying and Mapping (except Geophysical) Services	0.14399	x	0.22000	0.0317
541330	Engineering Services	0.09568	x	0.03468	0.0033
541360	Geophysical Surveying and Mapping Services	0.06089	x	1.00000	0.0609
561990	Flagging (i.e., traffic control) services	0.06018	x	0.02353	0.0014
237990	Other Heavy and Civil Engineering Construction	0.05960	x	0.17647	0.0105
238910	Site Preparation Contractors	0.05331	x	0.05508	0.0029
237310	Utility line (i.e., communication, electric power), construction	0.04921	x	0.04348	0.0021
238210	Electrical Contractors and Other Wiring Installation Contractors	0.02828	x	0.01066	0.0003
238910	Demolition contractor	0.02477	x	0.01695	0.0004
541380	Geotechnical testing laboratories or services	0.02197	x	0.05769	0.0013
238910	Excavation contractors	0.01262	x	0.02119	0.0003
541618	Other Management Consulting Services	0.00685	x	0.16667	0.0011
237210	Land Subdivision	0.00667	x	0.06667	0.0004
238110	Poured Concrete Foundation and Structure Contractors	0.00605	x	0.07937	0.0005
484110	General Freight Trucking, Local	0.00498	x	0.04192	0.0002
561730	Landscaping Services	0.00380	x	0.00889	0.0000
339950	Sign Manufacturing	0.00284	x	0.08571	0.0002
541611	Admin. Management and Gen. Management Consulting Services	0.00282	x	0.11838	0.0003
541620	Environmental Consulting Services	0.00112	x	0.03636	0.0000
541330	Erosion control engineering services	0.00039	x	0.00289	0.0000
Total					0.2142
Total Expressed as a % (x100)					21.42%
Rounded, Weighted Base Figure					21.4%

Step Two: Adjusting the Base Figure – 49 CFR 26.45(d)

Upon establishing the Step One Base Figure of 10.3%, the NFTA assessed other known evidence potentially impacting the relative availability of DBEs within the market area. The evidence considered in making an adjustment to the Base Figure includes past DBE goal attainments.

Adjustments Based on Past Participation

Historical DBE participation attainment provides demonstrable evidence of DBE availability and capacity to perform on NFTA projects. The projects anticipated to be awarded during this triennial period are similar in scope to those awarded during FFY2019-2021. Table 5 calculates the *median* past participation percentage as **8.50%**.

Table 5: Past DBE Goal Attainments (2019-2021)

Year	Established DBE Goal	DBE Attainment
2021	16.0%	9.90%
2022	10.1%	0.00%
2023	4.1%	8.50%
Median DBE Attainment (last three years)		8.50%

Finding the Adjusted Base Figure

In finding the Adjusted Base Figure – making sure not to give disproportionate weight to past participation – the NFTA averaged the Step One Base Figure with the Median DBE Attainment percentage found in Table 5. The two percentages were added together and divided by two (2), resulting in a rounded Step Two Adjusted Base Figure of **10.1%** (see Table 6).

Table 6: Step Two Adjusted Base Figure

Description	Percentages
Step One Base Figure	*21.4%
Median DBE Attainment	**8.50%
Step Two Adjusted Base Figure	14.95%

* Taken from Table 4

** Taken from Table 5

Bidders List

The NFTAs bidders list does not provide sufficient data to justify an adjustment to the Base Figure at this time. However, bidders list information will continue to be collected on future procurements for the use in future DBE goal determinations.

Disparity Study

The NFTA is not aware of any current disparity studies within their jurisdiction and/or market area to consider in this step of the goal setting process.

Other Available Evidence

The NFTA is not in possession of other information that would impact the DBE goal assessment.

VI. Proposed DBE Goal

Based on the above methodology, the NFTA has established a Disadvantaged Business Enterprise (DBE) goal of **16.9%** for FFY 2025-2027.

VII. Calculating the Race/Gender-Neutral and Race/Gender-Conscious Split

The NFTA will strive to achieve the entire DBE goal (14.95%) through race-neutral (RN) means; however, effort will be made to obtain DBE participation through race-conscious (RC) means if race-neutral means are unsuccessful.

Past Race-Neutral and Race-Conscious Goals

In determining the race-neutral (RN) and race-conscious (RC) split for this triennial period, the NFTA compared RN and RC participation with RN and RC attainment goals made last triennial period (FFY 2022-2024).

In determining whether to increase or decrease the RN and RC split for this triennial period, the NFTA first determined the *goal differences* from last triennial period. This was calculated by how much the RN and RC attained goals went above or below their projected goals. To find these goal differences, the projected goals were subtracted from the attained goals. These projected and attained goal percentages were pulled from the NFTAs annual FAA DBE/Part 26 Achievement Reports submitted via FAA Civil Rights Connect.

$$\frac{\text{Attained Goal} - \text{Projected Goal}}{\text{Goal Difference}}$$

Table 7a: Past Participation DBE Goal Attainment Race-Neutral Means

FFY	Projected Goal	Attained Goal	Goal Difference (+/-)
21	3.0%	0%	- 3.0%
22	5.0%	0%	- 5.0%
23	2.0%	0.3%	- 1.7%
Race-Neutral Mean Increase/Decrease			- 4.0%

Table 7b: Past Participation DBE Goal Attainment Race-Conscious Means

FFY	Projected Goal	Attained Goal	Goal Difference (+/-)
21	13.0%	9.90%	- 3.1%
22	5.1%	0.00%	- 5.1%
23	2.1%	8.20%	+ 6.1%
Race-Conscious Mean Increase/Decrease			- 2.1%

Once the goal differences were established, the *mean* had to be determined. To find the mean for the race-conscious goal we subtracted 3.1% and 5.1% from 6.1% to get -2.1%. We then divided -2.1% by 3 (the total number of values in the calculation) to arrive at -0.70%. Because the race-neutral goal was not met last triennial period, and being that the goal is already low, no adjustments were made to it at this time.

Table 7b shows a past participation race-conscious goal *decrease* of 2.1%, decreasing the overall race-conscious goal from 13% to **11.9%** for this triennial period.

Adjusted Race-Neutral and Race-Conscious Split

With the Adjusted Base Figure DBE Goal at 21.4%, the current adjusted race-neutral and race-conscious (RN/RC) split adds up to 15.2%.

Based upon the historical RN/RC participation described above, and a future focus on race-neutral efforts, the NFTA plans to adjust the RN/RC split to **3.9%** race-neutral, and **13%** race-conscious.

As many of our procurements over the next three years will be design and construction contracts that will yield DBE opportunities, the NFTA projects that there will be sufficient opportunities to achieve this split.

Plans to Implement New Race-Neutral Methods

In doing so, the NFTA will use the following means to increase race-neutral participation during this triennial period:

- The NFTA will encourage prime contractors to utilize DBE subcontractors on projects without DBE goals.
- Employees with the NFTA's DBE department will participate in outreach activities and provide information about DBE certification and contracting opportunities with the NFTA.
- The NFTA will encourage prime contractors to subcontract portions of work to DBEs that otherwise would be done internally.

VIII. Public Participation and Facilitation

In accordance with Public Participation Regulatory Requirements CFR 49.26, minority, women, local business associations, and community organizations within the NFTA's market area were consulted and provided an opportunity to review the triennial goal analysis and provide input.

The NFTA published a notice announcing the proposed overall goal informing the public that the proposed goal and its rationale were available for inspection during normal business hours at the NFTA office of Equal Employment Opportunity / Diversity Development, and that a public meeting was scheduled for June 28, 2024, via Microsoft Teams and in-person to discuss the proposed goal plan.

The NFTA reached out to local minority, women, and community business organizations to provide them information on the NFTA DBE program and specifically the draft proposed FAA DBE Goal Plan for FFY 2025-2027. Each organization was contacted by telephone and email. No comments were received.

If the proposed goal changes following review by the Federal Aviation Administration, the revised goal will be posted on the Niagara Frontier Transportation Authority official website.

X. Conclusion

On an annual basis, at the conclusion of each federal fiscal year, the NFTA will analyze the DBE awards and commitments reported to the FAA. If the DBE awards/commitments are less than the overall DBE agency goal, the NFTA will develop and submit a written analysis of the shortfall, as well as the corrective actions implemented to remedy the shortfall during the next federal fiscal year. Also, if any significant changes are made to the NFTA's FAA-assisted contracting program, and/or any significant changes occur in DBE participation on NFTA contracts, the NFTA will, if warranted, re-calculate the overall DBE agency goal and submit an adjusted overall DBE goal to the FAA.