

**NEW YORK STATE THRUWAY AUTHORITY  
CONSULTANT INSTRUCTION**

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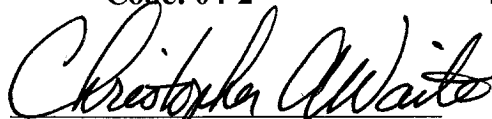
**Subject: DETERMINING MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION**

**Date: November 12, 2004**

**Code: 04-2**

**Supercedes 01-5**

**APPROVED:**



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**DISTRIBUTION: All**

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For certain consultant assignments, the Authority requires minority/women/disadvantaged business enterprise (M/W/DBE) participation. The Authority uses Direct Technical Labor (DTL) dollars to determine if a firm's proposal meets established M/W/DBE goals.

If, because of a unique situation, the consultant firm's proposal does not meet the established goals using DTL dollars, they shall provide an explanation of the situation. On a case by case basis, the Authority's Compliance Unit may approve an exemption as proposed by the consultant firm. Given the Authority's desire to meet M/W/DBE goals, exemptions will be rare.

In order to better monitor the work progress and payments to the utilized M/W/DBE subconsultants, attached you will find modified forms TA 1060-9 (Proposed Utilization Plan for Prime Consultants) and TA 1059-9 (Disadvantaged/Minority/Women's Business Enterprise Program, Payments to D/M/WBE Engineering Subconsultant Firms). In addition to providing a status of your goal attainment, these changes will provide the Compliance Unit with detailed payment information necessary for reporting to NYSDOT/FHWA and Economic Development. Payments to the prime consultant firm could be delayed if this information is not timely and accurate.