



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

February 4, 2015

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Designation of Equitable Business Opportunities Administrator
for Federal-Aid Highway Local Projects with NYSDOT**

Dear Honorable Members:

The County Executive has designated the Director of the Division of Equal Employment Opportunity (EEO) as the County's prime contact and administrator for access to the New York State Department of Transportation's (NYSDOT's) Equitable Business Opportunities (EBO) web based civil rights reporting system. Use of the system is mandatory on all federal aid projects administered by NYSDOT.

Legislative authorization is sought to confirm the designation of the Director of the Division of Equal Employment Opportunity as the County's EBO administrator.

Should your Honorable Body require further information, I encourage you to contact Director of Equal Employment Opportunity Jesse Burnette. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/br/dab

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Division of Equal Employment Opportunity
Re: Designation of Equitable Business Opportunities Administrator
for Federal-Aid Highway Local Projects with NYSDOT
Date: February 4, 2015

SUMMARY

This resolution seeks confirmation of the County Executive's designation of the Director of the Division of Equal Employment Opportunity (EEO) as the Administrator and prime contact for access to New York State, Department of Transportation's (NYSDOT's) Equitable Business Opportunities (EBO) web based civil rights reporting system and support for the Director submitting to NYSDOT the necessary application.

NYSDOT's EBO system is required to be used on all federal aid contracts administered by NYSDOT. The system replaces numerous paper DBE, EEO and AA forms with a web based reporting system. The system also tracks construction contracts and ensures that all required information has been submitted before a pay request is processed.

NYSDOT requires that a prime contact (Administrator, also referred to in some parts of EBO as the Responsible Local Official or RLO) be designated by resolution. The Administrator then has the responsibility of assigning access to others in the County whose duties require access to the EBO system. The Administrator is also able to review the reports for all ongoing federal aid projects within the County.

FISCAL IMPLICATIONS

There is no cost to the County for the designation of the EBO Administrator. Access to the EBO system is provided for free by NYSDOT as required for the completion of federal aid projects.

REASONS FOR RECOMMENDATION/ BACKGROUND INFORMATION

Use of the EBO system is now mandatory on all federal aid projects and formal designation of an Administrator is required for access to the EBO system.

CONSEQUENCES OF NEGATIVE ACTION

None of the newly started federal aid projects will be able to progress without access to the EBO system which requires the designation of an Administrator.

STEPS FOLLOWING APPROVAL

The designated EBO administrator shall arrange for access to NYSDOT's EBO system and will provide access as necessary to others in the County for the purpose of managing federal aid projects.

A RESOLUTION SUBMITTED BY:
DIVISION OF EQUAL EMPLOYMENT OPPORTUNITY
AND
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

Re: Designation of Equitable Business Opportunities Administrator
for Federal-Aid Highway Local Projects with NYSDOT

WHEREAS, the County regularly contracts with NYSDOT for the design and construction of projects utilizing federal aid; and

WHEREAS, NYSDOT has instituted a new web based civil rights reporting system called Equitable Business Opportunities (EBO); and

WHEREAS, NYSDOT has made use of the EBO system mandatory on all federal aid projects; and

WHEREAS, NYSDOT requires that in order to access the EBO system Erie County must designate an EBO Administrator

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the County Executive's designation of the Director of the Division of Equal Employment Opportunity (EEO) as the County's EBO Administrator; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorize the Director of the Erie County Division of EEO to complete the EBO application and submit it to NYSDOT; and be it further

RESOLVED, that once approved as Erie County's EBO Administrator the Director, Division of EEO will be responsible for providing access to other County staff as required for the management of NYSDOT sponsored federal aid projects; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, the Division of Equal Employment Opportunity and the Office of the Comptroller.