



Metropolitan Transportation Authority

Diversity Committee Meeting

December 2021

Committee Members

R. Herman, Chair
L. Cortés-Vázquez
N. Zuckerman

Diversity Committee Meeting

2 Broadway New York NY 10004

Monday, 12/13/2021

3:00 - 4:00 PM ET

1. PUBLIC COMMENT PERIOD

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2022 Title VI and Related Nondiscrimination Laws Policy Statement Update - Page 120

MTA DIVERSITY COMMITTEE

Meeting Minutes

2 Broadway, 20th Floor

New York, NY 10004

Wednesday, September 15, 2021

9:00 a.m.

Committee members present:

Neil Zuckerman, Acting Chair

Norman Brown

Robert Lin

The following Committee members were absent:

Rhonda Herman, Chair

Lorraine Cortés-Vázquez

The following are the Public Speakers:

Jason Anthony

Aleta Dupree, General Diversity

The following were also present:

Robert Linn, MTA Board Member

Norman Brown, MTA Board Member

Kate DeSanto, Asst Assoc Counsel

Michael Garner, MTA Chief Diversity and Inclusion Officer, MTA Department of Diversity and Civil Rights ("DDCR")

George Cleary, Deputy Chief Diversity Officer, Small Business Development Program ("SBDP"), DDCR

Dr. Rosalyn Green, Deputy Chief Diversity and Inclusion Officer, EEO and Title VI, DDCR

Christopher Santariello, Senior Director, Contract Compliance, DDCR

Lorraine Warren, Senior Director, DBE Certification, DDCR

George Llanos, Senior Director, Business and Diversity Initiatives, DDCR

Tim Gianfrancesco, Senior Vice President Program Executive, Second Avenue Subway

Maria Amper, Assistant Deputy Chief Diversity Officer, Operations and Technological Support, DDCR

Commissioner Zuckerman stated that Chair Rhonda Herman is not available. He introduced himself as the acting chair of the Diversity Committee and acknowledged the presence of MTA Board Members Robert Lin and Norman Brown.

Public Speakers

There were two speakers in the public comments portion of the meeting: Jason Anthony and Aleta Dupree.

Jason Anthony emphasized the importance of having more women within the MTA, its operating agencies, and the MTA Board. Aleta Dupree spoke about the value of diversity and complimented the MTA Board for being one of the most diverse boards she has known. She said that as a person who does not meet societal established definitions, she maintains the importance of practicing equality. She quoted the former Chairman Patrick Foye's words, "Hate has no place in the system". She thanked the MTA for their work on practicing equality throughout the system.

2021 Diversity Committee Work Plan

Acting Chair Zuckerman asked if there were any changes to the 2021 Work Plan. Mr. Garner stated that there were no updates.

Executive Summary

Business and Diversity Initiatives

Mr. Llanos reported that DDCR participated in several events during the second quarter of the calendar year, which attracted 723 firms as a result of these outreach efforts. Thirteen certified firms received \$9.8 million in contract awards and 58 certified firms received \$31.6 million in contract payments.

Certification Activity Report

Ms. Warren reported that as of the second quarter of 2021, 457 new DBE certification applications were received, and 302 firms were certified from 2017 to 2021. Although there was a slight decrease in the metrics because of the pandemic, monthly certification workshops are still being conducted. An average of 40 firms participate to get DBE certification assistance.

Second Quarter 2021 EEO Activities

Dr. Green provided an update on 2nd quarter EEO activities. The MTA's overall workforce consists of 69,639 employees, of whom 18% are women, 70% are minorities, 2,104 are veterans, and 445 are employees who self-identified as persons with disabilities. The number for individuals with disabilities may seem low because it is voluntary self-identification. While the overall number of employees is decreasing, the diversity metrics remain constant. With regards to new hires, 1,310 employees were hired and the percentage of women and minorities in the workforce has remained constant. Acting Chair Zuckerman asked whether we are satisfied with the diversity representation in the current workforce. Dr. Green stated that although the majority of the staff are diversified, the top-level executives, senior management, and certain professional categories have less female and minority representation. Mr. Lin requested learning the best practices to focus on the hiring gaps and deficiencies in underrepresented groups. Mr. Garner responded that Dr. Green is aggressively waiting for the conclusion of the MTA transformation where the employees are shifted around and the actual data that will be available. That way, the hiring gaps and inefficiencies in line with each job category can be determined and improved where necessary. They will join with the People Department to create strategies that will allow them to go out to the marketplace in diverse areas, post positions, and create relationships to recruit and hire a diverse population within the service region. This is the long-term

strategy while waiting for the completion of the transformation. Dr. Green added that in transformation there is an EEO tower that takes a deep dive into statistics for every position hired at the MTA to keep the top talents. Mr. Zuckerman asked why there's a need to wait for the transformation to be finalized, Mr. Garner responded that the data will be accurate when all the lifts and shifts are finalized.

SBDP Small Business Development Program Update

Mr. Cleary reported that, since the inception of the program, the SBDP has awarded 464 contracts totaling \$494.8. This year 12 contracts were awarded, totaling a little over \$8.6 million. Recently the \$500 million goal has been reached and exceeded with 471 total contracts awarded. The small business loan program since inception has issued 132 loans totaling \$18.4 million. The SBDP bond program has helped 38 firms secure \$428 million in surety bonding. Because of the pandemic there is currently a downward trend but an anticipated increase.

Mr. Garner added that the Small Business Mentoring Program was created to effectively diversify our capital construction projects. It allowed small contractors who are historically subcontractors, to perform the work as prime contractors for the MTA, America's largest transportation network.

Acting Chair Zuckerman asked why the four counties that make up his vote, Putnam, Rockland, Dutchess, and Orange, were not included in the chart slide. Mr. Garner responded that outreach sessions were conducted in those areas before the pandemic, but there are not a lot of business opportunities for small business contractors in the area. He mentioned that he will have a conversation with Metro-North management and work internally to further identify contracts that will give the ability to recruit small businesses in those four counties and work with all agencies to allocate projects to each one of the counties.

M/W/DBE and SDVOB Contract Compliance Report

Mr. Santariello reported that the MTA's overall MWBE goal is 30%. MWBEs were awarded \$32 million or 12% in contracts, and 27% was achieved in contract payments during the first quarter of the state fiscal year 2021-22. The MTA's overall SDVOB goal is 6%. For the same period, 8% SDVOB participation was achieved in contract awards, and 5% was achieved in payments made on ongoing contracts.

Mr. Santariello said that 14% DBE participation was achieved in contract awards, and 19% was achieved in payments in ongoing contracts for the first half of the 2021 Federal Fiscal Year.

Mr. Santariello mentioned DDCR's strategies for improvement include expanding on building relationships with various women, veteran and minority trade groups and associations, designing smaller contracts for greater participation by MWDBE/SDVOBs and hiring additional MWDBE/SDVOB contract compliance staff.

Capital Projects

Mr. Santariello reported that for the first half of the Federal Fiscal Year 2021, the DBE goal was 20%, and 23% DBE was achieved in awards for federally funded capital projects. Payments on ongoing contracts achieved a 21% DBE participation. For state-funded capital projects, the goal was 15% and 14% of the MBE participation goal was achieved in contract awards. Payments made on ongoing contracts during the first quarter of the Fiscal Year 2021 have a 22% participation. Regarding WBEs with the goal of 15%, 11% was achieved in awards and 9% in payments. Mr. Santariello also reported 4% SDVOB participation in awards and less than 1% participation in payments on ongoing

contracts. Mr. Garner emphasized that the MTA for the first time in history has achieved and exceeded the 30% MWBE goal for the fiscal year 2020-21 at 31% and that awards to SDVOBs have improved.

Legal Fees

Mr. Garner stated that current MWBE participation on legal fees is 16%. He is working with Tom Quigley and his staff to make sure that the MTA will achieve the Governor's 30% MWBE goal on legal fees. There has been an increase in the past four years from 4% to 16%. He said that he will not rest until the MTA is awarding and issuing legal fees to a diverse pool of law firms and the 30% goal is achieved.

Financial Services

Mr. Garner provided an update on financial services. For the reporting period, the MTA has achieved 29% on MWBE/SDVOB participation, specifically 13% MBE participation, 11% for WBE, and 5% for SDVOB participation. Mr. Garner said that he is optimistic that MTA is going to continue to maintain issuing fees to a diverse population of investment banking firms.

Asset Fund Managers

Mr. Garner reported that of the total assets, MWBEs managed \$1.87 billion in assets as of June 30, 2021. We continue not only on the capital side but also continue in the services side to make sure the MTA is affording opportunities to New York State Certified MWBE firms.

Second Avenue Subway Internship Program

A brief presentation was presented to give an overview of the paid college internship program at the Second Avenue subway project. Mr. Gianfrancesco stated that the summer internship program started back in 2017 when the design for the Second Avenue Phase Two project was restarted. Now in its fifth year, the MTA has developed a relationship with City College of New York (CCNY) and recruits students in the STEM program. The Second Avenue project is a complex "Mega Project" that allows the MTA to provide opportunities for students to get experience in the technical and engineering aspects that they can leverage to kickstart their careers once they finish their college program. A total of 37 interns have participated in the program since inception. The Summer 2021 interns participated in activities such as tunneling, ventilation designs, real estate acquisitions, and electronic data management system.

Mr. Garner thanked Mr. Gianfrancesco for making sure that the program maintains its excellence. He also stressed the importance of having paid internships at the MTA as a way of recruiting future diverse talent as many minorities or low-income students are unable to afford to take an unpaid internship.

Michael Garner's Crain's Award Acceptance Speech

A clip from Michael Garner's Crain's Award Acceptance Speech was played. Mr. Garner said that he was humbled to be nominated and subsequently win the Chief Diversity and Inclusion Officer of the Year Award. He thanked his team for the fantastic job that they do. Acting Chair Zuckerman congratulated Mr. Garner on behalf of the committee and the MTA Board.

Adjournment

Acting Chair Zuckerman concluded the meeting, and upon a motion duly made and seconded, the meeting was adjourned.

Respectfully submitted,
Maria Amper
Assistant Deputy Chief Diversity Officer
Department of Diversity and Civil Rights

2021 Diversity Committee Work Plan

I. RECURRING AGENDA ITEMS

Responsibility

| | |
|--|---------------------------------|
| Approval of Minutes | Committee Chair & Members |
| Committee Work Plan | Committee Chair & Members |
| MTA Agency-wide Business and Diversity Initiatives and EEO Programs Activities | Dept. of Diversity/Civil Rights |
| MTA DBE Certification Program Activities | Dept. of Diversity/Civil Rights |
| M/W/DBE and SDVOB Contract Compliance Activities | Dept. of Diversity/Civil Rights |
| Action Items (if any) | As listed |

II. SPECIFIC AGENDA ITEMS

Responsibility

February 2021

| | |
|--|---------------------------------|
| 2020 Year-End Report | Dept. of Diversity/Civil Rights |
| 2021 Departmental Goals | Dept. of Diversity/Civil Rights |
| 2021 EEO, ADA and Sexual and Other Discriminatory Harassment Policy Statements | Dept. of Diversity/Civil Rights |
| All Agency Title VI Policy Statement | |
| All Agency Title VI Procedure | |
| Diversity Committee Charter Review | Committee Chair and Members |

May 2021

| | |
|-------------------------|---------------------------------|
| 1st Quarter 2021 Report | Dept. of Diversity/Civil Rights |
|-------------------------|---------------------------------|

September 2021

| | |
|---|---|
| 2nd Quarter 2021 Report | Dept. of Diversity/Civil Rights |
| Recruitment Strategies for MTAHQ and MTA Agencies | Dept. of Diversity/Civil Rights, MTAHQ and Agency Staff |

December 2021

| | |
|--|---------------------------------|
| 3 rd Quarter 2021 Report | Dept. of Diversity/Civil Rights |
| Status Report on MTA Inter-Agency M/W/DBE and SDVOB Task Force | Dept. of Diversity/Civil Rights |
| 2022 Diversity Committee Work Plan | Dept. of Diversity/Civil Rights |
| 2022 EEO, ADA and Sexual and Other Discriminatory Harassment Policy Statements | Dept. of Diversity/Civil Rights |
| All Agency Title VI Policy Statement | |
| All Agency Title VI Procedure | |

Detailed Summary

I. RECURRING

Approval of Minutes

Approval of the official proceedings of the previous month's Committee meeting.

Diversity Committee Work Plan

An update of any edits and/or changes in the work plan.

MTA Agency-wide Business and Diversity Initiatives Program Activities

The MTA Department of Diversity and Civil Rights update of planned Agency-wide Business and Diversity Initiatives Program activities.

MTA Agency-wide EEO Program Activities

The MTA Department of Diversity and Civil Rights update of agency-wide workforce analysis, new hires and EEO and Title VI complaints.

MTA DBE Certification Program Activities

MTA Department of Diversity and Civil Rights update of DBE Certification Program activities.

M/W/DBE and SDVOB Contract Compliance Activities

MTA Department of Diversity and Civil Rights update of M/W/DBE and SDVOB contract activities and program initiatives.

Action Items

Staff summary documents presented to the Board for approval of items affecting business standards and practices.

II. SPECIFIC AGENDA ITEMS

February 2021

Overview of 2021 MTA Department of Diversity/Civil Rights Departmental Goals

The MTA Department of Diversity and Civil Rights will present an overview of Departmental goals and objectives for 2021.

2020 Year-End Report

The Department of Diversity and Civil Rights will present 2020 year-end update on MTA Agency-wide EEO and M/W/DBE and SDVOB contract compliance activities.

Recommitment to Equal Employment Opportunity ("EEO")

Each year, the MTA disseminates Policies addressing the Americans with Disabilities Act ("ADA"), Sexual and Other Discriminatory Harassment Prevention and EEO in order to reaffirm MTA's commitment to ensuring a work place environment free from illegal

discrimination and to ensure continued compliance with all applicable laws and regulations. The Department of Diversity and Civil Rights will present the 2021 EEO Policy.

All Agency Title VI Policy Statement presented for approval

All Agency Title VI Procedure presented for approval

Recruitment Strategies

Staff from the Department of Diversity and Civil Rights, MTAHQ and MTA Agencies will present recruitment strategies to address underutilization of minorities and women in the workforce.

Diversity Committee Charter Review

The Diversity Committee will review and assess the adequacy of its charter and recommend changes as necessary.

May 2021

1st Quarter 2021 Report

The Department of Diversity and Civil Rights will present 1st quarter 2021 update on MTA Agency-wide EEO, and M/W/DBE and SDVOB contract compliance activities.

September 2021

2nd Quarter 2021 Report

The Department of Diversity and Civil Rights will present 2nd quarter 2021 update on MTA Agency-wide EEO, and M/W/DBE and SDVOB contract compliance activities.

Title VI Program Approval

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Staff from the Department of Diversity and Civil Rights, MTAHQ and MTA Agencies will present recruitment strategies to address underutilization of minorities and women in the workforce.

December 2021

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The Department of Diversity and Civil Rights will present 3rd quarter 2021 update on MTA Agency-wide EEO and M/W/DBE and SDVOB contract compliance activities.

Status Report on MTA Inter-Agency M/W/DBE and SDVOB Task Force

The Department of Diversity and Civil Rights report will address progress made by the Task Force to improve M/W/DBE and SDVOB participation.

2022 Diversity Committee Work Plan

The Department of Diversity and Civil Rights will present an updated Diversity Committee Work Plan for 2022.

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| Action Items (if any) | As listed |

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Responsibility

March 2022

| | |
|------------------------------------|---------------------------------|
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| 2021 Year-End Report | Dept. of Diversity/Civil Rights |
| Diversity Committee Charter Review | Committee Chair and Members |

June 2022

| | |
|-------------------------|---------------------------------|
| 1st Quarter 2022 Report | Dept. of Diversity/Civil Rights |
|-------------------------|---------------------------------|

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| | |
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Title VI Program Approval

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December 2022

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All Agency Title VI Policy Statement presented for approval

All Agency Title VI Procedure presented for approval

2023 Diversity Committee Work Plan

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Metropolitan Transportation Authority Department of Diversity and Civil Rights

Executive Summary

December 13, 2021



Executive Summary

Fiscal Year Program Highlights

Largest Awarded MWDBE/SDVOB Contracts

October 1, 2020 - September 30, 2021

Top Prime Awards*

MBE: Fejost LLC \$162M

WBE: Asia Trading Int'l LLC \$35.9M

DBE: Zion Contracting LLC \$16M

SDVOB: Web House Inc. \$816K

Top Subcontract Awards*

WBE: Royalty Events Group Inc. \$23.8M

MBE: Turing Enterprises Inc. \$23.8M

DBE: TDP Associates Inc. \$6.9M

SDVOB: Disabled Veterans Solutions \$7.3M

* For MWBE and SDVOB, the reporting period is from April 2021 through September 2021.
For DBE, the reporting period is from October 2020 through September 2021.



Executive Summary

❑ Business & Diversity Initiatives Unit

❑ During the period of July 2021 through October 2021, DDCR outreach efforts attracted **362 firms**.

❑ Summary of Outreach Efforts – July 2021 through October 2021

As a result of DDCR’s outreach efforts during the reporting period, **20** certified firms received a total of **\$36,570,577** in awards and **47** certified firms received **\$22,137,225** in payments.

| | |
|--------------------|---------------|
| Awards - | \$ 36,570,577 |
| *Payments - | \$ 22,137,225 |

*Total payments include ongoing payments on previously awarded contracts



Executive Summary

■ Certification Activity Report

During 2017 – 2021, there were **476** new applications received.

As of September 30, 2021, **37** firms were certified in the current year.

■ Status:

There is a slight decrease in new applications received.

■ Trends

- Upward
- Constant
- Downward: New applications received

■ Strategy for Improvement:

Hired additional DBE certification staff to manage increased certification activity.



Executive Summary

- **EEO**(full report on pages 42-58)
 - MTA's overall workforce is currently comprised of **69,445** employees; of which **12,515 (18%)** are Females,* **49,042 (71%)** are Minorities, **2,224 (3%)** are Veterans,* and **473 (1%)** are People with Disabilities.** A breakdown of the MTA-wide workforce is detailed on page 45.
 - MTA Agencies hired **2,263** employees; of which **500 (22%)** are females,* **1,828 (81%)** are Minorities, **69 (3%)** are veterans,** and **60 (3%)** are People With Disabilities.
 - In the third quarter of 2021, MTA Agencies handled a total of **386** EEO complaints; of which **215** were internal and **171** were external. In the third quarter of 2020, MTA Agencies handled a total of **412** EEO complaints; of which **251** were internal and **161** were external complaints.
 - As of September 30, 2021, representation of females has **remained the same** and the representation of minorities has **increased** by one percentage point, when compared to September 30, 2020.

*Includes minorities, non-minorities, and veterans

**We believe that there are more people with disabilities in our workforce, but they have not self-identified as such.



Executive Summary

EEO (Continued)

- **Status:** Overall workforce size has decreased by 3% (2,124) since September 30, 2020.

- **Trends**
 - Upward
 - Constant
 - ☑ Downward

- **Strategies for Improvement:**
 - Identify best practices to improve staffing and retention efforts
 - Review occupational classifications of positions resulting from changes to reporting structures during the transformation.



Executive Summary

■ Small Business Development Program (as of September 30, 2021)

The Program – Current Status

- Calendar Year 2020, SBDP awarded **28 contracts** totaling **\$34.2 million**
- Calendar Year 2021 first 3 Quarters, SBDP awarded **33 contracts** totaling **\$29.9 million**
- The Small Business Development Program (SBDP) awarded **486 contracts** totaling **\$516.1 million**.
- SBDP successfully recruited **eighteen (18)** Service-Disabled Veteran-Owned Business (SDVOB) certified firms. **Four (4) firms** were awarded contracts totaling **\$1,716,086**.
- The Small Business Development Loan Program issued **134 loans** totaling **\$18.6 million**.
- The Small Business Development Bond Program has assisted Tier 2 and SBFP firms in securing **\$485 million** in surety bonds.
- The Small Business Development Training Program – more than **950** firms have participated in the training since the inception of the program.



Executive Summary

■ Small Business Development Program (continued)

■ **Status:** Program is achieving its goals.

■ Trends

- Upward
- Constant
- Downward

■ **Strategies for improvements:** n/a



Executive Summary

■ MWDBE and SDVOB Contract Compliance

■ 30% NY State Fiscal Year 2021-2022 MWBE Goal

- 10% MWBE participation in contract awards*
- 27% MWBE participation in contract payments*

■ 6% NY State Fiscal Year 2021-2022 SDVOB Goal

- 6% SDVOB participation in contract awards*
- 6% SDVOB participation in contract payments*

■ 20% Federal Fiscal Year 2020-2021 DBE Goal

- 25% DBE participation in contract awards
- 18% DBE participation in contract payments on ongoing contracts
- 10% DBE participation on payments on closed contracts

* First two quarters of the NYS Fiscal Year 2021-2022



Executive Summary

■ MWDBE and SDVOB Contract Compliance (Continued)

- Currently, DDCR monitors more than **1,049 contracts** for MWDBE and SDVOB goal compliance.
- During the first three quarters of 2021, DDCR conducted **544 site visits** for MWDBE and SDVOB contract compliance.
 - Monthly Average: **60**
- During the first three quarters of 2021, DDCR has closed **110 contracts**.
 - Monthly Average: **12**



Executive Summary

- **MWDBE and SDVOB Contract Compliance (Continued)**
- **Status:** MWBE goals are not being met
- **Trends**
 - ☑ Upward : DBE participation on contract awards
SDVOB participation on contract payments
 - ☐ Constant
 - ☑ Downward : MWBE participation on contract payments
- **Strategies for Improvement:**
 - DDCR will expand on building relationships with various women, veteran and minority trade groups and associations to identify qualified firms in the minority business community.
 - Design smaller contracts for greater participation by MWDBE/SDVOBs.
 - Hired additional MWDBE/SDVOB Contract Compliance staff.



Executive Summary

■ Capital Projects

■ Federal Participation Goal: 20%

(Federal Fiscal Year 2021 (October 2020 to September 2021))

- Total Awards: \$92M
- Total DBE Awards: \$21M (23%)
- Total Payments: \$467M
- Total DBE Payments: \$88M (19%)

■ New York State MBE Participation Goal: 15%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- Total Awards: \$56M
- Total MBE Awards: \$9.5M (17%)
- Total Payments: \$98M
- Total MBE Payments: \$21M (22%)

■ New York State WBE Participation Goal: 15%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- Total Awards: \$56M
- Total WBE Awards: \$6.5M (12%)
- Total Payments: \$98M
- Total WBE Payments: \$13M (14%)

■ Service Disabled Veteran-Owned Business Participation Goal: 6%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- Total Awards: \$28M
- Total SDVOB Awards \$1.1M (4%)
- Total Payments: \$183M
- Total SDVOB Payments: \$2.6M (1%)

*Report is based on original contract amount provided by MTA Agencies for third-party design and construction contracts (excluding rolling stock and signals).



Executive Summary

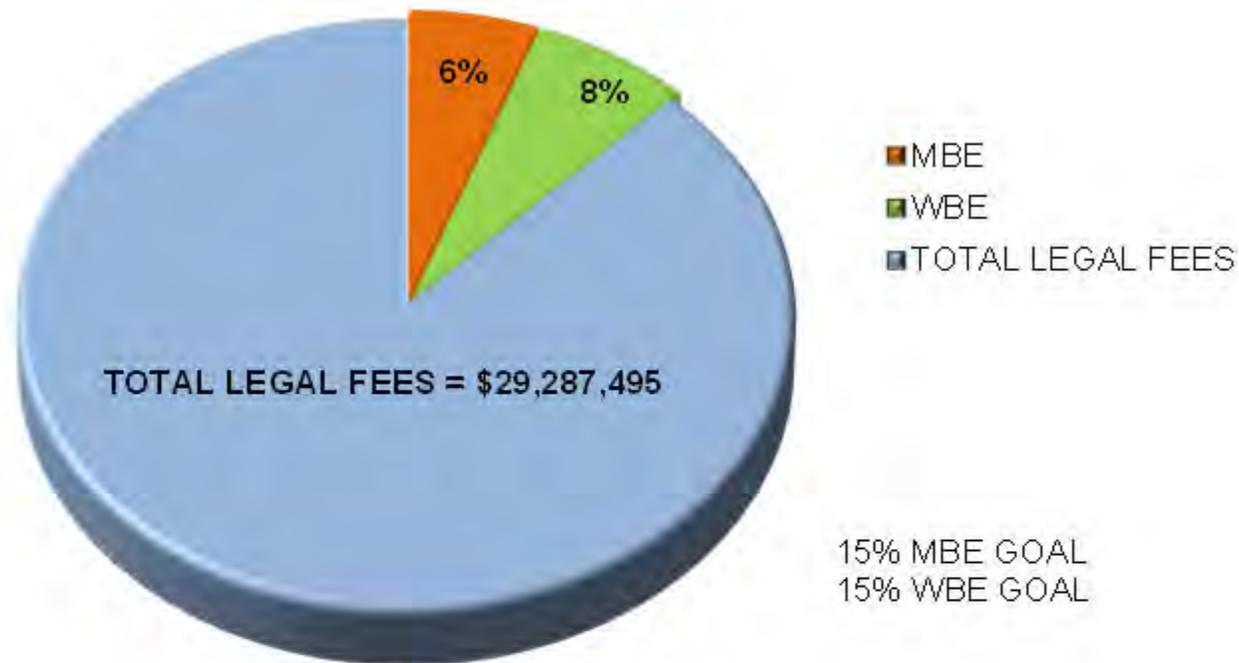
Capital Projects (Continued)

- **Status:** WBE and SDVOB goals are not being met
- **Trends**
 - ✓ Upward : MBE participation on contract payments
DBE participation on contract awards
 - Constant
 - ✓ Downward: WBE participation in contract payments
- **Strategies for Improvement:**
 - DDCR will expand on building relationships with various women, veteran and minority trade groups and associations to identify qualified firms in the minority community.
 - Hired additional MWDBE/SDVOB contract compliance staff



Executive Summary

■ MTA All Agency Legal Fees (April 2021 – September 2021)



Actual MBE Participation = \$1,848,000 or 6%
Actual WBE Participation = \$2,280,789 or 8%



Executive Summary

MTA All Agency Legal Fees (Continued)

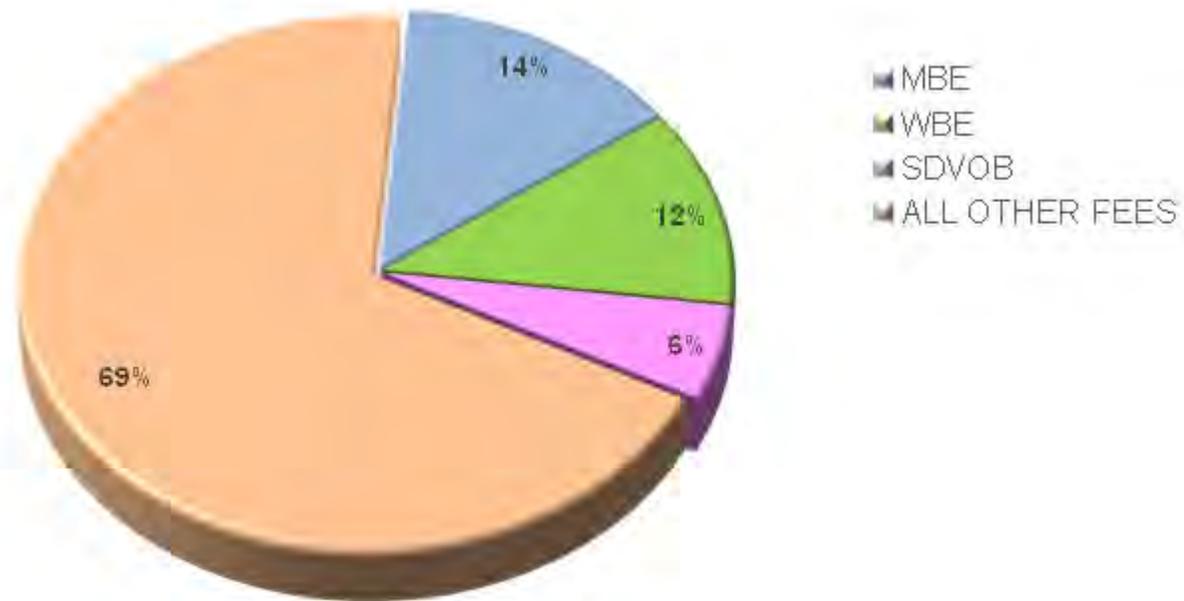
- **Status:** MWBE goals are not being met
- **Trends**
 - Upward
 - Constant
 - ☑ Downward: MWBE participation
- **Strategies for Improvement:**
 - Host an additional all-agency orientation session for prequalified minority law firms.
 - Mentor MWBE law firms to handle more specialized cases.



Executive Summary

Financial Services

MTA All Agency Underwriter Fees (April 2021 – September 2021)



Actual WBE Participation = \$1,274,866 or 12%
Actual MBE Participation = \$1,471,870 or 14%
Actual SDVOB Participation = \$608,738 or 6%
All Other Underwriting Fees = \$7,372,905 or 69%



Executive Summary

Financial Services (Continued)

■ **Status:** MWBE goals are not being met

■ **Trends**

- Upward: MWBE participation
- Constant
- Downward

■ **Strategies for Improvement:** n/a



Executive Summary

Asset Fund Managers – MWBE Participation Combined Plans (as of September 2021)

Combined Plans

- Total assets managed by MWBEs: **\$1.88 billion**; or **21% of total assets**
- Majority of assets are in traditional asset classes
- Traditional assets managed by MWBEs: \$1.73 billion; or 27% of traditional assets
 - MWBE firms manage
 - 55% of US Equities
 - 38% of Real Estate
 - 37% of Non-US Equities
 - 9% of Fixed Income
 - 6 % of Opportunistic
- Alternative investments managed by MWBE's: \$144 million; or 6% of alternative investments



Metropolitan Transportation Authority Department of Diversity and Civil Rights

Business and Diversity Initiatives

December 13, 2021



Business and Diversity Initiatives

Awards and Payments Based on Outreach Efforts
July 2021 – October 2021

Outreach Efforts Made to 362 MWDBE/SDVOB Firms



*Total payments include ongoing payments on previously awarded contracts



Business and Diversity Initiatives

July

New Jersey Institute of Technology, Procurement Technical Assistance Center Presents:

Doing Business with the MTA

Harlem Community Development Corporation Presents: Doing Business with the MTA

The Giving Institute Summer Symposium: Supplier Diversity & Engagement

2021 NYS Regional MWBE Online Opportunities Expo: New York City and Long Island

COSAB Moves Inc. Presents "MWBE Economic Seminar"

August

Women Builders Council Power Breakfast: The Power of DBE's

DDCR Presents "DBE Certification Workshop"

Diversity, Equity and Inclusion National Convention

September

City and State "Rebuilding NY Summit"

African American Chamber of Commerce of New Jersey 11th Annual Business Leadership Conference

General Contractors Association of New York Inc. Presents: Design Build and Your Business -Understand The Opportunity

COMTO 50th Anniversary Virtual National Meeting and Training Conference

October

27th Annual Competitive Edge Conference

DDCR Presents "New Firm Orientation Session"

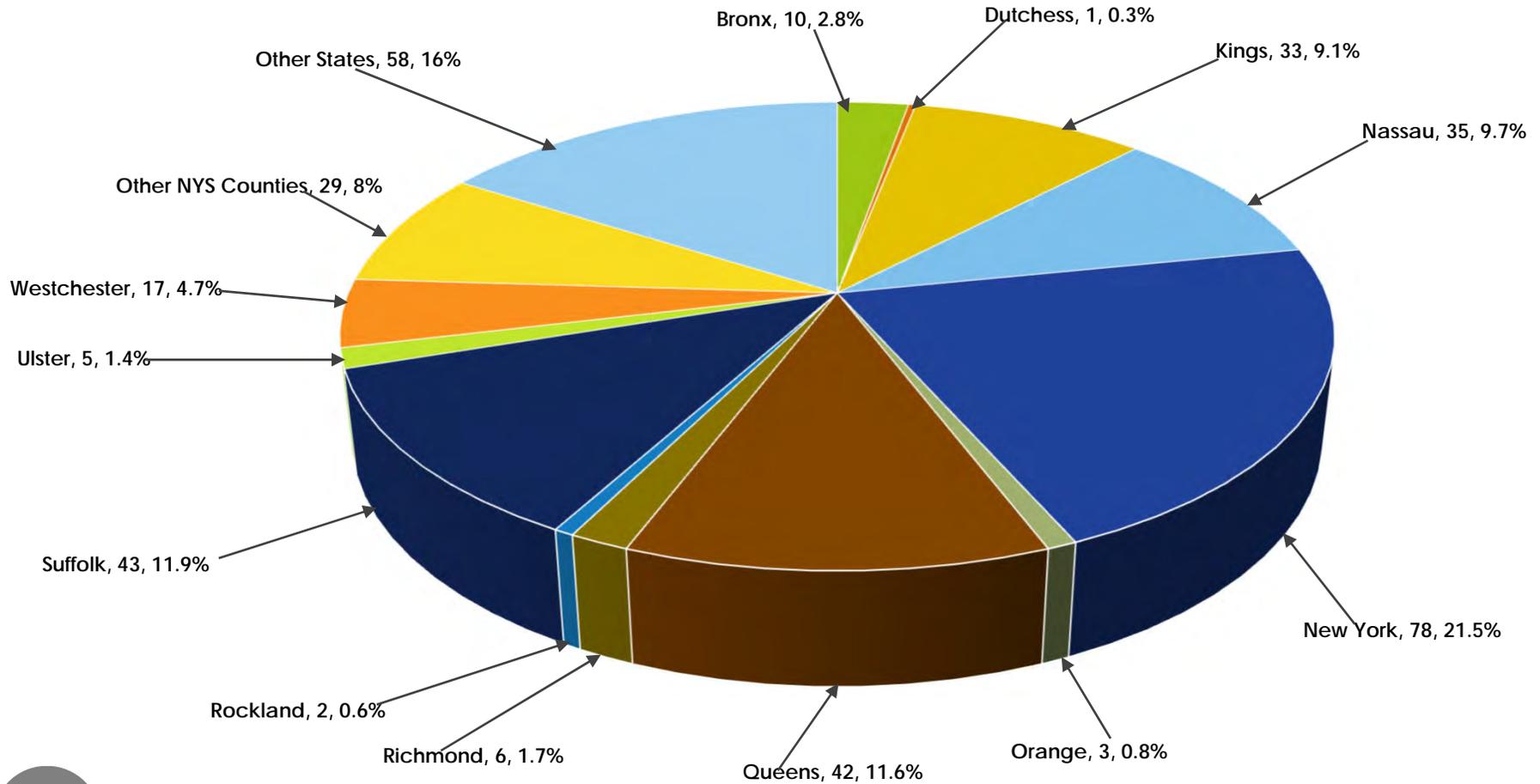
DDCR Presents "DBE Certification Workshop"

Rockaway Elected Officials Host Doing Business with the MTA



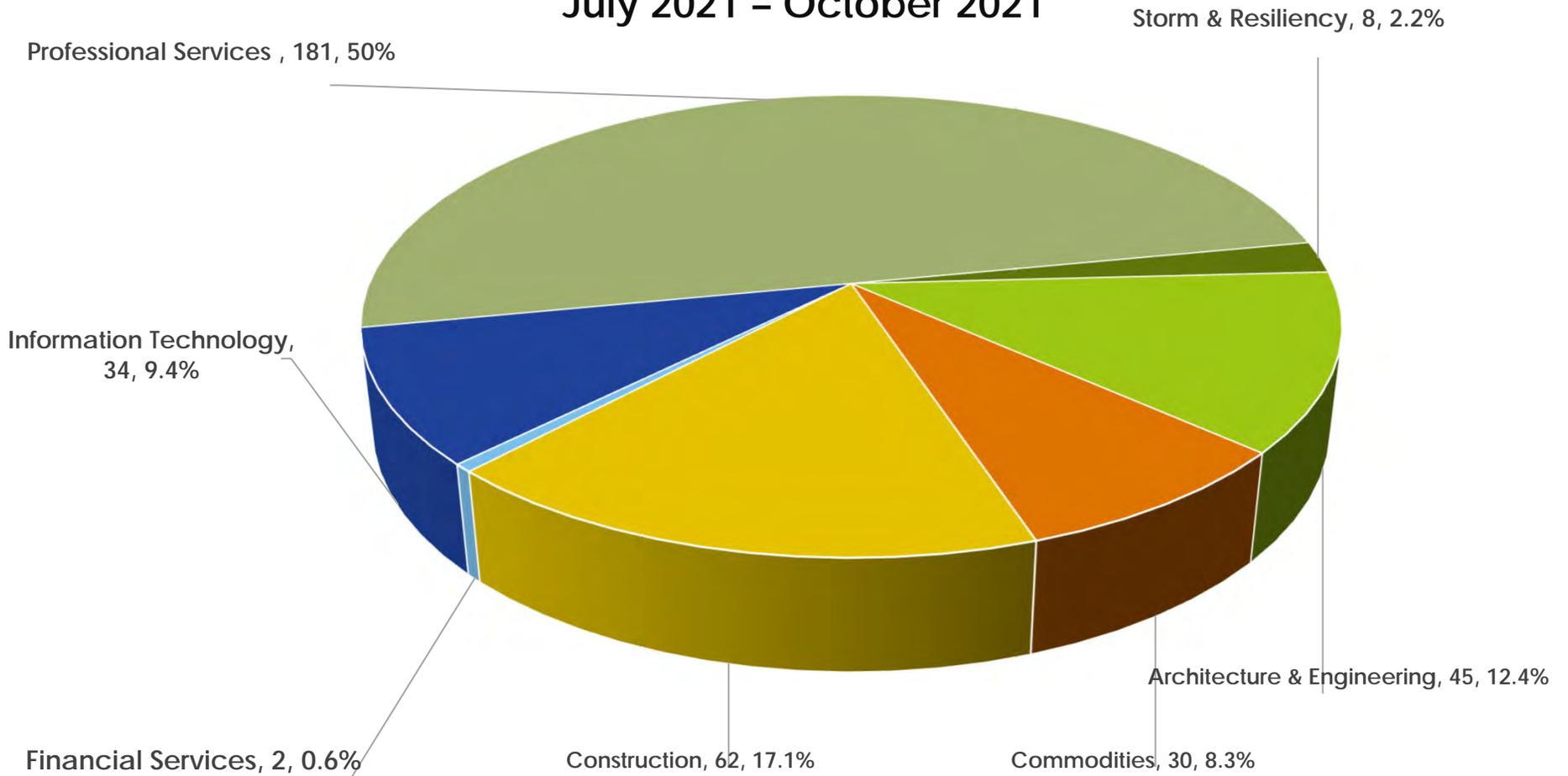
Business and Diversity Initiatives

Outreach Conducted In MTA Region Service Area (14 Counties) July 2021– October 2021



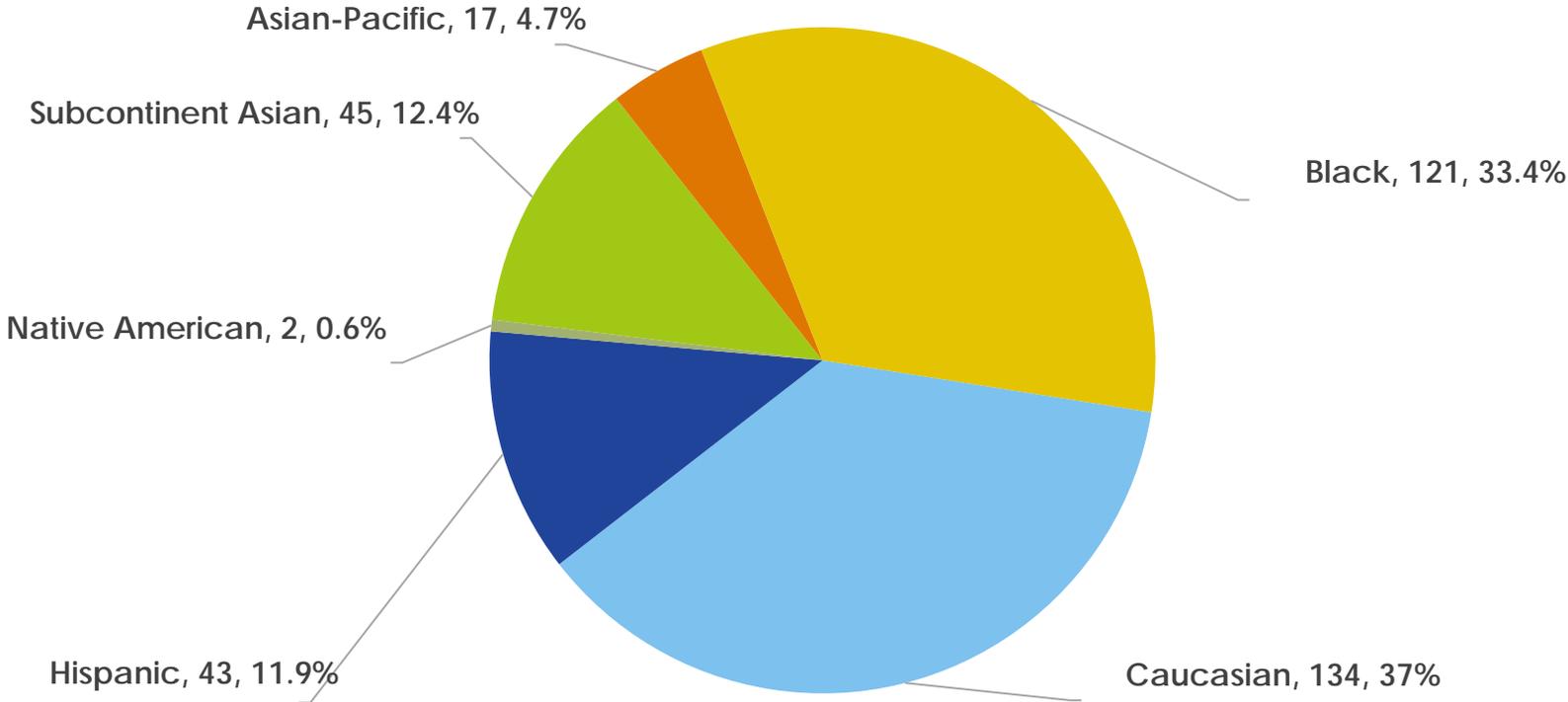
Business and Diversity Initiatives

Outreach Results By Business Type July 2021 – October 2021



Business and Diversity Initiatives

Outreach Results By Ethnicity
July 2021 – October 2021



Metropolitan Transportation Authority Department of Diversity and Civil Rights

DBE Certification Activity Report

December 13, 2021



MTA DBE Certification Unit

CERTIFICATION ACTIVITY REPORT 2017-2021

| | 2017 | 2018 | 2019 | 2020 | 2021 *** |
|---|------|------|------|------|----------|
| New Applications Received | 114 | 119 | 90 | 88 | 65 |
| DBE Firms Certified in Current Year | 46 | 39 | 43 | 53 | 37 |
| DBE Firms Certified in Subsequent Year | 29 | 37 | 20 | 9 | 0 |
| Denied | 0 | 0 | 0 | 0 | 0 |
| Returned | 4 | 14 | 4 | 5 | 2 |
| Withdrawn | 16 | 9 | 11 | 16 | 16 |
| Application Closed | 1 | 1 | 0 | 0 | 0 |
| Decertified | 3 | 2 | 5 | 1 | 0 |
| Rejected | 0 | 1 | 3 | 0 | 1 |
| Delisted | 0 | 0 | 0 | 0 | 1 |
| Pending* | 15 | 16 | 4 | 4 | 8** |

* Applications pending from subsequent year(s)

** Current year applications under review

*** 2021 Data is up to September 30, 2021.

| | 2017 | 2018 | 2019 | 2020 | 2021 |
|--|------|------|------|------|------|
| Annual Submissions Processed (Recertifications) | 535 | 501 | 506 | 724 | 547 |



Metropolitan Transportation Authority Department of Diversity and Civil Rights

MTA-Wide Workforce
as of September 30, 2021

December 13, 2021



Definitions of EEO Job Categories

- ❑ **Officials & Administrators** - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis.
- ❑ **Professionals** - Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge.
- ❑ **Technicians** - Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training.
- ❑ **Protective Services** - Occupations in which workers are entrusted with public safety, security and protection from destructive forces.



Definitions of EEO Job Categories

- ❑ **Paraprofessionals** - Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status.
- ❑ **Administrative Support** - Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office.
- ❑ **Skilled Craft** - Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs.
- ❑ **Service Maintenance** - Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property.



MTA-Wide Workforce as of September 30, 2021

| JOB CATEGORY | TOTAL | | Minorities | | WHITES | | BLACKS | | HISPANICS | | ASIANS | | AI/AN* | | NHOPI** | | 2+ RACES | | VETERANS | |
|---------------------------------------|---------------|-----|---------------|------------|---------------|------------|---------------|------------|---------------|------------|--------------|------------|------------|-----------|-----------|-----------|--------------|-----------|--------------|-----------|
| | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| Officials & Administrators | 5,363 | | 2733 | 51% | 2,630 | 49% | 1,179 | 22% | 590 | 11% | 642 | 12% | 18 | 0% | 2 | 0% | 302 | 6% | 292 | 5% |
| F | 1,333 | 25% | 891 | 17% | 442 | 8% | 485 | 9% | 154 | 3% | 176 | 3% | 2 | 0% | 0 | 0% | 74 | 1% | 23 | 8% |
| M | 4,030 | 75% | 1842 | 34% | 2,188 | 41% | 694 | 13% | 436 | 8% | 466 | 9% | 16 | 0% | 2 | 0% | 228 | 4% | 269 | 92% |
| Professionals | 4,248 | | 2984 | 70% | 1,264 | 30% | 1,214 | 29% | 516 | 12% | 1,007 | 24% | 7 | 0% | 3 | 0% | 237 | 6% | 90 | 2% |
| F | 1,610 | 38% | 1282 | 30% | 328 | 8% | 655 | 15% | 231 | 5% | 295 | 7% | 2 | 0% | 2 | 0% | 97 | 2% | 20 | 22% |
| M | 2,638 | 62% | 1702 | 40% | 936 | 22% | 559 | 13% | 285 | 7% | 712 | 17% | 5 | 0% | 1 | 0% | 140 | 3% | 70 | 78% |
| Technicians | 444 | | 209 | 47% | 235 | 53% | 89 | 20% | 57 | 13% | 39 | 9% | 3 | 1% | 1 | 0% | 20 | 5% | 36 | 8% |
| F | 56 | 13% | 40 | 9% | 16 | 4% | 23 | 5% | 10 | 2% | 2 | 0% | 0 | 0% | 0 | 0% | 5 | 1% | 1 | 3% |
| M | 388 | 87% | 169 | 38% | 219 | 49% | 66 | 15% | 47 | 11% | 37 | 8% | 3 | 1% | 1 | 0% | 15 | 3% | 35 | 97% |
| Protective Services | 2,036 | | 1318 | 65% | 718 | 35% | 620 | 30% | 517 | 25% | 115 | 6% | 2 | 0% | 2 | 0% | 62 | 3% | 160 | 8% |
| F | 352 | 17% | 278 | 14% | 74 | 4% | 167 | 8% | 89 | 4% | 4 | 0% | 1 | 0% | 0 | 0% | 17 | 1% | 15 | 9% |
| M | 1,684 | 83% | 1040 | 51% | 644 | 32% | 453 | 22% | 428 | 21% | 111 | 5% | 1 | 0% | 2 | 0% | 45 | 2% | 145 | 91% |
| Paraprofessionals | 59 | | 49 | 0% | 10 | 0% | 29 | 0% | 12 | 0% | 4 | 0% | 0 | 0% | 0 | 0% | 4 | 0% | 0 | 0% |
| F | 36 | 0% | 32 | 0% | 4 | 0% | 18 | 0% | 9 | 0% | 2 | 0% | 0 | 0% | 0 | 0% | 3 | 0% | 0 | 0% |
| M | 23 | 0% | 17 | 0% | 6 | 0% | 11 | 0% | 3 | 0% | 2 | 0% | 0 | 0% | 0 | 0% | 1 | 0% | 0 | 0% |
| Administrative Support | 4,754 | | 4017 | 84% | 737 | 16% | 2,404 | 51% | 625 | 13% | 794 | 17% | 11 | 0% | 3 | 0% | 180 | 4% | 82 | 2% |
| F | 2,271 | 48% | 2056 | 43% | 215 | 5% | 1,513 | 32% | 304 | 6% | 137 | 3% | 7 | 0% | 3 | 0% | 92 | 2% | 22 | 27% |
| M | 2,483 | 52% | 1961 | 41% | 522 | 11% | 891 | 19% | 321 | 7% | 657 | 14% | 4 | 0% | 0 | 0% | 88 | 2% | 60 | 73% |
| Skilled Craft | 26,417 | | 15851 | 60% | 10,566 | 40% | 8,171 | 31% | 3,450 | 13% | 3,093 | 12% | 80 | 0% | 17 | 0% | 1,040 | 4% | 1,071 | 4% |
| F | 1,506 | 6% | 1192 | 5% | 314 | 1% | 906 | 3% | 186 | 1% | 47 | 0% | 3 | 0% | 2 | 0% | 48 | 0% | 32 | 3% |
| M | 24,911 | 94% | 14659 | 55% | 10,252 | 39% | 7,265 | 28% | 3,264 | 12% | 3,046 | 12% | 77 | 0% | 15 | 0% | 992 | 4% | 1,039 | 97% |
| Service Maintenance | 26,124 | | 21881 | 84% | 4,243 | 16% | 13,540 | 52% | 5,909 | 23% | 1,584 | 6% | 62 | 0% | 9 | 0% | 777 | 3% | 493 | 2% |
| F | 5,351 | 20% | 4993 | 19% | 358 | 1% | 3,678 | 14% | 1,079 | 4% | 81 | 0% | 7 | 0% | 1 | 0% | 147 | 1% | 33 | 7% |
| M | 20,773 | 80% | 16888 | 65% | 3,885 | 15% | 9,862 | 38% | 4,830 | 18% | 1,503 | 6% | 55 | 0% | 8 | 0% | 630 | 2% | 460 | 93% |
| Total | 69,445 | | 49,042 | 71% | 20,403 | 29% | 27,246 | 39% | 11,676 | 17% | 7,278 | 10% | 183 | 0% | 37 | 0% | 2,622 | 4% | 2,224 | 3% |

* Due to employee movements, resulting from the transformation, all utilization goals will require recalculation to be provided in 2022

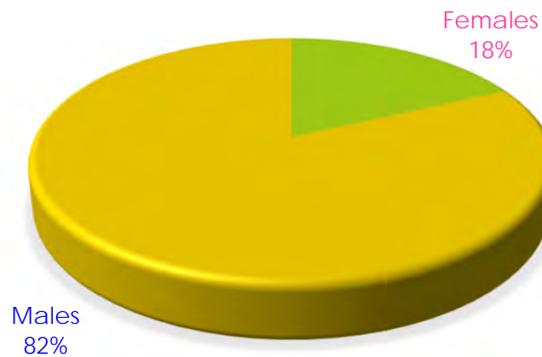


*American Indian/Alaskan Native

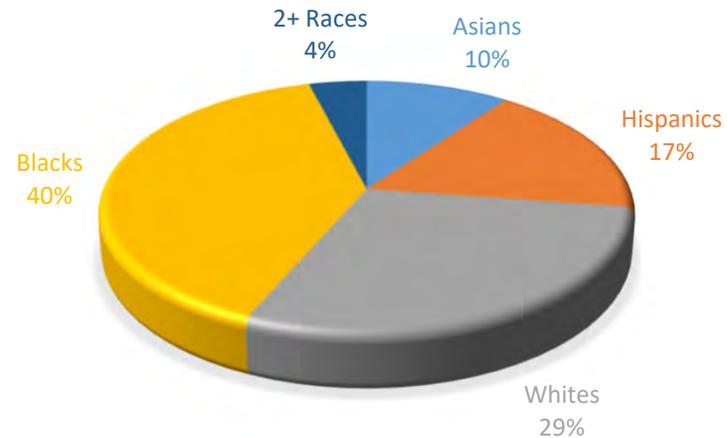
**Native Hawaiian Other Pacific Islander

MTA-Wide Workforce as of September 30, 2021

Workforce By Gender



Workforce By Race/Ethnicity



MTA employed **69,445** people: **18%** of the workforce were females, **71%** minorities, and veterans comprised **3%**.

- ❑ The percentage of females employed in the workforce has **remained constant** when compared to Third Quarter 2020.
- ❑ The percentage of minorities in the workforce has **increased** by one percentage point when compared to Third Quarter 2020.



MTA-Wide Hires and Separations Overview

MTA and each of its agencies have participated in a transformation of its workforce and operations. Many incumbents have been “lifted and shifted” into a new *One-MTA* reporting structure in an effort to centralize certain back-office operations. As a result, our reports are in the process of being redesigned to better capture and measure the employment decisions impacting our workforce.

In this third quarter report, ending September 30, 2021, our *One-MTA* report highlights the selection rates and separation rates of our people resources, without regard to individual agencies or categorical levels of positions.

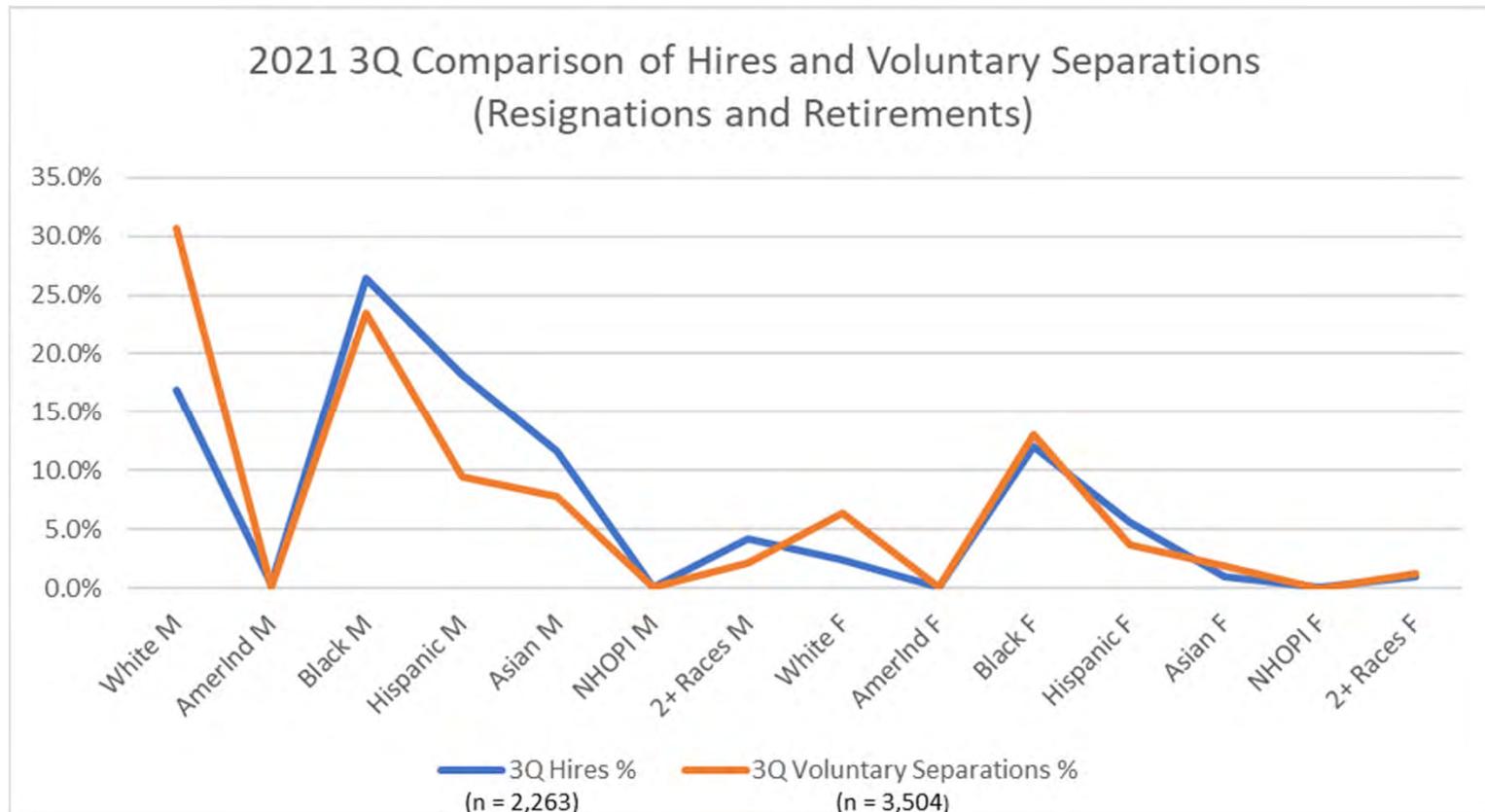
The following slides provide a comparison of the percentage of new hires against the voluntary separations (resignations and retirements) that occurred during this reporting period, by race and gender and a comparison of resignation and retirement activities, by month.

Recognizing the local and nation-wide coverage of the “Great Resignation” affecting private and public sector, alike, the next slide takes a closer look at the timing of the resignations, by gender, to better understand the changes to our workforce and explore the possible impact to MTA.



NOTE: The numbers and information provided do not infer statistical disparities or explain the reasons or provide a root cause analysis for any identified

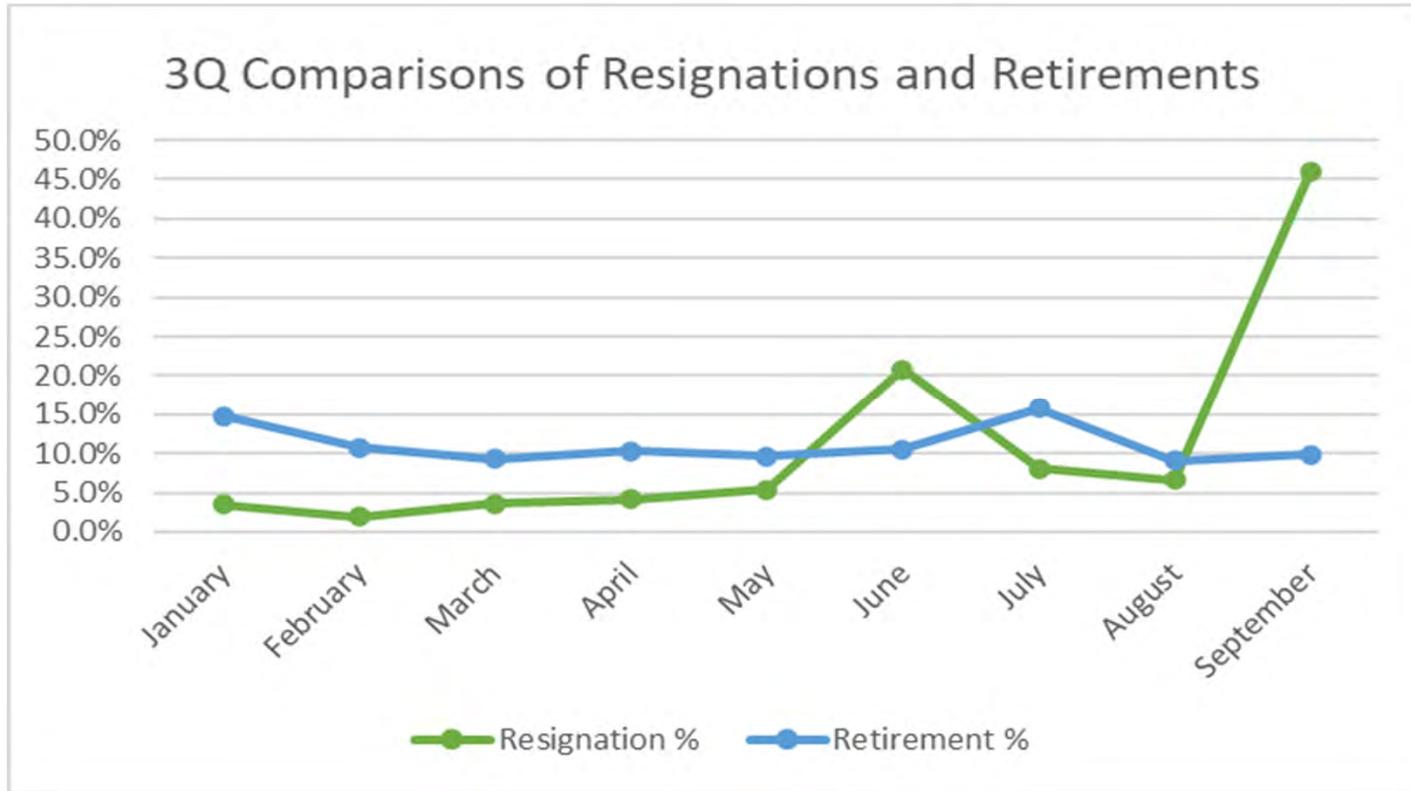
MTA-Wide Hires and Voluntary Separations January 1, 2021 - September 30, 2021



NOTE: The charts do not include data from the Inspector General or the Business Service Center workforce. Voluntary separations do not include data from MTA Bus.



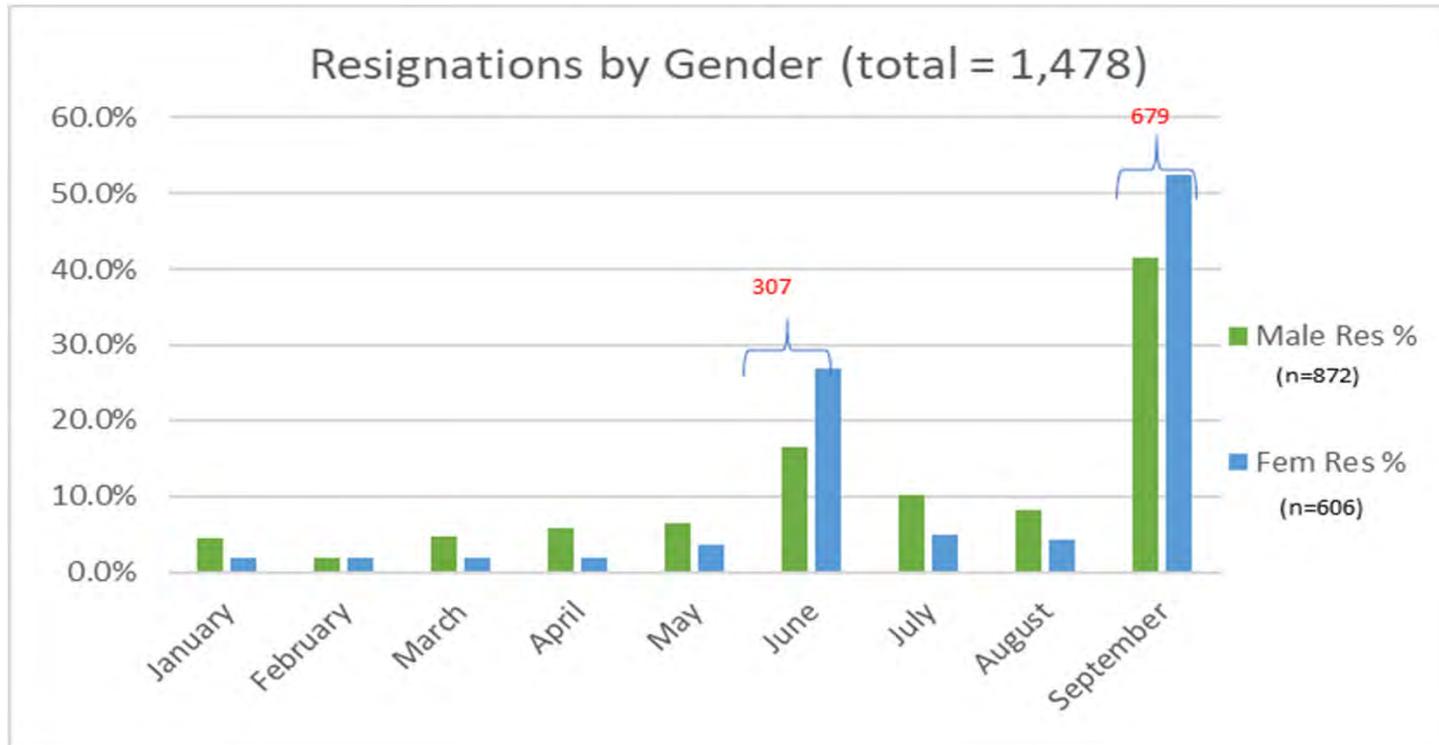
MTA-Wide Comparison of Resignations and Retirements January 1, 2021 - September 30, 2021



NOTE: The charts do not include data from the Inspector General or the Business Service Center workforce. Voluntary separations do not include data from MTA Bus.



MTA-Wide Resignations by Gender January 1, 2021 - September 30, 2021



NOTE: The charts do not include data from the Inspector General or the Business Service Center workforce. Voluntary separations do not include data from MTA Bus.

* A closer review is needed to determine the sharp increase in resignations in June and September



Metropolitan Transportation Authority Department of Diversity and Civil Rights

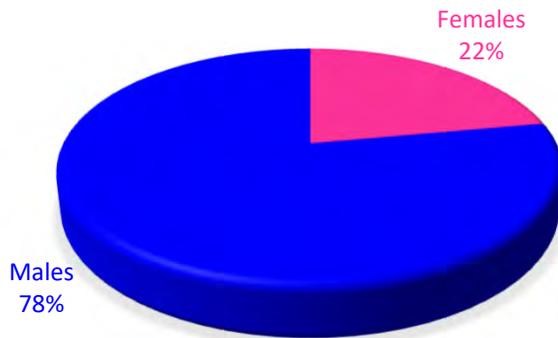
MTA-Wide New Hires and Veterans
Third Quarter 2021

December 13, 2021

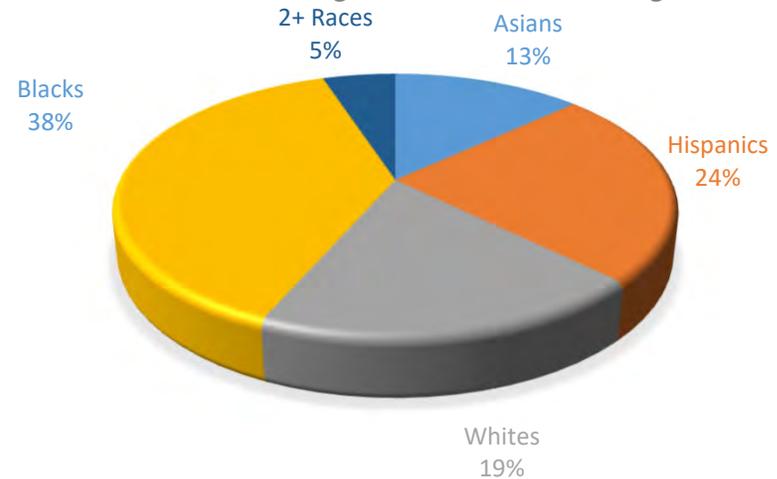


MTA-Wide New Hires January 1, 2021 to September 30, 2021

New Hires By Gender



New Hires By Race/Ethnicity



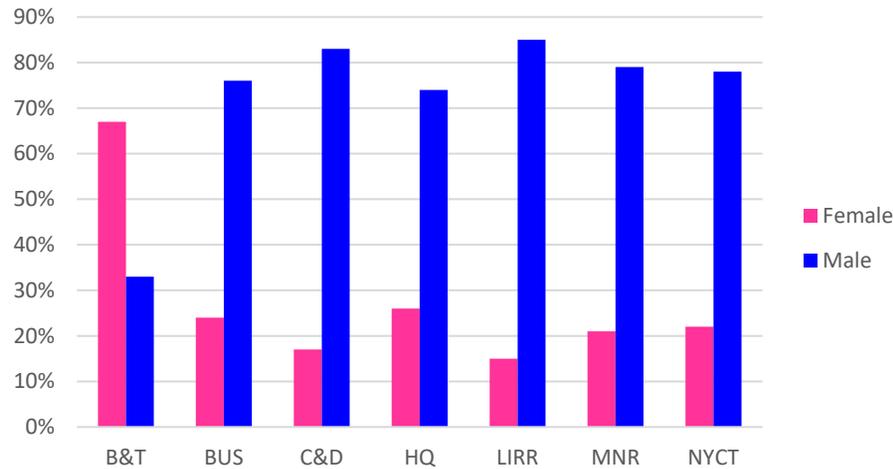
MTA hired **2,263** employees, including **69** veterans: **22%** of new hires were females and minorities comprised **81%**.

- ❑ Females were hired above their percentage of representation in the workforce.
- ❑ Minorities were hired above their percentage of representation in the workforce.

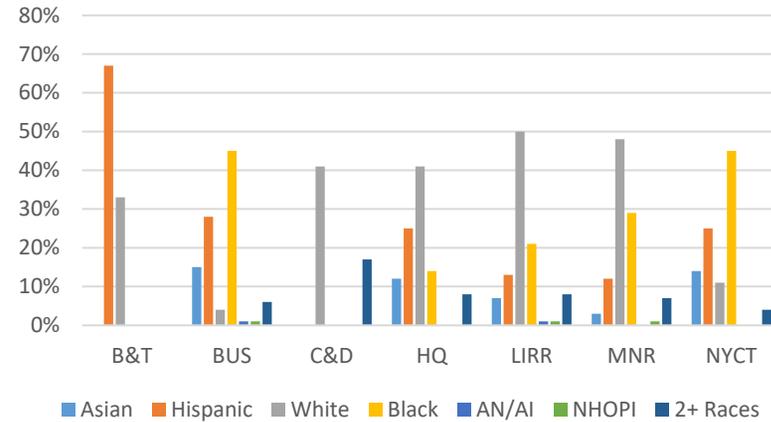


New Hires By Agency January 1, 2021 to September 30, 2021

MTA Agencies New Hires By Gender



MTA Agencies New Hires By Race/Ethnicity



| Agency | New Hires | Females | Minorities |
|--------|-----------|---------|------------|
| B&T | 3 | 67% | 67% |
| BUS | 170 | 24% | 96% |
| C&D | 6 | 17% | 17% |
| HQ | 285 | 26% | 59% |
| LIRR | 156 | 15% | 51% |
| MNR | 108 | 21% | 52% |
| NYCT | 1535 | 22% | 88% |

*The above agency-specific data does not accurately reflect employee movements resulting from the transformation.



Metropolitan Transportation Authority Department of Diversity and Civil Rights

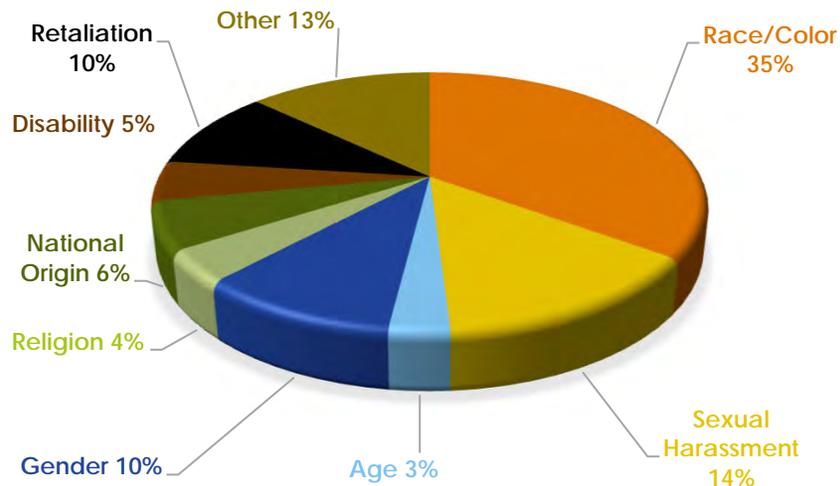
MTA-Wide Complaints and Lawsuits Third Quarter 2021



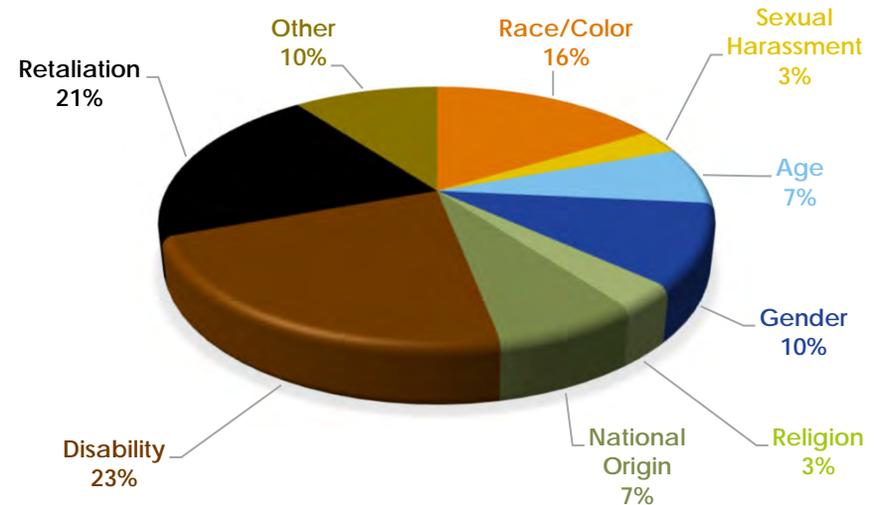
December 13, 2021

MTA-Wide EEO Internal/External Discrimination Complaints by Bases January 1, 2021 to September 30, 2021

INTERNAL EEO COMPLAINTS BY BASES



EXTERNAL EEO COMPLAINTS BY BASES



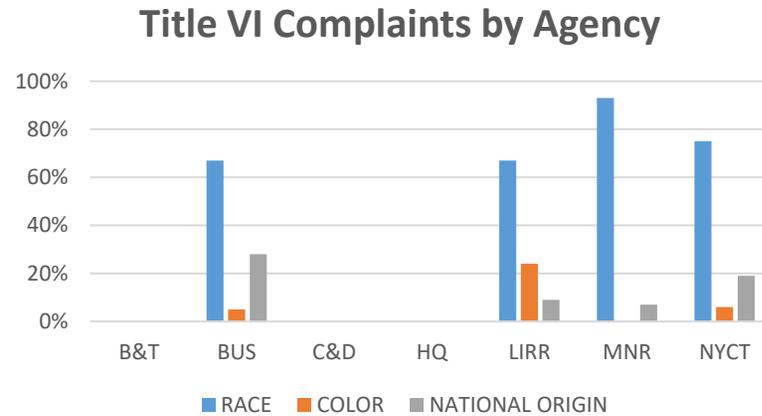
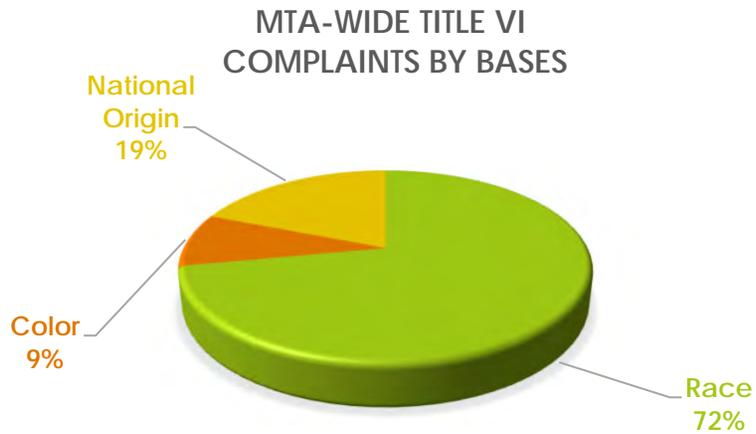
MTA handled **386** EEO complaints, citing **733** separate bases, and **110** lawsuits.

- ❑ **215** filed internal complaints.
- ❑ **171** filed external complaints.
- ❑ The most frequently cited bases internally was race/color.



Note: Complaints can be filed alleging multiple bases.

MTA-Wide Title VI Complaints by Bases and Lawsuits January 1, 2021 to September 30, 2021



MTA handled a total of **155** Title VI complaints with **173** bases and **0** Title VI lawsuits.

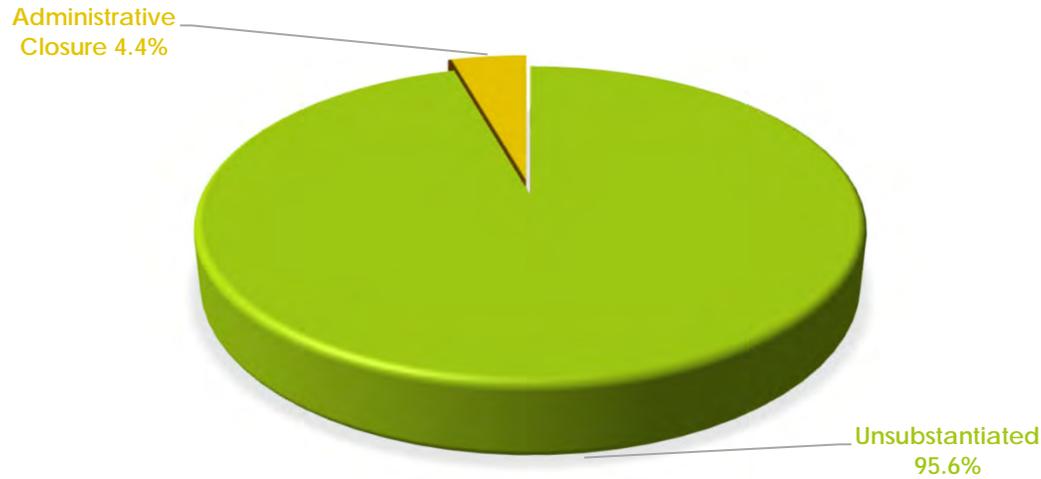
| Agency | Complaints | Bases | Race | Color | National Origin |
|--------|------------|-------|------|-------|-----------------|
| BUS | 57 | 57 | 67% | 5% | 28% |
| LIRR | 24 | 33 | 67% | 24% | 9% |
| MNR | 14 | 14 | 93% | 0% | 7% |
| NYCT | 60 | 69 | 75% | 6% | 19% |

Note: Complaints can be filed alleging multiple bases.



MTA-Wide Title VI Complaints and Lawsuits Dispositions January 1, 2021 to September 30, 2021

OVERALL TITLE VI COMPLAINTS AND LAWSUITS DISPOSITIONS

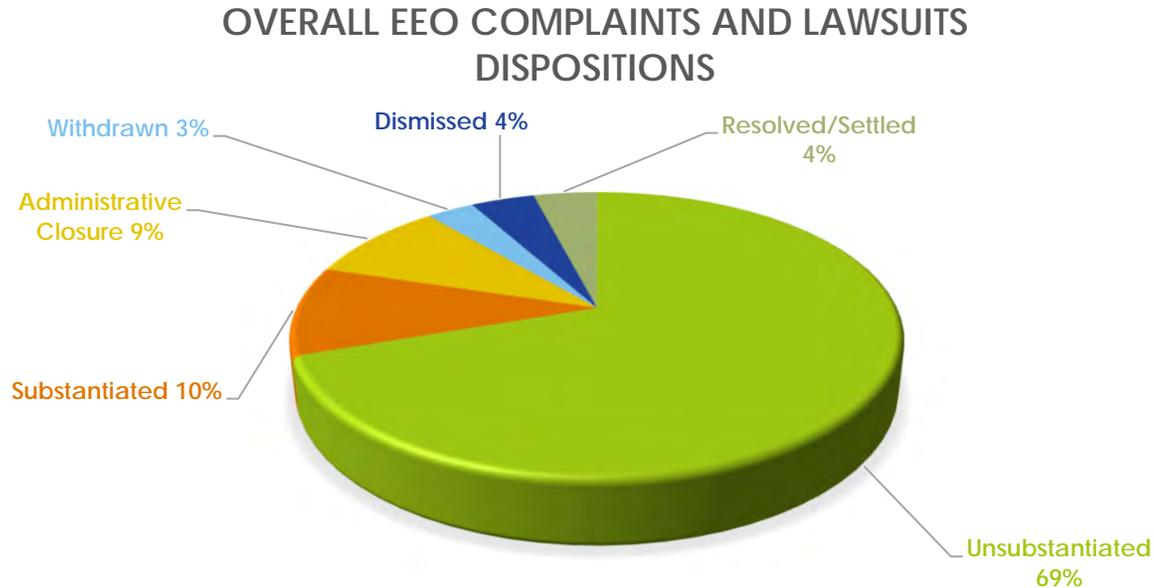


MTA disposed of **114** Title VI complaints and **0** Title VI lawsuits

- ❑ **95.6%** complaints were unsubstantiated.
- ❑ **0%** complaints were substantiated.
- ❑ **4.4%** complaints were administrative closures.
- ❑ **0%** complaints were withdrawn.
- ❑ **0%** complaints were dismissed.
- ❑ **0%** complaints were resolved/settled.



MTA-Wide EEO Complaints and Lawsuits Dispositions January 1, 2021 to September 30, 2021



MTA disposed **198** EEO complaints and **15** EEO lawsuits.

- ❑ 69% complaints/lawsuits were unsubstantiated.
- ❑ 10% complaints /lawsuits were substantiated.
- ❑ 9% complaints/lawsuits were administrative closures.
- ❑ 3% complaints/lawsuits were withdrawn.
- ❑ 4% complaints/lawsuits were dismissed.
- ❑ 4% complaints/lawsuits were resolved/settled.



Metropolitan Transportation Authority Department of Diversity and Civil Rights

MTA Small Business Development Program Business Development Initiatives and MWDBE/SDVOB Results

December 13, 2021



Small Business Development Program

Mission Statement

To develop and grow emerging contractors through classes, on-the-job training and technical assistance on prime contracts with MTA Agencies, thereby creating a larger pool of diverse qualified contractors who can compete for, and complete MTA construction projects safely, timely and within budget.



Elements of the SBDP

- Prime Contract Bid Opportunities up to \$3 million
- Business Management, Leadership and Technical Training
- Access to Working Capital and Surety Bonding
- Comprehensive business consulting services
- Experience working on MTA Projects up to \$3 million
- Fast-Track Payments – 10 Business Days



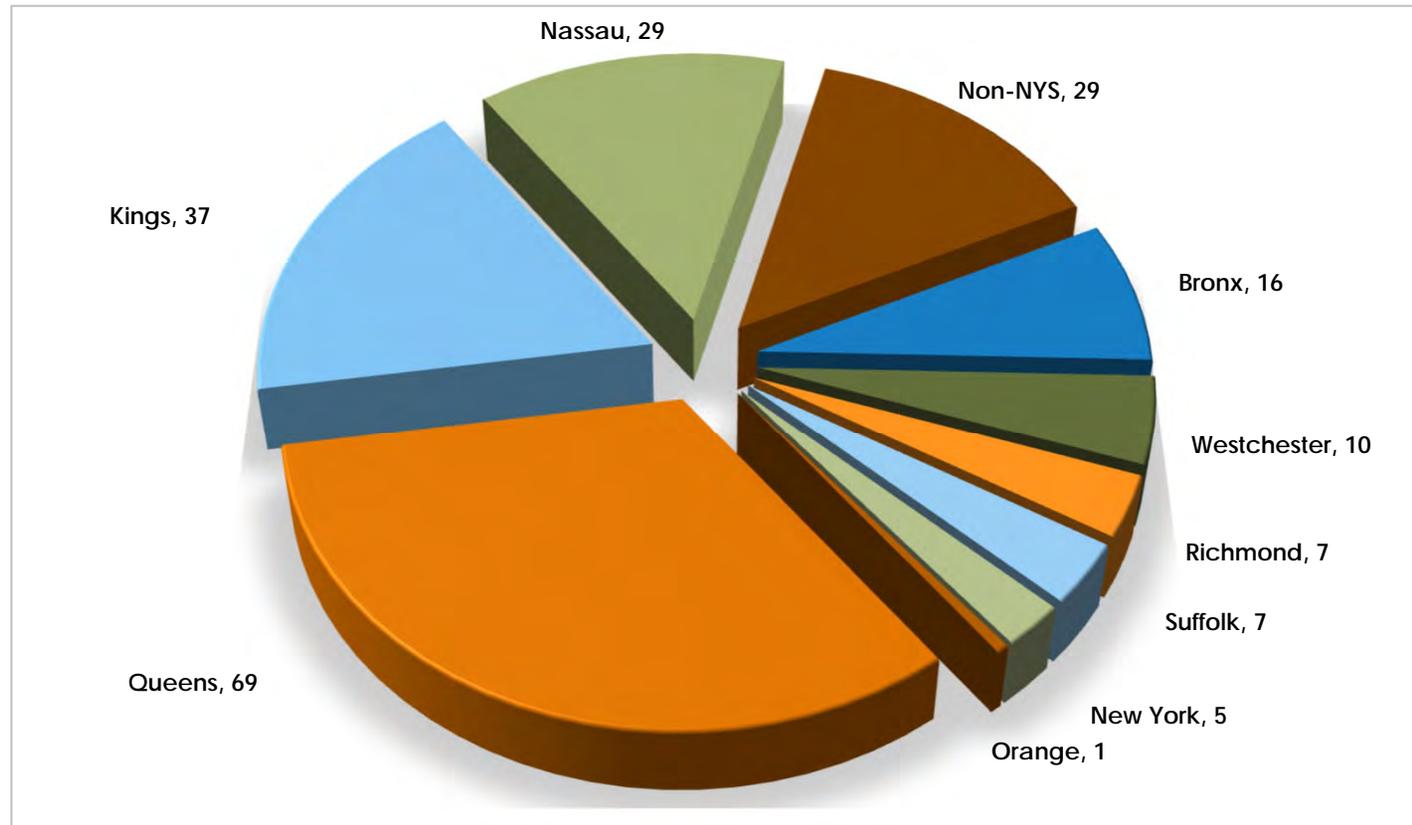
SBDP Represents NY Metro Region

Small Business Mentoring Program All Tiers

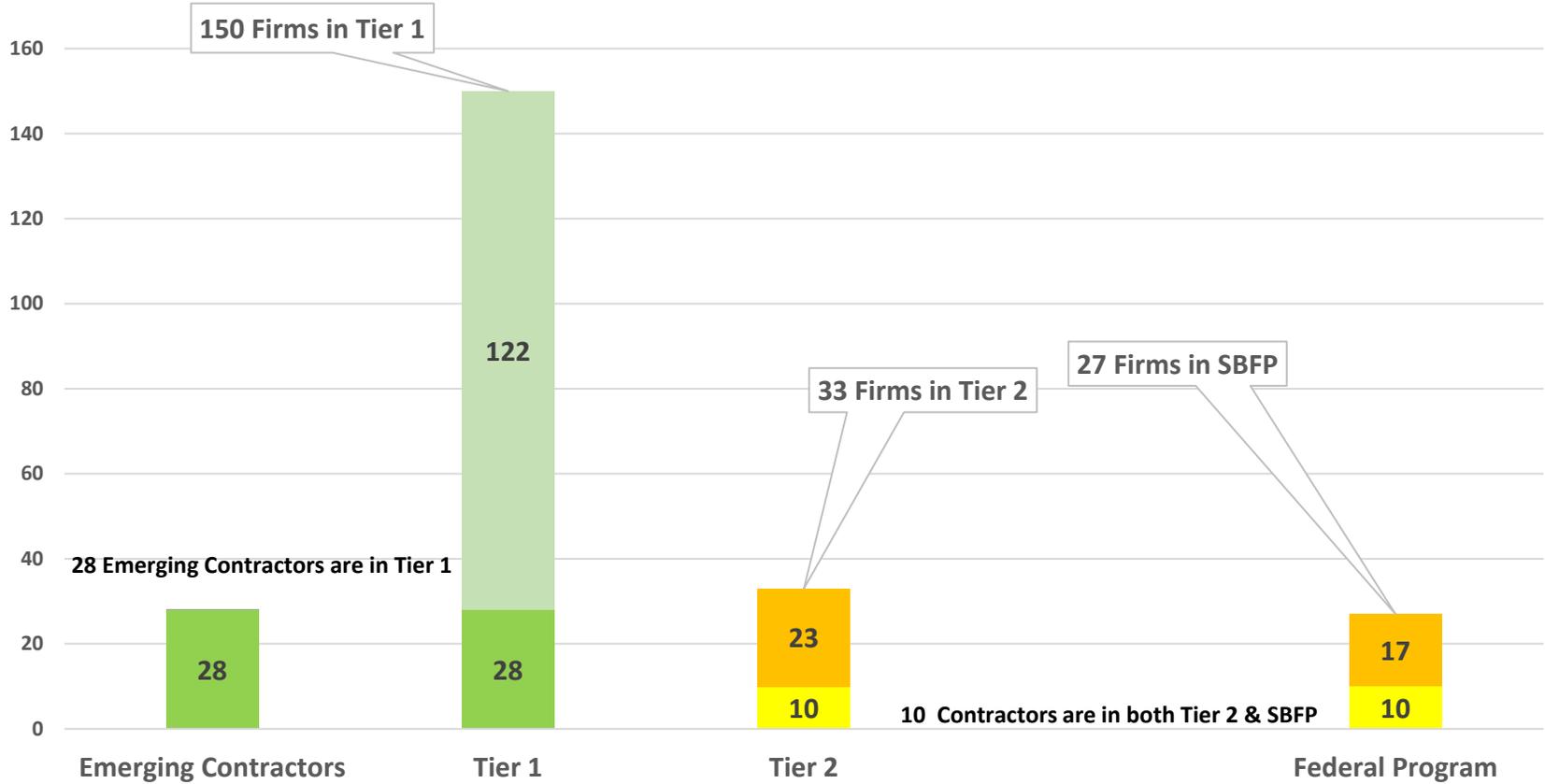
| Certification | |
|---------------|-----|
| MBE | 125 |
| WBE | 22 |
| DBE | 53 |
| SDVOB | 11 |
| Non-Certified | 71 |

Firms may have multiple certifications

210 Prequalified Firms (as of September 30, 2021)



SBDP Tier Participants

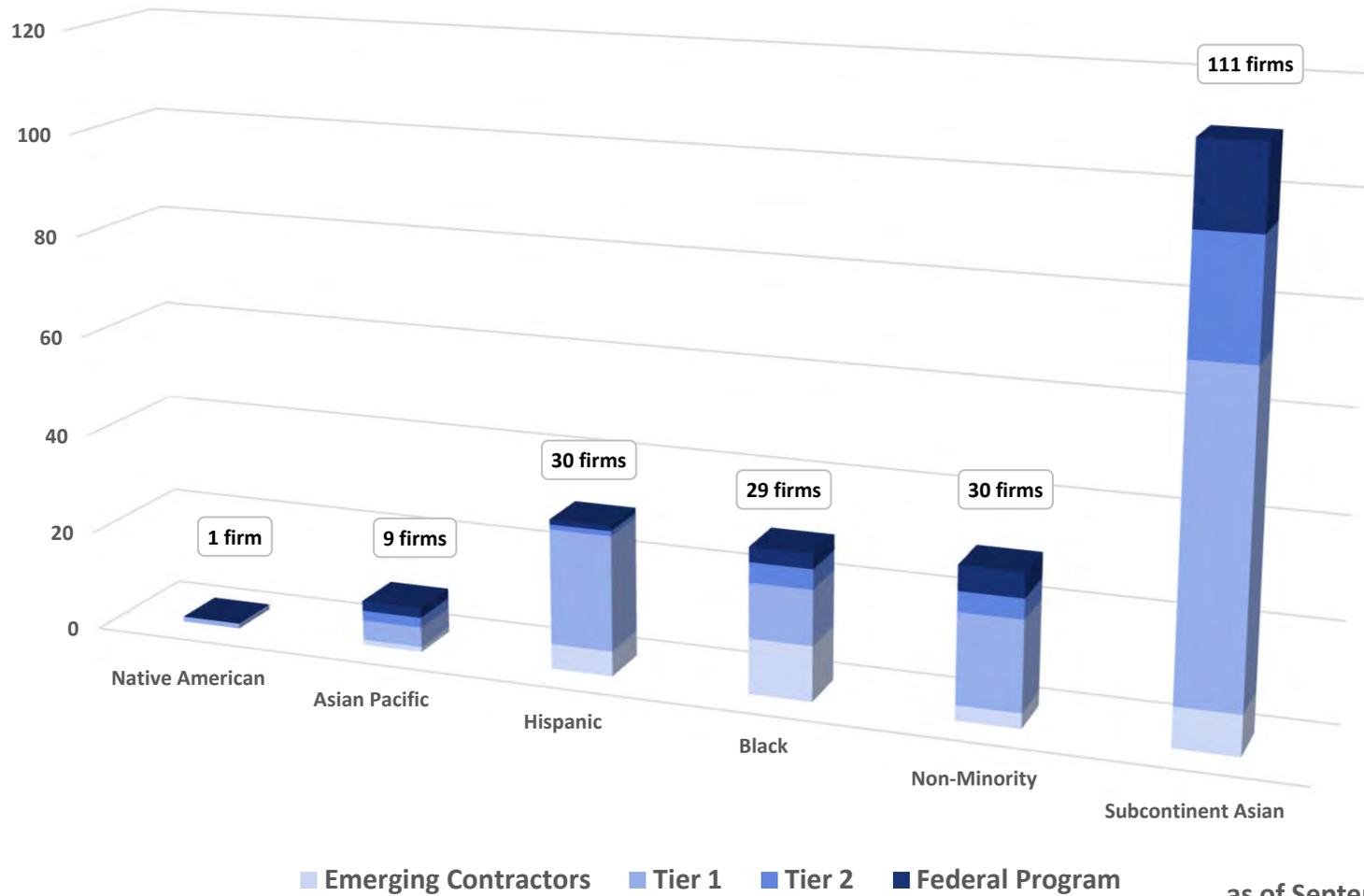


as of September 30, 2021



SBDP Tiers are also Diverse

Ethnicity of Prequalified Contractors in Program Tiers

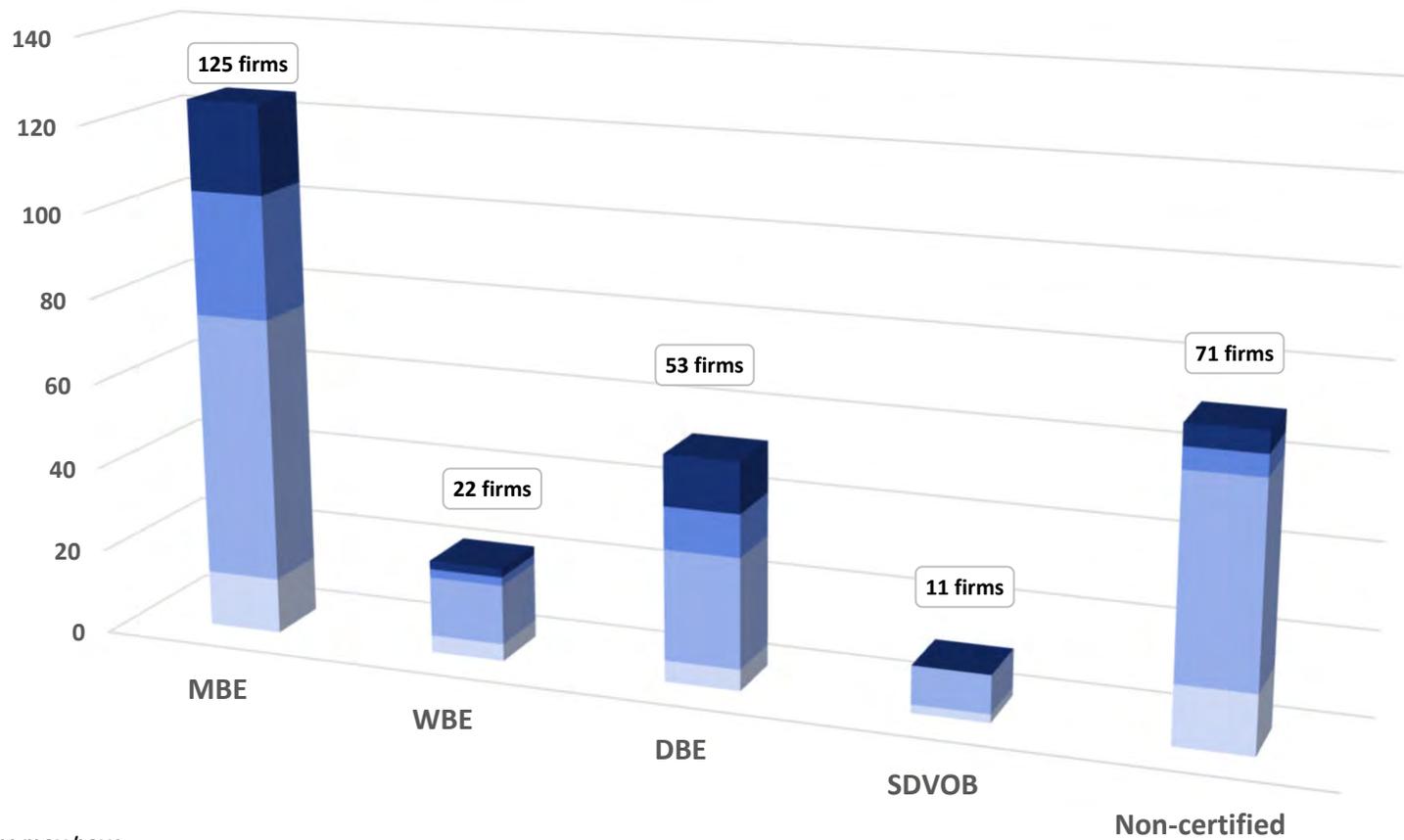


as of September 30, 2021



SBDP Certifications

Certifications of Prequalified Contractors in Program Tiers



firms may have multiple certifications

■ Emerging Contractors
 ■ Tier 1
 ■ Tier 2
 ■ Federal Program

as of September 30, 2021

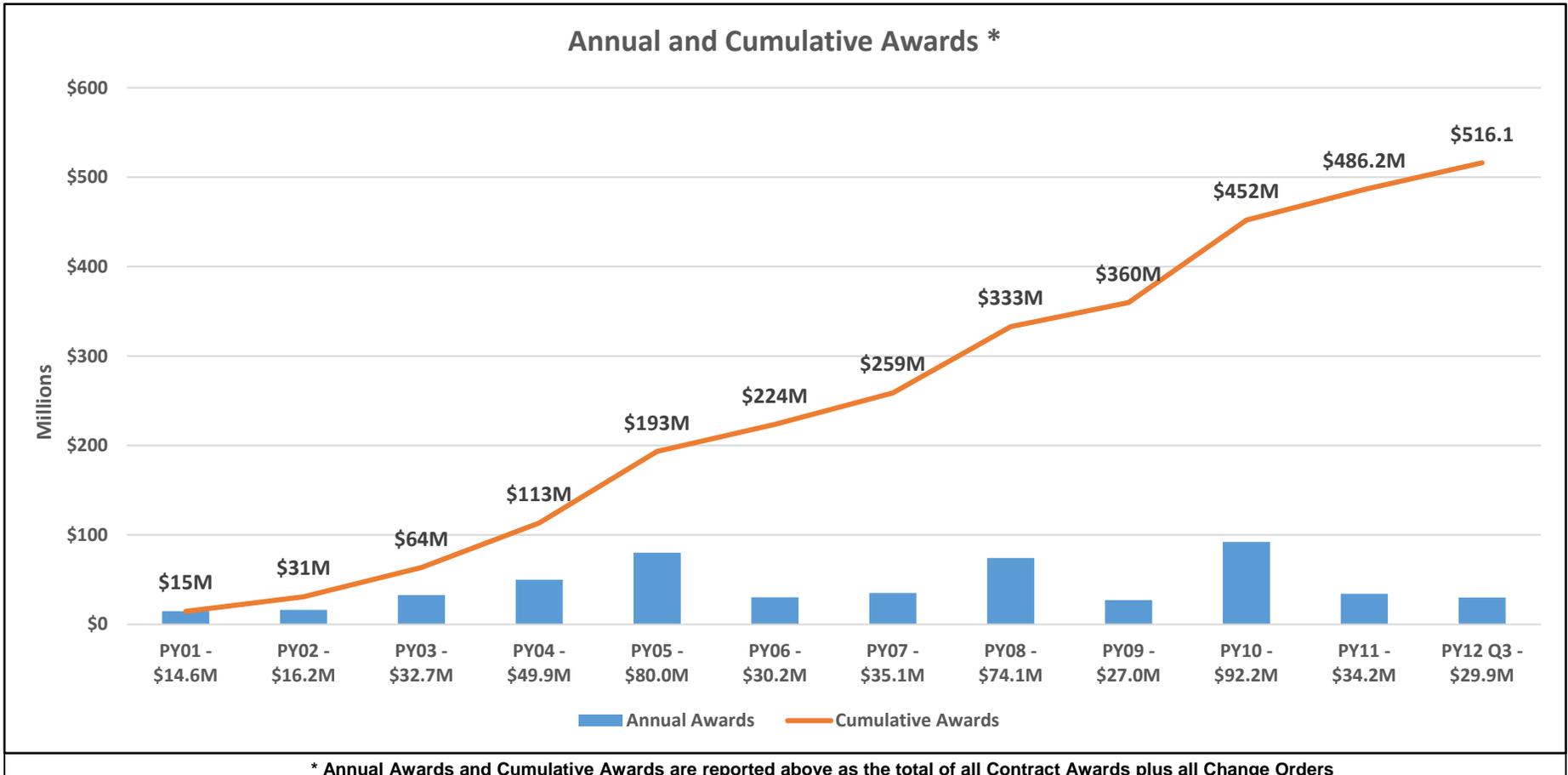


SBDP is Exceeding MWDBE Goals

- MTA MWBE SBMP Tier 1/Tier 2 Goal – **30%**
- MTA DBE Goal – **20%**
- MTA SDVOB Goal - **6%** (Initiated during Program Year 7)
- Tier 1 MWBE Achievements
 - **67%** - contracts awarded to NYS-certified MWBEs
 - **67%** - contract dollars awarded to NYS-certified MWBEs
- Tier 2 MWBE Achievements
 - **87%** - contracts awarded to NYS-certified MWBEs
 - **85%** - contracts dollars awarded to NYS-certified MWBEs
- Federal Program DBE Achievements
 - **64%** - contracts awarded to DBEs
 - **63%** - contracts dollars awarded to DBEs
- SDVOB Achievements
 - **1%** - contracts awarded to SDVOBs
 - **1%** - contract dollars awarded to SDVOBs



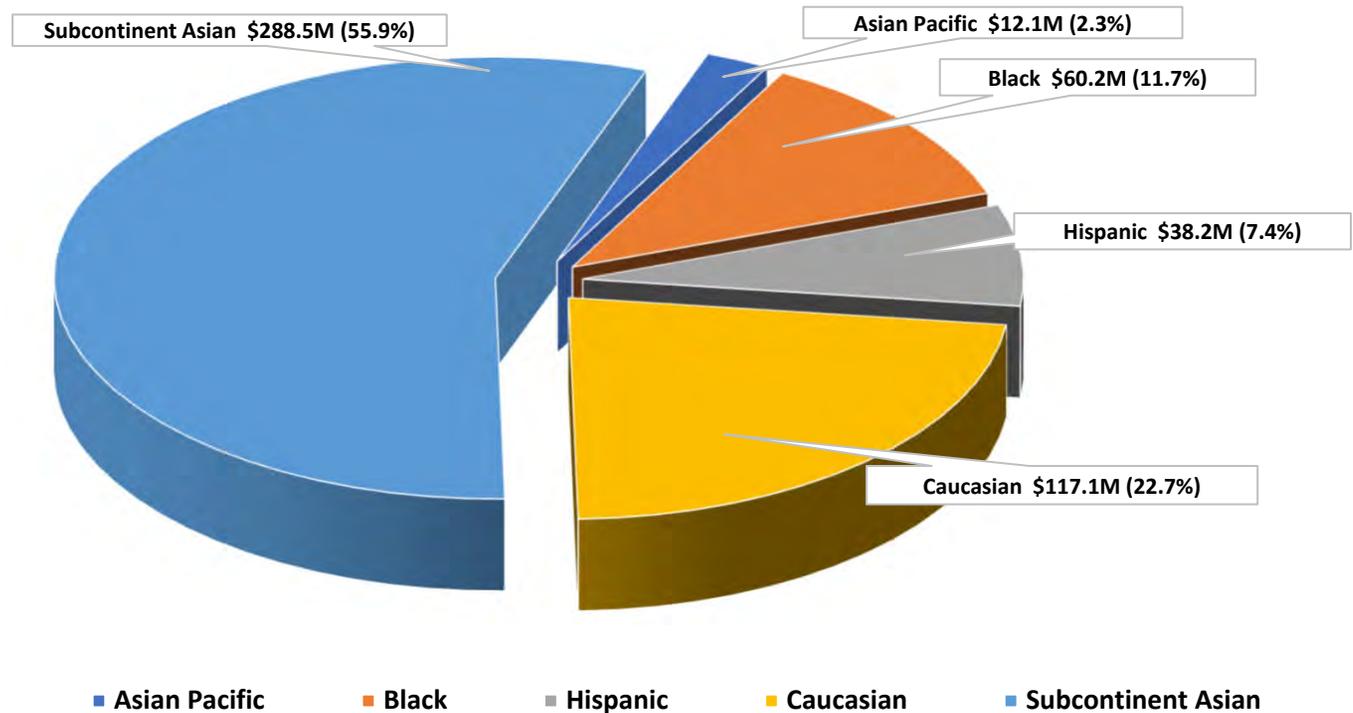
SBDP Prime Contract Opportunities



Program Year 1-12 awards through September 30, 2021

SBDP Contract Awards

Total SBDP Contract Awards by Ethnic Categories



| Category | Legend | Awards |
|--------------------------|--------|-----------------|
| Subcontinent Asian | | \$288.5M |
| Caucasian | | \$117.1M |
| Black | | \$ 60.2M |
| Hispanic | | \$ 38.2M |
| Asian Pacific | | \$ 12.1M |
| Total SBDP Awards | | \$516.1M |

(Awards in Millions of Dollars)

Contract Awards through September 30, 2021



SBDP Loan Program

Loan values shown are through September 30, 2021

| | | | |
|---------|----------|----------|-------------|
| Year 1 | 1 Loan | totaling | \$ 100,000 |
| Year 2 | 5 Loans | totaling | \$ 687,500 |
| Year 3 | 9 Loans | totaling | \$ 900,000 |
| Year 4 | 27 Loans | totaling | \$2,990,000 |
| Year 5 | 16 Loans | totaling | \$3,020,000 |
| Year 6 | 14 Loans | totaling | \$2,142,500 |
| Year 7 | 18 Loans | totaling | \$2,770,500 |
| Year 8 | 13 Loans | totaling | \$2,155,000 |
| Year 9 | 8 Loans | totaling | \$ 697,000 |
| Year 10 | 9 Loans | totaling | \$1,378,000 |
| Year 11 | 10 Loans | totaling | \$1,391,000 |
| Year 12 | 4 Loans | totaling | \$ 364,000 |

Total 134 Loans Totals \$18,595,500

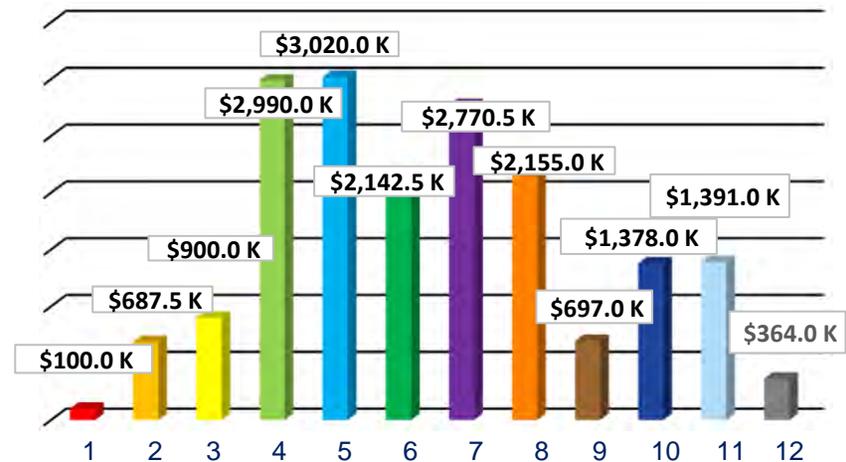
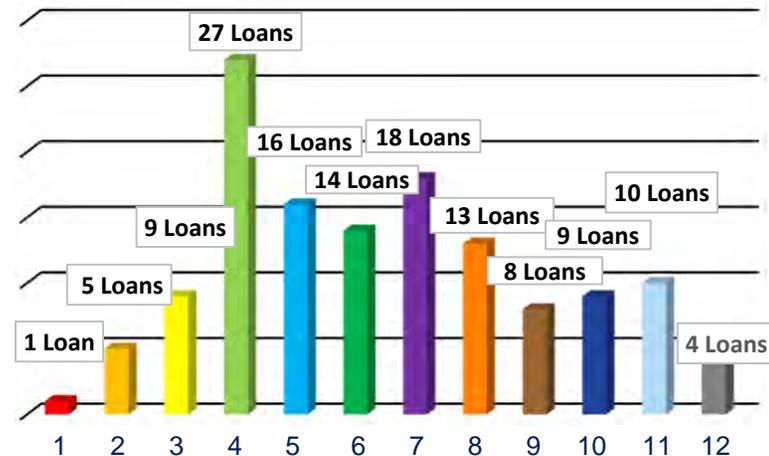
Maximum Loan Available: Tier 1 - up to \$150,000
SBFP and Tier 2 - up to \$900,000

Note: On January 1, 2019, the SBDP began reporting on a Calendar year instead of a Fiscal year.

Year 9 represents activity from August 1st, 2018 to December 31st, 2018.

Year 10 represents calendar year 2019. Year 11 represents calendar year 2020.

Year 12 reflects through the end of the Third Quarter 2021.



SBDP Awards

| ➤ Program Year | Tier | Dollars Awarded |
|----------------|-------------|-------------------------------------|
| ➤ 2010 – 2021 | SBMP-Tier 1 | Awards total \$194.8 Million |
| ➤ 2015 – 2021 | SBMP-Tier 2 | Awards total \$183.2 Million |
| ➤ 2013 – 2021 | SBFP | Awards total \$138.1 Million |
| | All Tiers | Awards total \$516.1 Million |



SBDP Facilitates Bonding and Growth

- The Small Business Development Bond Program has assisted Tier 2 and SBFP firms in securing **\$485 million** in surety bonds.
- **1,236** bid opportunities in the **Tier 2** and **Federal** programs
- **167** contract awards in the **Tier 2** and **Federal** programs
- Ongoing consultation with contractors to maximize bidding opportunities by increasing bonding capacity
- **Engaging Tier 1** contractors 24-36 months before graduation to ensure access to bonding and eligibility for the Tier 2 and the Federal Program



TRAINING IS INTEGRAL TO SUCCESS

- Over **245** classroom training dates completed from July 2010 through September 2021
- Over **1,920** hours of classroom training provided from July 2010 through September 2021
- More than **950** firms have participated in the training since the inception of the program
 - Over **450** of these firms have applied to and prequalified into the SBMP
- All prequalified contractors complete a mandatory 18-session training program
- Over **20** course attendees were registered for the recent training sessions
 - assisting them through the application and pre-qualification process



Training Classes Continue to Evolve

- Regular review and update of topics, materials and instructors
- New topics include Project Management and Strategic Business Development
- Mandatory training spans technical, organizational, and business operations

- Course topics include:
 - Doing Business with the MTA and Prime Contractors
 - Prevailing Wages / Project Management
 - Estimating and Bidding Strategies at the MTA
 - Project Scheduling at the MTA
 - Cash Flow and Financial Management
 - Safety and Quality Planning at the MTA
 - Requisition and Change Order Process
 - Business Communications
 - Marketing Your Business to the NY Construction Industry
 - Construction Law
 - Developing a Profitable Business in the MTA Region
 - Surety Bonding, Access to Capital, and The CEO Toolkit
 - Navigating MTA Contracts & MWDBE Compliance / Strategic Business Development
 - How to be a Prime Contractor



Assessments Plot a Course of Action

- Contractor Assessments lead to detailed Action Plans
- Identifying existing and future needs
- Creating SMART Plans with each contractor
 - **S**pecific
 - **M**easurable
 - **A**greed Upon
 - **R**ealistic
 - **T**ime-bound
- Over 405 In-Person Assessments Completed
- Over 390 Action Plans Delivered
- Regular follow up with contractors on progress



Benefits Of The Program

- Uniform Set of Front-End Bid Documents for All Agencies: NYCT, MNR, B&T, LIRR, MTA BUS, and MTA C&D
- Payments – within 10 business days
- Awards SBMP & SBFP – within 22 business days
- Closeouts SBMP & SBFP – within 20 & 30 business days respectively
- Change Orders – within 15 business days
- Submittals – within 10 business days
- RFIs – within 5 business days



Metropolitan Transportation Authority Department of Diversity and Civil Rights

M/W/DBE and SDVOB
Contract Compliance

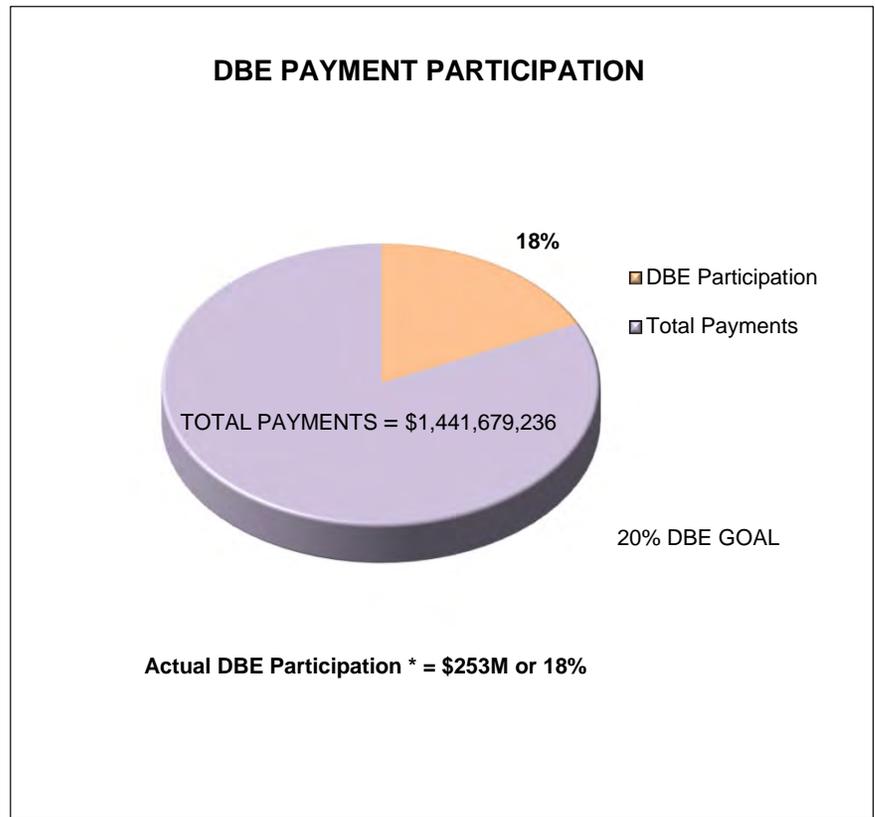
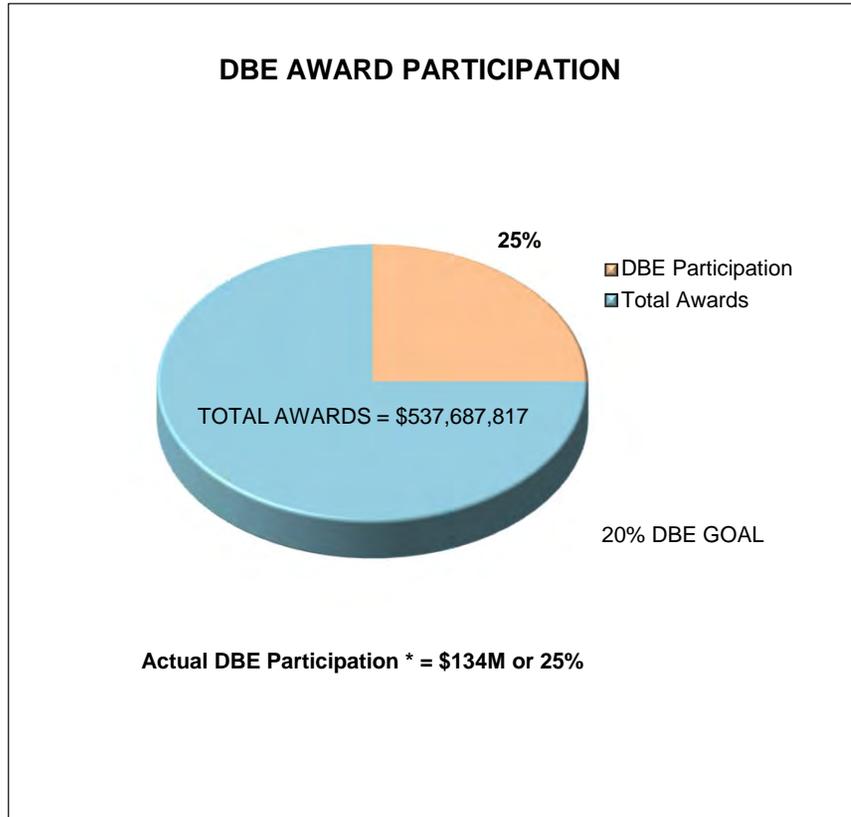
December 13, 2021



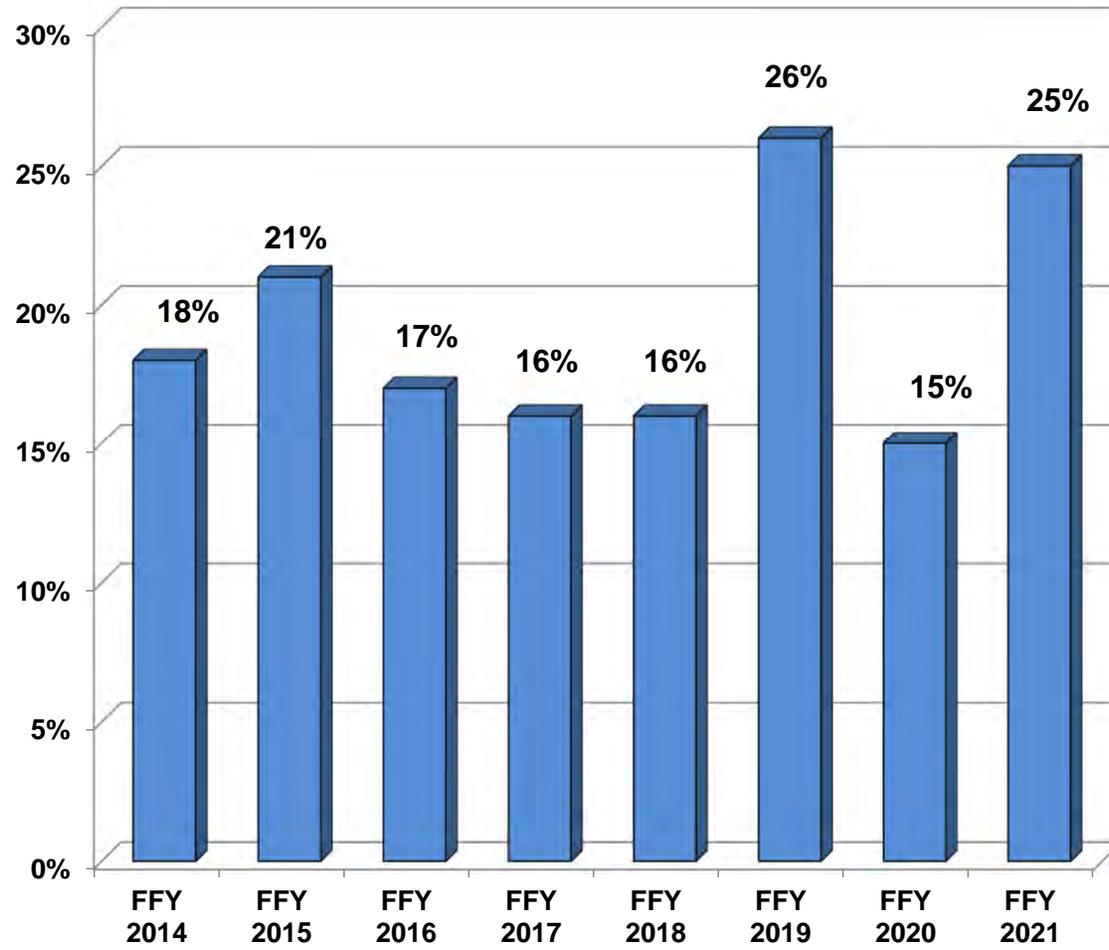
DBE Participation in Federally Funded Contracts
Federal Fiscal Year 2021
(Reporting Period: October 1, 2020 to September 30, 2021)

- Each year, MTA reports to the Federal Transit Administration on a semi-annual basis DBE participation in federally funded contracts.
- Reports are submitted on June 1st -- covering October through March, and December 1st -- covering April through September. The December report also summarizes data for the entire Federal Fiscal Year (“FFY”).
- Reports include DBE participation data on new awards and payments on ongoing, and completed contracts.
- For FFY 2021, MTA’s DBE goal is 20%.
- During the FFY 2021, MTA awarded \$538 million in the federally funded portion of contracts, with \$134 million (25%) being awarded to certified DBEs.
- During the FFY 2021, MTA paid prime contractors \$1.4 billion, with payments to certified DBEs totaling \$253 million (18%).
- On contracts closed during the FFY 2021, MTA achieved 10% DBE participation.

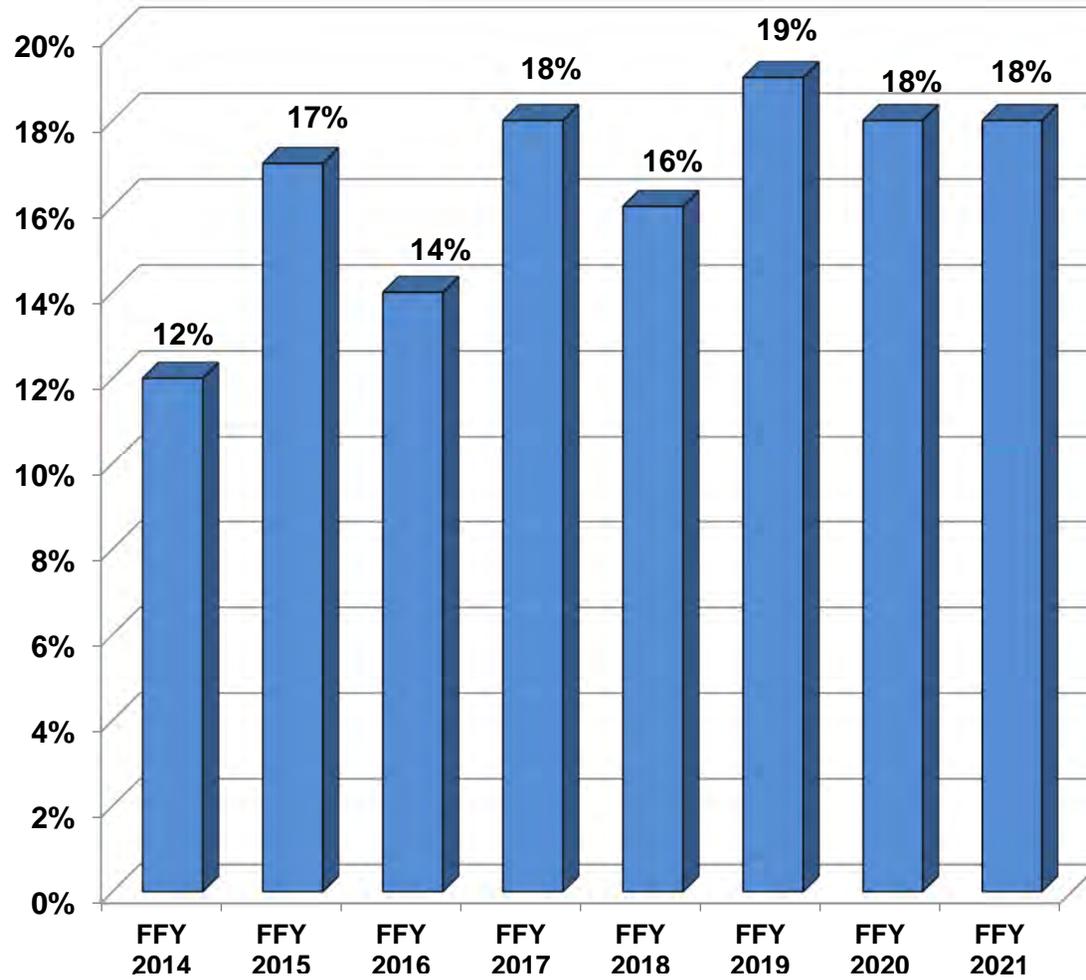
FEDERALLY-FUNDED CONTRACTS
DBE CONTRACT ACTIVITY
FEDERAL FISCAL YEAR 2021(OCTOBER 2020-SEPTEMBER 2021)



DBE CONTRACT AWARDS
October 2014 - September 2021



DBE CONTRACT PAYMENTS
October 2014 - September 2021



**FEDERALLY-FUNDED CONTRACTS
DBE CONTRACT ACTIVITY
FEDERAL FISCAL YEAR 2021 (OCTOBER 2020-SEPTEMBER 2021)**

AWARDS*

| CONTRACT AWARDS | PRIME AWARDS | | DBE PARTICIPATION | | | OVERALL FTA GOAL |
|---|---------------------|----------------------|-------------------------|----------------------|-------------------|------------------|
| | Number of Contracts | Award Amount | Number of DBE Contracts | DBE Award Amount | % To Agency Total | |
| 1ST SEMI-ANNUAL REPORT October 2020- March 2021 | 574 | \$358,562,634 | 56 | \$49,383,333 | 14% | 20% |
| 2ND SEMI-ANNUAL REPORT APRIL 2021-SEPTEMBER 2021 | 459 | \$179,125,183 | 77 | \$85,109,081 | 48% | 20% |
| TOTAL | **1033 | \$537,687,817 | 133 | \$134,492,414 | 25% | 20% |

PAYMENTS*

| CONTRACT PAYMENTS | PAYMENTS TO PRIMES | | DBE PARTICIPATION | | | OVERALL FTA GOAL |
|---|---------------------|------------------------|----------------------------|----------------------|-------------------|------------------|
| | Number of Contracts | Payment Amount | Number of DBE Subcontracts | DBE Payment Amount | % To Agency Total | |
| 1ST SEMI-ANNUAL REPORT October 2020- March 2021 | 737 | \$726,900,288 | 565 | \$135,448,805 | 19% | 20% |
| 2ND SEMI-ANNUAL REPORT APRIL 2021-SEPTEMBER 2021 | 761 | \$714,778,948 | 564 | \$117,394,031 | 16% | 20% |
| TOTAL | 1,498 | \$1,441,679,236 | 1,129 | \$252,842,836 | 18% | 20% |

*Dollar amounts represent the federally-funded portion of contracts.

**This figure includes contracts for which no DBE goals were assigned.

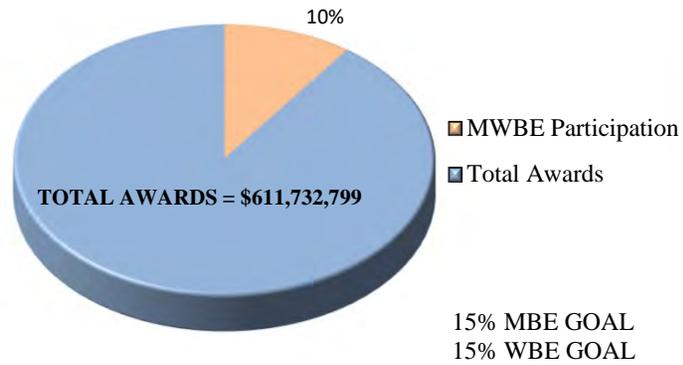
**MWBE Participation in State Funded Contracts
New York State Fiscal Year 2021-2022*
(Reporting Period: April 1, 2021 to September 30, 2021)**

- Each year, MTA reports to the Empire State Development Corporation on a quarterly basis MWBE participation on state funded contracts.
- Reports are submitted 15 days after the end of each quarter, on January 15, April 15, July 15, and October 15.
- Reports include data on contracts with goals and MWBE contract payments.
- MTA established an overall MWBE goal of 30% for New York State fiscal year 2021-2022, starting April 1, 2021.
- During the first two quarters of FY 2021-22, MTA awarded \$612 million in New York State funded contracts, with \$62 million (10%) awarded to certified MWBEs.
- During the first two quarters of FY 2021-22, MTA paid approximately \$1.4 billion on prime contracts with \$397 million (27%), paid to certified MWBEs.

*The State Fiscal Year runs from April 1st through March 31st.

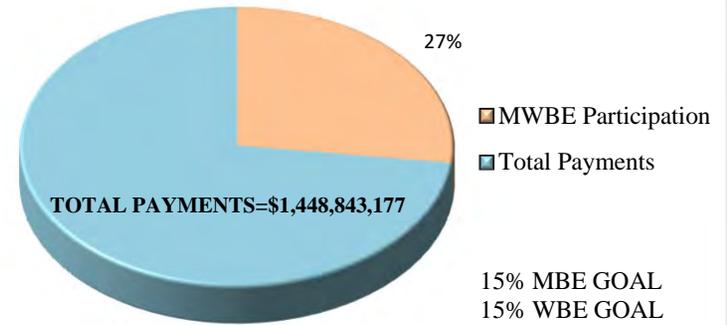
MWBE CONTRACT ACTIVITY
NEW YORK STATE FISCAL YEAR 2021-2022 (APRIL-SEPTEMBER 2021)

MWBE AWARD PARTICIPATION



Actual MWBE Participation * = \$62M or 10%

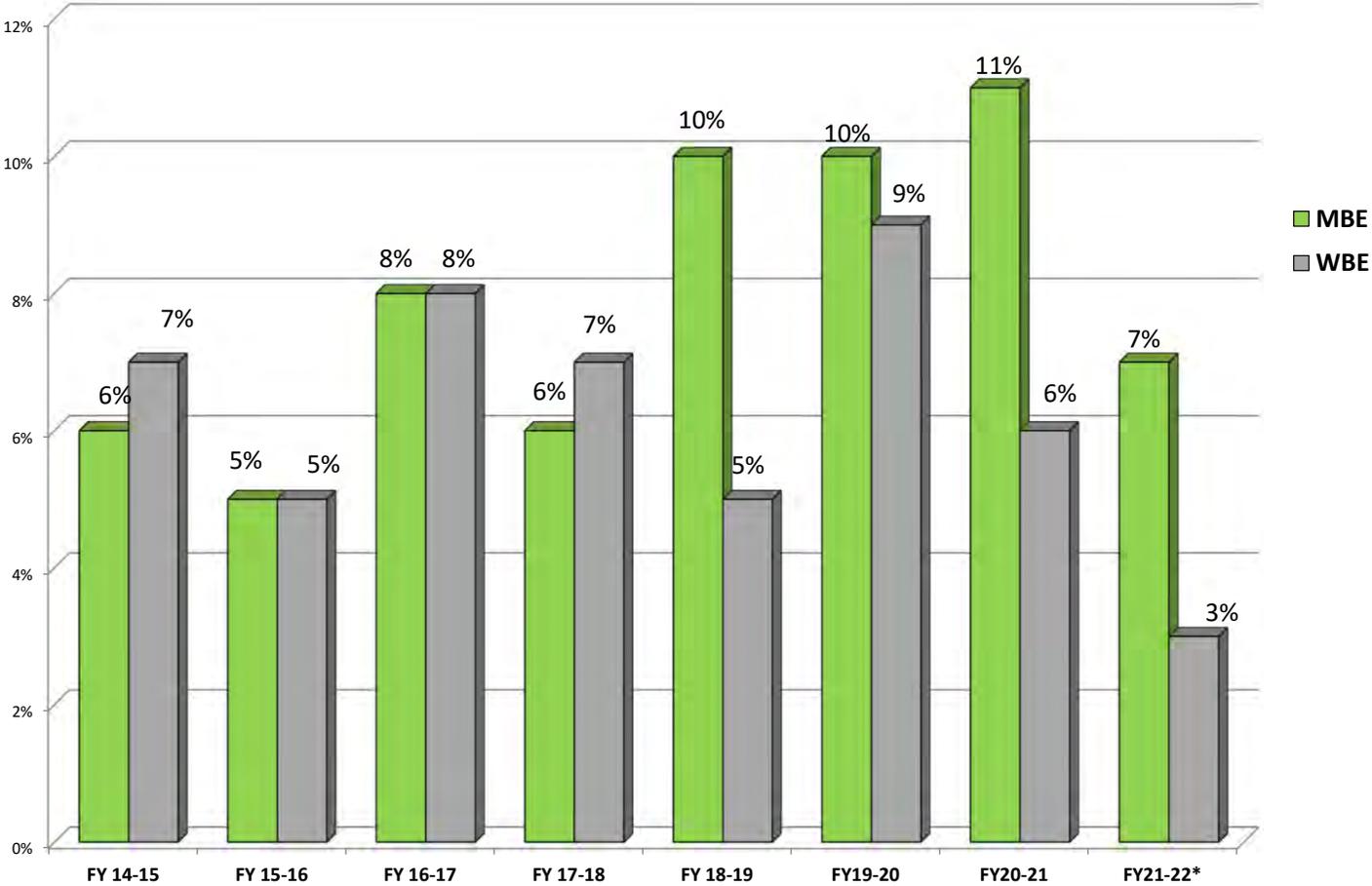
MWBE PAYMENT PARTICIPATION



Actual MWBE Participation * = \$397M or 27%

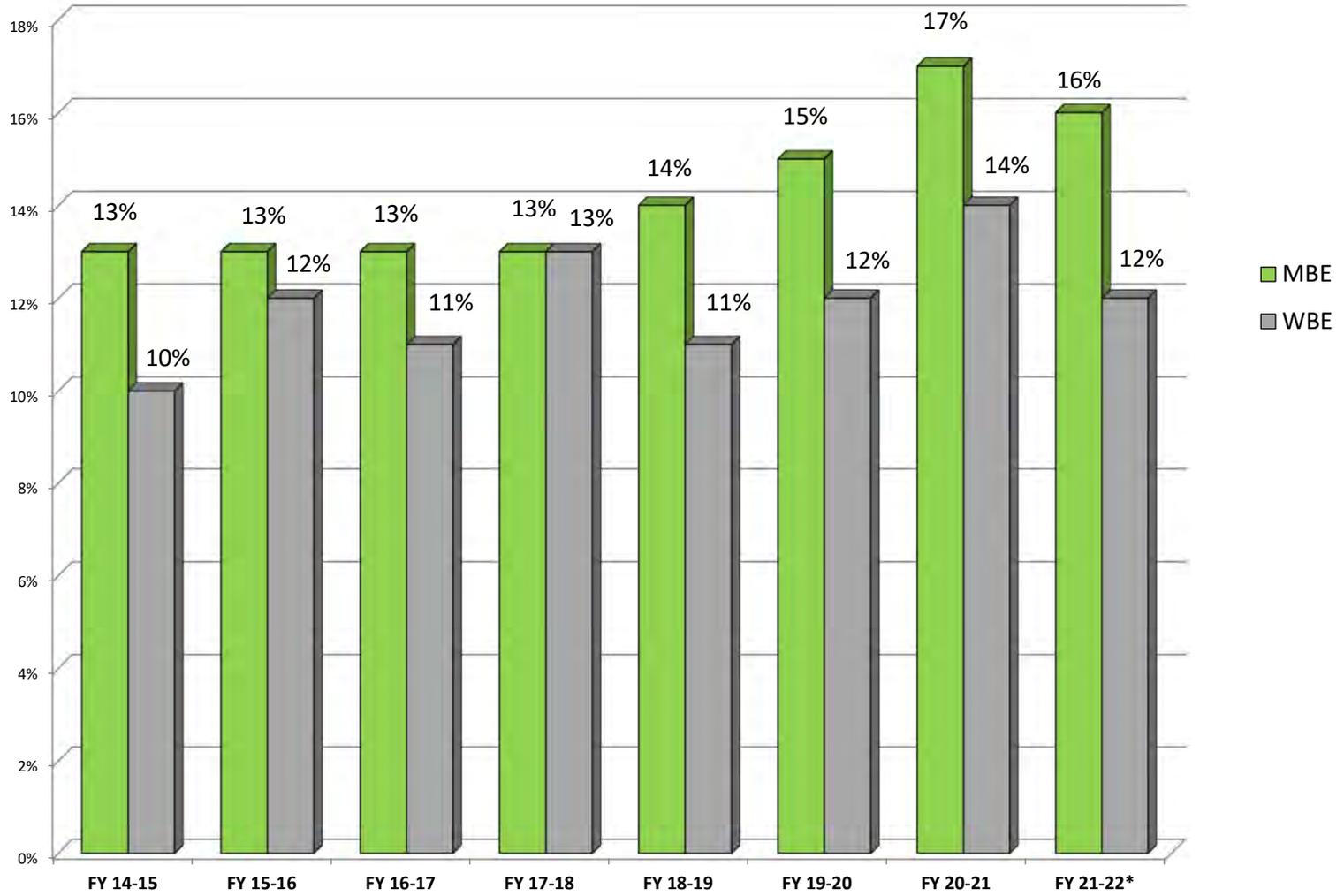
* First two quarters of NYS FY 2021-22

**NYS MWBE AWARDS
APRIL 2014 - SEPTEMBER 2021**



* FY 2021-22, Quarters 1-2 (April 2021 to September 2021)

NYS MWBE PAYMENTS APRIL 2014 -SEPTEMBER 2021



* FY 2021-22, Quarters 1-2 (April 2021 to September 2021)

**NYS CONTRACTS
MWBE CONTRACT ACTIVITY
APRIL 1, 2021 - September 30, 2021**

| CONTRACT AWARDS | PRIME AWARDS | | MWBE AWARDS | | | NYS Goal |
|--|---------------------|----------------------|-----------------------------|---------------------|------------|------------|
| | Number of Contracts | Award Amount | Number of MWBE Subcontracts | MWBE Award Amount | MWBE % | |
| FIRST QUARTER APRIL 2021-JUNE 2021 | 15,297 | \$263,829,811 | 1,170 | \$32,136,732 | 12% | 30% |
| SECOND QUARTER JULY 2021-SEPTEMBER 2021 | 15,717 | \$347,902,989 | 1,257 | \$29,829,254 | 9% | 30% |
| TOTAL | 31,014 | \$611,732,799 | 2,427 | \$61,965,986 | 10% | 30% |

| CONTRACT PAYMENTS | PAYMENTS TO PRIMES | | MWBE PARTICIPATION | | | NYS Goal |
|--|---------------------|------------------------|--------------------------|----------------------|------------|------------|
| | Number of Contracts | Payment Amount | Number of MWBE Contracts | MWBE Payment Amount | MWBE % | |
| FIRST QUARTER APRIL 2021-JUNE 2021 | 2,316 | \$763,152,478 | 3,313 | \$203,104,234 | 27% | 30% |
| SECOND QUARTER JULY 2021-SEPTEMBER 2021 | 2,167 | \$685,690,699 | 3,053 | \$194,326,202 | 28% | 30% |
| TOTAL | 4,483 | \$1,448,843,177 | 6,366 | \$397,430,436 | 27% | 30% |

**SDVOB Participation in State Funded Contracts
New York State Fiscal Year 2021-2022*
(Reporting Period: April 1, 2021 to September 30, 2021)**

- Each year, MTA reports to the Office of General Services on a quarterly basis SDVOB participation on state funded contracts.
- Reports are submitted 30 days after the end of each quarter, on January 30, April 30, July 30, and October 30.
- Reports include data on contracts with SDVOB goals and payments made to SDVOBs.
- MTA established an overall SDVOB goal of 6% for State fiscal year 2021-2022, starting on April 1, 2021.
- During the first two quarters of FY 2021-22, MTA awarded \$237 million in contracts with \$14 million (6%) awarded to certified SDVOBs.
- During the first two quarters of FY 2021-22, MTA paid \$433 million on prime contracts with \$28 million (6%), paid to certified SDVOBs.

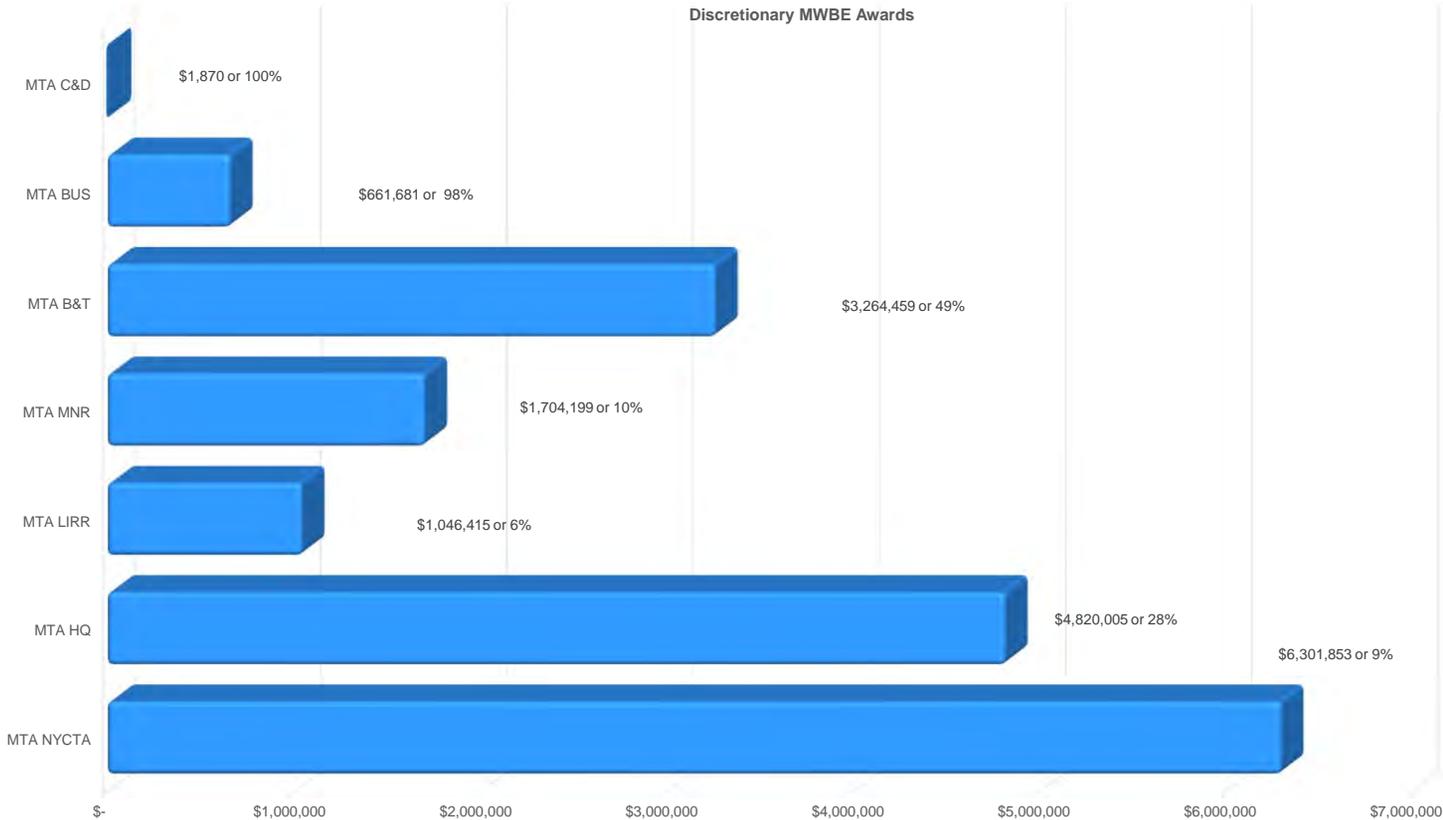
*The State Fiscal Year runs from April 1st through March 31st.

**SDVOB CONTRACT ACTIVITY
APRIL 1, 2021 - SEPTEMBER 30, 2021**

| CONTRACT AWARDS | Prime Awards | SDVOB Awards | SDVOB% |
|---|----------------------|---------------------|---------------|
| FIRST QUARTER (APRIL - JUNE 2021) | \$35,420,483 | \$2,711,347 | 8% |
| SECOND QUARTER (JULY - SEPTEMBER 2021) | \$201,767,547 | \$11,042,269 | 5% |
| FY 2021-2022 TOTAL | \$237,188,030 | \$13,753,616 | 6% |

| CONTRACT PAYMENTS | Prime Disbursements | SDVOB Disbursements | SDVOB% |
|---|----------------------------|----------------------------|---------------|
| FIRST QUARTER (APRIL - JUNE 2021) | \$220,609,874 | \$10,757,230 | 5% |
| SECOND QUARTER (JULY - SEPTEMBER 2021) | \$212,779,345 | \$16,996,396 | 8% |
| FY 2021-2022 TOTAL | \$433,389,219 | \$27,753,627 | 6% |

**MTA ALL AGENCY
DISCRETIONARY PROCUREMENTS REPORT*
APRIL 2021 - SEPTEMBER 2021**



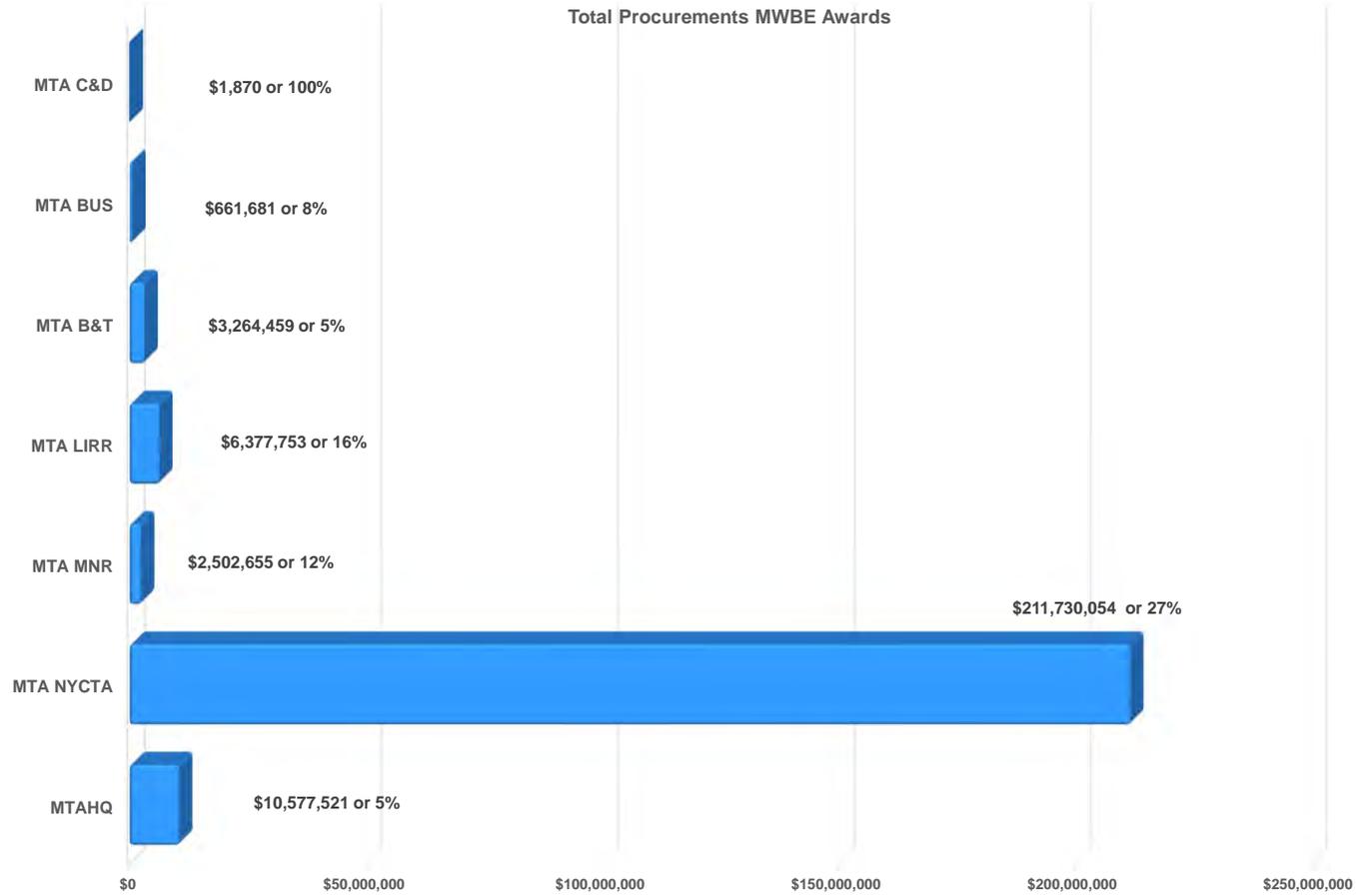
*Discretionary procurements include purchases for goods, miscellaneous procurements, personal or miscellaneous services.

**MTA ALL AGENCY
DISCRETIONARY PROCUREMENT REPORT*
April 2021 - September 2021**

| Agency | Total Awards \$1M or Less | Discretionary MWBE Awards | Discretionary MWBE % | Discretionary SBC | Discretionary SBC % |
|--------------------|--------------------------------------|--------------------------------------|-----------------------------|--------------------------|--------------------------------|
| MTA NYCTA | \$70,136,396.76 | \$6,301,852.65 | 9% | \$520,366.50 | 1% |
| MTA HQ | \$17,449,053.21 | \$4,820,004.71 | 28% | \$797,999.00 | 5% |
| MTA MNR | \$17,884,090.35 | \$1,704,198.82 | 10% | \$113,210.68 | 1% |
| MTA B&T | \$6,647,814.62 | \$3,264,459.00 | 49% | \$0.00 | 0% |
| MTA BUS | \$675,262.13 | \$661,681.13 | 98% | \$13,580.90 | 2% |
| MTA LIRR | \$16,518,111.79 | \$1,046,414.88 | 6% | \$1,555,018.14 | 9% |
| MTA C&D | \$1,870.00 | \$1,870.00 | 100% | \$0.00 | 0% |
| | | | | | |
| Total | \$129,312,599 | \$17,800,481 | 14% | \$3,000,175 | 2% |

* Discretionary procurements include purchases for goods, miscellaneous procurements, personal or miscellaneous services.

MTA ALL AGENCY
TOTAL PROCUREMENTS REPORT
APRIL 2021 - SEPTEMBER 2021



**MTA ALL AGENCY
TOTAL PROCUREMENTS
APRIL 2021 - SEPTEMBER 2021**

| Agency | Total Award Amount | Total MWBE Awards | MWBE % |
|--------------------|---------------------------|--------------------------|---------------|
| MTA NYCTA | \$772,153,365 | \$211,730,054 | 27% |
| MTA B&T | \$59,487,971 | \$3,264,459 | 5% |
| MTA HQ | \$234,283,104 | \$10,577,521 | 5% |
| MTA LIRR | \$40,444,904 | \$6,377,753 | 16% |
| MTA MNR | \$21,541,293 | \$2,502,655 | 12% |
| MTA BUS | \$8,578,696 | \$661,681 | 8% |
| MTA C&D | \$1,870 | \$1,870 | 100% |
| | | | |
| Total | \$1,136,491,203 | \$235,115,994 | 21% |

Metropolitan Transportation Authority Department of Diversity and Civil Rights

Discretionary A&E, IT, and Legal

December 13, 2021



A/E Awards thru Discretionary Procurement as of 9/30/2021

| # | Agency | Contract Number | Project Name & Description | Primary Trades | Contract Amount | Notice of Award Date | Contractor | Contractor Certification |
|---|--------|-------------------------------|--|--|-----------------|----------------------|--|--------------------------|
| 1 | B&T | 14073-5600, Work Order No. 29 | RIC-2003 for improvements to the Ventilation at the Fleet Garage and RMB 2nd Floor | As-Needed Construction Administration, Inspection and Support Services | \$ 252,137 | 4/29/21 | IH Engineers, P.C. | MBE |
| 2 | B&T | 14073-5600 – Work Order # 36, | Senior Project Engineer(s), Staff Augmentation for Project GES-264 | As-Needed Construction Administration, Inspection and Support Services | \$ 313,000 | 5/28/21 | O&S Associates, Inc. | MBE |
| 3 | B&T | 14073-4600 – Work Order # 35 | Senior Project Engineer(s), Staff Augmentation for Project GES-264 | As-Needed Construction Administration, Inspection and Support Services | \$ 350,189 | 6/11/21 | Armand Corporation | M/WBE |
| 4 | B&T | 14073-1800 – Work Order # 33 | WO 33 Senior Project Engineer (Multi facility)- GES-264 | As-Needed Construction Administration, Inspection and Support Services | \$ 263,191 | 8/6/21 | SJH Engineering | MBE |
| 5 | B&T | 14073-3600 – Work Order # 34 | HHM-396, 400, 401, 402 Construction Administration | As-Needed Construction Administration, Inspection and Support Services | \$ 782,847 | 8/6/21 | Hudson Valley Engineering Associates, P.C. | WBE |
| 6 | B&T | 14073-0500 – Work Order # 31 | CBM-335, MPM-355 Construction Administration | As-Needed Construction Administration, Inspection and Support Services | \$ 659,000 | 8/11/21 | SI Engineering, P.C. | MBE |
| 7 | B&T | 14073-5000 – Work Order # 38 | GFMC-2101 - Climate Control for HCT and QMT Buildings | As-Needed Construction Administration, Inspection and Support Services | \$ 644,095 | 9/15/21 | M&J ENGINEERING, P C | MBE |
| | | | | | | | | |

Total : \$ 3,264,459

IT Discretionary

IT Discretionary Consulting Contract No. 14357

April 2021 - September 2021

Total Number of Awards- 22

Value of Awards- \$ 3 million

Value of Cumulative Awards- \$141 million



MTA ALL AGENCY LEGAL FEES APRIL 2021 - SEPTEMBER 2021



**MTA ALL AGENCY LEGAL FEES PAID
APRIL THROUGH SEPTEMBER 2021**

| AGENCY | ALL FEES PAID | MBE FEES PAID | Agency MBE PARTICIPATION | WBE FEES PAID | Agency WBE PARTICIPATION | MWBE FEES PAID | Agency MWBE PARTICIPATION | NON-CERTIFIED FEES PAID |
|---------------|----------------------|----------------------|---------------------------------|----------------------|---------------------------------|-----------------------|----------------------------------|--------------------------------|
| MTA BUS | \$ 1,933,723 | \$ 127,034 | 6.57% | \$ 552,988 | 28.60% | \$ 680,022 | 35.17% | \$ 1,253,701 |
| FMTAC | \$ 3,992,489 | \$ 735,902 | 18.43% | \$ 508,618 | 12.74% | \$ 1,244,520 | 31.17% | \$ 2,747,969 |
| MTA C&D | \$ 1,041,817 | \$ 114,449 | 10.99% | \$ - | 0.00% | \$ 114,449 | 10.99% | \$ 927,368 |
| NYCTA | \$ 8,033,495 | \$ 371,500 | 4.62% | \$ 342,562 | 4.26% | \$ 714,062 | 8.89% | \$ 7,319,433 |
| B&T | \$ 1,412,656 | \$ 44,117 | 3.12% | \$ 217,487 | 15.40% | \$ 261,604 | 18.52% | \$ 1,151,052 |
| MNR | \$ 1,233,244 | \$ 107,537 | 8.72% | \$ 44,270 | 3.59% | \$ 151,807 | 12.31% | \$ 1,081,437 |
| LIRR | \$ 256,979 | \$ 676 | 0.26% | \$ 199,948 | 77.81% | \$ 200,624 | 78.07% | \$ 56,356 |
| MTA HQ | \$ 11,383,093 | \$ 346,786 | 3.05% | \$ 414,917 | 3.65% | \$ 761,703 | 6.69% | \$ 10,621,390 |
| Total | \$ 29,287,495 | \$ 1,848,000 | 6% | \$ 2,280,789 | 8% | \$ 4,128,790 | 14% | \$ 25,158,706 |

Metropolitan Transportation Authority Department of Diversity and Civil Rights

Status of Closed Contracts as of September 30, 2021

December 13, 2021



MTA Headquarters DDCR Update

Inactive Contracts – Status as of September 30, 2021

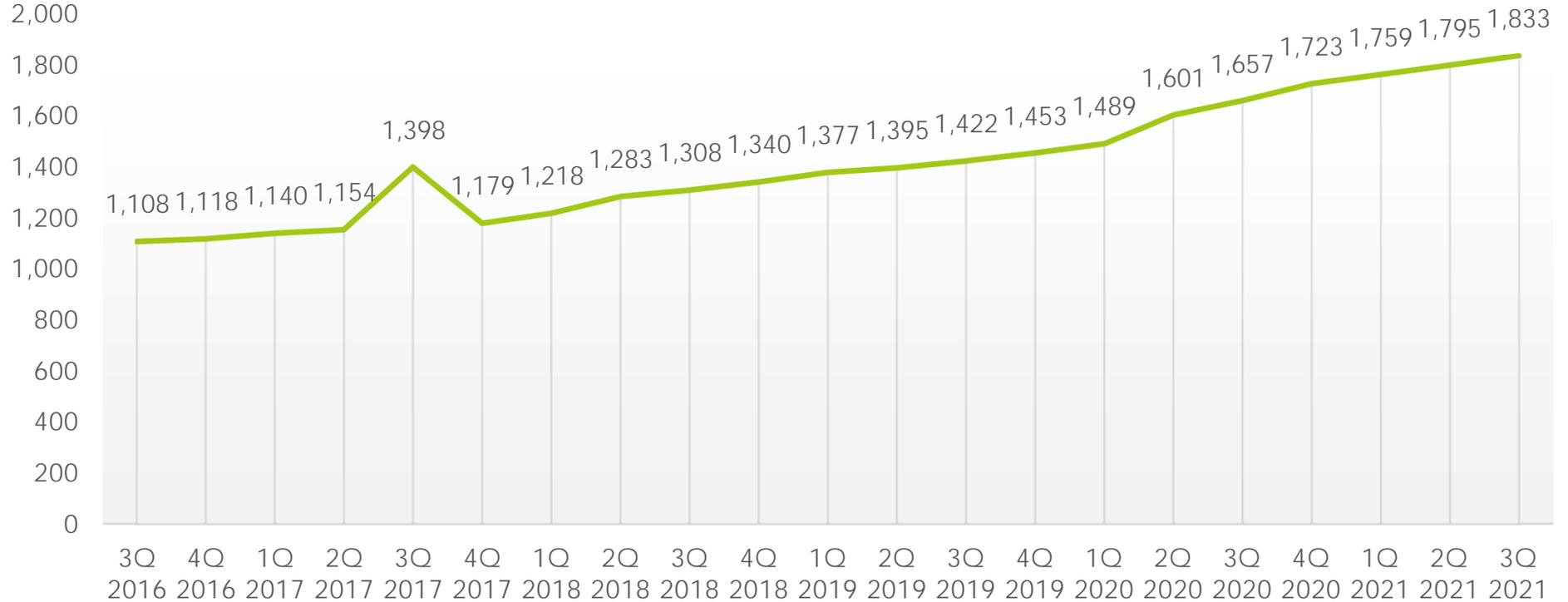
| Inactive Contracts with Goals | # |
|--|------------------|
| 1. Total Contracts Reviewed and Closed | 1,525 |
| 2. Contracts Administratively Closed | 308 ¹ |
| Sub-Total | 1,833 (96%) |
| 3. Closeouts in Progress | 59 |
| 4. Contracts Pending Agency Action | 14 |
| Total | 1,906 (100%) |

1. Contracts administratively closed because of the age of the contract (beyond the established seven-year record retention period).



MTA Headquarters DDCR Update

DDCR Contract Closeout Progression 3Q 2016 through 3Q 2021²

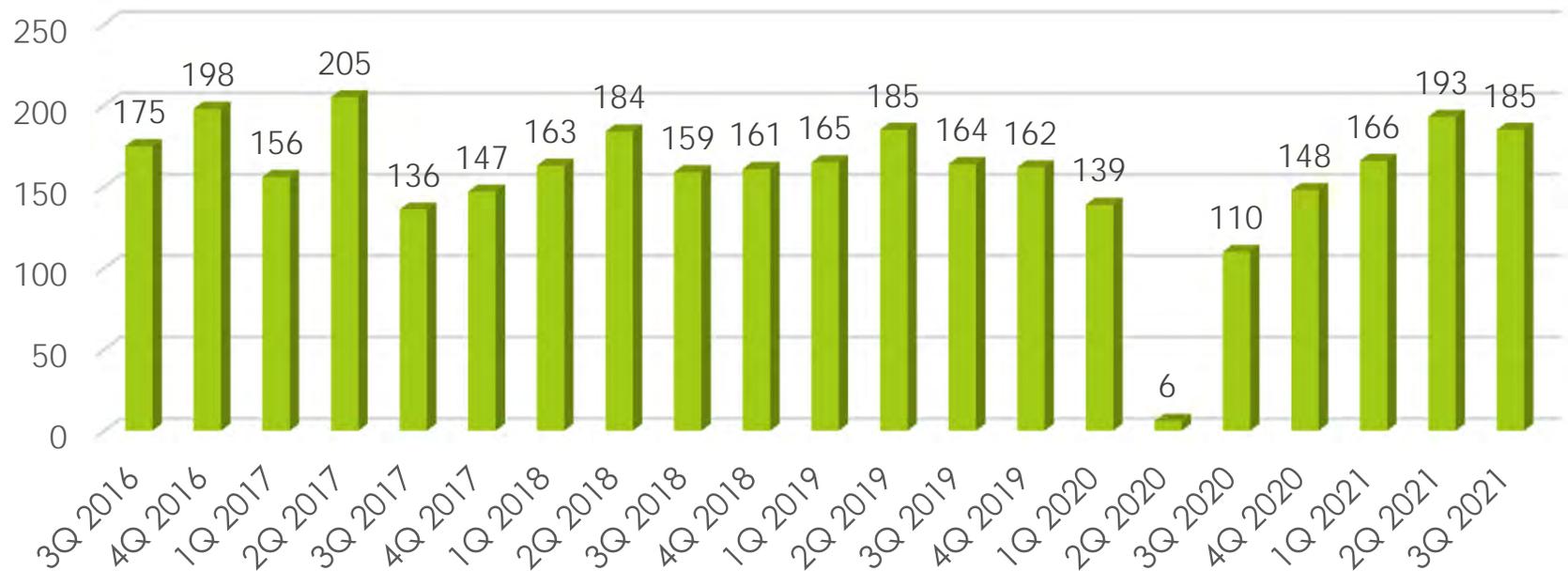


2. The decrease in closeouts between 3Q 2017 and 4Q 2017 is due to approx. 200 contracts being closed out in error, requiring subsequent re-activation.



MTA Headquarters DDCR Update

DDCR Project Site Visits: 3Q 2016 – 3Q 2021
Total Site Visits Performed = 3,813



3. No site visits were performed during April & May 2020 due to the COVID-19 pandemic. Virtual site visits began on June 29, 2020.



Metropolitan Transportation Authority Department of Diversity and Civil Rights

M/WBE, DBE, and SDVOB Participation on
Capital Projects

December 13, 2021



MWDBE and SDVOB Participation on MTA Capital Projects with Goals*

▣ Federal Participation Goal: 20%

(Federal Fiscal Year 2021 (October 2020 to September 2021))

- ▣ Total Awards: \$92M
- ▣ Total DBE Awards: \$21M (23%)
- ▣ Total Payments: \$467M
- ▣ Total DBE Payments: \$88M (19%)

▣ New York State MBE Participation Goal: 15%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- ▣ Total Awards: \$56M
- ▣ Total MBE Awards: \$9.5M (17%)
- ▣ Total Payments: \$98M
- ▣ Total MBE Payments: \$21M (22%)

▣ New York State WBE Participation Goal: 15%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- ▣ Total Awards: \$56M
- ▣ Total WBE Awards: \$6.5M (12%)
- ▣ Total Payments: \$98M
- ▣ Total WBE Payments: \$13M (14%)

▣ Service Disabled Veteran-Owned Business Participation Goal: 6%

(First and Second Quarters of NYS Fiscal Year 2021-2022 (April 2021 – September 2021))

- ▣ Total Awards: \$28M
- ▣ Total SDVOB Awards \$1.1M (4%)
- ▣ Total Payments: \$183M
- ▣ Total SDVOB Payments: \$2.6M (1%)

*Report is based on original contract amount provided by MTA Agencies for third-party design and construction contracts (excluding rolling stock and signals).



Metropolitan Transportation Authority Department of Diversity and Civil Rights

Financial Services

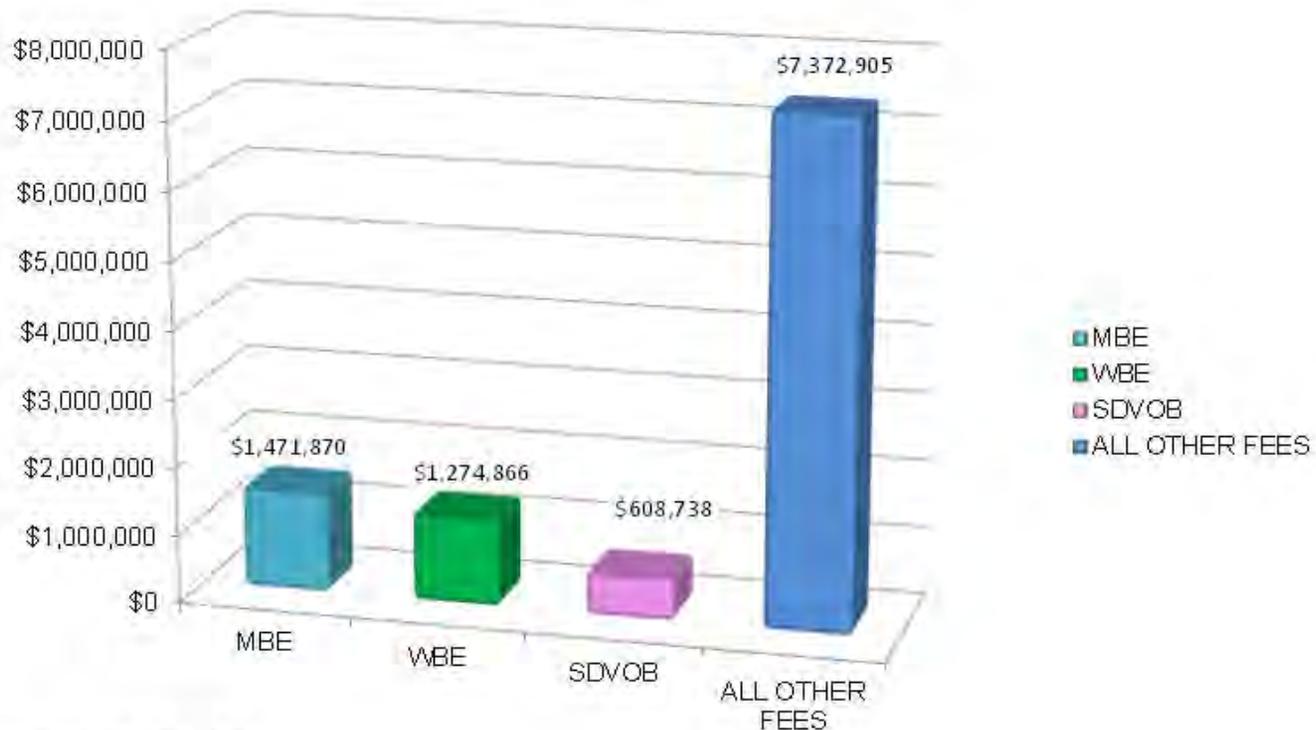
December 13, 2021



MTA All Agency Underwriter Fees

April 2021 - September 2021

MTA ALL AGENCY UNDERWRITER FEES
APRIL 2021 - SEPTEMBER 2021



Actual WBE Participation = \$1,274,866 or 12%
Actual MBE Participation = \$1,471,870 or 14%
Actual SDVOB Participation = \$608,738 or 6%
All Other Underwriting Fees = \$7,372,905 or 69%
Total Underwriting Fees = \$10,728,379



Metropolitan Transportation Authority Department of Diversity and Civil Rights

Asset Fund Managers

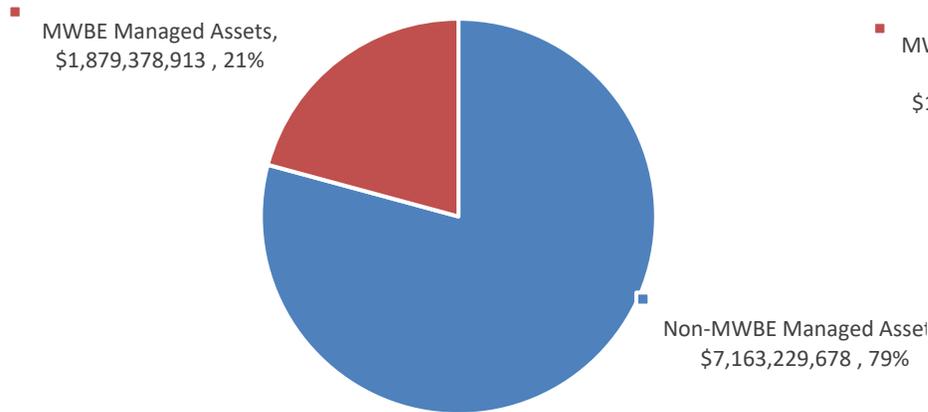
December 13, 2021



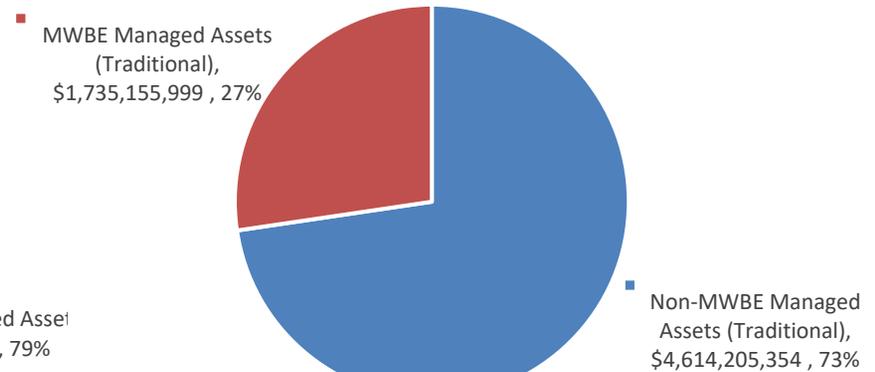
MTA Sponsored Plans – MWBE Participation

As of September 2021

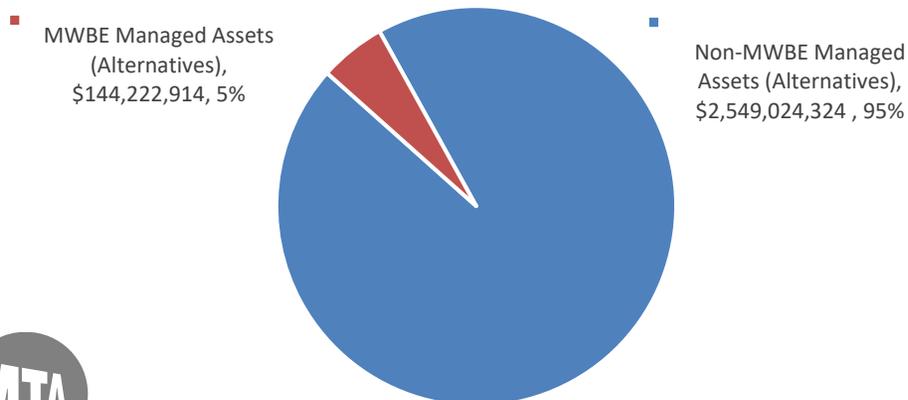
Combined Plans - Total Assets



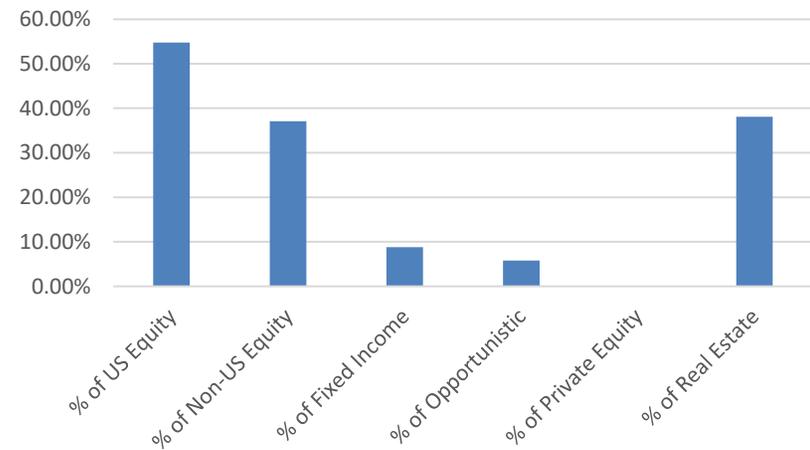
Combined Plans - Traditional Investments



Combined Plans- Alternative Investments



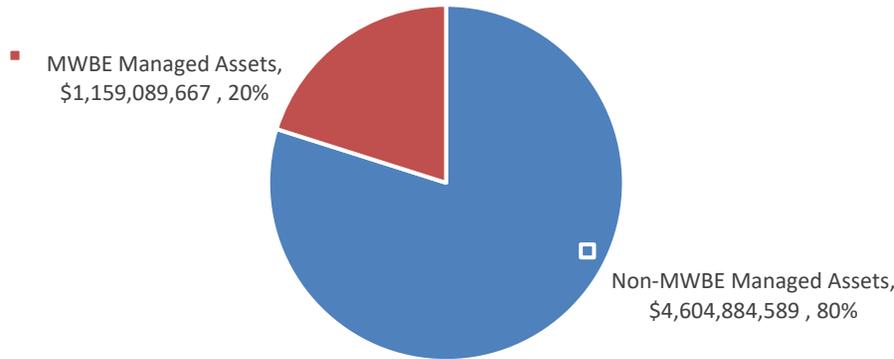
MWBE Managed Assets by Asset Class



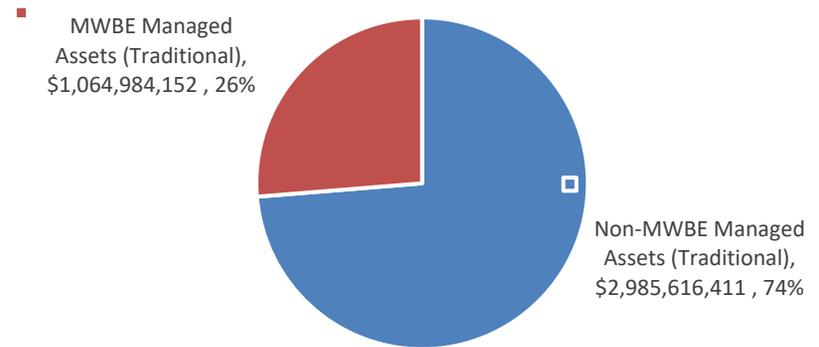
MTA Sponsored Plans – MWBE Participation

As of September 2021

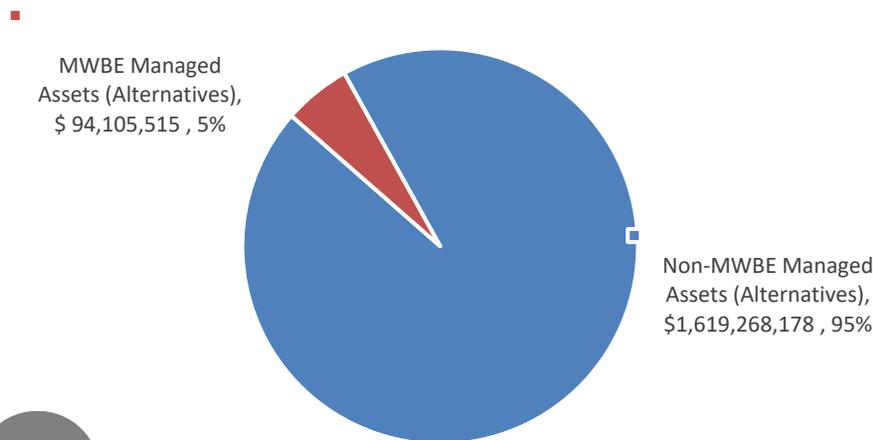
MTA Defined Benefit - Total Assets



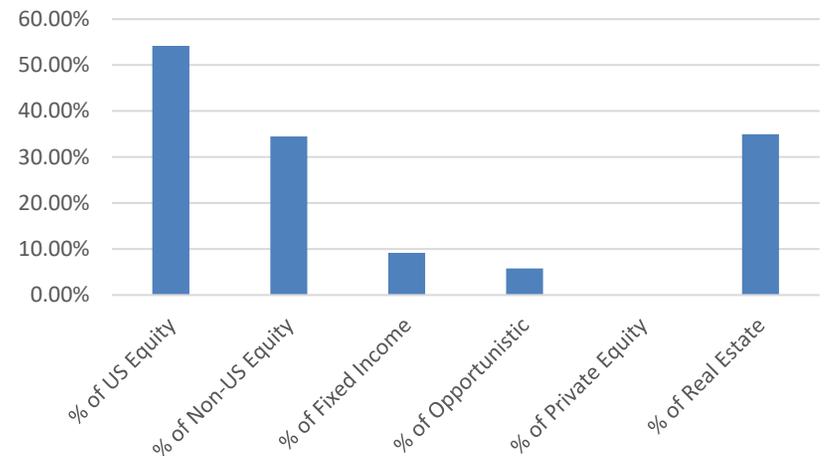
MTA Defined Benefit - Traditional Investments



MTA Defined Benefit - Alternative Investments



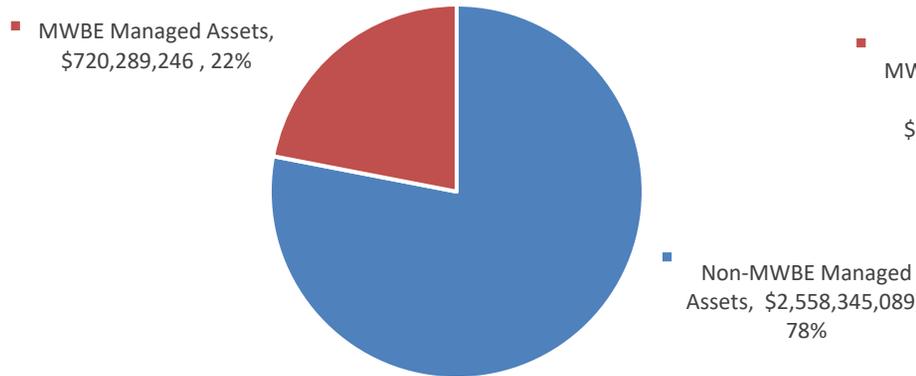
MWBE Managed Assets by Asset Class



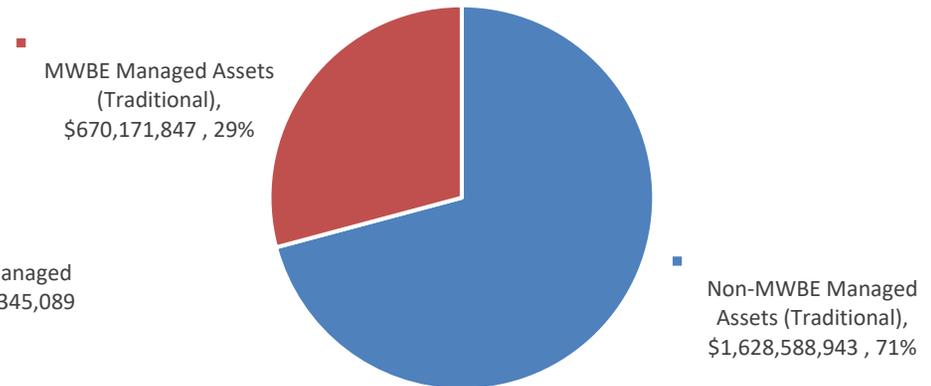
MTA Sponsored Plans – MWBE Participation

As of September 2021

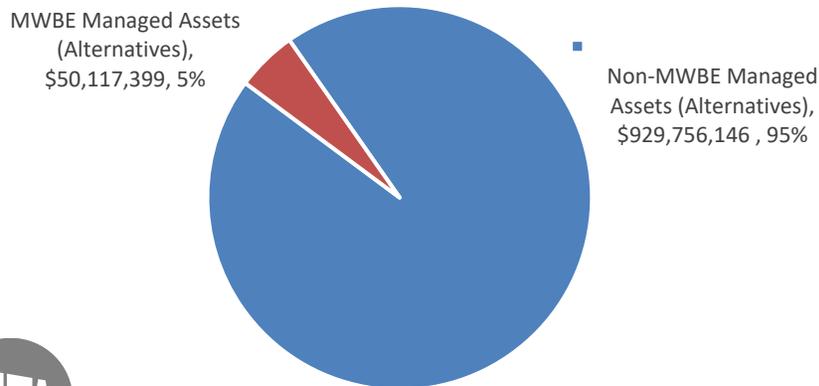
MaBSTOA - Total Assets



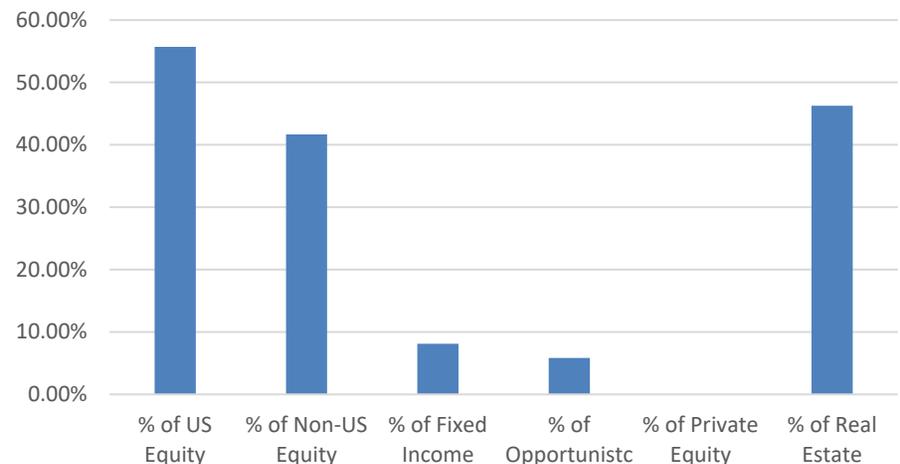
MaBSTOA - Traditional Investments



MaBSTOA - Alternative Investments



MWBE Managed Assets by Asset Class



MTA ALL AGENCY POLICY STATEMENT EQUAL EMPLOYMENT OPPORTUNITY

The Metropolitan Transportation Authority (“MTA”), and its affiliated agencies: New York City Transit (NYCT), Metro-North Railroad (MNR), Long Island Rail Road (LIRR), MTA Bus Company (MTA BUS), MTA Bridges and Tunnels (B&T) and MTA Construction and Development (C&D), herein referred to as “MTA”, is fully committed to equal employment opportunity for all employees, applicants for employment, and certain non-employees such as visitors, contractors, subcontractors, consultants, interns, fellows, or apprentices, in the workplace, without regard to race, color, religion, (including the wearing of any attire, clothing, or facial hair in accordance with the requirements of a person’s religion), creed, national origin, ancestry, sex, sexual orientation, age, disability, predisposing genetic characteristic, gender identity and expression, pregnancy, veteran or military status, marital/familial/partnership/caregiver status, status as a victim of domestic violence, stalking and/or sex offenses, sexual and reproductive health decisions, or any legally protected basis. In addition, MTA will not impermissibly use or rely on immigration/alienage/citizenship status, credit history, arrest/conviction records, unemployment history, or salary history in its employment practices. MTA’s Equal Employment Opportunity (“EEO”) Policy applies to all employment actions, including but not limited to hire, promotion, upgrades, working conditions, demotion, transfer, recruitment or recruitment advertising, layoff or other discharge, recall, rates of pay or other forms of compensation, treatment of employees, benefits and selection for training. Further, the MTA expressly prohibits any form of harassment based on the aforementioned protected bases. These forms of discrimination or harassment are prohibited in the workplace and in any location that could reasonably be regarded as an extension of the workplace, such as business travel or outside training, and will not be tolerated.

All employees and applicants for employment and certain non-employees in the workplace shall be protected from retaliation or harassment for filing a complaint or participating in an investigation of a complaint, participating in any employment discrimination proceeding or other protected activity. Such retaliation or harassment is strictly prohibited and will not be tolerated. The MTA is committed to providing reasonable accommodation to applicants and employees who need them because of a disability or pregnancy/childbirth or related medical condition, or to practice or observe their religion, absent undue hardship as required by applicable law.

The MTA is fully committed to complying with all applicable laws and regulations that call for the establishment and implementation of a program providing equal employment opportunities for all employees, applicants for employment and certain non-employees in the workplace. To that end, the MTA has developed a written nondiscrimination program that sets forth the policies, practices and procedures, with goals and timetables, to which MTA is committed. This program is available for inspection by employees or applicants for employment upon request. All managers and supervisors share in the responsibility for complying with and promulgating this program and are assigned specific tasks to ensure and achieve compliance. Their performance in connection with this responsibility will be evaluated in the same manner the agency evaluates their performance in other agency programs.

Michael J. Garner, MTA’s Chief Diversity and Inclusion Officer, reports directly to the MTA Chairman and Chief Executive Officer. Mr. Garner is the executive responsible for implementing MTA’s EEO

MTA ALL AGENCY POLICY STATEMENT EQUAL EMPLOYMENT OPPORTUNITY (Continued)

policies and regulatory adherence with all MTA's Equal Opportunity Programs. MTA's Chief Diversity and Inclusion Officer and the agencies' Chief Equal Opportunity Officers are responsible for implementing EEO policies and administering the Equal Employment Opportunity Program at the agency level. If you believe you have been subjected to a violation of MTA's EEO Policy in your employment or application for employment, you have a right to file complaints of discrimination and/or retaliation directly with the Agency's Chief Equal Opportunity Officer at the appropriate agency listed below:

MTA Headquarters
Michael J. Garner
2 Broadway, 16th Floor
New York, NY 10004
646-252-1385
mgarner@mtahq.org

Construction and Development
Dr. Rosalyn Green
2 Broadway, 8th Floor
New York, NY 10004
646-252-4379
rosalyn.green@mtacd.org

Bridges and Tunnels
Joyce D. Brown
2 Broadway, 23rd Floor
New York, NY 10004
646-574-0021
joyce.brown@mtahq.org

MTA Bus
Joel Andrews (Acting)
2 Broadway, 30th Floor
New York, NY 10004
718-694-1730
joel.andrews@nyct.com

Long Island Rail Road
Jodi Savage
Jamaica Station - 1141
Jamaica, NY 11435
347 986-0161
jodi.savage@mtahq.org

Metro-North Railroad
Mayra Bell
420 Lexington Ave. 12th Floor
New York, NY 10170
212-340-2560
mbell@mnr.org

New York City Transit
Joel Andrews
130 Livingston Street, 3rd Floor
Brooklyn, NY 11201
718-694-1730
Joel.andrews@nyct.com

Complaints also can be filed directly with MTA's Chief Diversity and Inclusion Officer, Michael J. Garner, at 2 Broadway, 16th Floor, New York, New York 10004, mgarner@mtahq.org, or by phone at (646) 252 - 1385 or you can contact any EEO personnel. You may also report a potential violation to your immediate supervisor or a higher-level supervisor, although you are not required to do so.

Managers and supervisors are required to notify the Agency's Chief Equal Opportunity Officer or MTA's Chief Diversity and Inclusion Officer as soon as they receive a complaint or otherwise observe, learn about, or suspect any improper discriminatory or retaliatory conduct, regardless of whether or not:

- a written statement is provided contemporaneously,
- the Complainant requests that no action be taken and/or requests confidentiality, or
- the Complainant works in the manager/supervisor's department, division or unit.

MTA ALL AGENCY POLICY STATEMENT EQUAL EMPLOYMENT OPPORTUNITY (Continued)

If it is determined that a violation of the MTA’s EEO Policy has occurred, the MTA will take appropriate action to remedy the situation. All employees are required to fully cooperate during an investigation. Any employee who is found to have violated the EEO Policy, or any supervisory or managerial employee who knowingly permits a violation of the EEO Policy to occur, may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

You also have the right to file a complaint externally with an outside agency. For certain complaints, you may be required to file directly in State Court. The following external agencies handle complaints of discrimination and retaliation:

- The United States Equal Employment Opportunity Commission (EEOC), New York District Office, 33 Whitehall Street, 11th Floor – New York, NY 10004- (800) 669-4000 or eeoc.gov
- The New York State Division of Human Rights, New York District Office, One Fordham Plaza, 4th Floor New York, NY 10458- (888) 392-3644 or dhr.ny.gov

The New York City Commission of Human Rights may also be an available forum and can be contacted at New York City Commission of Human Rights, 22 Reade Street, New York, NY 10007-(212) 416-0197 or www1.nyc.gov/site/cchr/index.page

This Policy Statement is to be posted in prominent locations throughout MTA’s facilities.

Effective: January 1, 2022

Janno Lieber
Acting Chairman and CEO

Michael J. Garner
Chief Diversity and Inclusion Officer

Jamie Torres-Springer
Acting Chief Development Officer and
President MTA C & D

Vacant
Chief Operating Officer
MTA Headquarters

Daniel DeCrescenzo
President
B & T

Frank Annicaro
Acting President
MTA Bus

Phillip Eng
President
LIRR

Catherine Rinaldi
President
MNR

Craig Cipriano
Acting President
NYCT

GRC#000000-000000

Policy Number 00-000

MTA ALL AGENCY POLICY STATEMENT SEXUAL AND OTHER DISCRIMINATORY HARASSMENT

Sexual or other discriminatory harassment in the workplace is unlawful and all employees, as well as certain non-employees such as visitors, contractors, subcontractors, consultants, interns, fellows, or apprentices, are prohibited from engaging in any such activity. It is the Policy of the Metropolitan Transportation Authority (“MTA”) and its subsidiary and affiliated agencies: New York City Transit, Metro-North Railroad, Long Island Rail Road, MTA Bus Company, MTA Bridges and Tunnels and MTA Construction and Development, herein referred to as “MTA”, that all employees have the right to work in an environment free from any form of discriminatory harassment or intimidation, either physical or verbal, by any other employee as well as certain non-employees. The MTA will not tolerate sexual or any other form of discriminatory harassment and violators of this Policy will be subject to disciplinary action, including but not limited to termination of employment, as set forth in more detail in MTA’s Sexual and Other Discriminatory Harassment All Agency Policy Directive. (This Policy Directive is available on the MTA’s intranet site as well as by contacting the appropriate MTA Agency or MTA Department of Diversity and Civil Rights at (646) 252-1385.)

Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and expression and the status of being transgender, as is defined to include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made explicitly or implicitly a term or condition of an individual’s employment, or
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can occur in a variety of circumstances, without regard to gender or perceived gender of the individuals or whether there has been an adverse employment action. Sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails and social media usage by employees can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

The following describes some of the types of acts that may constitute sexual harassment that are strictly prohibited, and may be unlawful:

- Physical assaults of a sexual nature;
- Unwanted sexual advances or propositions; sexually oriented gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experience, which create a hostile work environment;

MTA ALL AGENCY POLICY STATEMENT SEXUAL AND OTHER DISCRIMINATORY HARASSMENT (Continued)

- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look;
- Sexual or discriminatory displacement or publications anywhere in the workplace; and
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender.

Harassment does not have to be of a sexual nature, however, and can include other forms of harassment. Other forms of discriminatory harassment can consist of conduct that is based on race, color, religion, creed, national origin, ancestry, sex, sexual orientation, age, disability, predisposing genetic characteristic, gender identity and expression, pregnancy, veteran or military status, marital/familial/partnership/caregiver status, status as a victim of domestic violence, stalking and/or sex offenses, sexual and reproductive health decisions, or any other legally protected category, including based on the employee’s having filed a complaint of discrimination under this Policy, the MTA Americans with Disabilities Act and the New York State Human Rights Law Policy, or any of MTA’s Equal Employment Opportunity policies that has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile or offensive working environment.

All employees, visitors, vendors and applicants for employment shall be protected from retaliation for filing a complaint or participating in an investigation of a complaint. Reprisal against or interference with an employee’s, visitor’s, vendor’s or applicant’s right to file a complaint concerning such matters constitutes a violation of this Policy.

Michael J. Garner, MTA’s Chief Diversity and Inclusion Officer, and the agencies’ Chief Equal Opportunity Officers are responsible for coordinating this Policy. If you believe you have been subjected to a violation of this Policy in your employment or application for employment, you may contact your immediate supervisor, a higher-level supervisor or your Agency’s Chief Equal Opportunity Officer as listed below:

MTA Headquarters
Michael J. Garner
2 Broadway, 16th Floor
New York, NY 10004
646-252-1385
mgarner@mtahq.org

Construction and Development
Dr. Rosalyn Green
2 Broadway, 8th Floor
New York, NY 10004
646-252-4379
rosalyn.green@mtacd.org

Bridges and Tunnels
Joyce D. Brown
2 Broadway, 23rd Floor
New York, NY 10004
646-574-0021
joyce.brown@mtahq.org

MTA ALL AGENCY POLICY STATEMENT SEXUAL AND OTHER DISCRIMINATORY HARASSMENT (Continued)

MTA Bus
Joel Andrews (Acting)
2 Broadway, 30th Floor
New York, NY 10004
718-694-1730
joel.andrews@nyct.com

Long Island Rail Road
Jodi Savage
Jamaica Station - 1141
Jamaica, NY 11435
(347) 986-0161
jodi.savage@mtahq.org

Metro-North Railroad
Mayra Bell
420 Lexington Ave. 12th Floor
New York, NY 10170
212-340-2560
mbell@mnr.org

New York City Transit
Joel Andrews
130 Livingston Street, 3rd Floor
Brooklyn, NY 11201
718-694-1730
joel.andrews@nyct.com

You may also contact MTA's Chief Diversity and Inclusion Officer, Michael J. Garner, at 2 Broadway, 16th Floor, New York, NY 10004. Mr. Garner can be reached by telephone at (646) 252-1385. Managers and supervisors are required to notify the Agency's Chief Equal Opportunity Officer or Mr. Garner, as soon as they receive a complaint or otherwise observe, learn about, or suspect any improper discriminatory or retaliatory conduct, regardless of whether or not:

- a written statement is provided contemporaneously,
- the complainant requests that no action be taken and/or requests confidentiality, or
- the complainant works in the manager/supervisor's department, division or unit.

The Equal Opportunity Officer will promptly initiate a thorough and impartial inquiry. In all cases, confidentiality will be maintained throughout the investigation to the extent practical and consistent with the MTA's obligation to undertake a full inquiry and to make a determination. In addition, all employees are required to fully cooperate during the conduct of such an investigation. The MTA All Agency Equal Employment Opportunity Policy also contains pertinent information relating to claims of discrimination.

If it is determined that a violation of this Policy has occurred, the MTA will take immediate action to remedy the situation. Anyone who witnesses or becomes aware of potential instances of sexual harassment or other discriminatory harassment must report such behavior to a manager, supervisor, Equal Opportunity Officer and/or Mr. Garner. Any employee who is found to have violated this Policy or any supervisor or managerial employee who knowingly permits a violation of this Policy to occur may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

MTA ALL AGENCY POLICY STATEMENT SEXUAL AND OTHER DISCRIMINATORY HARASSMENT (Continued)

You also have the right file a complaint externally with an outside agency/organization. For certain complaints, you may be required to file directly in State Court. The following external agencies handle complaints of discrimination and retaliation:

- The United States Equal Employment Opportunity Commission (EEOC), New York District Office, 33 Whitehall Street, 11th Floor – New York, NY 10004- (800) 669-4000 or eeoc.gov
- The New York State Division of Human Rights, New York District Office, One Fordham Plaza, 4th Floor New York, NY 10458- (888) 392-3644 or dhr.ny.gov

The New York City Commission of Human Rights may also be an available Forum and can be contacted at New York City Commission of Human Rights, 22 Reade, New York, NY 10007- (212) 416-0197 or www1.nyc.gov/site/cchr/index.page

This Policy Statement is to be posted in prominent locations throughout MTA’s facilities.

Effective: January 1, 2022

Janno Lieber
Acting Chairman and CEO

Michael J. Garner
Chief Diversity and Inclusion Officer

Jamie Torres-Springer
Acting Chief Development Officer and
President, Construction and Development

Vacant
Chief Operating Officer
MTA Headquarters

Daniel DeCrescenzo
President
B & T

Frank Annicaro
Acting President
MTA Bus

Phillip Eng
President
LIRR

Catherine Rinaldi
President
MNR

Craig Cipriano
Acting President
NYCT

MTA ALL AGENCY POLICY STATEMENT

Americans With Disabilities Act and New York State Human Rights Law

The Metropolitan Transportation Authority ("MTA"), and its subsidiary and affiliated agencies: New York City Transit (NYCT) Metro-North Railroad (MNR), Long Island Rail Road (LIRR), MTA Bus Company (MTA BUS), Bridges and Tunnels¹ (B&T) and Construction and Development (C&D), herein collectively referred to as MTA, is fully committed to equal opportunity for all employees and applicants for employment and prohibits discrimination on the basis of disability in all of its employment practices. Such interference with the ability of the MTA's employees to perform their expected job duties is not tolerated. The Americans with Disabilities Act ("ADA") and New York State Human Rights Law ("NYSHRL") require the MTA to provide reasonable accommodation to qualified applicants and employees with disabilities or pregnancy-related conditions under certain circumstances. The MTA recognizes this obligation and has adopted guidelines to ensure its compliance with the ADA and the NYSHRL.

To request a reasonable accommodation for a disability or pregnancy-related condition relating to your employment or application for employment with the MTA, please contact your Agency's HR People Function liaison.

All employees and applicants for employment shall be protected from retaliation or harassment for filing a complaint or participating in an investigation of a complaint. Reprisal against or interference with an employee's or applicant's right to file a complaint concerning such matters constitutes a violation of this Policy. The MTA Equal Employment Opportunity Policy and Sexual and Other Discriminatory Harassment Policies also contain pertinent information relating to claims of discrimination.

If you believe you have been subjected to a violation of MTA's Equal Employment Opportunity ("EEO") Policy in your employment or application for employment, you have a right to file a complaint of discrimination and/or retaliation directly with your Agency's Chief Equal Opportunity Officer or other personnel at the appropriate agency listed below:

MTA Headquarters
Michael J. Garner
2 Broadway, 16th Floor
New York, NY 10004
646-252-1385
mgarner@mtahq.org

Construction and Development
Dr. Rosalyn Green
2 Broadway, 8th Floor
New York, NY 10004
646-252-4379
rosalyn.green@mtacd.org

Bridges and Tunnels
Joyce D. Brown
2 Broadway, 23rd Floor
New York, NY 10004
646-574-0021
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¹ The MTA Triborough Bridge and Tunnel Authority

MTA ALL AGENCY POLICY STATEMENT

Americans With Disabilities Act and New York State Human Rights Law

MTA Bus
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New York, NY 10004
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Long Island Rail Road
Jodi Savage
Jamaica Station - 1141
Jamaica, NY 11435
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jodi.savage@mtahq.org

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Mayra Bell
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mbell@mnr.org

New York City Transit
Joel Andrews
130 Livingston Street, 3rd Floor
Brooklyn, NY 11201
718-694-1730
Joel.andrews@nyct.com

Complaints also can be filed directly with MTA’s Chief Diversity and Inclusion Officer, Michael Garner, at 2 Broadway, 16th Floor, New York, New York 10004, mgarner@mtahq.org or by phone at (646) 252 - 1385 or you can contact any EEO personnel. You may also report a potential violation to your immediate supervisor or a higher-level supervisor, although you are not required to do so.

Managers and supervisors are required to notify the Agency’s Chief Equal Opportunity Officer or MTA’s Chief Diversity and Inclusion Office as soon as they receive a complaint or otherwise observe, learn about, or suspect any improper discriminatory or retaliatory conduct, regardless of whether or not:

- a written statement is provided contemporaneously,
- the Complainant requests that no action be taken and/or requests confidentiality, or
- the Complainant works in the manager/supervisor’s department, division or unit.

If it is determined that a violation of the MTA’s EEO Policy has occurred, the MTA will take appropriate action to remedy the situation. All employees are required to fully cooperate during an investigation. Any employee who is found to have violated the EEO Policy, or any supervisory or managerial employee who knowingly permits a violation of the EEO Policy to occur, may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

You also have the right to file a complaint externally with an outside agency. For certain complaints, you may be required to file directly in State Court. The following external agencies handle complaints of discrimination and retaliation:

MTA ALL AGENCY POLICY STATEMENT

Americans With Disabilities Act and New York State Human Rights Law

- The United States Equal Employment Opportunity Commission (EEOC), New York District Office, 33 Whitehall Street, 11th Floor – New York, NY 10004- (800) 669-4000 or eeoc.gov
- The New York State Division of Human Rights, New York District Office, One Fordham Plaza, 4th Floor New York, NY 10458- (888) 392-3644 or dhr.ny.gov

The New York City Commission of Human Rights also may be an available forum and can be contacted at New York City Commission of Human Rights, 22 Reade, New York, NY 10007- (212) 416-0197 or www1.nyc.gov/site/cchr/index.page

This Policy Statement is to be posted in prominent locations throughout MTA’s facilities.

Effective: January 1, 2022

Janno Lieber
Acting Chairman and CEO

Michael J. Garner
Chief Diversity and Inclusion Officer

Jamie Torres-Springer
Acting President
MTA Construction and Development

Vacant
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Daniel DeCrescenzo
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Frank Annicaro
Acting President
MTA Bus

Phillip Eng
President
LIRR

Catherine Rinaldi
President
MNR

Craig Cipriano
Acting President
NYCT

MTA ALL AGENCY POLICY STATEMENT

Title VI and Related Nondiscrimination Laws

Statement of Commitment to Title VI and Related Nondiscrimination Laws

Title VI of the Civil Rights Act provides that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

In addition, the Federal Transit Laws, (49 U.S.C. § 5332) prohibit discrimination in any Federally Assisted Programs on the basis of age, sex, religion, and disability.

The Metropolitan Transportation Authority (“MTA”) and certain of its subsidiary and affiliate agencies: New York City Transit, Metro-North Railroad, Long Island Rail Road, MTA Bus Company, and MTA Construction and Development, herein collectively referred to as “MTA”, is committed to complying with the requirements of Title VI and the related Federal Transit Laws with respect to all of its federally funded programs and activities.¹

Nondiscrimination Policy

It is the policy of the MTA to prohibit discrimination in MTA’s federally assisted programs. No person shall, on the grounds of race, color, or national origin, including matters related to limited English proficiency (LEP) access, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MTA program or activity receiving federal financial assistance. In compliance with the Federal Transit Laws, (49 U.S.C. § 5332), MTA also prohibits discrimination on the basis of religion, sex, disability and age.

Title VI and Related Discrimination Complaints

Any person who believes that they have been discriminated against by the MTA on the basis of race, color, national original (including matters related to LEP access), religion, sex, disability or age, may file a complaint by completing and submitting the Title VI and other Discrimination Complaint Form to the appropriate agency provided on the form. Complaints must be filed no more than **180 days** from the date(s) of the alleged incident.

¹ The MTA Triborough Bridge and Tunnel Authority is not subject to this Policy Statement due to its funding status.

MTA ALL AGENCY POLICY STATEMENT

Title VI and Related Nondiscrimination Laws

An individual may elect to complete the complaint form online or print the form and mail it directly to the Chief Equal Opportunity Officer of the relevant MTA subsidiary or affiliate agency listed below:

MTA Headquarters
Michael J. Garner
2 Broadway, 16th Floor
New York, NY 10004
646-252-1385
mgarner@mtahq.org

Construction and Development
Dr. Rosalyn Green
2 Broadway, 8th Floor
New York, NY 10004
646-252-4379
rosalyn.green@mtacd.org

Bridges and Tunnels
Joyce D. Brown
2 Broadway, 23rd Floor
New York, NY 10004
646 574-0021
joyce.brown@mtahq.org

MTA Bus
Joel Andrews (Acting)
2 Broadway, 30th Floor
New York, NY 10004
718-694-1730
joel.andrews@mtahq.org

Long Island Rail Road
Jodi Savage
Jamaica Station - 1141
Jamaica, NY 11435
347 986-0161
jodi.savage@mtahq.org

Metro-North Railroad
Mayra Bell
420 Lexington Ave. 12th Fl
New York, NY 10170
212-340-2560
mbell@mnr.org

New York City Transit
Joel Andrews
130 Livingston Street, 3rd Floor
Brooklyn, NY 11201
718-694-1730
joel.andrews@nyct.com

Additionally, a person may, at any time, file a complaint directly with the U.S. Department of Transportation at:

U.S. Department of Transportation,
Federal Transit Administration's Office of Civil Rights:
Complaint Team, East Building 5th Floor—TCR,
1200 New Jersey Ave. SE,
Washington, DC 20590.

Effective: January 1, 2022

Janno Lieber
Acting Chairman and CEO

Michael J. Garner
Chief Diversity and Inclusion Officer

GRC#000000-000000

Policy Number 00-000