The Small Firm Program is an initiative of the New York State Department of Transportation (NYSDOT) to enhance and broaden participation by qualified small firms in its engineering consultant program. The NYSDOT has established a commitment to provide opportunities to small business firms. To be considered a small firm, consultants must follow the definition as published by the U.S. Small Business Administration (SBA):

A small business is a concern that:
1) Is organized for profit;
2) Has a place of business in the U.S.;
3) Operates primarily within the U.S. or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials or labor;
4) Is independently owned and operated;
5) Is not dominant in its field on a national basis;
6) Does not exceed the current size standard applicable to the procurement of primary service:
   a) The current size standard for the primary services obtained under NYSDOT consultant contracts include but are not limited to:

<table>
<thead>
<tr>
<th>Name</th>
<th>NAICS*</th>
<th>Gross Annual Receipts</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Engineering Services</td>
<td>541330</td>
<td>$15.0 million</td>
</tr>
<tr>
<td>ii. Survey and Mapping Services</td>
<td>541370</td>
<td>$15.0 million</td>
</tr>
<tr>
<td>iii. Architectural Services</td>
<td>541310</td>
<td>$7.5 million</td>
</tr>
<tr>
<td>iv. Landscape Architectural Services</td>
<td>541320</td>
<td>$7.5 million</td>
</tr>
</tbody>
</table>

   b) Refer to Title 13 Code of Federal Regulations Part 121.104 for guidance in calculating annual receipts.
   c) Size standards used for this program are to be consistent with the size standard as determined by SBA and are subject to change.

The Department regularly advertises consultant opportunities in the New York State Contract Reporter and on the NYSDOT web site. Advertisements for projects included in the Small Firm Program will indicate that small firms will be given additional credit in the selection process. NYSDOT will state the primary type of service and NAICS work code associated with the specific procurement in the advertisement of that opportunity. In order to claim the Small Business credit for the opportunity, the submitting prime must meet the size standard for the stated service type in order to be considered responsive. At the time of NYSDOT 255 submission, NYSDOT will require firms claiming small firm status to include the Small Firm Opportunity Worksheet as an “Other” document as part of their submission. Material misrepresentation of the firm as a small firm for a small firm opportunity may result in rejection of the team’s EOI, de-designation, loss of a future designation, or a finding of non-responsibility.

* North American Industry Classification System (NAICS)
Misrepresentation or Protest of the Size Status

In the case of protest by another firm or interested party questioning the size status with respect to the legal and/or factual basis of a NYSDOT consultant designation, the NYSDOT will follow the NYSDOT Administrative Procedure for Protest of Designation for Professional Consultant Services and Architectural/Engineering Claim of Misrepresentation Against Another Party.

References
- [http://www.sba.gov/content/table-small-business-size-standards](http://www.sba.gov/content/table-small-business-size-standards)
- [http://www.sba.gov/content/am-i-small-business-concern](http://www.sba.gov/content/am-i-small-business-concern)
- [http://www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/)
- [https://www.dot.ny.gov](https://www.dot.ny.gov)