

MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES (MWBE) PROGRAM AT THE DEPARTMENT OF STATE (DOS)

Overview

Article 15-A of the NYS Executive law was enacted on **July 19, 1988**, to promote equality of economic opportunities for MWBEs and to eliminate barriers to their participation in state contracting.

The MWBE requirement applies to Contracts, including Grants, with value over:
- \$25,000 for commodities/services
- \$100,000 for construction

DOS supports the statewide requirement to provide procurement opportunities for MWBEs. The **Division of Affirmative Action Programs** administers the Department's **MWBE Program**.

How does it apply to you?

- Under **5 NYCRR §142.8**, DOS contractors are required to make "**Good Faith Efforts (GFE)**" to provide meaningful participation to MWBEs as subcontractors or suppliers in the performance of their contracts.
- DOS aspires to meet our agency wide MWBE goal of **30%** utilization. The contract's specific MWBE goals can be identified in the **RFA** and/or the **budget page** in your contract.
- Goals apply to qualified (subbed out/procured) budget lines of all contracts, including contracts supported with federal funding which do not have a DBE component.



Your Responsibilities Under Article 15-A

1

Within ten days of receipt of the award notification from DOS, submit:
- **Form A** - MWBE/EEO Policy Statement
- **Form B** - Staffing Plan (if contract > \$250,000)
- **Form D** - MWBE Utilization Plan Or **Form D-1** - MWBE Certification Letter

2*

Set up an account in the New York State Contract System:
<https://ny.newnycontracts.com>

* **100% federally funded contracts are not required to use the system!**

3*

Throughout the contract:
- Report payments to MWBE subcontractors as soon as those payments are made, through the system.
- Submit **Form C** - Workforce Utilization.
- Communicate with your contract's Program Manager through the system.



How to meet the MWBE goals?

The number of certified MWBE vendors keeps growing!

Find **eligible businesses** at the NY State MWBE Directory located at:
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

OR

Contact DOS at the contact information below!

Only the use of **New York State-certified MWBEs** will count towards meeting your goals!

Waiver Request can be submitted if there are no opportunities for MWBE participation, or to demonstrate the Good Faith Efforts to meet the goals.
Contact your contract program manager for assistance!

The Empire State Development's Division of Minority and Women-owned Business Enterprises :
Phone: **(212) 803-2414**
Website:
<https://ny.newnycontracts.com>
For certification:
<https://esd.ny.gov/mwbe-new-certification>