

UPCOMING EVENTS

MWBE Series, Caucus Weekend

Saturday, February 17, 2018
9:15 a.m. - 10:30 a.m.

Creating a More Robust Article 15-A for MWBEs Throughout NYS

Legislative Office Building, Hearing Room C
Sponsored by Assemblymembers Rodneyse Bichotte, Crystal Peoples-Stokes, and Senator James Sanders, Jr.

10:45 a.m. - 12:00 p.m. Exploring MWBE Opportunities with NYS Agencies

Legislative Office Building, Hearing Room C
Sponsored by Assemblymember Bichotte, and Senator Brian Benjamin

2:00 p.m. - 3:15 p.m.

MWBE Mega Projects

Legislative Office Building, Hearing Room C
Sponsored by James Sanders, Jr.

3:15 p.m. - 4:45 p.m.

Access to Capital for MWBEs

Legislative Office Building, Hearing Room C
Sponsored by Assemblymember Rodneyse Bichotte, Assemblymember Inez Dickens, and Senator James Sanders, Jr.

March 12-13 NYS MWBE Coalition Lobby Day

MWBEs from across the state will hold a press conference and lobby on important MWBE issues.

NYC Comptroller, MWBE University

The New York City Comptroller Scott M. Stringer would like to invite you to Comptroller MWBE University, a series of workshops designed to increase access to opportunities for MWBEs.

Below is the list of workshops in 2018.

To RSVP, register on Eventbrite using the links below or email diversity@comptroller.nyc.gov. Space is limited to 75 attendees for each workshop. If you need interpretation services or other special accommodations, please call (212) 669-4315.

All M/WBE University events will take place 9:30am-11:30am in the David N. Dinkins Building, 1 Centre Street, Room 1005, New York, NY 10007.

Friday, February 23 Doing Business with NYC as an IBM, CDW, or Ricoh Partner

<https://MWBEUnivIT2018.eventbrite.com>

Friday, March 23 Become a Prequalified NYC Auditor: for CPAs Only

<https://MWBEUnivCPAs.eventbrite.com>

Friday, May 25 Capital Bonds, & Tax Breaks for Businesses Impacting NYC

<https://MWBEUnivEconDev.eventbrite.com>

Friday, July 13 Doing Business with the Comptroller's Office

<https://MWBEUnivComptroller.eventbrite.com>

Friday, August 17 Prevailing Wage: What Your Business Needs to Know

<https://MWBEUnivPrevailingWage.eventbrite.com>

Regional Alliance for Small Contractors Construction Project Scheduling & Controls Course

March 6 and 7, 2018
4:00 to 9:00 pm

Times Square Hall
Port Authority Bus Terminal
625 8th Avenue, 2nd Floor, South Wing
questions please call (212) 268-2991

Email: pcamargo.rascny@verizon.net

The New York City Comptroller, Scott Stringer, would like to invite you to MWBE University, a series of workshops designed to increase access to opportunities for MWBEs.

NYC Department of Design & Construction Workshop Series

Thursday, February 1
Thursday, February 15

30-30 Thomson Avenue, 4th Floor
Long Island City, NY 11101
T: (718)-391-1332
Contact: Brittany Regner,
Regnerbr@ddc.nyc.gov

The NYC Department of Design & Construction is hosting a workshop series, free and open to NYC-certified MWBEs, and small businesses eligible to apply to be certified as such, located in the NYC area. The program is focused on cost estimation, crucial for submitting sound bids that are both competitive and profitable. Proper cost estimation is a science that can be taught and learned. The workshop series will increase your company's knowledge of major components across pricing and the cost of performing projects with Project Labor Agreements (PLA). The remaining workshop classes are as follows Class #4b (Feb 1) on Pricing and Class #5b (Feb 15) on Understanding PLA & Prevailing Wage.

For a copy of the application, contact Brittany Regner, BIB M/WBE Outreach Coordinator at this email: regnerb@ddc.nyc.gov.

Assembly District 42

Assemblymember Rodneyse Bichotte

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For the most up to date information, you can go to the Assemblymember's online MWBE Resource Center at: nyassembly.gov/member_files/042/mwbe_new/
The website is updated on an ongoing basis.

Winter 2018
Update

MWBE Minority-And Women-Owned Business Enterprises

Provided by Assemblymember Rodneyse Bichotte



Message from Assemblymember Rodneyse Bichotte Chair, Subcommittee on Oversight of Minority and Women-Owned Business Enterprises

Dear Friends,

This year is a critical year for all Minority- and Women-Owned Business Enterprises (MWBE). In March, the Assembly will be voting on what we hope will be a robust MWBE Program, Article 15-A. The high-profile Elimination of the \$3.5M Personal Net Worth Cap legislation that I put forward last session, which passed both the Assembly and the Senate, was vetoed by Governor Andrew Cuomo. Another piece of legislation worth noting that was signed into law is the legislation, allows New York City to increase its discretionary spending from \$20K to \$150K, while significant, is still very limited.

This session I have introduced several new Bills including the re-introduction of the Elimination of the \$3.5 Million Personal Net Worth Bill. Some of the other highlighted Bills include:

- Redefining the way an MWBE graduates from the MWBE program in lieu of a personal net worth cap;
- Increase New York City's discretionary spending to \$400K;
- Include MWBE participation goals for any municipality and locality receiving state contracts;
- Conduct a study on the feasibility of a minority- and women-owned business enterprises for capacity building and mentorship programs within all state agencies;
- Change the finance statute to include DASNY, OGS, DOH, DOT, Thruway, Bridges, and ESD to have capacity building and mentorship programs similar to that of the MTA's capacity mentor program.

I will continue to work as a strong advocate and utilize the recommendations from the 2017 disparity study and those garnered from members of the MWBE community to continue to fight for the strengthening of MWBEs. My office is a resource. Please contact us at 718-940-0428, or email me at bichotter@nyassembly.gov and we will do our best to assist.

Sincerely,

Rodneyse Bichotte
Member of the NYS Assembly



ARTICLE 15A NYS MWBE PROPOSALS

ASSEMBLYMEMBER BICHOTTE PROPOSAL

1. Eliminate the Personal Net Worth requirement (**Bill A9631**).
2. Redefine MWBE eligibility to SBA industry size and contract value over a 3-year period with no personal net worth cap (**Bichotte Bill pending**).
3. Increase NYC discretionary purchase threshold from 150K to 400K (**Bill A9813**).
4. Unbundle large procurements into smaller contracts (**Bichotte Bill pending**).
5. Amend the finance statute and public authorities law to include a Capacity mentor program for DASNY, OGS, DOH, DOT, Thruway, Bridges and ESD just like MTA (**Bichotte Bill pending**).
6. Ensure that all state funded contracts to municipalities, and school districts have MWBE goals (**Bill A453**).
7. Provide debriefing sessions for unsuccessful bidders (**Bichotte Bill pending**).
8. Accept DD Form 214 Military Discharge Document to prove ethnicity and / or other required pertinent information such as D.O.B. and address (**Bichotte Bill pending**).
9. Modify the definition of Minority in MWBE for Hispanic to include Latino (**Bichotte Bill pending**).
10. Conduct a study on the feasibility of a minority- and women-owned business capacity enterprise mentorship program on State Agencies (**Bill A230**).
11. Stipulate employment goals for minorities and women in requests for bids to the construction trades.
12. Streamline the MWBE-certification process and outsource to Chamber partnerships and MWBE Consultants (**Bichotte Bill pending**).
13. Remove the barriers to MWBEs that provide the commodities and services currently in the exclusive domain of the Preferred Source Program (**Bichotte Bill pending**).
14. Institute a Payment Verification Program to ensure subcontractors get paid in a timely manner (**Bichotte Bill pending**).
15. Sole source and single source procurements should be modified to include the MWBE requirements (**Bichotte Bill A240**).
16. Create partnerships with pre-apprentice programs to allow prime contractors to effectively locate workers (**Bichotte Bill pending**).
17. NYS Comptroller should be mandated to put a report in grading all state agencies on MWBE spending similar to NYC Comptroller (**Bichotte Bill pending**).
18. NYS Comptroller should be mandated to produced a comprehensive and Interactive report on MWBE spend (**Bill A427**).
19. Publication of Waivers on each vendor per contract with details of the bid won (**Bichotte Bill A228**).
20. Empire State Development to hire MWBE consultants with the specific goal of reducing contractor violations and to serve as an independent monitor to oversee their compliance (**Bichotte Bill pending**).
21. Create a fund for MWBE investment Manager to manage NYS Pension (**Bichotte Bill pending**).
22. Do a Project Labor Agreement (PLA) study to analyze impact on MWBE (**Bichotte Bill pending**).
23. Pass the Delay Damage Legislation to recover damages for delays on behalf of subcontractors (**Bill A7945a**).
24. Pass the Substantial Completion Legislation which clarify the meaning of substantial completion and a timely correspondence and finish of construction projects. (**Bill A6572**).



GOVERNOR'S PROPOSAL

In the Governor's Fiscal Year 2019 New York State Executive Budget are a few proposals, some we support and some we oppose.

1. A proposal to amend the Personal Net Worth Test by keeping the \$3.5 million cap for general purposes, but empower the Director of the Division of Minority and Women Business Development (the Division) to set industry specific personal net worth levels through regulation. (**Bichotte opposes. The Elimination of the personal net worth cap, should be law and not be regulated by a director, that is subjective and opens up "pay for play" illegal activities**).
 2. Proposals to expand the State's MWBE law to all "State Funded Entities", including counties, local governments and other entities that receive funding through State appropriation. Currently, the State MWBE Program only applies State authorities and State contracting agencies. (**Bichotte supports, Bichotte Bill A453**).
 3. The requirement that the Division give final decisions on MWBE certification applications within thirty (30) days of submission of a complete certification application. (**Bichotte supports**).
 4. The modification of the definition of small business to eliminate the general cap of 300 employees but allowing the Director to set industry specifics levels. (**Bichotte supports**).
 5. Amending the role of the "statewide advocate" from a position "to receive" and investigate complaints about compliance with certification delays to a position that investigates contracting issues with State contracting entities and with contractors. (**Bichotte supports**).
 6. Authorizing the Director to adopt regulations and programs to ensure that MWBE's participate to the maximum extent feasible in State contracting based on (i) contract opportunities, (ii) availability of MWBEs (based on the State's MWBE directory), and (iii) the 2016 Disparity Study. (**Bichotte opposes, many of the regulations should be law and not governed/regulated by the director or any one person**).
 7. Creating a new Workforce Diversity Program under the Executive Law that calls on the Director to establish aspirational workforce goals for minorities and women. (**Bichotte Supports just as long it reflects the results from the disparity study**).
 8. Increasing the Discretionary Purchase thresholds for MWBEs from \$200,000 to \$400,000 for state agencies. (**Bichotte supports**).
 9. Amending the State Public Building Law provisions on lowest responsible and reliable bidder to direct awards to MWBE firms who qualify as responsible and reliable bidders where the bids of such firms do not exceed 110% of the lowest bid made by a responsible reliable bidder that is not an MWBE. (**Bichotte supports**).
- My office is a resource. Please feel free to call at **718-940-0428** or email at **bichotter@nyassembly.gov**.

RESOURCES

STATE

New York State Procurement

<https://nyspro.ogs.ny.gov/>

NYS' central procurement office, this website provides information on establishing and managing contracts for goods and services.

Empire State Development

esd.ny.gov/MWBE.html

The Empire State Development webpage includes information on the Division of Minority and Women's Business Development.

<http://www.nyfirst.ny.gov/ResourceCenter/Business/FinancialAssistance/BusinessFinancing.html>

LOCAL

NYC Department of Small Business Services

<http://www.nyc.gov/html/sbs/html/procurement/mwbe.shtml>

This website provides information on MWBE Certification in NYC, as well as new and existing contracting opportunities.

New York City Department of Design and Construction

<http://www1.nyc.gov/site/ddc/mwbe/mwbe.page>

The Office of Diversity and Industry Relations develops policies to support minority- and women-owned business enterprises (MWBEs) and fosters

County of Westchester

mwbe.westchestergov.com

This website provides information on the county of Westchester's Minority and Women Business Enterprises Program.

Erie County Equal Employment Opportunity

www2.erie.gov/eeo/

This website provides information on the MWBE Certification process in Erie County.

City of Albany

<http://www.albanyny.org/Government/Departments/HumanResources/MinorityWomenOwnedBusinessEnterprises.aspx>

This website provides information on the City of Albany's MWBE Participation Program.