

## M/WBE Goals & Reporting Responsibilities

NFWB has established Minority and Women-owned Business Enterprise (MWBE) and Equal Employment Opportunity (EEO) goals (use form D) for use when procuring goods or services. These goals reflect the Agency's objective to obtain a "fair share" of its needs from small, minority, women-owned or service-disabled veteran owned businesses and to comply with Executive Law Article 15-A, Economic Development Law Article 4-A and 5NYCRR Parts 140-144, Rules and Regulations of the Minority and Women's Business Development Program.

Governor Cuomo has made increased MWBE utilization a priority of his administration, setting an overall goal to increase MWBE participation in State contracting totaling 30%.

Construction contracts valued at \$100,000 or more and service and commodity contracts valued at \$25,000 or more require good faith efforts to meet MWBE goals and must include the MWBE and EEO goals in the awarding document (contract or purchase order). These documents must also include language for mandated reporting.

NFWB's new goals are effective immediately and will be used for all procurements/contracts advertised after January 1, 2018. The goals are: WBE: 18%; MBE: 12%.

If you are interested in receiving notice of upcoming NFWB contracting or purchasing opportunities and being added to potential bidders lists, please e-mail contact information to our Compliance Coordinator.

### M/WBE Reporting Requirements

For each procurement, the designated Minority Business Enterprise Officer is responsible for ensuring that the completed detailed MWBE-EEO Utilization Plan (use form A) and Staffing Plan (use form C) from the Prime Contractor are submitted prior to award of the contract. These forms identify MWBE subcontractors and their participation in the contract.

Contracts that meet the established thresholds require contractors to submit Quarterly Reports detailing payments made by the Prime Contractor to NYS Certified M/WBEs.

Waiver of Goal Requirements: NFWB, after approval by the Governor's Office, can grant a partial or total waiver of goal requirements established on a State contract; only upon submission of a waiver request by a contractor. Such a request requires documentation of good faith efforts by the contractor to meet the goal requirements of the State contract (use form B).

If you have any questions regarding the MWBE Goals and Reporting Responsibilities, please contact the NFWB Finance Office at 716-283-9770 x 2180.