



MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE REQUIREMENTS FOR COMMODITY AND SERVICE CONTRACTS

To Prospective Bidders:

Consistent with the State University of New York (SUNY) 's commitment and in accordance with Article 15-A of the New York State Executive Law, contractors are required to ensure that good faith efforts are made to include meaningful participation by Minority and Women-Owned Business in SUNY's MWBE Program. The requirements apply to all SUNY contracts in excess of \$ 25,000.00 for commodities and services and in excess of \$ 100,000.00 for construction.

Receipt of MWBE documentation is required with submittal of the bid or proposal for commodities and services related contracts. The MWBE forms identified below shall be submitted.

- a. MWBE Utilization Plan ([Form 7557-107](#)) provided by the University-wide MWBE Program Office.
- b. MWBE – EEO Staffing Plan ([Form 7557-108](#)) provided by the University-wide MWBE Program Office.
- c. Vendor/Contractor EEO Policy ([Form 7564-104](#)) provided by the University-wide MWBE Program Office.

If the MWBE participation rate on MWBE Utilization Plan is below 27.0%, the contractor will receive a written notice of deficiency of the Utilization Plan from the campus within twenty (20) business days of its submission, as required under 5 NYCRR Part 142.6(c).

The notice will include but not limited to the following:

- a. A list of NYS certified MWBEs that the contractor could potentially use inside the work scope of the contract.
- b. Any other information which the MWBE Program Coordinator determines to be relevant to developing an approvable MWBE Utilization Plan.

The contractor shall respond to the notice of deficiency by submitting to the MWBE Program Coordinator a revised MWBE Utilization Plan within seven (7) business days, as required by 5 NYCRR Part 142.6 (e).

If the deficiency is not rectified and the MWBE participation rate on the MWBE Utilization Plan is still below 30.0%, the contractor should request a Waiver or Partial Waiver. The Waiver Request submitted by the contractor will include but not limited to the following:

- a. A request for partial or total waiver of MWBE goals are required by 5 NYCRR Part 142.6 on Request for Waiver ([Form 7557-114](#)) provided by the University-wide MWBE Program Office.
- b. Copy of the deficient Utilization Plan.

- c. Work Scope of this contract. If there are subcontracting opportunities, please provide documentation d, e, and f.
- d. Screenshot of searching result for available MWBEs in NYS MWBE Directory.
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=447>
- e. Copy of email messages containing the request for quote along with the responses from MWBEs.
- f. Forms recommended to obtain this information are:
[7557-101](#) – MWBE Contractor Solicitation Letter
[7557-102](#) – MWBE Participation Quote
[7557-103](#) – MWBE Contractor Unavailability Certification

Please submit the above documentations by mail, fax, or email:

SUNY System Administration at State University Plaza,
Office of Diversity, Equity and Inclusion
University-wide MWBE Program
Albany, NY 12246
Fax: (518)-320-1548
Tel: (518)-320-1452
Email: MWBEProgram@suny.edu

- AND -

Please submit the above documentation to the Campus MWBE/SDVOB Program Coordinator:

Noelle Leli
MWBE/SDVOB Program Coordinator
Stony Brook University Hospital
2000 Ocean Avenue, Suite 1
Ronkonkoma, NY 11779
Tel: (631) 444-4350
Email: Noelle.Leli@Stonybrookmedicine.edu

Information regarding this legislation may be found at:
http://www.esd.ny.gov/MWBE/Data/Final_Proposed_MWBE_Regulation.pdf