Cornell Procurement Services
NYS MWBE Certification Workshop

June 27, 2014

Thomas Romantic
Cindy Jefferson
Mike Winters
Welcome and overview

- Increasing spend with diverse suppliers is important to Cornell
- It is a component of the President’s “Toward New Destinations” Strategic Diversity Initiative
- NYS certification is a key element in many state agreements and a requirement to obtain state funding
- Suppliers with NYS certification will likely grow their business with Cornell
Process Expectations

• Today, we will introduce you to two individuals that will assist you in understanding and completing the certification application

• After today, EAP will assist in expediting your application by sponsoring your submission

• Cornell’s intent is to help you shorten the overall timeframe to process your certification
Introduction of speakers

• Rochelle Layman, Regional Director
  Small Business Development Center (SBDC)

• Darlene Kanuk, Staff Assistant
  Entrepreneurial Assistance Program (EAP)
  SUNY Broome Community College
  Continuing Education
NYS MWBE Certification Streamlined & Simplified!

Cornell University Supplier Program

June 27th, 2014
Brought to you in association with:

Cornell University

SUNY Broome

Entrepreneurial Assistance Program

SBDC New York

Binghamton University

U.S. Small Business Administration
Small Business Development Center
Procurement Assistance

at Binghamton University

- Twenty-four campus-based centers in NYS
- Regional Offices in Ithaca, Cortland, Norwich, Binghamton and Oneonta
- Specializes in direct one-to-one counseling to small business
- Offers training and instructional programs designed to meet the needs of small business persons
- Provides FREE and CONFIDENTIAL management and technical assistance to start-up and existing small businesses

- Start-up Information
- Market Research
- Business Plan Development
- Financial Planning
- Loan Information Assistance
- Financial Analysis
- Marketing Plan Development
Program Hand Outs:

1. SBDC Brochure
2. BidLinx Brochure
3. Minority and Woman Business Enterprise Eligibility Criteria
4. New York State Certification Application
5. Personal Net Worth Worksheet
6. Personal Net Worth Definitions
7. Bridge to Success Loan Program
8. EAP Brochure
Topics

- History
- NYS MWBE Utilization
- MWBE Eligibility Requirements
- Benefits of Certification
- Application Website & Process
- EAP Fast Track Program
- Account Creation
- Application Instructions
- Appeal Process
- Maximize MWBE Certification
- Marketing Resources
- Frequently Asked Questions
NYS Law

- NYS Executive Law 15-A – signed into law July 19, 1988
- State Agencies charged with establishing MWBE employment and business participation goals
- Enacted to promote equality of economic opportunity and eradicate barriers that have impeded access by MWBEs to State contracting

http://www.esd.ny.gov/MWBE/ProgramMandate.html
The Governor’s Mandate

20% MWBE Utilization Statewide

Executive Order No. 8 Removing Barriers to Minority and Women Business Enterprises’ Participation in State Contracting

http://www.governor.ny.gov/executiveorder/8
NYS MWBE Team: Initiatives for MWBE Growth

- Increasing utilization of MWBE Firms with the NYS Surety Bond Assistance Program
- Implemented electronic database for certification, monitoring, and reporting
- Ensured accountability with compliance from all State agencies and authorities
- Adopted model RFP and uniform contract language
- Monthly agency/authority meetings
M/WBE Definition

Minority-Owned Business Enterprise (MBE): A business enterprise in which at least fifty-one percent (51%) is owned, operated and controlled by citizens or permanent resident aliens who meet the ethnic definition of minority.  

(next slide)

Women-Owned Business Enterprise (WBE): A business enterprise in which at least fifty-one percent (51%) is owned, operated and controlled by citizens or permanent resident aliens who are women.

Article 15-A of the Executive Law
Minority Definition

**Black** – Persons having origins from any of the Black African racial groups

**Hispanic** – Persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race

**Asian-Pacific** – Persons having origins from the Far East countries, Southeast Asia or the Pacific Islands

**Asian-Indian Subcontinent** – Persons having origins from the Indian subcontinent

**Native American or Alaskan Native** – Persons having origins in any of the original peoples of North America
MWBE Eligibility Requirements

- Ownership interest must be real, substantial and continuing
- Must have and exercise the authority to independently control the business decisions
- Each minority or woman who has an ownership interest must have a net worth that does not exceed $3.5 million dollars (does not include ownership interest in the firm, primary residence, and up to $500K of present cash value of any qualified retirement savings plan or IRA)
- Firm cannot exceed 300 employees
- Firm must operate independently of other firms
- In operation for at least one year
Required Documents

- Resumes of key personnel
- Bank authorization and/or signatory cards
- Current year-to-date Balance Sheets & Income Statements
- Firm’s tax returns for the past 3 years
- Personal tax returns for the past 2 or 3 years
- Personal net worth worksheet and affidavit
- Documented proof of contributions used to acquire ownership
- Minorities - Proof of ethnicity
- Proof of US citizenship
- Proof of your business real estate whether owned/leased
- Any signed 3rd party agreements for equipment, purchase, management or service agreement. Also any employment agreements
- Vehicle registrations for all business used for business
- Any certification, decertification or denial certification documentation
- Relevant licenses, permits or accreditations
- For Sole Proprietorship and partnerships – copy of NYS Vendor Tax Registration
- If there are trade secrets, a written request for exemption from disclosure
Out-of-State Businesses

- Should be certified in home state if applicable before application to NYS
- **Must have** a Certificate of Authority to do business in NYS from the Department of State

http://www.dos.ny.gov/corps/buscorp.html#appauth
Why Get Certified?

- **Listing in the NYS Directory of Certified Minority and Women-Owned Business Enterprises** used by state agencies and authorities, prime contractors, vendors, municipalities, subcontractors, and the private sector.

- NYS’s increased utilization goals may assist the growth and development of MWBEs through increased participation in procurement activities.

- **Access to a variety of loan and bonding programs** as well as programs that provide technical assistance.

MWBE Application Process

- Complete on-line application
- MWBE Certification looks at documents and notifies you of any missing information
- Analyst performs audit of application and all documents (More information may be requested)
- Interview (phone or on-site)
- Final Determination: Certified, Denied or Rejected
- Process currently taking 3-6 months
- Re-certify every 3 years
First Time Users:
Create a Username & Password
Select

Current Users:
- to lookup your account or recertify
- Select Account Lookup** or Login
Select Option 1
Select Create Account**
To Create an On-Line Account

Fill in all of the Required Fields

Create Account In System

The process to apply for MBE/WBE certification with New York State involves 2 steps:

1. Step 1: Create an account in our vendor management system.
2. Step 2: Fill in and submit an electronic application.

Please fill in the information below. The account creation process takes only a couple of minutes, and all information can be updated at any time afterward. You will then be automatically directed to the start of the certification application form.

Important Note: If you received any form of notice from New York State, or are currently or previously certified, an account may have been pre-configured for you. Please look up your business to see if an account already exists. You can also check with Customer Service before registering to check for an existing account. If you are currently certified then your firm is already in the system.

If you have questions about this registration process or need more information, please contact Customer Service.

* required entry

Section 1: Business Information

Tax ID Number:
Company Type:
Company Ethnicity:
Company Gender:

Section 2: Business Contact Information

Business Name:
DBA Name:
Company Address:
City:
State/Province:
Zip Code/Postal Code:
Country:

Section 3: Business Contact Person

Main Company Email:
First Name:
Last Name:
Title:
Email/Username:
Phone Number:
Fax Number:
Password:
Password Requirements:
US/Country:

Next
New York State MWBE Certification Program

Welcome to the online certification application for New York State! You can electronically apply for the following certifications:

- New MWBE applicants
- Fast Track certifications for firms already hold a DBE, 8(a) or certain other MWBE certifications
- Recertification for current NYS certified MWBEs

To find out if you qualify, click below:

View Qualifications for New York State MWBE Certification

If you do not meet the qualifications, DO NOT CONTINUE. For guidance, please call (212) 680-2414 between the hours of 9:00 am and 5:00 pm Eastern Standard Time or email MWBEcertification@emd.ny.gov.

If you do qualify, please continue to the next section and select the option that fits your situation.

Select an Option

You would like to update your certification profile or report a change.

Your firm is currently certified by New York State.

Your firm is NOT currently certified by New York State.

To Begin Your On-Line Application

Select

Then, Select

Submit a new MWBE application.
**Eligibility Requirements**

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you certified as a Disadvantaged Business Enterprise (DBE)?</td>
<td></td>
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<tr>
<td>Are you certified as a Federal 8(a) Business?</td>
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<tr>
<td>Is your firm seeking NYSE re-certification or has your certification lapsed?</td>
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<tr>
<td>Is your firm at least 51% owned, operated and controlled by minorities or women?</td>
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<tr>
<td>Does the minority or woman owner exercise the authority to independently control the day to day operations of the firm?</td>
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<tr>
<td>Is the firm “publicly owned”?</td>
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</tr>
<tr>
<td>Is this firm “owned wholly or in part by another company”?</td>
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<tr>
<td>Does this firm employ more than 300 full time equivalent employees?</td>
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</tr>
<tr>
<td>Does any minority or woman owner, upon which certification is based for this firm have a personal net worth which exceeds $3.5 million, minus allowable deductions?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has this firm been operational and active for at least one year?</td>
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<tr>
<td>Is this firm not-for-profit?</td>
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<tr>
<td>Is this firm incorporated in New York State or does this firm have authority to do business in New York State?</td>
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</tr>
</tbody>
</table>

*Answer All Questions*
The On-Line System will track progress.
Sections do not need to be completed in order.
Ability to download the Application and then transfer Info On-Line.

To Submit Application, All Sections MUST be Completed.
Example of Section
• Must complete each item
• If required items are left blank, it will be flagged
• If an item is Not Applicable, Enter such in text fields and 999s in numerical fields—do not leave blank

ALWAYS SAVE ENTRIES

The System will Track Progress

ALWAYS SAVE ENTRIES
Required Documentation Can Be Attached (uploaded) Directly Into the On-Line Application (Recommended process)

For those items which require Notarization:

Download the Form, Print-Complete-Sign-Notarize
Scan Document to your PC, then Upload to the Application
For those items which are Not Applicable:
Check the Box – then Select “Lock In”

All Entries can be Changed or Updated PRIOR to Submitting Your Application
Help & Tools Section Offers Several Options

Print hard copy of entries or make a PDF copy

- Instructions for attaching files [click here to show]

Each Section offers Self-Help Options

- Support
- Training
- Printing

- Contact Customer Support
- Training Classes
- Print to Printer

Mandatory Documents

- Certification Application Notarization (New Application)
- Department of State registration for all domestic firms
- Personal Net Worth Affidavit, Attachment A for each minority or woman upon which certification is based
Once All Sections Are Complete, the Application is Ready for Electronic Signature and Submittal
After Submission, Information Can be Viewed and/or Updated.
Public Profile Tab to Enter Information that Potential Customers Would See
Commodity Codes are Essential for Contract Notifications
### Vendor Profile: Contacts & Owners

This page details the account preferences for this business.

* required entry

### Business Contacts

Select a user for each type of contact.

<table>
<thead>
<tr>
<th>Contact Type</th>
<th>User Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Contact</td>
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<tr>
<td>Primary Owner</td>
<td></td>
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<tr>
<td>Sales Contact</td>
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<tr>
<td>Contracts Contact</td>
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<tr>
<td>Certifications Contact</td>
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<tr>
<td>Invoicing Contact</td>
<td></td>
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<tr>
<td>Prevailing Wage/Certified Payroll Contact</td>
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<tr>
<td>Insurance/Risk Management Contact</td>
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</tbody>
</table>

Updates can be made as needed
Certification Tab

Application Status and History
Appeal Process

If denied, the applicant can appeal to an Administrative Law Judge

- Must do so in writing within 30 days of receipt of the denial letter
- Administrative Law Judge schedules and conducts a hearing and then makes a recommendation to the Director
- Director issues a final order
- Article 15-A allows the applicant to pursue an Article 78 proceeding in a court of law if he/she disagrees with the determination.
Current MWBEs Have An Account

To access the already established account:
• Go to ny.newnycontracts.com
• Click on “Account Lookup” on the right hand side of the page
• Search for firm (by company name, Federal ID, contact person, contact information or address)
• Log-in and change your password or click “Username/Password Reminder” and an email will be sent to the email address on file
• Can’t find profile? Submit a “Change Info” or “Request New User” alert from the Account Lookup results
Keep NYS WBE Info Up-to-Date

Review required documentation to update:
http://www.esd.ny.gov/MWBE/ProfileUpdate.html

Click “Update Profile” at
https://ny.newnycontracts.com/Default.asp

<table>
<thead>
<tr>
<th>Section</th>
<th>Topics</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Full Contact Information</td>
</tr>
<tr>
<td>2</td>
<td>Business Name Change, DBA Name</td>
</tr>
<tr>
<td>3</td>
<td>Capacity: Gross Revenue, Market Area, Employees</td>
</tr>
<tr>
<td>4</td>
<td>Ownership Change</td>
</tr>
<tr>
<td>5</td>
<td>Business Industry Classification: Adding Commodities</td>
</tr>
<tr>
<td>6</td>
<td>Business Industry Classification: Adding Services</td>
</tr>
</tbody>
</table>
Commodity Codes
Identify BOTH ESD and NAICS Commodity Codes
Browsing Commodity Codes

Select Commodity Codes

Browse the code list clicking Drill Down or the the linked code number (available if there are lower tier codes). Click any Add link to select a code; when finished, click Return to close the window. Click Search to search by code number keyword. If multiple code lists are available, you can change the selected list in the drop down list under the search box.

NAICS: North American Industry Classification System

<table>
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<th>Actions</th>
<th>Code Type</th>
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<th>Code Description</th>
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<tr>
<td>Drill Down</td>
<td>Add</td>
<td>NAICS 11</td>
<td>Agriculture, Forestry, Fishing and Hunting (More)</td>
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<td>Mining, Quarrying, and Oil and Gas Extraction (More)</td>
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<td>NAICS 55</td>
<td>Management of Companies and Enterprises (More)</td>
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<td>Drill Down</td>
<td>Add</td>
<td>NAICS 56</td>
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<td>Drill Down</td>
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<td>Add</td>
<td>NAICS 62</td>
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<td>Drill Down</td>
<td>Add</td>
<td>NAICS 71</td>
<td>Arts, Entertainment, and Recreation (More)</td>
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<td>NAICS 72</td>
<td>Accommodation and Food Services (More)</td>
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<td>Add</td>
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<td>Other Services (except Public Administration) (More)</td>
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<td>Add</td>
<td>NAICS 92</td>
<td>Public Administration (More)</td>
</tr>
<tr>
<td>Drill Down</td>
<td>Add</td>
<td>NAICS 99</td>
<td>Airport Concessions (More)</td>
</tr>
</tbody>
</table>

Search Codes

ESD: New York State ESD Codes
Maximize MWBE Certification

• Send out a Press Release
• Put on all marketing pieces
• Contact MWBE/Purchasing/Diversity/Procurement Agents at state entities
• MWBE logo is coming

It’s a new era for MWBE participation.
– John Traylor, Chief Procurement Officer; Nov. 2012
SAVE THE DATE!
WEDNESDAY & THURSDAY • OCTOBER 1 & 2, 2014

REGIONAL NYS MWBE OPPORTUNITIES EXPOS
Between now and the annual NYS MWBE Forum, increase your contract opportunities by visiting one of New York State’s Regional MWBE Opportunities Expos. Visit the websites below for more information.

**WESTERN NEW YORK**
Thursday, April 24

**NORTH COUNTRY**
Thursday, May 8

**MID-HUDSON**
Date TBD

Please visit us in the coming weeks for more information on the 2014 NYS MWBE Forum.
“E” Book – Guide To Navigating New York State Agency & Authority Business Opportunities

www.nysmwbeforum.org/opportunities

Marketing information about NYS agencies and authorities, their respective missions, and links to upcoming projects
Market to NYS Entities

NYS Directory of Frequently Purchased Products and Services

• Section 2 lists contact information for NYS agencies

http://www.osc.state.ny.us/reports/fiscal/directorycommodities.pdf
LinkedIn Group for MWBEs

Examples:

• Jacobson is looking for qualified M/WBE subcontractors. You must be union. We are looking for a Glazier Company, Painting Company, and a Carpentry Company (install Doors and Hardware and framing).

• I am helping a friend who is a General Contractor in NJ. He was awarded a job at Homeland Security in NYC and needs WBE/MBE contacts for Plumb, Elect, Mech, Paint and Floor. Thank you, Susan

• 11th Annual Queens Small Business & Procurement Expo

• Hi everyone, Just became certified with the New York School Construction Authority to provide Information Technology products and peripherals.
# Contacts

<table>
<thead>
<tr>
<th><strong>NYS Small Business Development Center</strong></th>
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<tbody>
<tr>
<td><a href="http://www.nyssbdc.org/binghamton">www.nyssbdc.org/binghamton</a></td>
</tr>
<tr>
<td>607-777-4024</td>
</tr>
<tr>
<td><a href="http://www.nyssbdc.org">www.nyssbdc.org</a> – all New York Center Contact Information</td>
</tr>
<tr>
<td><a href="http://www.asbdc-us.org/">http://www.asbdc-us.org/</a> - locate your SBDC office across the country</td>
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</table>

<table>
<thead>
<tr>
<th><strong>MWBE Certification Unit</strong></th>
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<tbody>
<tr>
<td><a href="mailto:MWBEcertification@esd.ny.gov">MWBEcertification@esd.ny.gov</a></td>
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<tr>
<td>(212) 803-2414</td>
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<th><strong>Empire State Development,</strong></th>
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</thead>
<tbody>
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<td><strong>Division of Minority and Women-Owned Business Development</strong></td>
</tr>
<tr>
<td><a href="http://www.esd.ny.gov/mwbe">www.esd.ny.gov/mwbe</a></td>
</tr>
<tr>
<td>Albany: (518) 292-5250</td>
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</table>

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<tr>
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<td><strong>Entrepreneurial Assistance Program</strong></td>
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<td><a href="http://www.sunybroome.edu/web/www/eap">www.sunybroome.edu/web/www/eap</a></td>
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<td>607-778-5071</td>
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<table>
<thead>
<tr>
<th><strong>Office of Minority/Women-Owned Businesses and Community Relations</strong></th>
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</thead>
<tbody>
<tr>
<td>New York State Office of General Services</td>
</tr>
<tr>
<td><a href="mailto:MWBE@ogs.ny.gov">MWBE@ogs.ny.gov</a></td>
</tr>
<tr>
<td>Albany: (518) 486-9284</td>
</tr>
</tbody>
</table>
Questions

Thank You!
Cornell Contacts

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607-255-5645

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