

MWBE Contract Goal Setting

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Presenters

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Empire State Development



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Why do we set goals?

- Under law, contract goals are designed to provide MWBEs with “opportunity for maximum feasible participation in the performance of state contracts”
- All state contracts, unless expressly excluded by statute, are subject to MWBE goals setting; including, but not limited to, commodities procurements, construction, professional services contracts, loans, grants and leases of real property
- Every contract solicitation must identify the MWBE goals
- Every state contract must identify the MWBE goals and contain enforcement language



Checklist Before You Set Goals

- **Deliverable**: What are you buying?
- **Funding**: How are you paying for it? (e.g. state, fed)
- **Dollar amount**: What is the dollar value of state spending on the contract?
- **Additional funds**: Is there additional funding?
- **History**: What is the history associated with the contract?



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Analysis on Availability- Step 1

- Resources to access when determining availability:
 - 1) Disparity Study – Shows MWBE availability in the New York State marketplace (see attachment)
 - 2) Agency Annual Goal – As outlined in the Agency Goal Plan, this goal and corresponding plan should begin to drill down on the aspects of the Agency’s procurement activities that might affect goal setting. It also provides a tool for Agencies to forecast and implement procurement strategies designed to achieve goals.
 - 3) The Directory of certified MWBEs (<http://ny.newnycontracts.com>)



Analysis on Availability- Step 2

- The following is a list of questions analysts should consider when setting an individual contract goal:
 - Does the goal help New York State obtain the goal of 20% MWBE contracting?
 - Does the goal help the agency meet its annual agency goals for the year?
 - Does the contract need to be performed in a particular region of the state?
 - Are there firms in the MWBE Directory available to perform the work?
 - Are there firms available to obtain MWBE certification but are not presently state certified?



Tools for Successful Goal Setting

- **Dedicated person**: Each agency and authority should have, at a minimum, at least one person that is responsible for the setting of MWBE contract goals. This function should not solely fall to the business person handling a particular procurement, contract or project
- **Consultation**: Goals cannot be set in a vacuum, but rather require careful consultation with procurement officers and other business personnel responsible for the contract deliverables
- **Senior staff involvement**: It is advisable to have proposed MWBE goals approved by a senior staff member prior to their establishment



Questions



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New York State Contract System NYSCS

- Role of NYSCS
- Creating and Viewing Contracts
- Managing Subcontractors
- Performing an Contact Audit
- Transferring Records (Reporting)



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Overview of Topics

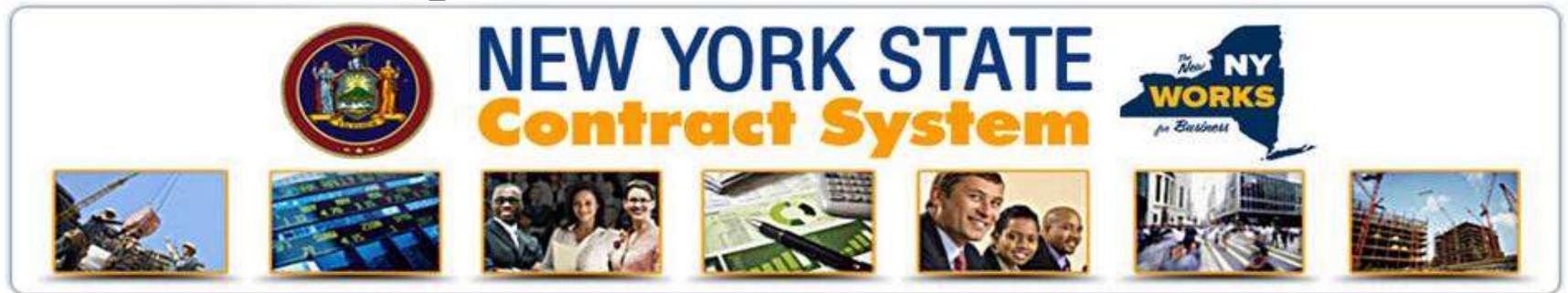
- Contacting Certification
- Certification Flags
 - Launching a Fully Integrated Communication Tool
 - Overview of Purpose and Uses
 - Required Information
 - Simple Process
- Directory and Database Questions
- Referring Vendors to Become Certified



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Certification Flags

a fully integrated communication tool

Connecting Procurement Staff directly to the MWBE
Certification Team



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Certification Services for Procurement Staff

Certification Flags: Purpose and Uses

- Certification Flags are connected directly to an applicants' file
- Analyst working on the file sees Certification Flags
- Certification Management sees Certification Flags
- Can be submitted by any authorized Procurement Staff



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Certification Flags: Five Categories

- Status Inquiry
- Expedite Request/Pending Contract
- Commodities/Services Request

- Eligibility Challenge
- Commodities/Services Challenge



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Certification Flag: Status Inquiry

- When to use this flag:
 - If you want a quick status or verify an application is in the queue this is the flag to use.
 - All Status inquiries will usually be within the same business day, or the next business day.
 - Once status has been provided the flag will be deactivated.
 - **This is not an expedite request, and will not result in an expedited review.**



Certification Services for Procurement Staff

Certification Flag: Expedite Request/Contract Pending

- When to use this flag:
 - When you have a contract pending, and have identified an MWBE with an application in the queue.
 - We will acknowledge each Certification Flag within 2 business days, informing the requester if an application is in the queue
 - Once review is complete, and determination has been provided the flag will be deactivated.
- Things To Consider:
 - Some firms are owned by many layers of holding companies, held in trusts, and have undergone mergers and many ownership transfers. Complex histories and complex ownerships often require more time to review
 - Every applicant is **not** eligible, and every firm does **not** complete the process. If they are not certified, consider the firm you want to use carefully.



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Certification Flag: Commodities/Services Challenge

- When to use this flag:
 - If you have identified a firm that you believe is not qualified to be in the program.
 - If you have been in contact with the firm, and the person who claims to be running the business is not the person you believe is actually running the business.
- Things To Consider:
 - This will not be an expedite.
 - Upon receipt, we will respond, ask any immediate questions we may have and de-activate the Flag.
 - Course of action will vary depending on nature of challenge.



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Submitting a Certification Flag: Entering the Flag Information

Certification: View

*required entry

Certification Information	
Business Name	ABC Corp, DBA TLC
Certifying Agency	New York State
Certification Type	MBE - Minority Business Enterprise
Certification Action	New
Certification Status	Removed

Flag Information	
Category*	<input checked="" type="checkbox"/> None selected <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Expedite Request / Pending Contract <input type="checkbox"/> Commodities/Services Addition Request <input type="checkbox"/> Eligibility Challenge <input type="checkbox"/> Commodities/Services Challenge
Reason*	
Need by Date	<input type="text" value="(mm/dd/yyyy)"/>

Spell Check Flag Certification Cancel

All Flags require:

Step 1: Select Category

Step 2: Provide Required Reason

Some Flags require:

Step 3: Enter Date (if required)

Step 4: Email Documents (if applicable)



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Status Inquiries and Expedite Requests: Required Information

- **Status Inquiries**

- **Reason Box Must Include:**

- We are inquiring about status of (insert firm name) because (insert reason).
 - We (have or have not) contracted with this firm before to provide (insert industry).

- **Expedite Requests/Contract Pending**

- **Reason Box Must Include:**

- We are requesting an expedite of (insert firm name). This firm is being considered for a contracting opportunity to provide (insert industry). We (have/have not) contracted with this firm before to provide (insert industry) for (\$ insert dollar amount). Contract Reference Info:

- **Contract Date (if applicable)**



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Commodities/Services Request: Required Fields and Documentation

– Reason box must include:

- (insert firm name) is being contracted to provide (insert industry) for (\$ insert dollar amount) We HAVE contracted with this firm before to provide (insert industry) for (\$ insert dollar amount). Contract Reference Info:

– Must include Contract Date

– Documents Required (Sent via email):

- Copy of Past (or current) Contract(s) and scope(s) of services which indicate the code being requested.
- Or signed dated statement by agency/authority procurement staff must include all facts provided in reason box.
 - When submitting documentation or statements, please be sure to reference the Certification Flag.
 - When ready, submit to MWBEcertification@esd.ny.gov within 7 days of Submitting Flag Request.
 - Flag will be deactivated after 7 days if no response.



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Eligibility Challenge and Commodities/Services Challenge

–Reason box must include:

- All details available.

–All documentation available (Sent via email):

- When submitting documentation or statements, please be sure to reference the Certification Flag.
- When ready, submit to MWBEcertification@esd.ny.gov within 7 days of Submitting Flag Request.



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Locating the Vendor

- Login to **ny.newcontracts.com**

- All Certification Flags are sent through the NYS Contract System
- Click on Search on the left hand side.



- Then select *Vendor* Note: selecting *certified vendor* will exclude firms not currently certified.
- TIP: When the page opens, your cursor will be placed in the field: *Business Name/DBA*. Type Name.
- Scroll to the bottom of page select *Search All Matches*
- If you are looking for a vendor with a common name, be sure to select the exact vendor you are looking for, sometimes the address will provide be key in the identification process.

B2Gnow Test Vendor 73	888-555-1234	New York, NY	20187169 Edit/Info QuickView Users Certs
B2Gnow Test Vendor 777	602-325-9277	Phoenix, AR	20200853 Edit/Info QuickView Users Certs
B2Gnow Test Vendor 8	222-222-2222	Phoenix, AZ	20050069 Edit/Info QuickView Users Certs
B2Gnow Test Vendor 9	602-325-9277	Phoenix, FL	20079186 Edit/Info QuickView Users Certs
B2Gnow Test Vendor 99	480-325-9277	Phoenix, AZ	20072869 Edit/Info QuickView Users Certs
Sprinkles Car Wash, DBA B2Gnow Test Vendor	602-325-9288	Pasadena, CA	20128754 Edit/Info QuickView Users Certs



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Opening a Vendor Information Page

Vendor Profile: Certifications

Help & Tools 

Business Name: **B2Gnow Test Vendor 73**

[Main](#) | [General Info](#) | [Public Profile](#) | [Users](#) | [Commodity Codes](#) | [Contacts & Owners](#)
[Comments](#) | [Reviews](#) | [Certifications](#) | [Site Visits](#) | [Workforce Composition/EEO](#)

Current Certifications

No current certifications

Pending/In Process Certifications

Type	Action	Application Date	Organization	Reviewer	Actions
WBE	New	2/25/2013	New York State	NYS Admin1	Process 

- Click on the **grey flag** on the far right side of the record. This launches the **certification: view** vendor information page. Scroll to the bottom of the page:

Flag Certification

Certification Flags

This certification has not been flagged.



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Reason*	
Need by Date	(mm/dd/yyyy)

Spell Check Flag Certification Cancel

All Flags require:

Step 1: Select Category

Step 2: Provide Required Reason

Some Flags require:

Step 3: Enter Date (if required)

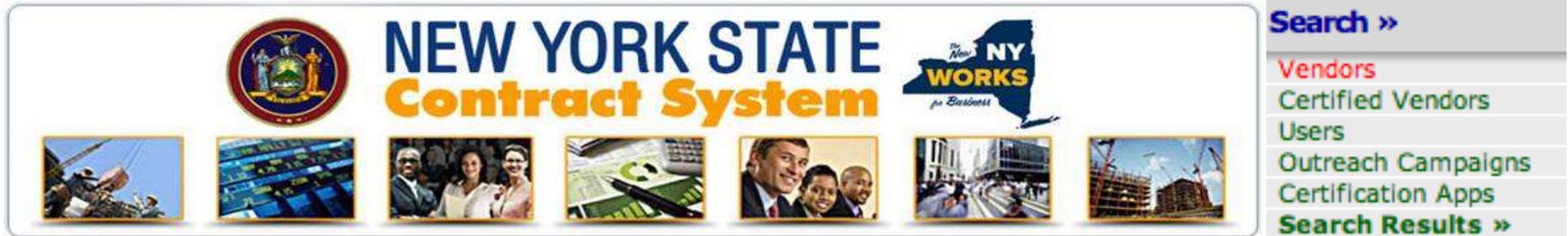
Step 4: Email Documents (if applicable)



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The banner features the New York State Seal, the text "NEW YORK STATE Contract System", and the "The New NY WORKS for Business" logo. Below the text are seven small images: construction workers, a control room, a group of people, a laptop with charts, a group of people, a street scene, and a construction site. To the right is a search menu with the following items: Search >>, Vendors, Certified Vendors, Users, Outreach Campaigns, Certification Apps, and Search Results >>.

Vendor Search vs Certified Vendor Search

Vendor Profile: Certifications

Help & Tools 

Business Name: **B2Gnow Test Vendor 73**

- Main
- General Info
- Public Profile
- Users
- Commodity Codes
- Contacts & Owners
- Comments
- Reviews
- Certifications
- Site Visits
- Workforce Composition/EEO

Current Certifications

No current certifications

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Referring Vendors to Become MWBE Certified

All General Inquiries:
MWBEcertification@esd.ny.gov

Guide to Navigating the Certification Process
Eligibility Requirements, Detailed Navigational Instructions
<http://esd.ny.gov/MWBE/Certification.html>

One Fully Integrated Online Application
New Applicants, Recertification and Profile Updates and
Expansions

ny.newcontracts.com



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If you have any questions;
Do not hesitate to contact the MWBE Certification Team:
MWBEcertification@esd.ny.gov

Presenter:
Scott Munson, Director of Certification



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