

MWBE Certification Frequently Asked Questions



Division of Minority
and Women's
Business Development

Certification eligibility criteria:

Under Article 15-A of the Executive Law, any for-profit firm that is at least fifty-one percent owned, operated and controlled by U.S. citizens or permanent resident aliens who are either a woman and/or minority is eligible for certification.

List of minority groups who are eligible for certification:

- Black persons having origins from any of the Black African racial groups
- Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central American or South American descent of either Native American or Latin American origin, regardless of race
- Native American or Alaskan Native persons having origins in any of the original peoples of North America
- Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian Subcontinent or the Pacific Islands

An MWBE applicant must successfully demonstrate the following:

- **Ownership, Operation and Control:** Firm must be independently owned, operated and controlled by minority and/or women members. The ownership must be real, substantial and continuing, and owner(s) must exercise the authority to control, operate, independently the day-to-day business decisions
- **Personal Net Worth (PNW) Restriction:** Each minority or woman owner upon whom certification is based cannot have a personal net worth exceeding \$3.5 million after allowable deductions¹
- **Small Business Restriction:** Firm cannot exceed more than 300 full time employees
- **Independent, Active and In Business One Year:** Firm must operate independently of other firms, must demonstrate business activity and generally the business is required to be in operation for at least one year
- **Out of State Applicants:** Firm to be certified as a MWBE in their home state, if a similar process exists, and be registered and authorized to conduct business in the state of New York and have a presence in the New York State

How to apply for certification?

New York State has a fully integrated online certification process, the New York State Contract System (NYSCS): **ny.newnycontracts.com**

Firms can use NYSCS to submit:

- New Certification Applications with the NYS MWBE Program
 - (Optional) "One-Stop" certification – once certified the firm's application is forwarded for review for MWBE certification with the Joint Certification Committee of Erie County and City of Buffalo*, New York City Small Business Services*, and/or Port Authority of New York/New Jersey
 - If certified by a recognized NYS partner agency or U.S. Small Business Administration's Federal 8(a) Program, or DBE Unified Certification Program (UCP), firm may submit a Fast Track application*
- Re-Certification Application
- Certification and Vendor Profile Updates

What are the benefits of certification?

- Listed on the MWBE Directory of certified firms
- Access to MWBE procurement and/or contracting opportunities with NYS Agencies and Authorities
- Receive customized alerts for upcoming procurement opportunities by registering with the NYS Contract Reporter (www.nyscr.ny.gov)
- Receive invitations for business development: workshops, webinars, classes and customized technical assistance targeted to MWBEs
- Access to lending and bonding programs exclusively for certified MWBEs

¹The personal net worth of each individual upon which certification is relied upon cannot exceed \$3.5 million, as adjusted annually for inflation according to the consumer price index to reflect the current buying power of \$3.5 million in the year 2010. To determine the current net worth threshold, applicants should refer to the consumer price index maintained by the United States Department of Labor, Bureau of Labor Statistics. http://www.bls.gov/data/inflation_calculator.htm

* NOTE: Participating certification program may have geographic restrictions.

HAVE QUESTIONS?

MWBE Hotline: (212) 803-2414
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Email: MWBECertification@esd.ny.gov