



**Division of Minority
and Women's
Business Development**

Doing Business with New York State & Leveraging your Certification

A Division of Empire State Development

10/28/2016

Agenda

A. How the Agency Operates

- Overview of Empire State Development
- Overview of Division of Minority and Women's Business Development

B. How NYS Buys

- Order of Purchasing Priorities
- Agency Contracting– including discretionary spending
- NYS Contract Reporter

C. Leveraging Your Certification

- NYS Contract Reporter
- Methods and tools for marketing to state agencies
- Supply-Demand Utilization initiative
- Migration to new coding system

D. Utilizing available resources

- MWBE Business Development Unit
- Technical Assistance Centers





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Empire State Development

Responsibilities

Empire State Development

As the New York State's chief economic development agency, ESD utilizes a combination of tools from efficient use of loans, grants, tax credits, real estate development, marketing to strive towards its mission.

ESD Mission:

- ❑ To promote a vigorous and growing state economy
- ❑ Encourage business investment and job creation
- ❑ Support diverse, prosperous local economies across New York State

The Division's Mission

- ❑ Promote equality of economic opportunities for MWBEs.
- ❑ Eliminate barriers to their participation in state contracts.
- ❑ Provide information and resources that increase access to opportunities for MWBEs throughout the State.
- ❑ Promotes & Assists MWBEs through outreach, training, technical assistance and support.



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Order of Purchasing Priority

Understanding the Order of Purchasing Priority



State finance law requires government to follow a process to make purchases.

Preferred Sources

List of NYS Preferred Sources:

- Department of Corrections & Community Supervision | Corcraft
 - www.corcraft.org
- NYS Preferred Source Program for People Who Are Blind
 - www.nyspsp.org
- NYS Industries for the Disabled
 - www.nysid.org

Learn more at:

www.nyspro.ogs.ny.gov/content/buying-preferred-source-0



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2. Centralized Contracts

- ❑ Oversight and managed by NYS Office of General Services
- ❑ These are statewide contracts that are competitively bid or negotiated.
- ❑ Contracts include:
 - Commodities
 - Services
 - Technology

3. Agency Established Contracts

- ❑ A state agency determines if an established government contract can be used.

4. Conduct Own Procurement

- ❑ A state agency conducts its own procurement or uses discretionary spending.



Agency Discretionary Purchasing Authority

- Discretionary purchases are procurements made below statutorily established dollar amounts and at the discretion of the agency, without the need for a **formal** competitive procurement process. Use of discretionary purchasing streamlines the procurement process.
- **Discretionary Purchasing Guidelines:**
<http://www.ogs.ny.gov/procurecounc/pdfdoc/DiscretionaryPurchasingGuidelines.pdf>

What are Discretionary Purchases?

- They fall into two categories:
 - A. Purchases LESS THAN \$50,000.00
 - B. Purchases BETWEEN \$50,000.00-\$200,000.00
- Agencies must justify to support both vendor selection and reasonableness of the price.
- Agencies are **NOT** required to Advertise these procurements on the Contract Reporter.

NOTE: Discretionary Purchases cannot be construction related products or services.

Example Language

*“HRPT intends to procure Fire Alarm Systems monitoring, inspection, repair and maintenance services pursuant to its discretionary purchasing authority under State Finance Law 163(6). **This procurement opportunity is for businesses certified pursuant to Article 15-A of the New York State Executive Law (Minority and Women Business Enterprises)** and New York State small businesses.”*

Discretionary levels increase to:

\$200,000 for purchases from a **New York Small Business** or **New York Certified Minority or Woman-Owned Business Enterprise (M/WBE)**

New York State Small Business & M/WBE

- **A New York State Small Business is defined as:**
 - Resident to New York State
 - Independently owned and operated
 - 100 or fewer employees
 - Not dominant in its field
 - There is no certification process for “New York State Small Business”
- **A Minority/Woman-Owned Business Enterprise (M/WBE)**
 - must be certified by NYS Empire State Development
- For information on the **certification** process, contact **Empire State Development**:
mwbecertification@esd.ny.gov or visit our website:
<http://esd.ny.gov/MWBE/Certification.html>



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Locating Contracting Opportunities

New York State Contract Reporter

- **New York State's official source of contracting opportunities**
 - IFBs, RFPs, and some discretionary spending ads listed from NYS agencies and authorities
 - Prime contractors may also advertise on the NYSCR
 - Generally, solicitations on the NYSCR have yet to be awarded
- **Create a FREE username/password**
- **Search for Procurement Opportunities by contract size, location, agency, etc.**
- **Create customize alerts on procurement opportunities**
- **Join the NYS Business Registry for FREE**
 - Your business can be listed on the NYS Business Registry for **FREE** regardless of certification status



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Services News Government Local

Opportunities posted today **41**

Opportunities posted in the last 7 days **159**

Total available opportunities **776**

 **The New York State Contract Reporter**
NYS' official source of contracting opportunities
Bringing business and government together

Sign up and register for your free account!
Click here to get started

Register for a free account!

I want to find contracts to bid on > I want to advertise opportunities > Learn about the New York State Business Registry > Learn about doing business with New York >

I want to find contracts to bid on >

I want to advertise opportunities >

Learn about the New York State Business Registry >

Learn about doing business with New York >

www.nyscr.ny.gov



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Opportunities posted today **31**

Opportunities posted in the last 7 days **145**

Total available opportunities **715**



The New York State Contract Reporter

*NYS' official source of contracting opportunities
Bringing business and government together*

Log Out

- Contact Us
- Help

Welcome back: 

- Search open NYSCR ads
- Enter search term
- Advanced Search
- Search the Archives
- My Opportunities
- My Bookmarked Ads
- Open Opportunities**
- Recently Closed Ads

Agency ads	
Search open, closed, archive ads (title,contract # or CR #)	<input type="text"/> Search
Open Ads 1	Open solicitations from your agency
Pending Ads 0	Solicitations submitted with delayed publication dates
Incomplete Ads 13	Partially completed ads requiring completion & submission
Continuous Procurement 0	Open continuous procurement ads
Grants and NOFA 0	Open Grants and "Notices of Funds Availability"
Bid results due 107	A list of archived ads that need bid results posted

- Events
- Bulletins
- Procurement Reports
- Manage Events
- Manage Bulletins
- Manage Procurement Reports

Calculate earliest due dates based on ad types and publication dates.

Search Business Registry

Find qualified vendors by searching and sorting the NYSCR Business Registry

Manage Events

Submit notices of outreach events, workshops and

All recently advertised RFPs, IFBs, etc. are viewable in “OPEN OPPORTUNITIES.”

List will show all recently released procurement notices.



Open Ads: Lehman/Cleveland Hall Flooring Project

Title	Description	Contact Info	Documents	Updates	Bid Results
<p>Lehman/Cleveland Hall Flooring Project</p> <p>Agency: State University of New York (SUNY) SUNY Binghamton</p> <p>Contract Number: 80263</p> <p>CR Number: 2022718</p> <p>Date of Issue: 04/12/2016</p> <p>Due Date/Time: 05/03/2016 2:30 PM</p> <p>County(ies): Broome</p> <p>Location: Binghamton University</p> <p>Classification(s): Construction Vertical: Building Construction; Rehabilitation & New Construction - Construction</p> <p>Opportunity Type: General</p>	<p>Binghamton University is seeking a qualified contractor to furnish and install new flooring throughout corridors and lounges of dorms.</p> <p>A pre-bid meeting is scheduled for Tuesday April 19, 2016 at 11:00 AM in conference room C of the Physical Facilities building. Please reference Binghamton University's website for parking instructions.</p> <p>Complete and partial sets of the Bidding and Contract Documents may be obtained from the campus at the above examination location, or Binghamton University's Physical Facilities Department, PO Box 6000, Binghamton, NY 13902-6000. Section 143 of the State Finance Law requires payment of a deposit to receive these documents. Accordingly, a deposit check in the amount of \$49.00, made payable to Binghamton University is required. Failure to meet the deposit requirement to receive the bid documents from the appropriate source will deem the bidder's submission as non-responsive. Deposits less than \$50.00 are non-refundable.</p> <p>Minority Owned Sub-Contracting Goal: 15%</p> <p>Women Owned Sub-Contracting Goal: 15%</p> <p>Service-Disabled Veteran-Owned Business Contracting Goal: 6%</p> <p>Due date: 05/03/2016 2:30 PM</p> <p>Contract term: 55 Calendar Days Start date July 1, 2016 Completion Date July 29, 2016</p> <p>County(ies): Broome</p> <p>Location: Binghamton University</p>				<p>Share this ad</p> <p>Bookmark this ad</p> <p>Print to PDF</p> <p>Send me notification updates on this</p> <p>View subcontracting opportunities</p>

When viewing procurement notices, be mindful IF there are:

- Identified Goals
- Due Dates
- Pre-Bid Meetings/Walk-throughs
- Unique method of response and/or inquiry



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Title	Description	Contact Info	Documents	Updates	Bid Results
Staff Augmentation Services for SFS EE Project Agency: Transportation, NYS Dept. of Central Purchasing Contract Number: COO5189/TBD CR Number: 2022742 Date of Issue: 04/12/2016 Due Date/Time: 05/03/2016 11:00 AM County(ies): Albany Location: Albany, NY Classification(s): Information Technology - Consulting & Other Services Opportunity Type: Discretionary procurements between \$50,000 and \$200,000	<p>The New York State Department of Transportation intends to procure staff augmentation services for an ongoing statewide financial system (SFS) enhancements project, pursuant to its discretionary purchasing authority under State Finance Law section 163(6). This procurement opportunity is limited to New York State small businesses, businesses certified pursuant to Article 15-A of the New York State Executive Law, if applicable, businesses selling commodities or technology that are recycled or remanufactured or commodities that are food, including milk and milk products, grown, produced or harvested in New York State.</p> <p><i>Communication with respect to this procurement initiated by or on behalf of an interested vendor through other than the "Designated Contact Person(s)" identified below may constitute an "impermissible contact" under state law with respect to Procurement Lobbying, and could result in disqualification of that vendor.</i></p> <p>The New York State Department of Transportation, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, as amended, issued pursuant to such Act, hereby notifies all who respond to a written Department solicitation, request for proposal or invitation for bid, that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age disability/handicap and income status in consideration for an award.</p> <p>Due date: 05/03/2016 11:00 AM</p> <p>Contract term: One Year Term (extension)</p> <p>County(ies): Albany</p> <p>Location: Albany, NY</p>				

When viewing procurement notices, look for:

- Opportunity type
- If DP, what is the language used
- Response due date



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Marketing to Agencies

Accurate Vendor Profile is the Key to being found!



Maintaining the Profile:

- ✓ **Contact information;** address, legal business name and contact person
- ✓ **Business Description**
- ✓ **Industry Code Classifications**
 - Core Strengths
 - Expanding Capabilities
 - Classifications matching agency contracts
- ✓ **Gross Sales and Market Area**



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Marketing Strategies

- Develop Capabilities Statement**
- Identify MWBE Liaison**
 - Phone Calls
 - Emails
 - In-Person Meeting
- Ask Questions**
- Request to Submit Quotes**

New York State Comptroller Thomas P. DiNapoli

Open Book New York Video

Office of the State Comptroller

OPEN BOOK NEW YORK



Local Government Spending

See how your county, city, town, village, fire or school district gets and spends tax dollars.



State Contracts

Look at active New York State contracts and see who is doing business with the State. Data is updated daily.



State Spending

A summary level view of all state spending. Data is updated monthly.



State Payments

Find payments made by the State since April 1, 2012. Data is updated daily.



Public Authority Information

Find financial and other information about public authorities.



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NYS OPEN BOOK NY

- Allows you to search through active NYS contracts
- Searchable by Agency or Vendor
- Lets you see the contract number, vendor, contract amount, amount spent to date, and contract expiration date

www.openbooknewyork.com



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MWBE Opportunities Book



- Compiled directory of all state agencies and public authorities
- Provides full contact to Agency/Authority MWBE liaison
- Hyperlink to agency's procurement opportunities posted on website
- Use to develop list of target agencies for marketing of services and products offered www.nysmwbeforum.org/opportunities/



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Supply-Demand Utilization Initiative

Supply Demand Utilization

The Division conducted an analysis to identify industries with low rates of MWBE utilization and documented MWBE availability.

Targeted Industries

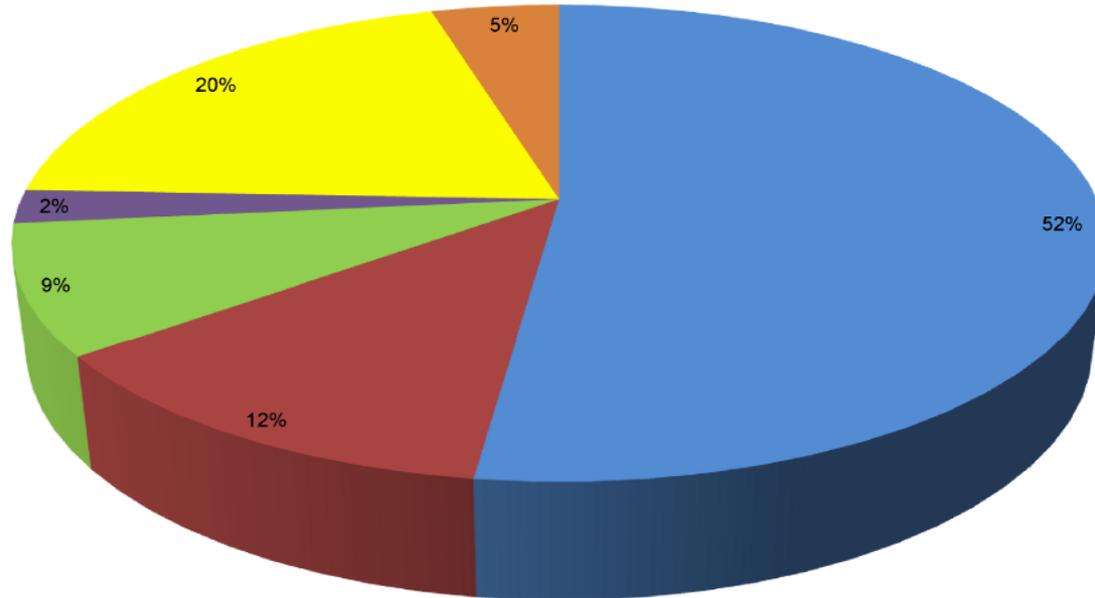
Professional Services: Advertising and Marketing, Architecture, Engineering, and Environmental, Financial Services, Legal Services

Information Technology: Communication, consulting, maintenance, support, software development

Supplies: Medical, dental, laboratory, office equipment

General Commodities: Food & Beverages

New York State Overall Agency Spending



Professional Services	\$2,944,035,465	General Commodities	\$706,307,335
Supplies	\$496,878,162	Equipment - Repairs and Maintenance	\$128,468,911
Information Technology, Computers and Communications	\$1,121,501,415	Equipment - Acquisitions, Leases and Rentals	\$255,086,568



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New Coding System

MIGRATION OF THE OLD ESD CODE SET

In 2015, the Division migrated from ESD Codes to industry standard codes. These standardized codes include:

- I. NAICS-** Industry Codes
- II. NIGP-** Commodity & Service Codes
- III. CSI-** Heavy Construction Codes
- IV. NYS DOT-** Construction and Consultant Work Codes

Searching MWBEs Using Directory

All
searching
can be
done
here

Governor's M/WBE Program

- Press Release
- Executive Order
- 2011 State of the State MWBE Clip
- 2012 State of the State MWBE Clip

Empire State Development

- Who We Are
- MWBE Division

Businesses

Want to Certify?

- Learn About Certification
- Apply for Certification
- Recertify
- Update Profile

Find NYS Contracting Opportunities

- Bid & Grant Opportunities

NYS M/WBE Directory

Search the NYS M/WBE Directory of Certified Firms by entering search terms and clicking Search. You must select at least one certification type.

New York State has now adopted industry standard product and service codes for construction, professional services and commodities to better facilitate the sourcing of firms. Empire State Development's Division of Minority and Women's Owned Business Development (DMW/BD) has started gradually replacing its internal product and service codes with four code sets that have become the standard in each of their industries. Additional information is available.

Search for Certified Firms

- MWBE Directory

NYSOS Links

- Home/Login
- Contact Us & Support
- Password Reminder
- Account Lookup
- Outreach & Program Notices
- FAQs

Search by Business Name or DBA

Business Name/DBA

Tip: Try just a few letters of the firm's name.

Search by Business Description

Business Description

Tip: Try just a few letters of a keyword.

Search by Commodity Code

Commodity Code [Click to Lookup Commodity Code](#)
(popup window will appear to browse and search available Commodity Codes)

Search by Contact Person

Contact Person/Owner

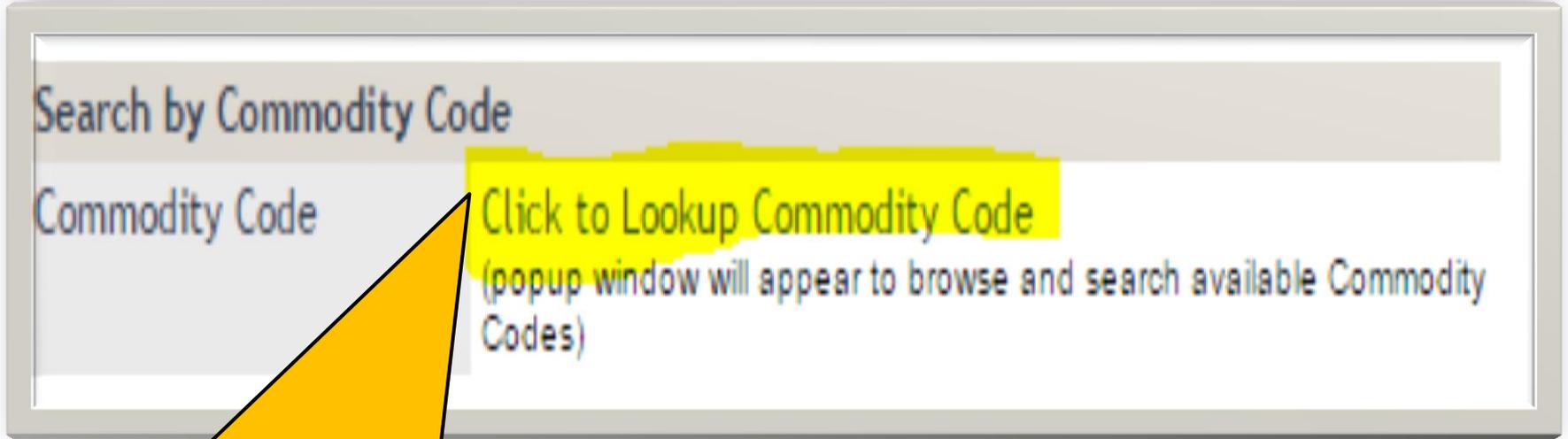
First name	Last name
<input type="text"/>	<input type="text"/>

Tip: Use the first letter. Tip: Try just the first few letters.

Search by Location

City

Searching MWBEs Using Directory



Clicking the 'Lookup Commodity Code' will bring up a dialog box

Searching MWBEs Using Directory

B2Gnow - Google Chrome

https://ny.newnycontracts.com/Common/Codes/CodeLookup.asp?XID=316&...

Select Commodity Codes

CLOSE WINDOW

Search for codes by code number or keyword. Click **Browse Codes** to browse through the entire code list. If multiple code lists are available, you can change the selected list in the drop down list under the search box.

Search

- ESD: New York State ESD Codes
- CSI: CSI Divisions - New
- ESD: New York State ESD Codes**
- NAICS: North American Industry Classification System
- NIGP: National Institute of Governmental Purchasing
- NYSDOT Construction: NYSDOT Construction Work Codes
- NYSDOT Consultant: NYSDOT Consultant Work Codes

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Division MWBE Resources

M/WBE Business Development Unit promotes growth and opportunity for ESD certified M/WBE firms through education and outreach to agencies and prime contractors throughout New York State.

Resources Include:

- ❑ Identifying Contracting Opportunities
- ❑ Tools for Launching/Expanding Your Business
- ❑ Business Training Sessions
- ❑ Technical Support
- ❑ Access to Capital Programs
- ❑ Local and Regional Events & Workshops



MWBE Training Tuesdays

- ❑ **INFORMING** firms on upcoming contracting opportunities statewide
- ❑ **EDUCATING** MWBEs on how to strategically market their services to state agencies, authorities and primes
- ❑ **EQUIPPING** MWBEs with the necessary tools needed to maximize their potential in successfully competing New York State.

Register By:

1. Visiting: ny.newnycontracts.com
2. Navigate right selection box
3. Click on “**Outreach & Program Notices**”
4. Scroll list of events and RSVP for a “**Training Tuesdays**” or “**Contracting Opportunity**” webinar.



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Bridge to Success

- A loan program specifically for NYS certified MWBEs to perform on New York State projects
- Loans typically ranges from \$75K-\$200K
- Loan is short-term (8-18months)

Participating Lenders

- New York Business Development Corp (Statewide)
Call: 518.694.8552 Email: swillard@nybdc.com
- SEFCU (Limited regions)
Call: 866.733.2880 x6005 Email: tkappler@sefcu.com
- Carver Federal Savings Bank (New York City)
Call: 718.230.2900 Email: BusinessLending@Carverbank.com
- Tompkins Mahopac Bank (Mid-Hudson)
Call: 845.278.1027 Email: rferri@TomkinsFinancial.com
- TruFund Financial Services, Inc.
Call: 646.732.9919 Email: abenson@trufund.org



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NYS Surety Bond Assistance Program

- Technical and financial assistance to help contractors secure surety bonding
- Contractors may be eligible to receive a guarantee of up to 30% to secure a surety bond line, bid bond or a performance and payment bond on state projects

Eligibility

- NYS certified MWBE with at least two years of business operation
- Maximum bond line or project size is \$2 million
- Minimum average gross revenue of \$400,000 over past two years. Gross revenue not to exceed \$5m

For more information

Huey-Min Chuang

212.803.3238

BAP@esd.ny.gov



**Division of Minority
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Minority and Woman-owned Business Investment Fund

- Up to \$500K per company for general technology companies
- Investment in early-stage NYS certified MWBEs
- MWBEs in emerging technologies with proprietary products or services

To apply

Excell Partners

Email: info@excellny.com

General Questions: MWBEInvestmentFund@esd.ny.gov



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Available Resources

Free Technical Assistance

- **Procurement Technical Assistance Centers (PTAC)** – Helps firms with certification, RFP bid response, government contracting, seminars, workshops, and other business services. For more information and location:

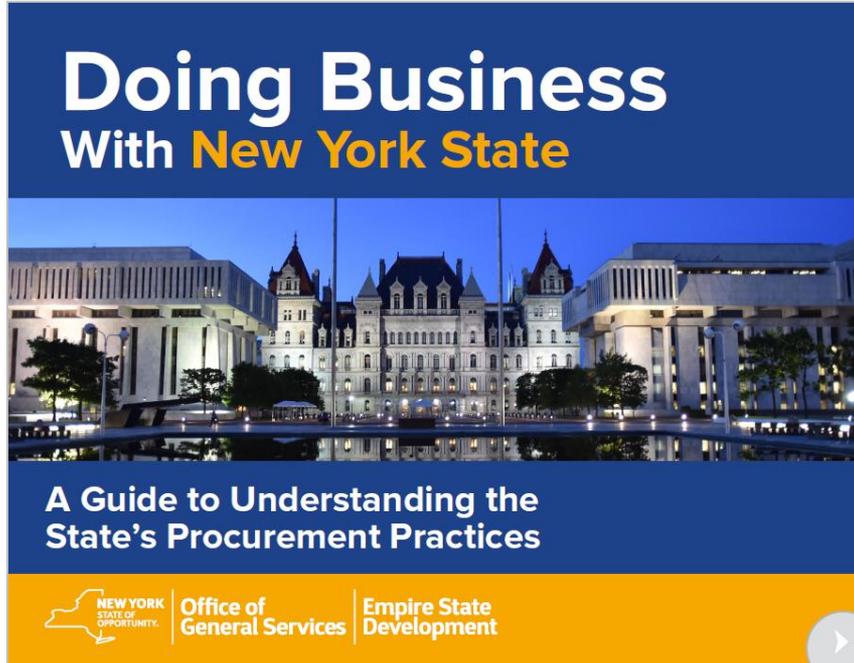
<http://www.dla.mil/SmallBusiness/Pages/ProcurementTechnicalAssistanceCenters.aspx>

- **Small Business Development Centers (SBDC)** – Helps individuals and businesses with certification, business planning, government contracting, export & import, and other business services. For more information and locations: <http://www.nyssbdc.org>

- **Entrepreneurial Assistance Centers (EAP)** – Help individuals with their new and startup businesses. For information and locations:

<http://www.esd.ny.gov/BusinessPrograms/Data/EAP/EAPCenters.pdf>

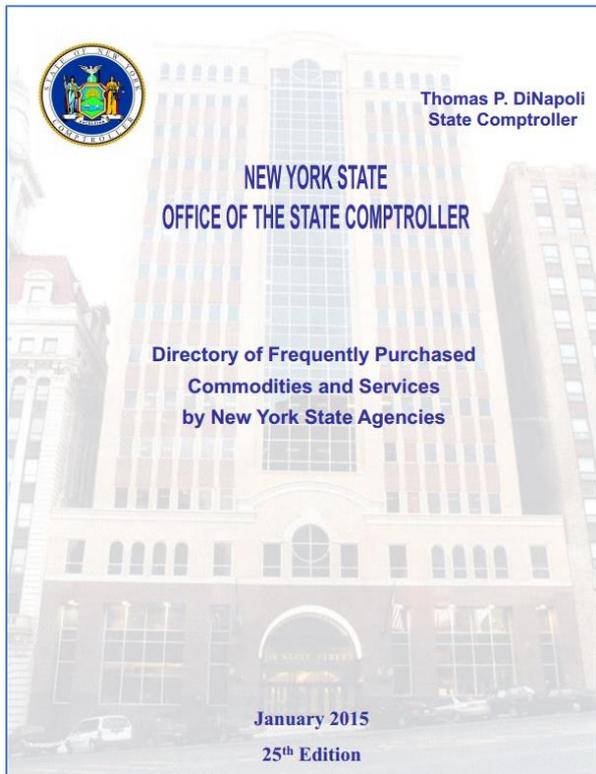
Resources



Doing Business with NYS

- It provides valuable information on procurement practices.
- Everything we've touched on during this webinar is included in this guide!
- Find it online at:
<http://nyspro.ogs.ny.gov/content/doing-business-new-york-state-0>

Resources



- Lists contact information for state agency procurement staff.
- Lists what is most frequently purchased.
- Updated annually.

www.osc.state.ny.us/reports/fiscal/directorycommodities.pdf



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Questions?

THANK YOU!

Ibrahima Souare

Business Development Associate

*MWBE Resource Hotline: **212.803.2433***

Email: MWBEBusinessDev@esd.ny.gov