



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

Doing Business with New York State & Leveraging your Certification

A Division of Empire State Development

6/4/2015

Overview

Overview of the State Purchasing Priorities

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

How to Leverage the Value of your Certification

- Maintain up to date information
- Represent core capabilities

Business Development – Helping your Business Grow

- Programs & Initiatives
- Business Development as your Resource Partner
- Strategies in Marketing to New York State

Empire State Development (ESD)

- **ESD** provides procurement guidance, information, and referral to resources to help businesses understand the procurement process and access government procurement opportunities. ESD understands that:
SALES ARE JOBS!
- **ESD** is responsible for publishing the *New York State Contract Reporter* - www.nyscr.ny.gov
- **ESD** has statutory responsibilities under the Omnibus Procurement Act to promote New York business participation in state contracting opportunities as prime contractors, subcontractors and suppliers. www.esd.ny.gov

State Finance Law Bidder Requirements

- Bidder must be responsive to bid requirements.
- Bidder must be a responsible bidder meeting.
 - **FLIP** requirements
 - ✓ **F**inancial & Organizational Capacity
 - ✓ **L**egal Authority
 - ✓ **I**ntegrity
 - ✓ **P**ast Performance
- Comptroller's Vendor Responsibility information:
<http://www.osc.state.ny.us/vendrep/index.htm>

Know the Vocabulary of Procurement

- **IFB – Invitation For Bid** - used in procurement of commodities, awarded to the **responsive** and **responsible** bidder on the basis of **lowest price**.
- **RFP – Request for Proposals** – used for procurements when factors in addition to cost are weighed and awarded to the **responsive** and **responsible** proposer offering the **best value**.
- For a **glossary** of commonly used procurement terms, refer to the procurement guidelines:

<http://www.ogs.ny.gov/procurecounc/pdfdoc/guidelines.pdf>

Agency Purchasing Requirements

(Order of Purchasing Priority)

- **First** – Agency uses **Preferred Sources***
- **Second** – Agency uses **Centralized (State) Contracts for commodities, services and technology***
- **Third** – Agency-Established Contracts
- **Fourth** – Agency conducts its own procurement, including Discretionary Spending

* **Must meet Agency's form, function and utility**

➤ **Review the Procurement Council Guidelines:**

<http://www.ogs.ny.gov/procurecounc/pdfdoc/guidelines.pdf>

New York State Contract Reporter (NYSCR)

www.nyscr.ny.gov

- The NYSCR is New York's official publication of procurement activity for New York State agencies, public authorities and public benefit corporations (other than notifications from the Office of General Services).
- State agencies **must** advertise procurements of **\$50,000** or more (*including discretionary purchases*) when they solicit bids from the business community for goods, services and construction projects in the NYSCR.

The screenshot shows the top navigation bar with the New York State logo and menu items: **Services**, **News**, and **Government**.

Below the navigation bar is a statistics section with three bars:

- Opportunities posted today: **28**
- Opportunities posted in the last 7 days: **160**
- Total available opportunities: **800**

To the right of the statistics is the main header for "The New York State Contract Reporter" with the URL NYSOR.ny.gov. Below the header is the tagline: "NYS' official source of contracting opportunities. Bringing business and government together." There are also buttons for "Log In", "Sign up and register for your free account!", and "Click here to get started!"

Below the header is a horizontal navigation bar with four items:

- 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

Below this bar are four large, colored buttons corresponding to the navigation items:

- I want to find contracts to bid on** (Green button)
- I want to advertise opportunities** (Blue button)
- Learn about the New York State Business Registry** (Orange button)
- Learn about doing business with New York** (Purple button)

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 Under \$15,000.00**
 - B. Purchases from \$15,000.00 to \$50,000.00**
- 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.

Benefit of being a Certified MWBE & Discretionary Purchases?

C. Purchases from \$50,000.00 to \$200,000.00

MWBE Discretionary Authority

Example:

*“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.**”*

NOTE: The way the language is written includes small businesses. It narrows the playing field to just MWBEs and small businesses. Some agencies use this language to make MWBE specific procurements.

Discretionary Purchasing Authority Thresholds

- \$50,000 for most State agencies

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)**
- \$200,000 for commodities or technology that are recycled or remanufactured *new*
- \$200,000 for commodities that are food, including milk or milk products, grown, produced, or harvested in New York State.

<http://www.ogs.ny.gov/purchase/spg/pdfdocs/PnpDiscretionaryThresholds.pdf>

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>

Free Technical Assistance

- **Procurement Technical Assistance Centers (PTAC)** – funded by the United States Department of Defense - seven PTAC locations in New York
<http://www.dla.mil/SmallBusiness/Pages/ProcurementTechnicalAssistanceCenters.aspx>
- **Small Business Development Centers (SBDC)** – administered by State University of New York and funded by the Small Business Administration, New York State, and host campuses for SBDC locations <http://www.nyssbdc.org>
- **Entrepreneurial Assistance Centers (EAP)** – funded in part by ESD, these centers help individuals with their new and startup businesses. For information and locations:
<http://www.esd.ny.gov/BusinessPrograms/Data/EAP/EAPCenters.pdf>
- **Look for procurement “how to” workshops, conferences, and other events**



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

What's New in New York State & The Role of Business Development

NY State Works for MWBEs

What's New in New York State?

“New York’s strength lies in the diversity, innovation and entrepreneurship of all its residents. By breaking down barriers to growth for MWBEs, we are putting that strength to work for all New Yorkers, building a more diverse and competitive business climate.”

Andrew M. Cuomo, Governor, State of New York

The 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.

NY State Works for MWBEs

What's New in New York State?

KEY Services:

- **MWBE Certification & Directory**
 - Largest public databases of certified MWBE firms in the nation.
- **Agency Services Utilization Support**
 - Monitors and assists state agencies/authorities.
- **Business Development**
 - **New Initiatives**: more robust set of services, more coordination with the Certification to better Monthly outreach to certified MWBEs - procurement opportunities & training.

NY State Works for MWBEs

What's New in New York State?

Why Certify?

- NY is Open for Business
- NY Works for MWBEs

What are the Benefits of Certification?

- Access to State Contract and Procurement Opportunities
- Access to Technical Assistance
- Access to Business Development Advice
- Listed in NYS MWBE Directory of Certified Firms
- Access to Lending and Bonding Programs
- Access to Statewide Network of Services, Workshops, Webinars, Classes

CERTIFICATION IS THE FIRST STEP!!!

Business Development Unit

- Works with firms to help them expand their footprint with New York State.
- Make introductions to other MWBE's for partnering opportunities.
- Hosts/participates matchmakers in support of NYS entities that have MWBE utilization goals.

CONNECT FIRMS TO CONTRACTING OPPORTUNITIES

**Division of Minority and Women's Business Development
BUSINESS DEVELOPMENT UNIT**

Brian Ansari – Business Development Specialist

Brian.Ansari@esd.ny.gov

MWBE Resource Hotline: 1 855 ESD- 4MWB / 1 855 373-4692

Email: mwbebizadvisor@esd.ny.gov

Login Now at: ny.newnycontracts.com



Don't have a username and password?

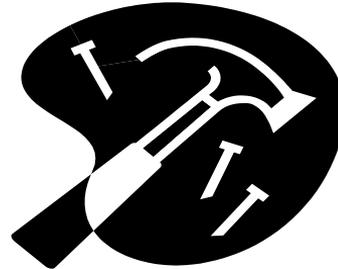
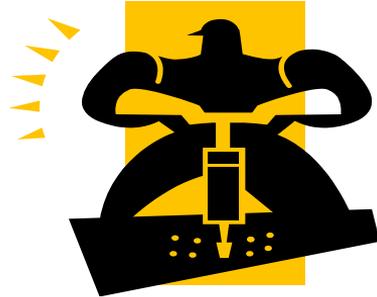
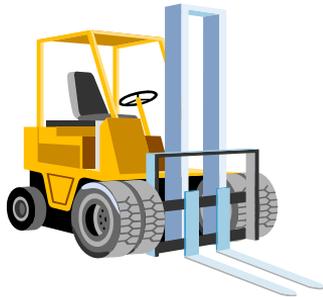
If you are certified, you have been
Pre-registered to access the NYS Contract System.

What you need to know to Leverage Your Certification Profile?

- Why is the directory important to you?
- Is your certification profile incomplete, inaccurate and outdated?
- Are you marketing your core strength?
- Are you fully leveraging your certification?
- Do you have a username and password to access the NYS Contract System?
- Do you know how to submit updates and changes?

PROVEN CAPABILITIES:

- Industry Code Classifications
 - Core Strengths
 - Expanding Capabilities
 - Classifications matching agency contracts



PROVEN CAPABILITIES:

Gross Sales

- Review your gross sales activity
- Identify the gross sales range for your firm
- Submit a request to update your gross sales capacity



PROVEN CAPABILITIES:

Market Areas

- When considering Market Areas you should identify exactly how your firm will provide these services or distribute goods in each area.

Ask yourself these questions:

1. How can my firm provide goods or services in each Market Area?
2. Agencies verify all information before awarding contracts. If you cannot deliver as you have indicated they will not contact your again. Is this the right time for my firm to expand into new Market Areas?



Accurate Business Profile is the Key to being found!



Maintaining the Profile:

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

Contact Us...

**MWBE Certification Helpline Hotline:
(212) 803-2414**

MWBEcertification@esd.ny.gov

www.esd.ny.gov/MWBE/Certification.html