



S.5217 (Parker)

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BILL S.5217 (Parker)
SUBJECT Creation of a Database to Track MWBE Contracts
DATE March 07, 2022
SUPPORT

The Business Council supports S.5217 (Parker) which would require the creation of a database for public authorities and state agencies to track minority and women-owned business contracts. The legislation amends the Public Authorities and Executive Laws related to database and contracting reporting requirements for the Minority and Women-Owned Business Enterprise (MWBE) program. Enactment will assist in compliance monitoring and address disparities related to oversight leading to greater accountability and transparency.

Article 15-A of the New York State Executive Law focuses on minority and women-owned business participation in State contracts through the establishment of goals aimed at their involvement. Many MWBE certified companies here are defined as small businesses who employ a great number of New Yorkers and generate revenues needed by the State. Their participation in the procurement process is critical in undoing the effects of biased practices that were evident in many facets of government procurement. Helping these businesses move forward is a key to New York's continued economic growth and continued support of them is a key economic driver. Our position is that the legislature continues its advocacy for additional transparency to help protect our MWBE program and this bill helps to do that.

It is imperative to keep track of what is being done by state agencies to ensure that contract goals are being met. The use of databases by them can avoid disparities resulting in the State failing to contract with minority and women-owned businesses. With the mandated participation goals currently employed by the State, measures that ensure compliance should be embraced and the collection of data can provide racial and gender equity in state contracts. Businesses benefit when agency goals are met with supportive, objective information and ensuring that agency information contains the number of contracts that were issued and awarded will help in confirming conformity. This measure helps in the State's effort to level the playing field

and to strengthen and improve MWBEs ability to compete against others.

For many small businesses, certification as an MWBE is an important step in the path to success. It allows them to better compete in their industry and grow their business. Without the proper checks to ensure that agencies are providing equal access in contracting opportunities, the economic impact of government contracting can be lost. A diverse business community serves the best interests of New York State, and by ensuring their pathway to do business with it is achieved, the intent of Article 15-A will be realized.

For these reasons, the Business Council strongly supports S.5217 (Parker).