



S.267(Sanders)

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BILL S.267(Sanders)
SUBJECT Memorandum of understanding to allow reciprocity between the State and municipalities for businesses that are certified as Minority and Women-owned Business Enterprises (MWBE).
DATE March 20, 2025
SUPPORT

The Business Council representing more than 3,000 businesses, 70% of which are small businesses, which include minority and woman owned businesses (MWBE), support S.267(Sanders)

This legislation would allow the State to accept the MWBE certification granted to a business by any municipality in New York State for contract procurement purposes and would allow municipalities to accept MWBE certification granted by the State. This would help address the disparity MWBE businesses face when bidding for contracts with the state.

This would ease the administrative burdens of MWBE businesses as they would only have to go through one certification process rather than having to go through the certification process of their local municipality and also the State’s certification process. This reciprocity allows MWBE businesses to take advantage of opportunities with state contracts, local contracts, and private sector entities that would have otherwise been missed due to the cost and time dedicated to the certification process.

Additionally, this would expand the pool of MWBE certified contractors, which would help lower the number of waivers granted to contractors. With state contracts having to have at least 30% of the work completed by a certified MWBE. At times the prime contractor may not be able to find a state-certified MWBE firm to meet these requirements and must apply for a waiver. Often times there are local MWBE firms in the surrounding area but will either not be certified or only be certified by the local municipality. This would potentially help ease the administrative burden of processing waivers by lowering the amount of waivers needed.

This legislation not only helps nurture the success of individual MWBE businesses but would also help increase the success of the MWBE programs of the State.

For these reasons, The Business Council supports S.267(Sanders).