

# Agency Utilization Plans

## Fiscal Year 2018



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# **Administration for Children's Services**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Administration for Children's Services (ACS)  
**Street Address** 150 William Street **City** New York **State** NY **Zip Code** 11413  
**M/WBE Officer Name** Mitch Gipson **Email** mitch.gipson@acs.nyc.gov **Telephone #** (212) 341-9005  
**ACCO Name** Patricia Chabla **Email** patricia.chabla@acs.nyc.gov **Telephone #** 212-341-3505  
**Date** 5/24/17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	15.00%	15.00%	38.00%	20.00%	20.00%	38.00%	20.00%	21.00%
	<b>Black</b>	8.00%	5.00%	5.00%	8.00%	5.00%	5.00%	8.00%	5.00%	5.00%
	<b>Hispanic</b>	4.00%	2.00%	2.00%	4.00%	2.00%	2.00%	4.00%	4.00%	5.00%
	<b>Asian</b>	8.00%	2.00%	2.00%	8.00%	4.00%	4.00%	8.00%	5.00%	5.00%
	<b>Women</b>	18.00%	6.00%	6.00%	18.00%	9.00%	9.00%	18.00%	6.00%	6.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	37.00%	37.00%	37.00%	42.00%	42.00%	37.00%	23.00%	20.00%
	<b>Black</b>	12.00%	12.00%	12.00%	12.00%	15.00%	15.00%	12.00%	6.00%	6.00%
	<b>Hispanic</b>	8.00%	8.00%	8.00%	8.00%	10.00%	10.00%	8.00%	4.00%	4.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	17.00%	17.00%	17.00%	17.00%	17.00%	17.00%	10.00%	10.00%

Standard Services	<b>Total Standard Services</b>	31.00%	41.00%	45.00%	31.00%	40.00%	50.00%	31.00%	20.00%	21.00%
	<b>Black</b>	12.00%	15.00%	15.00%	12.00%	15.00%	20.00%	12.00%	6.00%	5.00%
	<b>Hispanic</b>	6.00%	10.00%	14.00%	6.00%	9.00%	14.00%	6.00%	6.00%	5.00%
	<b>Asian</b>	3.00%	4.00%	4.00%	3.00%	4.00%	4.00%	3.00%	3.00%	5.00%
	<b>Women</b>	10.00%	12.00%	12.00%	10.00%	12.00%	12.00%	10.00%	5.00%	6.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	57.00%	57.00%	45.00%	55.00%	55.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	10.00%	10.00%	7.00%	9.00%	9.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	8.00%	8.00%	5.00%	7.00%	7.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	9.00%	9.00%	8.00%	9.00%	9.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	30.00%	30.00%	25.00%	30.00%	30.00%	No Goal	No Goal	No Goal

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

ACS does not normally perform a lot of construction. Our major construction needs are bundled and submitted to NYC Dept. of Design and Construction. We do however perform construction related services in the areas of Plumbing, Electrical and HVAC; therefore we kept our numbers the same as Citywide goals in anticipation of meeting those numbers in the under \$35k category. Some types of construction we anticipate procuring would be bathroom renovations, office alterations, and improvement of building infrastructure.

### **\$35K-\$100K**

For similar reasons as described above, ACS plans to keep our FY'18 numbers the same as Citywide goals in the category of \$35K-\$100K. We do anticipate several minor construction related jobs for FY'18 but not enough that would cause our goals to be significantly higher than the Citywide goals.

### **Over \$100K**

ACS anticipates awarding an On-Call General Construction contract in FY18 with an estimated value of \$10M. Additionally, ACS anticipates awarding approximately six construction related contracts for plumbing, electrical, fire alarm, painting, roof repair/maintenance, and HVAC repair/maintenance services. Historically, these types of contracts have significant M/WBE prime and subcontractor opportunities. ACS continues to aggressively encourage non-M/WBE prime contractors to consider M/WBE vendors for potential subcontracting opportunities. We will also increase our efforts to identify and encourage non-certified M/WBE vendors to seek NYC certification.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

Professional services at ACS rely on vendors with specialized childcare certifications, i.e. vendors certified by New York State to provide care and education to juveniles; as such the Under \$20K has not been traditionally very high. Some challenges include getting these types of vendors to certify with the City as M/WBE. Mainly for this reason ACS decided to match the Citywide goals. Now that Sole Proprietors are eligible for City certification, if we can get these vendors certified it would count toward our goals. We will also keep encouraging our program managers to review all aspects of SBS's M/WBE list for possible vendors with childcare certifications. As in the past we will continue the practice of outreach to our vendors and encourage M/WBE certification where applicable.

### **\$20K-\$100K**

ACS decided to match the Citywide goals for this category because most our professional services solicitations require specialized childcare services certifications. We will continue to encourage the specialized group of vendors where applicable to seek M/WBE certification.

### **Over \$100K**

ACS contracts with a very specialized group of organizations and providers in the child welfare, juvenile justice and early care and education field. These service providers are typically large entities or individuals with specialized licenses, certifications, service models and/or expertise. As such the opportunities for M/WBE participation have historically been limited. Our goals reflect realistic expectations based on past trends such as full M/WBE waiver requests and take into account our on-going efforts to increase M/WBE participation. We have instituted as standard practice the request for customized vendor lists which will be used for two upcoming professional services RFPs: One for Audit Services and one for Domestic Violence Prevention Training Consultants.

## STANDARD SERVICES:

### Under \$20K

Goals for this category of purchases in ACS increases each fiscal year; therefore we have decided to raise our goal and be more aggressive with established practices; i.e., M/WBE cert radial check box on each Purchase Requisition. We are also ensuring that program representatives be trained on how to search for and acquire an M/WBE. We anticipate many purchases in this category and plan to try to seek an M/WBE for each request.

### \$20K-\$100K

We set a very high goal of 50% in this category based on ACS's past performance. This area of Small Purchasing has traditionally out-paced Citywide performance and we are planning to keep up the high standards including the use of 5+10 on solicitations and as many M/WBEs as possible on Requests for Bids (RFBs). ACS is implementing internal procurement policies to enhance accountability and ensure M/WBEs are considered.

### Over \$100K

Historically, M/WBE vendors in this category have been under-utilized. We have implemented agency-wide education sessions as part of our procurement process, with staff in the various divisions to familiarize them with and encourage the use of certified M/WBE vendors whenever possible to meet their operational needs. We have instituted as standard practice the request for customized vendor lists from SBS, in addition to sending e-mail blasts to certified vendors. ACS anticipates procuring services such as catering and electronic health records system solution. We expect continued use of this strategy and the goals we have set will result in increased achievable and realistic M/WBE participation.

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## GOODS:

### Under \$20K

In the past ACS has not performed very high in this category due to use of DCAS Requirements Contracts for Detention food and clothing. For example, all ACS Detention food contracts are issued through DCAS and clothing is procured also using DCAS contracts. ACS does plan to procure other goods like recreational supplies, cleaning supplies, electronic games, and various building materials. Within all of these categories there are opportunities for M/WBEs that would ultimately assist us in meeting our goals.

### \$20K-\$100K

Traditionally we do not process many Small Purchase bids for goods in this category, but ACS will exercise the use of adding additional M/WBEs to our bids that would optimistically result in increased awards. Some examples of goods anticipated are nursery supplies, various equipment, and detention furniture not available on DCAS Requirements Contracts. These efforts should assist us in meeting our goals.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: ACS will seek to enhance its MWBE outreach by advertising procurements in various publications targeting M/WBE vendors. Continue to include M/WBE presentations in all Pre-Bid/Proposal conferences for procurements containing M/WBE goals. Continue required awards to M/WBE vendors for Micro Purchases, unless a waiver is requested and approved. Continue P-Card user training. Cosponsor an M/WBE networking event. Identify/hire dedicated M/WBE compliance/monitoring staff.</p>	



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	4
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	11


## G. Agency Organization


Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

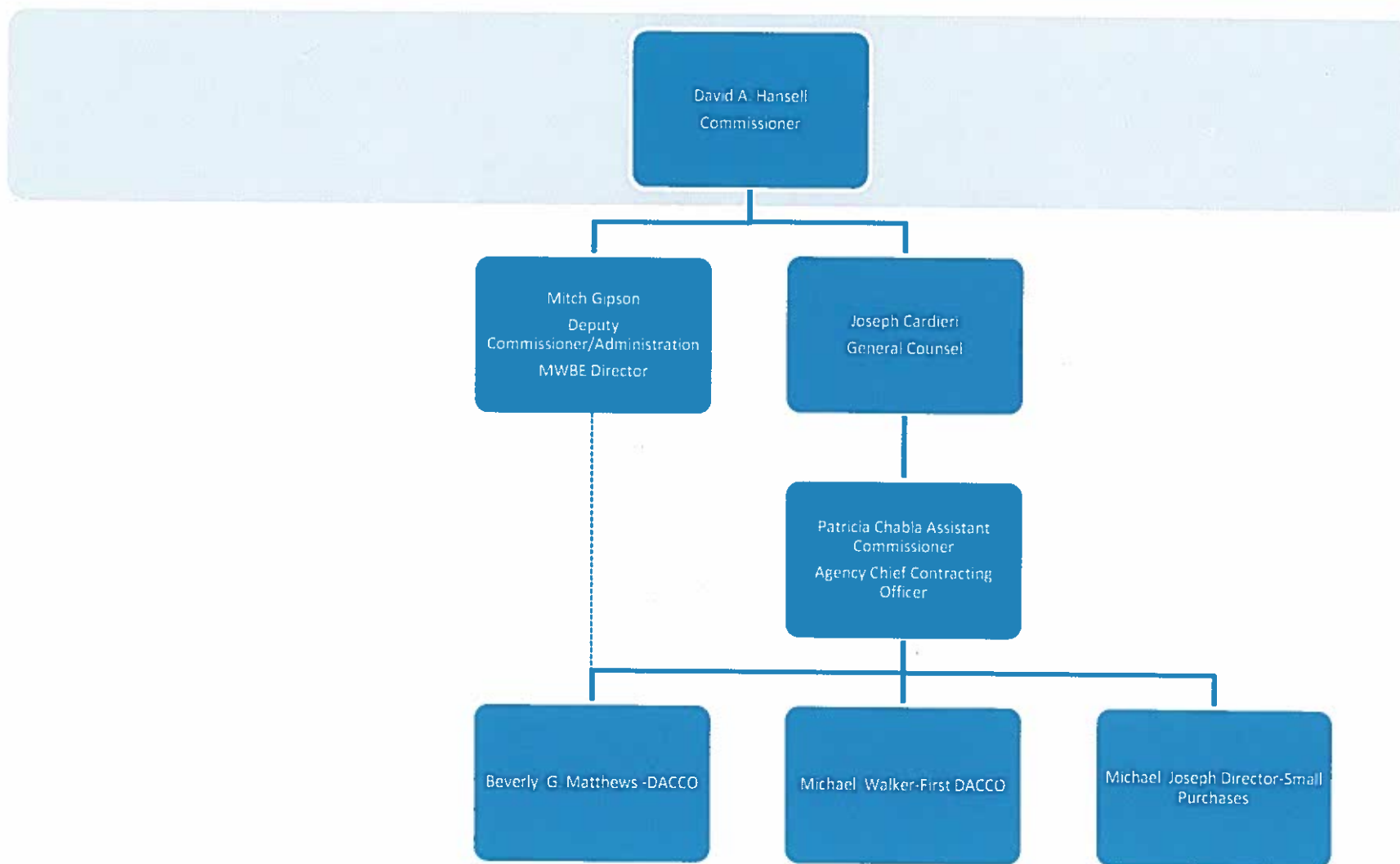
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
Title: DEPUTY COMMISSIONER Date: 5/24/17

Authorized Signature (ACCO):   
Title: ACCO/Asst. Commissioner Date: 5/24/17

# Administration For Children's Services



# **Department of Citywide Administrative Services**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Citywide Administrative Services (DCAS)  
**Street Address** 1 Centre Street **City** New York **State** NY **Zip Code** 10007  
**M/WBE Officer Name** Mersida Ibric **Email** Mibric@dcas.nyc.gov **Telephone #** (212)386-6311  
**ACCO Name** Adam Buchanan **Email** ABuchanan@dcas.nyc.gov **Telephone #** (212) 386-6333  
**Date** 6/1/17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	5.00%	38.00%	38.00%	38.00%	38.00%	38.00%	20.00%	20.00%
	<b>Black</b>	8.00%	1.00%	8.00%	8.00%	8.00%	8.00%	8.00%	4.00%	4.00%
	<b>Hispanic</b>	4.00%	1.00%	4.00%	4.00%	4.00%	4.00%	4.00%	2.00%	2.00%
	<b>Asian</b>	8.00%	1.00%	8.00%	8.00%	8.00%	8.00%	8.00%	4.00%	4.00%
	<b>Women</b>	18.00%	2.00%	18.00%	18.00%	18.00%	18.00%	18.00%	10.00%	10.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	10.00%	10.00%	37.00%	10.00%	10.00%	37.00%	5.00%	5.00%
	<b>Black</b>	12.00%	2.00%	2.00%	12.00%	2.00%	2.00%	12.00%	1.00%	1.00%
	<b>Hispanic</b>	8.00%	2.00%	2.00%	8.00%	2.00%	2.00%	8.00%	1.00%	1.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	6.00%	6.00%	17.00%	6.00%	6.00%	17.00%	3.00%	3.00%

Standard Services	<b>Total Standard Services</b>	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%
	<b>Black</b>	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%
	<b>Hispanic</b>	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%
	<b>Asian</b>	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
	<b>Women</b>	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	45.00%	45.00%	45.00%	45.00%	45.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	7.00%	7.00%	7.00%	7.00%	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	25.00%	25.00%	25.00%	25.00%	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

\*Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 38%.

### \$35K-\$100K

\*Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 38%

### Over \$100K

\*Goals are only for DCAS 856 agency contracts.

DCAS Capital Construction contracts has 20% available for M/WBEs. As a result, DCAS proposes a reduced goal of 20% from the Citywide goal of 38%. For FY18 DCAS anticipates construction services procurements for renovation.

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## PROFESSIONAL SERVICES:

### Under \$20K

\*Goals are only for DCAS 856 agency contracts.

Based on our current contract load DCAS has 10% available for M/WBEs, therefore DCAS is proposing a reduction from the citywide goal of 37% to 10%. DCAS utilize consultant services for IT training and software support for various in house services.

### \$20K-\$100K

\*Goals are only for DCAS 856 agency contracts.

Based on our current contract load DCAS has 10% available for M/WBEs, therefore DCAS is proposing a reduction from the citywide goal of 37% to 10%. DCAS utilize consultant services for for various in house services.

### Over \$100K

Goals are only for DCAS 856 agency contracts.

Based on Professional services frequently used in the past DCAS has 5% available for M/WBEs. We are proposing a reduction of the Citywide goal of 37% to 5%.

## STANDARD SERVICES:

### Under \$20K

Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 31%. Procurements in FY18 may include elevator repair and maintenance work.

### \$20K-\$100K

Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 31%. Procurements in FY18 may include elevator repair and maintenance work.

### Over \$100K

Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 31%. Procurements in FY18 may include elevator repair and maintenance work.

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## GOODS:

### Under \$20K

Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 45%. Procurements in FY18 may include Office Supplies and Hardware Supplies.

### \$20K-\$100K

Goals are only for DCAS 856 agency contracts.

DCAS will adopt the citywide goal of 45%. Procurements in FY18 may include Elevator Parts.

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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: DCAS P-Card holders will be required reach out to the M/WBE unit for assistance identifying M/WBE firms for upcoming procurement opportunities. DCAS plans to continue to host "meet &amp; greet" events and facilitate meetings between non- M/WBE primes who are awarded contacts and potential M/WBE subcontractors.</p>	



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	38
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	10

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

DCAS is subject to various program requirements that attach to New York State and Federal funding.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):

Title: Acting Deputy Commissioner, OCP

Date:

6/29/17

Authorized Signature (ACCO):

Title: Agency Chief Contracting Officer

Date:

6/30/17

**DCAS Organizational Chart**

**Mersida Ibric**  
*Acting Deputy Commissioner,  
Office of Citywide Procurement*

(212) 386-6311

Mibric@dcas.nyc.gov

**Adam Buchanan**  
*Agency Chief Contracting Officer (ACCO)*

(212) 386-6333

ABuchanan@dcas.nyc.gov

**Stephen Stamo**  
*Agency Deputy Chief Contracting Officer*

(212) 386-0445

sstamo@dcas.nyc.gov

**Vacant**  
*M/WBE Officer*

**Ava Laughman**  
*M/WBE Coordinator*

(212) 386-0448

alaughman@dcas.nyc.gov

# **Department of Design & Construction**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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neighborhoods

## A. Agency Contact Information

**Agency Name** Department of Design & Construction (DDC)  
**Street Address** 30-30 Thomson Ave      **City** Long Island City      **State** NY      **Zip Code** 11101  
**M/WBE Officer Name** Magalie D. Austin      **Email** AustinMa@ddc.nyc.gov      **Telephone #** 718-391-1586  
**ACCO Name** Charlette Hamamgian      **Email** HamamgiCh@ddc.nyc.gov      **Telephone #** 718-391-2838  
**Date** May 23, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	33.00%	33.00%	38.00%	38.00%	54.00%	38.00%	20.00%	20.00%
	<b>Black</b>	8.00%	8.25%	8.25%	8.00%	9.50%	13.50%	8.00%	5.00%	5.00%
	<b>Hispanic</b>	4.00%	8.25%	8.25%	4.00%	9.50%	13.50%	4.00%	5.00%	5.00%
	<b>Asian</b>	8.00%	8.25%	8.25%	8.00%	9.50%	13.50%	8.00%	5.00%	5.00%
	<b>Women</b>	18.00%	8.25%	8.25%	18.00%	9.50%	13.50%	18.00%	5.00%	5.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	10.00%	46.00%	37.00%	21.00%	58.00%	37.00%	21.00%	30.00%
	<b>Black</b>	12.00%	3.33%	15.00%	12.00%	7.00%	19.00%	12.00%	7.00%	10.00%
	<b>Hispanic</b>	8.00%	3.33%	15.00%	8.00%	7.00%	19.00%	8.00%	7.00%	10.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	3.34%	16.00%	17.00%	7.00%	20.00%	17.00%	7.00%	10.00%

Standard Services	<b>Total Standard Services</b>	31.00%	17.00%	23.00%	31.00%	31.00%	31.00%	31.00%	20.00%	20.00%
	<b>Black</b>	12.00%	4.25%	5.75%	12.00%	12.00%	12.00%	12.00%	5.00%	5.00%
	<b>Hispanic</b>	6.00%	4.25%	5.75%	6.00%	6.00%	6.00%	6.00%	5.00%	5.00%
	<b>Asian</b>	3.00%	4.25%	5.75%	3.00%	3.00%	3.00%	3.00%	5.00%	5.00%
	<b>Women</b>	10.00%	4.25%	5.75%	10.00%	10.00%	10.00%	10.00%	5.00%	5.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	30.00%	30.00%	45.00%	45.00%	45.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	5.00%	5.00%	7.00%	7.00%	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	3.00%	3.00%	5.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	7.00%	7.00%	8.00%	8.00%	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	15.00%	15.00%	25.00%	25.00%	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

**D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

The actual M/WBE utilization rate in the first three quarters of FY17 in this category is 30.6% and we believe it is reasonable to sustain this utilization goal because there is an abundance of M/WBE vendors who have the capacity to perform contracts at this level. Nevertheless, construction services procurements valued under \$35,000 is unusual for the agency. During the first three quarters of FY17, the agency procured a total of \$880,558 at this level with \$269,217 awarded to M/WBEs. We anticipate procuring construction and trade services for the Build it Back program as well as agency small scale renovations at this level.

### **\$35K-\$100K**

Similar to the "Under \$35K" category, historically, the procurement of construction services at this level is rare to the agency. During the first three quarters of FY17, the agency procured a total of \$5,305,634 at this level with \$2,806,881 awarded to M/WBEs with a utilization rate of 52.9%. We believe we can maintain this level of participation because the procures a large volume of small projects through the Job Order Contracting System (JOCS) program and the nature of the projects procured through JOCS are amenable to higher utilization goals.

### **Over \$100K**

During the first three quarter of fiscal year 17, DDC procured an agency record high total of \$1.5B in construction services with \$123.6M awarded to M/WBE's for a utilization rate of 8.1%. We believe the unusually high contract awards has suppressed the utilization rate in this category and are confident that we will achieve a 20% utilization rate through our expansive M/WBE outreach efforts as well as our comprehensive business development program (see Section E) . DDC anticipates procuring construction services for both infrastructure as well as public building projects.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

Direct procurement of professional services at this level is extremely rare at this agency as evidenced by the FY17 Q1-Q3 total procurement value of \$942,985 and M/WBE total awards \$433,446. Although the M/WBE utilization rate for the first three quarters of FY17 is high, 45.9%, it is atypical. At this level, DDC anticipates procuring marketing and communication services, as well as information technology professional services. Employing vigorous outreach efforts as well as the discretionary nature of the awards, we believe we can maintain this utilization rate.

### **\$20K-\$100K**

Contracts within this range are procured by task orders issued on a variety of Requirement Contracts. Historically, DDC has set goals on the Master Service Agreement but we now set goals on the task orders. We anticipate procuring services for traffic study, construction feasibility, commissioning, small scale design, landscape design in this category. During FY17 Q1 to Q3, the agency M/WBE utilization rate in this category was 57.1%. We believe we can sustain this goal through our outreach efforts.

### **Over \$100K**

Our projection is based on the actual utilization rate of 30.9% in the first three quarters of FY17 in this category. DDC anticipates procuring design, construction management, REI's, and engineering services. We believe vigorous and thorough outreach efforts will enable us to maintain this goal.

## STANDARD SERVICES:

### Under \$20K

Our projection is based on the actual utilization rate of 23.6% in the first three quarters of fiscal year 17 in this category. We believe our outreach efforts will assist us in maintaining this goal. DDC anticipates procuring standard services such as Audio/Video production, printer maintenance, printing and signage at this contract level.

### \$20K-\$100K

The agency procures few contracts in this category which tends to skew the M/WBE utilization rate. Nevertheless, we believe we will be able to achieve the citywide goals through an aggressive outreach plan. DDC anticipates procuring standard services such as Laboratory Testing, Lead Abatement, as well as Site Safety and Support at this contract level. Therefore, citywide goals have been adopted across all ethnicity groups.

### Over \$100K

DDC anticipates procuring standard services such as Environmental Consultants, Laboratory Services, Land Boring, etc. There is limited M/WBE capacity to handle the scope of subcontracts at this spending level. Contracts reported for the first three quarters of fiscal year 17 skewed utilization plan. Therefore, the utilization goal stays the same as last year.

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## GOODS:

### Under \$20K

At this level DDC anticipates procuring goods such as furniture, printers, cameras and televisions. The goal at this level is lower because it is based on the actual M/WBE participation of 31% reported for the first three quarters of FY17 as well as the availability of M/WBE vendors at this level.

### \$20K-\$100K

Although there is only one purchase reported for the first three quarters of fiscal year 17, DDC anticipates procuring goods such as furniture, IT equipment, etc. Because the agency has put in place initiatives that promote M/WBE participation at this scale, Citywide goals have been adopted across all ethnicity groups.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <b>open</b> and subject to participation goals (under LL129 and LL1):	1,401
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	4,330

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

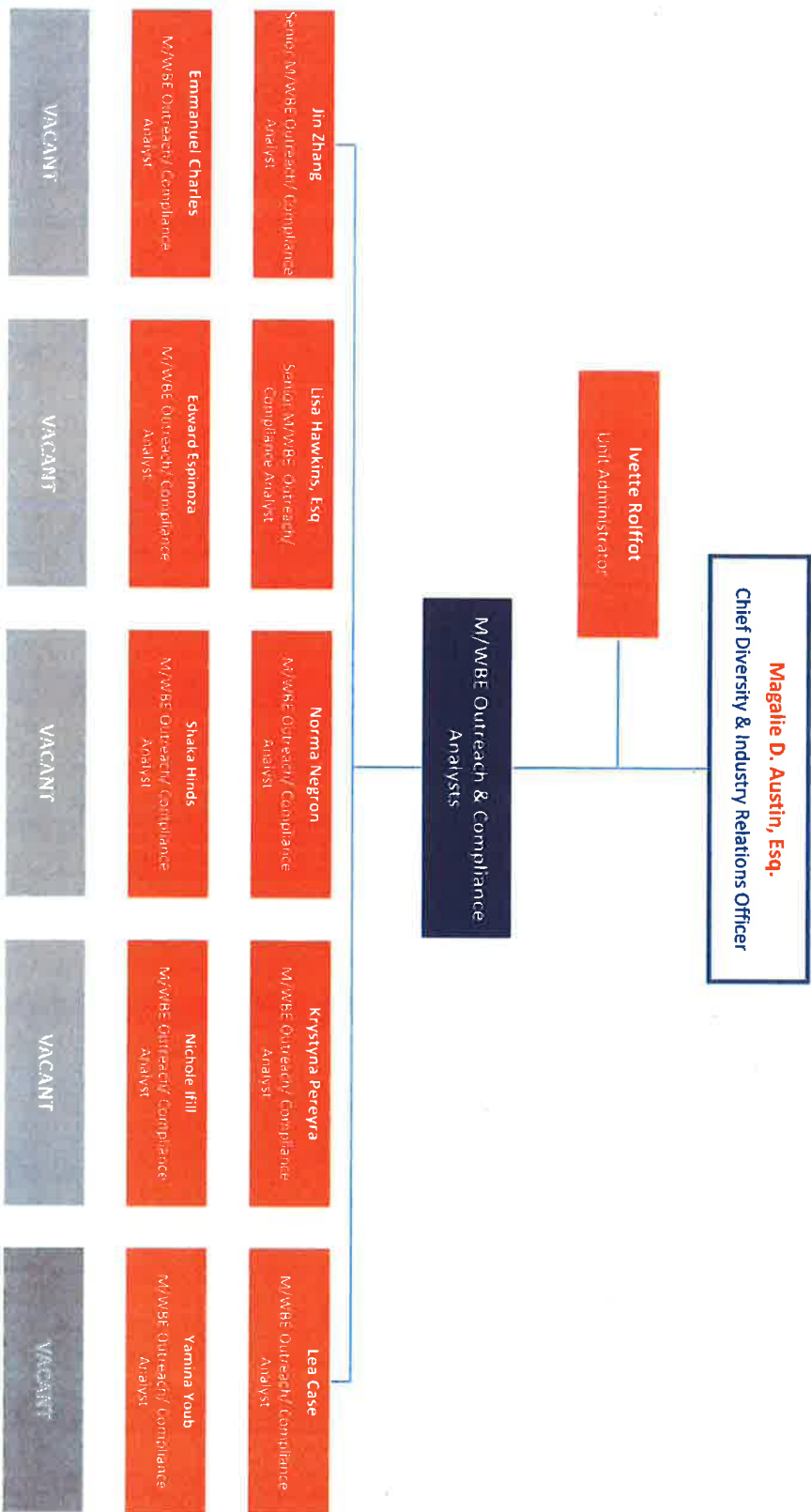
Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): Margaret D. Austin  
Title: Chief Diversity and Industry Relations Officer Date: 5/30/2017

Authorized Signature (ACCO): [Signature]  
Title: Agency Chief Contracting Officer Date: 5/30/2017

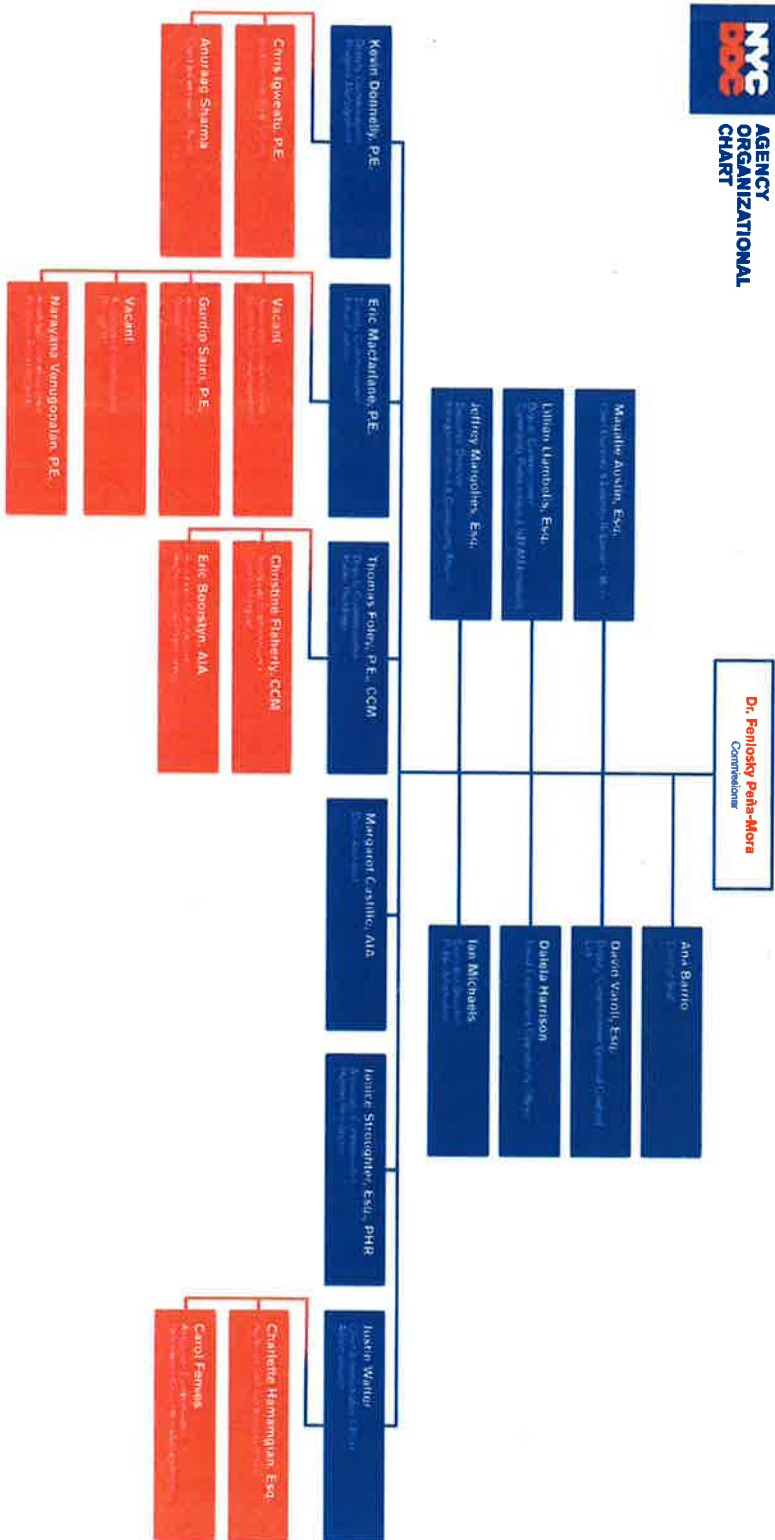


**OFFICE OF DIVERSITY & INDUSTRY RELATIONS  
ORGANIZATIONAL CHART**





AGENCY ORGANIZATIONAL CHART



# **Department of Environmental Protection**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Environmental Protection (DEP)  
**Street Address** 59-17 Junction Blvd 17th Fl **City** Flushing **State** NY **Zip Code** 11373  
**M/WBE Officer Name** Joseph Murin **Email** jmurin@dep.nyc.gov **Telephone #** 718-595-6576  
**ACCO Name** Elisa Velazquez **Email** EVelazquez@dep.nyc.gov **Telephone #** 718-595-3925  
**Date** 5/24/17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	4.00%	0.00%	38.00%	28.00%	0.00%	38.00%	3.00%	3.00%
	<b>Black</b>	8.00%	1.00%	0.00%	8.00%	7.00%	0.00%	8.00%	0.50%	.50%
	<b>Hispanic</b>	4.00%	1.00%	0.00%	4.00%	4.00%	0.00%	4.00%	0.50%	.50%
	<b>Asian</b>	8.00%	1.00%	0.00%	8.00%	7.00%	0.00%	8.00%	0.50%	1.00%
	<b>Women</b>	18.00%	1.00%	0.00%	18.00%	10.00%	0.00%	18.00%	1.50%	1.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	11.00%	10.00%	37.00%	15.00%	11.00%	37.00%	5.00%	4.00%
	<b>Black</b>	12.00%	3.00%	1.00%	12.00%	5.00%	4.00%	12.00%	2.00%	1.00%
	<b>Hispanic</b>	8.00%	2.00%	1.00%	8.00%	3.00%	2.00%	8.00%	1.00%	1.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	6.00%	8.00%	17.00%	7.00%	5.00%	17.00%	3.00%	2.00%

Standard Services	<b>Total Standard Services</b>	31.00%	28.00%	23.00%	31.00%	16.00%	16.00%	31.00%	0.00%	0.00%
	<b>Black</b>	12.00%	7.00%	6.00%	12.00%	4.00%	4.00%	12.00%	0.00%	0.00%
	<b>Hispanic</b>	6.00%	7.00%	6.00%	6.00%	4.00%	4.00%	6.00%	0.00%	0.00%
	<b>Asian</b>	3.00%	4.00%	3.00%	3.00%	4.00%	4.00%	3.00%	0.00%	0.00%
	<b>Women</b>	10.00%	10.00%	8.00%	10.00%	4.00%	4.00%	10.00%	0.00%	0.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	35.00%	37.00%	45.00%	10.00%	11.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	6.00%	9.00%	7.00%	2.00%	2.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	6.00%	9.00%	5.00%	4.00%	3.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	10.00%	9.00%	8.00%	2.00%	2.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	13.00%	10.00%	25.00%	4.00%	4.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

The percentage listed is based upon information from FY'16 & Q1-Q2 of FY'17.

DEP's procurement history shows limited micropurchase activity within the Construction industry. The utilization of the HVAC, Electrical, Mechanical, Plumbing, and GC Job Order Contracts in the next fiscal year will further limit solicitations in this area.

### \$35K-\$100K

The percentage listed is based upon information from FY'16 & Q1-Q2 of FY'17. DEP expects a sharp decline in construction between 35K and 100K. The existence of job order contracts (JOCS) would cover most of the construction needs through out the agency. Although we do expect some M/WBE participation in this area the utilization percentage would still be zero because of size the overall portfolio of contracts along with overall dollar value.

The modification of the PPB rules increasing the Construction micro purchase dollar threshold will lead to a decline in small purchase activity. Additionally, the anticipated registration of the HVAC, Electrical, Mechanical, Plumbing, and GC Job Order Contracts in the next fiscal year will decrease the number of Construction solicitations that would have fallen into the small purchase category. For these reasons we have reduced our anticipated M/WBE goals for small purchase orders.

### Over \$100K

The percentage listed is based upon information from FY'16 & Q1-Q2 of FY'17.

DEP has a large number of state-funded contracts which are not subject to Local Law 1 M/WBE participation requirements. Although there is a pool of contracts that are subject to Local Law 1, the location of the projects poses a great challenge for M/WBE utilization. We have found it difficult to utilize M/WBEs that are willing to travel upstate to perform the work which could be hundreds of miles north of the 5 boroughs.

The scope of work on the majority of DEP's City contracts require specialized services such as the repair and maintenance of all water and sewer lines in NYC; the upcoming rehabilitation of the Gowanus Canal; the building of water shafts, tunnels & bypass tunnels, water filtration systems and the construction and design of water treatment plants. There is no availability of certified M/WBE contractors that have the capacity nor the required applicable skills for the aforementioned services.

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## PROFESSIONAL SERVICES:

### Under \$20K

DEP does not anticipate an increase of activity under this category; however, we will put forth every effort in soliciting more M/WBEs when the need arises for procurements in this category, such as Architecture & Engineering, Construction Management and Engineering Design contracts. As a result, we have elected to slightly decrease our M/WBE goals in FY18.

### \$20K-\$100K

DEP does not anticipate an increase of activity under this category; however, we will put forth every effort in soliciting more M/WBEs when the need arises for procurements in this category, such as Architecture & Engineering, Construction Management and Engineering Design contracts. As a result, we have elected to slightly decrease our M/WBE goals in FY18.

### Over \$100K

DEP's current data for M/WBE participation under this category for Professional Services Contracts has been low for FY17. However, we are anticipating a couple of upcoming contracts for Professional Services. In FY18, DEP is breaking up these contracts for Architecture & Engineering, Construction Management and Design services into smaller contracts in an effort to give M/WBEs a better opportunity to submit proposals.

## STANDARD SERVICES:

### Under \$20K

DEP used an average between the actual utilization of FY'16 and FY'17 Quarter 1 & 2 performance to set the utilization goal. We expect to procure cable installation, asbestos inspector training services, maintenance & repair of generators, chemical waste removal, calibration services, and the maintenance of sludge tanks.

### \$20K-\$100K

DEP used an average between the actual utilization of FY'16 and FY'17 Quarter 1 & 2 performance to set the utilization goal. We expect to procure environment consulting, investigative services, chemical and lab supplies, panel wall systems maintenance and repair, water leak detection, tire and tube mounting, bio-solids management, valve maintenance and repair, fire prevention, and service & repair to calibration systems.

### Over \$100K

We anticipate no opportunities for M/WBE utilization in this spending category. The reason is because DEP standard contracts include scopes of work in areas where there is no M/WBE availability. The areas include maintenance of flight pumps, installing and maintaining water mains and valves, the transportation via mass trucking and railing of hazardous materials & bio-solids, which have BIC licensing requirements. DEP has many facilities in the Catskills region, Ashkonan, and Croton. Because of this, DEP does not expect availability of M/WBEs to travel to these areas to perform work.

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## GOODS:

### Under \$20K

DEP used an average between the actual utilization of FY' 16 and FY'17 Quarter 1 and 2 performance to set its utilization goal.

In FY'18, DEP anticipates procuring goods such as building maintenance supplies, valves, various lab supplies, window alarm equipment, and air monitoring equipment.

### \$20K-\$100K

DEP used an average between the actual utilization of FY'16 and FY'17 Quarter 1 & 2 performance, which is 6%, to set the utilization goal . We believe however, that under the new 5+10 small purchase directive, 11% would be achievable. DEP anticipates procuring goods such as sewage and sludge pumps, propellers, valves, brass and copper, pipe repair clamps, couplings, leak kits, pneumatic machines, demolition tools, and paving breakers.



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: DEP offers the operating bureaus of the agency an opportunity to approve M/WBE subcontractors on JOCS contracts at a higher dollar value to minimize requests of subcontractor approval for Prime contractors on a subsequent job.</p> <p>In an effort to make the JOCS process more understandable, special training is offered to M/WBEs by the Gordian Group, which is responsible for administering the JOCS contracting program at DEP.</p>	

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	175
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	100

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.


List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.


State Revolving Fund (SRF) - all SRF funded projects must follow the state M/WBE program instead of the city M/WBE program and set goals accordingly i.e. 20% across the board. This also requires the use of M/WBEs certified at the state level and includes the use of M/WBE suppliers whereas the city program does not.

Many DEP facilities are located outside of the City-certified M/WBE footprint and therefore there is no availability of M/WBE primes or subs in those areas or that are willing to travel to those areas.

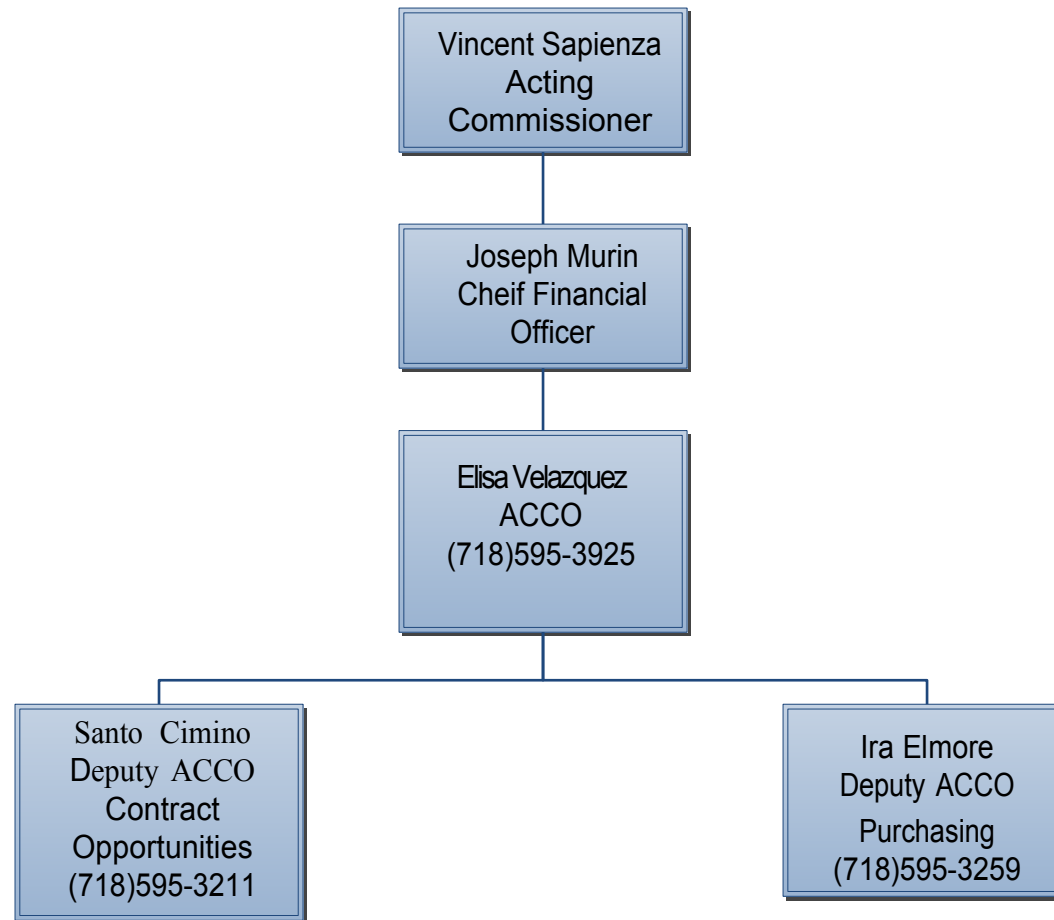
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
Title: Joseph Murin Date: 3/24/17

Authorized Signature (ACCO):   
Title: Elisa Velazquez Date: 3/24/17

# NYC DEP M/WBE Utilization Plan Organization



# **Department of Buildings**

**A. Agency Contact Information**

**Agency Name** Department of Buildings (DOB)

**Street Address** **City** **State** NY **Zip Code**

**M/WBE Officer Name** **Email** **Telephone #**

**ACCO Name** **Email** **Telephone #**

**Date**

**B. Local Law 1 Requirements**

New York City’s Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law’s implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A		38.00%	N/A		38.00%	N/A	
	<b>Black</b>	8.00%	N/A		8.00%	N/A		8.00%	N/A	
	<b>Hispanic</b>	4.00%	N/A		4.00%	N/A		4.00%	N/A	
	<b>Asian</b>	8.00%	N/A		8.00%	N/A		8.00%	N/A	
	<b>Women</b>	18.00%	N/A		18.00%	N/A		18.00%	N/A	

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	N/A		37.00%	N/A		37.00%	N/A	
	<b>Black</b>	12.00%	N/A		12.00%	N/A		12.00%	N/A	
	<b>Hispanic</b>	8.00%	N/A		8.00%	N/A		8.00%	N/A	
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A		17.00%	N/A		17.00%	N/A	

Standard Services	<b>Total Standard Services</b>	31.00%	N/A		31.00%	N/A		31.00%	N/A	
	<b>Black</b>	12.00%	N/A		12.00%	N/A		12.00%	N/A	
	<b>Hispanic</b>	6.00%	N/A		6.00%	N/A		6.00%	N/A	
	<b>Asian</b>	3.00%	N/A		3.00%	N/A		3.00%	N/A	
	<b>Women</b>	10.00%	N/A		10.00%	N/A		10.00%	N/A	

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A		45.00%	N/A		No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A		7.00%	N/A		No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A		5.00%	N/A		No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A		8.00%	N/A		No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A		25.00%	N/A		No Goal	No Goal	No Goal

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

**CONSTRUCTION:**

Under \$35K

\$35K-\$100K

Over \$100K

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**PROFESSIONAL SERVICES:**

Under \$20K

\$20K-\$100K

Over \$100K

**STANDARD SERVICES:**

Under \$20K

\$20K-\$100K

Over \$100K

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**GOODS:**

Under \$20K

\$20K-\$100K



**E. Prime Contractor Utilization Initiatives**

<b>LL1 Required Activities</b>	
<input type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input type="checkbox"/>	Encourage eligible firms to apply for certification.
<input type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder’s lists.
<input type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency’s requirements for bids/ proposals.
<input type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
<b>Performance Improvement Required Activities</b>	
	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
	Require post-award debriefings requested by an M/WBE.
<b>Additional Initiatives (Select three or more)</b>	
	Participate in networking events, meetings, and workshops for certified M/WBE firms.
	Post M/WBE program information on your agency’s website.
	Include M/WBE Utilization updates in all procurement team meetings.
<input type="checkbox"/>	Require buyers and P-card users to reach out to SBS’s Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
<b>Compliance Administration and Monitoring</b>	
<input type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input type="checkbox"/>	Ensure prime contractor’s actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime’s books and records, and visiting job sites.)
<input type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
<b>Other Initiatives – List any other initiatives to be enacted by your agency</b>	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	1
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	4

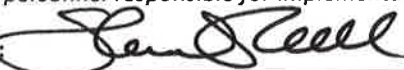
## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): 

Title: Deputy Commissioner/Finance and Administration Date: August 11, 2017

Authorized Signature (ACCO): 

Title: Agency Chief Contracting Officer Date: August 11, 2017



## Primary Agency M/WBE Representatives

### **Sharon Neill**

M/WBE Officer / Deputy Commissioner, Finance and Administration  
NYC Department of Buildings  
Tel: 212.393.2210  
Email: [sneill@buildings.nyc.gov](mailto:sneill@buildings.nyc.gov)

### **Benjamin S. Karan**

Agency Chief Contracting Officer (ACCO)  
NYC Department of Buildings  
Tel: 212.393.2182  
Email: [bkaran@buildings.nyc.gov](mailto:bkaran@buildings.nyc.gov)

### **Leesel Wong**

Assistant Agency Chief Contracting Officer  
NYC Department of Buildings  
Tel: 212. 393.2242  
Email: [lewong@buildings.nyc.gov](mailto:lewong@buildings.nyc.gov)

# **Department of Correction**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Correction (DOC)  
**Street Address** 75-20 Astoria Blvd., Ste.16C **City** East Elmhurst **State** NY **Zip Code** 11370  
**M/WBE Officer Name** Julieann Lee **Email** julieann.lee@doc.nyc.gov **Telephone #** 718-546-0663  
**ACCO Name** Ava B. Rice **Email** ava.rice@doc.nyc.gov **Telephone #** 718-546-0690  
**Date** May 17, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%	38.00%	5.00%	5.00%
	<b>Black</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	2.00%
	<b>Hispanic</b>	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%	4.00%	0.00%	1.00%
	<b>Asian</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	1.00%
	<b>Women</b>	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%	18.00%	0.00%	1.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	7.00%	6.00%	37.00%	0.00%	0.00%	37.00%	2.00%	2.00%
	<b>Black</b>	12.00%	0.00%	2.00%	12.00%	0.00%	0.00%	12.00%	0.00%	0.50%
	<b>Hispanic</b>	8.00%	0.00%	2.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.50%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	0.00%	2.00%	17.00%	0.00%	0.00%	17.00%	0.00%	1.00%

Standard Services	<b>Total Standard Services</b>	31.00%	16.00%	10.00%	31.00%	3.00%	2.00%	31.00%	8.00%	8.00%
	<b>Black</b>	12.00%	0.00%	2.50%	12.00%	0.00%	0.50%	12.00%	0.00%	2.00%
	<b>Hispanic</b>	6.00%	0.00%	2.50%	6.00%	0.00%	0.50%	6.00%	0.00%	2.00%
	<b>Asian</b>	3.00%	0.00%	2.50%	3.00%	0.00%	0.50%	3.00%	0.00%	2.00%
	<b>Women</b>	10.00%	0.00%	2.50%	10.00%	0.00%	0.50%	10.00%	0.00%	2.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	50.00%	50.00%	45.00%	50.00%	50.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	8.00%	8.00%	7.00%	8.00%	8.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	6.00%	6.00%	5.00%	6.00%	6.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	9.00%	9.00%	8.00%	9.00%	9.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	27.00%	27.00%	25.00%	27.00%	27.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

DOC does not anticipate any procurements in this spending categories in FY18. Should any opportunities become available, we will make every effort to utilize M/WBEs.

### \$35K-\$100K

DOC does not anticipate any procurements in this spending categories in FY18. Should any opportunities become available, we will make every effort to utilize M/WBEs.

### Over \$100K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Examples of construction contracts include: Roof Replacement, Chain Link Fencing, exterior stabilization of gymnasium windows and installation of protective guard railing at roofs at BKDC, and emergency generators for transformers servicing. Should any additional opportunities become available, we will make every effort to utilize M/WBEs.

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## PROFESSIONAL SERVICES:

### Under \$20K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Should any opportunities become available, we will make every effort to utilize M/WBEs.

### \$20K-\$100K

DOC does not anticipate any procurements in this spending categories in FY18. Should any opportunities become available, we will make every effort to utilize M/WBEs.

### Over \$100K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Examples of specialized contracts include: asbestos, air monitoring plant maintenance, elevator maintenance and canine units these are a narrow expertise services that are limited to M/WBE participation. Should any additional opportunities become available, we will make every effort to utilize M/WBEs.

## STANDARD SERVICES:

### Under \$20K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Examples of these contracts include: young adult writing work shops, programs, and educational workshop in spoken words. Should any additional opportunities become available, we will make every effort to utilize M/WBEs.

### \$20K-\$100K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Should any additional opportunities become available, we will make every effort to utilize M/WBEs.

### Over \$100K

Because DOC is a correctional facility, it is challenging to get vendors to come to the facility to work. Also, certain procurements are extremely challenging. Therefore, we cannot provide a higher M/WBE goal. Should any additional opportunities become available, we will make every effort to utilize M/WBEs.

---

## GOODS:

### Under \$20K

Based on incoming procurements and past utilization, DOC anticipates good availability of M/WBEs for procurements in this spending category in FY18. DOC anticipates procuring goods including: commissary items, food service equipment, and food products (including bakery items and food for specialized diets).

### \$20K-\$100K

Based on incoming procurements and past utilization, DOC anticipates good availability of M/WBEs for procurements in this spending category in FY18. DOC anticipates procuring goods including: commissary items, food service equipment, and food products (including bakery items and food for specialized diets).



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: Central Office of Procurement (COP) conducts Pre-Bid Conferences, Pre-Proposal Conferences, and contract "kickoff" meetings. COP uses these opportunities to discuss M/WBE resources and opportunities. Currently, DOC Central Office of Procurement tracks the procurements using Microsoft Excel Charts. In addition, COP is revamping its Micro-purchases protocol to ensure agency end-users are utilizing M/WBEs as part of obtaining quotes.</p>	

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	12
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	14

## G. Agency Organization



Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

The M/WBE Compliance Officer works Central Office of Procurement staff and agency end-users to identify M/WBE vendors to increase M/WBE participation goals. The M/WBE Compliance Officer is in regularly communicates with SBS and MOCS for guidance and assistance on M/WBE's participation in order to set goals on upcoming and/or complex/difficult procurements that historically have had little or no M/WBE identified vendors. As a result, the goals have been raised on new procurements. The M/WBE Compliance Officer communicates with M/WBE vendors as well as prime non-M/WBE vendors by providing guidance and/or information during other municipalities and City agencies M/WBE events, DOC M/WBE events, DOC contract kick-off meetings, pre-bid conferences, pre-proposal conferences, telephone and email correspondence. Act as a facilitator by connecting M/WBE vendors to commodity specific/identified DOC end-users via telephone calls/emails/meetings/presentations. In addition, attend SBS and procurement workshops. The M/WBE Compliance Officer reports directly to the Assistant Commissioner/ACCO and meets on a weekly basis to discuss M/WBE compliance, initiatives, protocol, reporting and/or challenges.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
Title: m/wbe Compliance Officer Date: 6/2/17  
Authorized Signature (ACCO):   
Title: ACL/ACCO Date: 6/2/17

**CENTRAL OFFICE OF PROCUREMENT**

**Ava B. Rice**  
**Assistant Commissioner/ ACCO**  
**Contracts and Procurement**

Roxanne Jones  
 Executive Assistant

**CONTRACT UNIT**  
 Carlo Di Fava  
 Deputy Agency Chief Contracting Officer

Lilliana Alvarez-Cano  
 Contract Manager

Alvis-Mae Brade-John  
 Contract Manager

VACANCY  
 Contract Manager

Phillip Intatano  
 Contract Manager

Shaena Wilson  
 Contract Maanger

**INTAKE UNIT**

Julieann Lee  
 MWBE Compliance Officer

Janell Cleary  
 Contract Manager, Special Projects

Lana Worrell  
 Contract Manager, Special Projects

Jia Mei  
 Contract Manager, Special Projects

Cameron Sutton Jr.  
 Contract Manager, Special Projects

Babatunde I. Akowe  
 COP, Attorney II

**PURCHASING UNIT**  
 Kareem Aliboccas  
 Deputy Agency Chief Contracting Officer

Monica Collins  
 Purchasing Agent

VAVANCY  
 Purchasing Agent

Marisol Sandoval  
 Purchasing Agent

Beverly Wilson  
 Purchasing Agent

VACANCY  
 Purchasing Agent

Shade James  
 Purchasing Agent P/T

# **Department of Finance**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Finance (DOF)  
**Street Address** 1 Centre Street **City** New York **State** NY **Zip Code** 10007  
**M/WBE Officer Name** Jacqueline James **Email** JamesJ@finance.nyc.gov **Telephone #** 212.602.7020  
**ACCO Name** Adenike Bamgboye **Email** BamgboyeA@finance.nyc.gov **Telephone #** 212.602.7002  
**Date** 05.23.17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	1.00%	10.00%	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%
	<b>Black</b>	8.00%	0.25%	3.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Hispanic</b>	4.00%	0.25%	5.00%	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%
	<b>Asian</b>	8.00%	0.25%	1.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Women</b>	18.00%	0.25%	1.00%	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	1.00%	20.00%	37.00%	1.00%	20.00%	37.00%	0.50%	0.50%
	<b>Black</b>	12.00%	0.40%	10.00%	12.00%	0.40%	5.00%	12.00%	0.20%	0.20%
	<b>Hispanic</b>	8.00%	0.20%	5.00%	8.00%	0.20%	5.00%	8.00%	0.10%	0.10%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	0.40%	5.00%	17.00%	0.40%	10.00%	17.00%	0.20%	0.20%

Standard Services	<b>Total Standard Services</b>	31.00%	20.00%	20.00%	31.00%	12.00%	20.00%	31.00%	2.00%	2.00%
	<b>Black</b>	12.00%	6.00%	7.00%	12.00%	3.00%	8.00%	12.00%	0.50%	0.50%
	<b>Hispanic</b>	6.00%	4.00%	4.00%	6.00%	3.00%	2.00%	6.00%	0.50%	0.50%
	<b>Asian</b>	3.00%	4.00%	5.00%	3.00%	3.00%	2.00%	3.00%	0.00%	0.50%
	<b>Women</b>	10.00%	6.00%	4.00%	10.00%	3.00%	8.00%	10.00%	1.00%	0.50%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	32.00%	40.00%	45.00%	32.00%	40.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	7.00%	6.00%	7.00%	7.00%	4.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	6.00%	10.00%	5.00%	6.00%	20.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	6.00%	4.00%	8.00%	6.00%	4.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	13.00%	10.00%	25.00%	13.00%	12.00%	No Goal	No Goal	No Goal

D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

DOF anticipates procuring increased minor construction services such as building maintenance services in FY'18 due to projected personnel relocation activities.

### \$35K-\$100K

DOF does not procure medium to large-scale construction services.

### Over \$100K

DOF does not procure medium to large-scale construction services.

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## PROFESSIONAL SERVICES:

### Under \$20K

DOF anticipates few professional services awards for FY'18 in this spending category in IT consulting and management services.

### \$20K-\$100K

DOF does not anticipate awarding many professional services in this spending category but continues to research ways to unbundle larger contracts to provide opportunities for M/WBEs. Professional services projected for FY'18 include proprietary software maintenance services, banking services and IT consulting services.

### Over \$100K

DOF anticipates procurement of large professional services for FY'18 however, there are currently limited available M/WBE firms in the IT professional and financial services industries such as bank account services. DOF utilization for FY'17 Q1-Q3 is at zero. DOF continues to evaluate current scope requirements for financial services contracts to identify subcontracting opportunities and possibilities for unbundling large project scopes.

## STANDARD SERVICES:

### Under \$20K

DOF anticipates few procurements in FY'18 for possible M/WBE utilization with the implementation of the agency's initiatives. Other areas for this category include subscriptions for memberships, trainings, postages with the United States Postal Services and DCAS requirements contracts. Some of the services provided under this category are training services offered by other government entities and conference organizers while majority are under requirements contracts which do not count towards LL1. DOF continues to identify opportunities for M/WBE firms in this category that are not limited by the foregoing purchase types.

### \$20K-\$100K

DOF anticipates procuring medical testing and mail tracking services in FY'18. Increased goal higher based on recent historical data, actual utilization, and M/WBE availability e.g. in medical testing services area.

### Over \$100K

DOF's large procurements in this category include booting services and debt collection services with limited available M/WBE firms. DOF continues to set realistic M/WBE participation goals for these large projects which are significantly transaction volume-based. Historical experience in these areas shows lack of M/WBE firms in these areas (availability) and/or capacity issues due to high volume required (that cannot be unbundled or subbed due to nature of work and/or applicable regulations.)

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## GOODS:

### Under \$20K

DOF's FY'18 goal is based on current FY'17 M/WBE utilization data and projected activities for FY'18 such as office supplies, computer hardware and software.

### \$20K-\$100K

Although our FY'17 M/WBE utilization for Q1-Q3 is at 84%, there were and will be fewer procurements in this category. The 84% utilization was due to large procurement that will not reoccur in FY18.



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	2
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	2

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

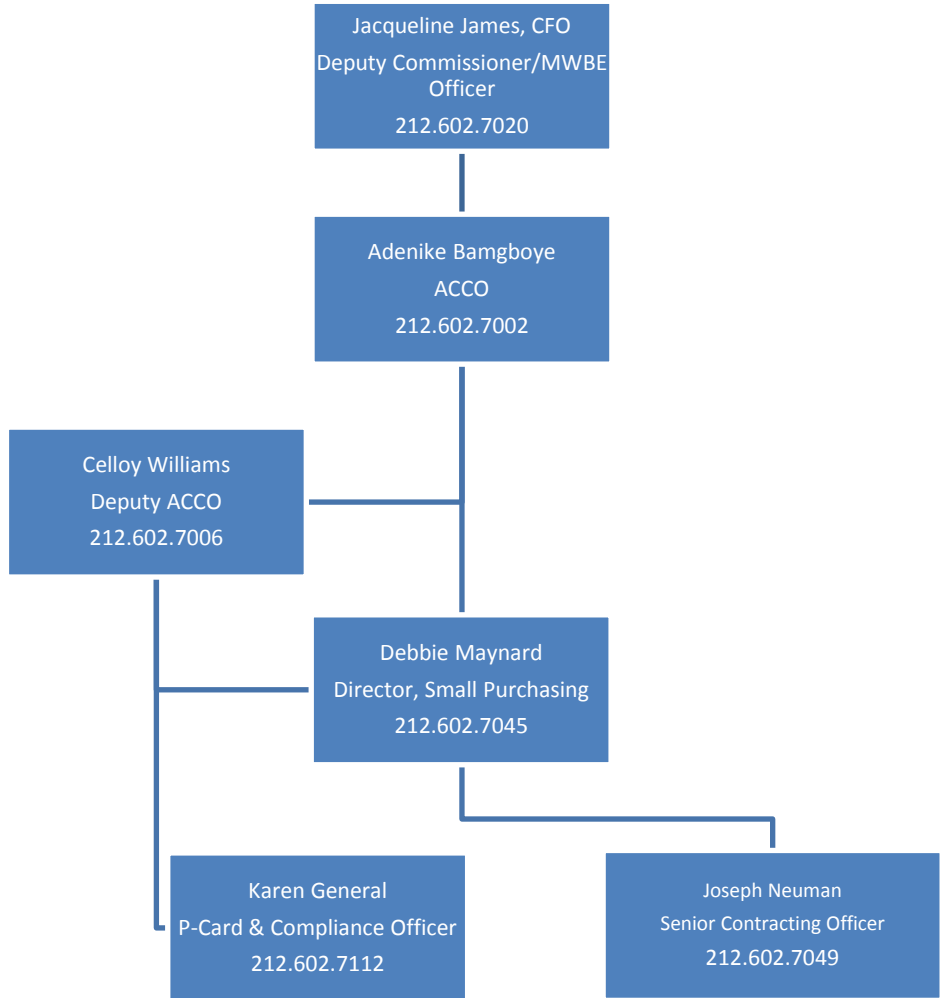
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): Jacqueline Ferrero  
 Title: CFO & Deputy Director for Admin & Prog Date: 5/25/17  
 Authorized Signature (ACCO): Ademide Brangbory  
 Title: ACCO Date: 05/25/17

**NYC Department of Finance**

**FY'18 Agency MWBE Utilization Plan Implementation**



# **Department of Health and Mental Hygiene**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Health and Mental Hygiene (DOHMH)  
**Street Address** 42-09 28th Street **City** Long Island City **State** NY **Zip Code** 11101  
**M/WBE Officer Name** Judi Rich Soehren **Email** jsoehren@health.nyc.gov **Telephone #** (347)396-6644  
**ACCO Name** Judi Rich Soehren **Email** jsoehren@health.nyc.gov **Telephone #** (347)396-6644  
**Date** 5/24/2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	0.00%	10.00%	38.00%	0.00%	0.00%	38.00%	6.00%	0.00%
	<b>Black</b>	8.00%	0.00%	2.00%	8.00%	0.00%	0.00%	8.00%	1.25%	0.00%
	<b>Hispanic</b>	4.00%	0.00%	2.00%	4.00%	0.00%	0.00%	4.00%	1.25%	0.00%
	<b>Asian</b>	8.00%	0.00%	2.00%	8.00%	0.00%	0.00%	8.00%	1.25%	0.00%
	<b>Women</b>	18.00%	0.00%	4.00%	18.00%	0.00%	0.00%	18.00%	1.25%	0.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	5.00%	15.00%	37.00%	3.00%	8.00%	37.00%	0.00%	10.00%
	<b>Black</b>	12.00%	1.00%	4.00%	12.00%	1.00%	2.00%	12.00%	0.00%	2.00%
	<b>Hispanic</b>	8.00%	1.00%	4.00%	8.00%	1.00%	2.00%	8.00%	0.00%	2.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	3.00%	7.00%	17.00%	1.00%	4.00%	17.00%	0.00%	6.00%

Standard Services	<b>Total Standard Services</b>	31.00%	8.00%	15.00%	31.00%	15.00%	20.00%	31.00%	0.00%	15.00%
	<b>Black</b>	12.00%	2.00%	3.00%	12.00%	3.00%	5.00%	12.00%	0.00%	2.50%
	<b>Hispanic</b>	6.00%	2.00%	2.00%	6.00%	2.00%	3.00%	6.00%	0.00%	1.50%
	<b>Asian</b>	3.00%	1.00%	3.00%	3.00%	2.00%	2.00%	3.00%	0.00%	3.00%
	<b>Women</b>	10.00%	3.00%	7.00%	10.00%	8.00%	10.00%	10.00%	0.00%	8.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	17.00%	25.00%	45.00%	22.00%	30.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	2.00%	5.00%	7.00%	6.00%	5.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	2.00%	3.00%	5.00%	6.00%	3.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	6.00%	8.00%	5.00%	7.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	5.00%	11.00%	25.00%	5.00%	15.00%	No Goal	No Goal	No Goal

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

Based on DOHMH's actual utilization for FY'15 (34% of \$26k spending for contracts under the scope of the law), FY'16 (95% of \$41k), FY'17 Q1-Q3 (86% of \$101k from 6 contracts), a preliminary analysis of potential upcoming procurements, where in most cases DOHMH has no history of subcontracting or joint-venturing, the agency will establish a 10% goal in this area.

Additionally, the agency will continue implementing the micro purchase policy directing all agency buyers to conduct a detailed search for available M/WBEs before utilizing a non-M/WBE.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

### **\$35K-\$100K**

Based on DOHMH's actual utilization for FY'15 (83% on a limited number of contracts totaling less than \$150k), FY'16 (0% - no spending), FY'17 Q1-Q3 (42% of \$100k from 3 contracts), and a preliminary analysis of upcoming procurements, where in most cases DoHMH has no history of subcontracting, the agency will establish a 0% goal in this area.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities. Additionally, the agency will continue to include additional M/WBEs to the current 5+10 process (i.e., 5+11, 5+12, 5+13,...).

### **Over \$100K**

Based on DOHMH's actual utilization for FY'15 (0% - no spending), FY'16 (0% - no spending), FY'17 Q1-Q3 (0% - no spending) a preliminary analysis of potential upcoming procurements where the agency has identified available M/WBEs, DOHMH will establish a goal of 0% in this area.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

Based on DOHMH's actual utilization for FY'15 (12%), FY'16 (11%), FY'17 Q1-Q3 (20%), a preliminary analysis of potential upcoming procurements (which are primarily for specialized medical services), and the availability of M/WBEs, DOHMH will set a 15% goal in this area.

Additionally, the agency will continue implementing the micro purchase policy directing all agency buyers to conduct a detailed search for available M/WBEs before utilizing a non-M/WBE.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

### **\$20K-\$100K**

Based on DOHMH's actual utilization for FY'15 (0%), FY'16 (0%), FY'17 Q1-Q3 (35%), and a preliminary analysis of potential upcoming procurements (which are primarily for specialized medical services where there aren't many M/WBEs who provide the service), DOHMH will set a 8% goal in this area.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities. Additionally, the agency will continue to include additional M/WBEs to the current 5+10 process (i.e., 5+11, 5+12, 5+13,...).

### **Over \$100K**

Based on DOHMH's actual utilization for FY'15 (0%), FY'16 (0%), FY'17 Q1-Q3 (33%), and a preliminary analysis of potential upcoming procurements, DOHMH will set a 10% goal in this area.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

## STANDARD SERVICES:

### Under \$20K

Based on DOHMH's actual utilization for FY'15 (7%), FY'16 (7%), FY'17 Q1-Q3 (25%), a preliminary analysis of potential upcoming procurements, and the availability of M/WBEs, a goal of 15% has been set in this category.

Additionally, the agency will continue implementing the micro purchase policy directing all agency buyers to conduct a detailed search for available M/WBEs before utilizing a non-M/WBE.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

### \$20K-\$100K

Based on DOHMH's actual utilization for FY'15 (16%), FY'16 (0% - no spending), FY'17 Q1-Q3 (43%), a preliminary analysis of potential upcoming procurements, and the limited availability of M/WBEs who provide services such as lab and medical equipment repair/maintenance, and parking garages and car wash facilities, a goal of 20% has been set in this category.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities. Additionally, the agency will continue to include additional M/WBEs to the current 5+10 process (i.e., 5+11, 5+12, 5+13,...).

### Over \$100K

Based on DOHMH's actual utilization for FY'15 (0%), FY'16 (0% - no spending), FY'17 Q1-Q3 (75%- largely due to a \$15M contract won by an WBE), and a preliminary analysis of potential upcoming procurements, DOHMH will establish a 15% goal in this area.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

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## GOODS:

### Under \$20K

Based on DOHMH's actual utilization for FY'15 (18%), FY'16 (17%), FY'17 Q1-Q3 (41%) and a preliminary analysis of potential upcoming procurements, a goal of (25)% has been set in this category.

Additionally, the agency will continue implement the micro purchase policy directing all agency buyers to conduct a detailed search for available M/WBEs before utilizing a non-M/WBE.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities.

### \$20K-\$100K

Based on DOHMH's actual utilization for FY'15 (28%), FY'16 (42%), FY'17 Q1-Q3 (37%) and a preliminary analysis of potential upcoming procurements, and the availability of M/WBEs, a goal of (30)% has been determined to be achievable.

DOHMH's goal for this category will be reviewed as the procurement needs of the agency evolve during the fiscal year, and the agency will make the best good faith efforts to identify and utilize M/WBEs for all opportunities. Additionally, the agency will continue to include additional M/WBEs to the current 5+10 process (i.e., 5+11, 5+12, 5+13,...).



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: - Continue coordination with SBS, MOCS, and other related agencies to conduct various M/WBE trainings, workshops, and networking events for vendors and staff.</p> <p>- Continue implementation of the agency's Micro Purchase Policy</p>	

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	12
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	11

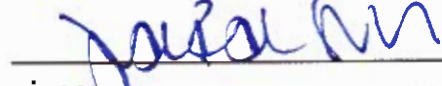
## G. Agency Organization

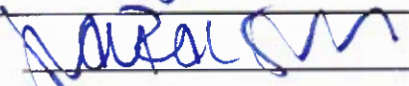
Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

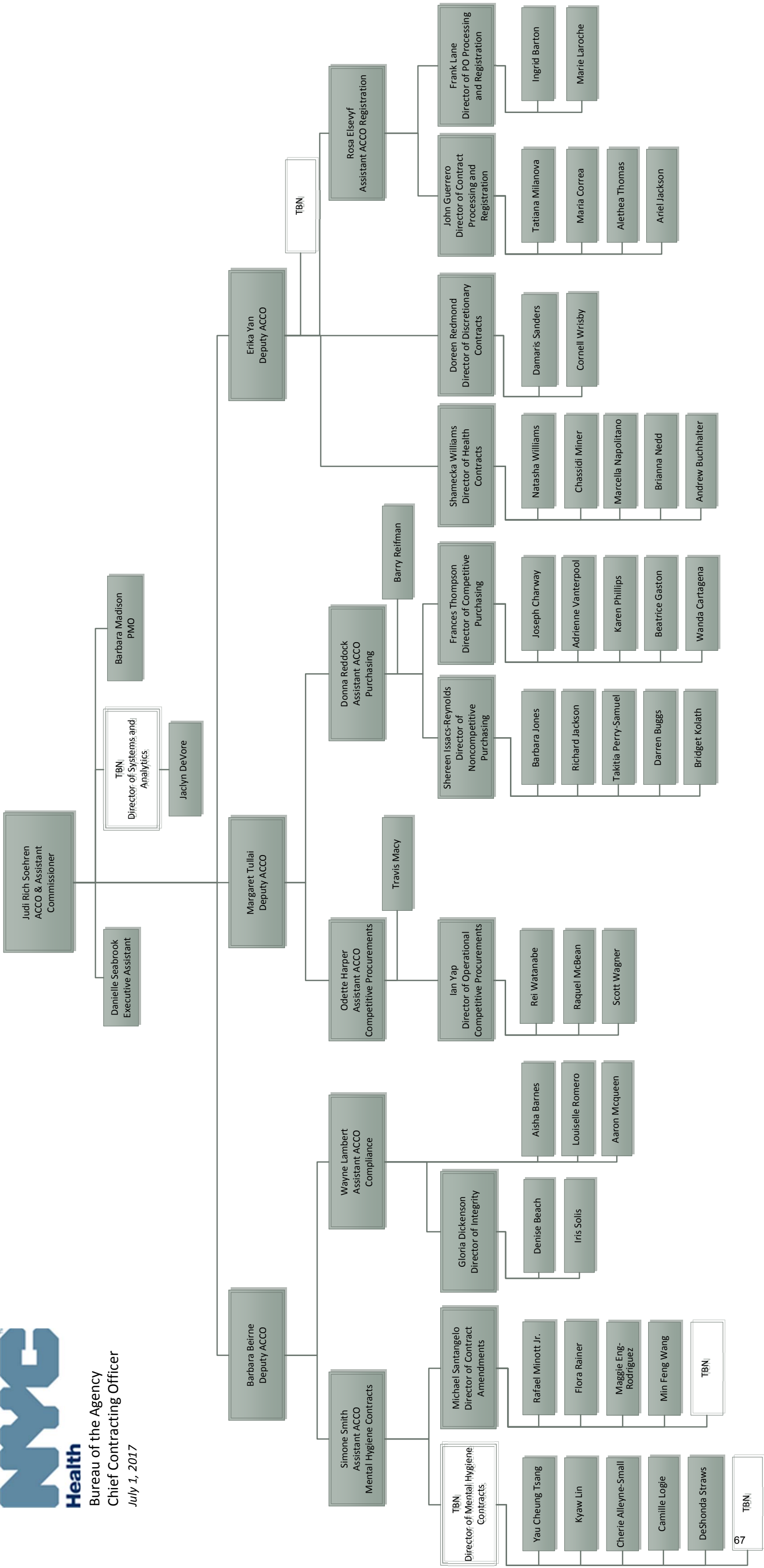
Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
 Title: ACCO/Assistant Commissioner Date: May 24, 2017

Authorized Signature (ACCO):   
 Title: ACCO/Assistant Commissioner Date: May 24, 2017



**Bureau of the Agency  
Chief Contracting Officer  
July 1, 2017**





## Primary Agency M/WBE Representatives

Judi Rich Soehren  
Agency Chief Contracting Officer (ACCO)  
P: (347)396 – 6644  
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Aisha Barnes  
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# **Department of Information Technology and Telecommunications**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Information Technology & Telecommunications (DoITT)  
**Street Address** 255 Greenwich St 9th Fl      **City** New York      **State** NY      **Zip Code** 10007  
**M/WBE Officer Name** Annette Heintz      **Email** aheintz@doitt.nyc.gov      **Telephone #** 212-788-6635  
**ACCO Name** John Katsorhis      **Email** jkatsorhis@doitt.nyc.gov      **Telephone #** 646-769-2037  
**Date** 5/24/2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%
	<b>Black</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Hispanic</b>	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%
	<b>Asian</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Women</b>	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	10.00%	5.00%	37.00%	0.00%	10.00%	37.00%	30.00%	30.00%
	<b>Black</b>	12.00%	0.00%	1.00%	12.00%	0.00%	2.00%	12.00%	10.00%	10.00%
	<b>Hispanic</b>	8.00%	5.00%	2.00%	8.00%	0.00%	4.00%	8.00%	5.00%	5.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	5.00%	2.00%	17.00%	0.00%	4.00%	17.00%	5.00%	15.00%

Standard Services	<b>Total Standard Services</b>	31.00%	20.00%	20.00%	31.00%	20.00%	20.00%	31.00%	31.00%	31.00%
	<b>Black</b>	12.00%	3.00%	3.00%	12.00%	3.00%	3.00%	12.00%	3.00%	3.00%
	<b>Hispanic</b>	6.00%	5.00%	5.00%	6.00%	5.00%	5.00%	6.00%	6.00%	6.00%
	<b>Asian</b>	3.00%	7.00%	4.00%	3.00%	7.00%	8.00%	3.00%	12.00%	12.00%
	<b>Women</b>	10.00%	5.00%	8.00%	10.00%	5.00%	4.00%	10.00%	10.00%	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	45.00%	50.00%	45.00%	45.00%	50.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	7.00%	8.00%	7.00%	7.00%	8.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	5.00%	7.00%	5.00%	5.00%	7.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	5.00%	8.00%	8.00%	5.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	25.00%	30.00%	25.00%	25.00%	30.00%	No Goal	No Goal	No Goal

D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

DoITT does not procure in the construction industry and therefore Local Law 1 Utilization Goals are not established.

### \$35K-\$100K

DoITT does not procure in the construction industry and therefore Local Law 1 Utilization Goals are not established.

### Over \$100K

DoITT does not procure in the construction industry and therefore Local Law 1 Utilization Goals are not established.

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## PROFESSIONAL SERVICES:

### Under \$20K

DoITT anticipates having a small number of contracts for professional services under \$20k in FY18, and the nature of these engagements does not lend itself to setting high goals. These are typically one-time small consulting engagements for time-sensitive technical projects (e.g., cybersecurity services, telecom consulting, mainframe cost optimization studies, proprietary software services, media and entertainment-related services, etc.)

### \$20K-\$100K

DoITT has too few contracts in this category, which includes legal, engineering and IT-related services. The Local Law 1 performance by Agency data for quarters 1-3 of FY17 shows one contract in this category. DoITT anticipates awarding few, if any, contracts for professional services between \$20k and \$100k in FY18.

### Over \$100K

DoITT anticipates awarding several renewals of citywide master agreements for system integration and quality control services in this category, including three that are held by M/WBE vendors. These large value contracts heavily influence DoITT's M/WBE utilization performance.



## STANDARD SERVICES:

### Under \$20K

DoITT does not process a lot of standard services contracts. However, there is availability of M/WBEs in this area for services such as software training, inspections, industry information services, etc.

### \$20K-\$100K

DoITT does not process a lot of standard services contracts. However, there is availability of M/WBEs in this area for services such as software training, inspections, industry information services, etc.

### Over \$100K

In FY18 we anticipate registering several large citywide telecom service provider/carrier contracts (totaling hundreds of millions of dollars) which are currently being negotiated from a DoITT issued RFP, to which Local Law 1 is not applicable. Once registered, they will increase our base of standard services, making it a challenge to meet a high level goal. In the telecom area, there is no availability of M/WBE telecommunication providers/carriers that meet City agency voice and data communication services requirements.

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## GOODS:

### Under \$20K

DoITT places heavy emphasis on M/WBE utilization in this category. The FY17 Q1-3 data shows DoITT at 57%. For micro-purchases of IT goods, there are a significant number of M/WBE firms that DoITT regularly works with and in FY18 we will continue to expand our partnerships with current and new M/WBE firms. This category includes purchases of laptops, computer accessories, software, etc.

### \$20K-\$100K

DoITT places heavy emphasis on M/WBE utilization in this category. The FY17 Q1-3 data shows DoITT at 70% so we are anticipating surpassing the Citywide goal of 45%. For small purchases of IT goods, there are a significant number of M/WBE firms that DoITT regularly works with and in FY18 we will continue to expand our partnerships with current and new M/WBE firms. This category includes purchases of laptops, computer accessories, software, network equipment, etc. There are a significant number of M/WBE firms who have an advantage with 5 +10 procurement rules.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other: Conduct annual event that brings together M/WBE technology firms, DoITT and agency practitioners and/or DoITT prime vendors.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	15
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	10

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

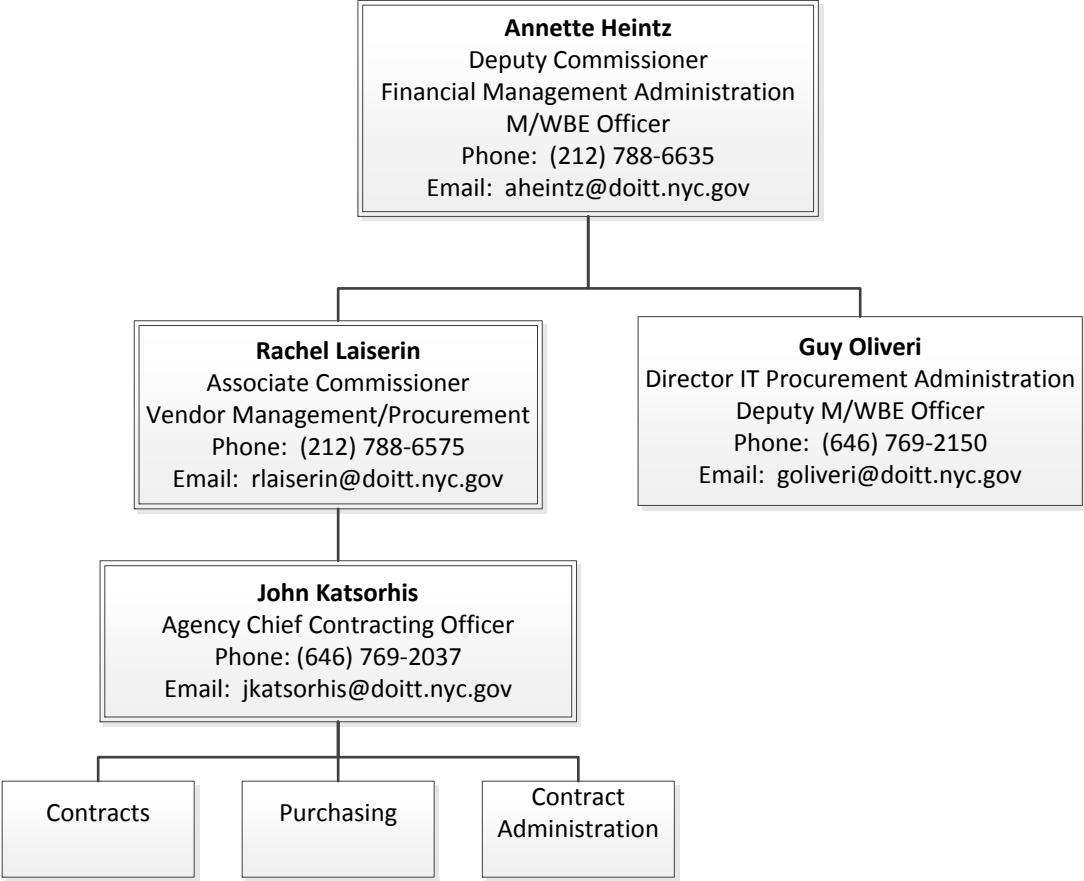
List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): [Signature]  
Title: Deputy Commissioner, FMA Date: 5/31/17  
Authorized Signature (ACCO): [Signature]  
Title: Agency Chief Contracting Officer Date: 5/24/17

# NYC DoITT-FY18 M/WBE Utilization Plan Organization Chart (As of 5/25/17)



# **Department of Transportation**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Transportation (DOT)  
**Street Address** 55 Water St. **City** New York **State** NY **Zip Code** 100041  
**M/WBE Officer Name** Nancy Carolan **Email** ncarolan@dot.nyc.gov **Telephone #** 212-839-9292  
**ACCO Name** Nancy Carolan **Email** ncarolan@dot.nyc.gov **Telephone #** 212-839-9292  
**Date** July 7, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	3.00%	4.00%	38.00%	4.00%	5.00%	38.00%	6.00%	7.00%
	<b>Black</b>	8.00%	1.00%	1.00%	8.00%	1.00%	1.00%	8.00%	1.00%	2.00%
	<b>Hispanic</b>	4.00%	1.00%	1.00%	4.00%	1.00%	1.00%	4.00%	1.00%	2.00%
	<b>Asian</b>	8.00%	0.00%	1.00%	8.00%	1.00%	1.00%	8.00%	2.00%	1.00%
	<b>Women</b>	18.00%	1.00%	1.00%	18.00%	1.00%	2.00%	18.00%	2.00%	2.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	9.00%	9.00%	37.00%	18.00%	18.00%	37.00%	15.00%	18.00%
	<b>Black</b>	12.00%	3.00%	2.00%	12.00%	4.00%	4.00%	12.00%	5.00%	6.00%
	<b>Hispanic</b>	8.00%	3.00%	3.00%	8.00%	6.00%	7.00%	8.00%	5.00%	6.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	3.00%	4.00%	17.00%	8.00%	7.00%	17.00%	5.00%	6.00%

Standard Services	<b>Total Standard Services</b>	31.00%	18.00%	17.00%	31.00%	19.00%	20.00%	31.00%	9.00%	7.00%
	<b>Black</b>	12.00%	4.00%	4.00%	12.00%	5.00%	5.00%	12.00%	1.00%	1.00%
	<b>Hispanic</b>	6.00%	5.00%	5.00%	6.00%	4.00%	5.00%	6.00%	2.00%	1.00%
	<b>Asian</b>	3.00%	1.00%	1.00%	3.00%	3.00%	3.00%	3.00%	1.00%	1.00%
	<b>Women</b>	10.00%	7.00%	7.00%	10.00%	7.00%	7.00%	10.00%	4.00%	4.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	45.00%	45.00%	45.00%	50.00%	50.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	8.00%	8.00%	7.00%	7.00%	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	7.00%	7.00%	5.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	22.00%	22.00%	25.00%	30.00%	30.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

We have analyzed our FY'16 M/WBE utilization and decided to increase our FY'18 goal to 4%. DOT anticipates procuring in FY'18 for construction services (i.e. Demolition of the Armajani Lighthouse and Pedestrian Bridge; Pavement Markings and Fencing). DOT's increased use of M/WBE vendor list will assist with soliciting services whenever possible. The goal set was based on the availability of M/WBEs for electrical work in connection with traffic signal lights and distribution systems, replacement of park type luminaries, highway offset luminaries and floodlight with LED luminaries, pedestrian signals and pavement markings.

### **\$35K-\$100K**

We have analyzed our FY'16 M/WBE utilization and decided to increase our FY'18 goal to 5%. DOT anticipates procuring in FY'18 construction specialty services such as new modular deck barges for Ferry Dockbuilders, Pier utility upgrades, structural reconstruction of ferry facilities, ferry terminal roof repair). DOT's increased use of M/WBE vendor list will assist with soliciting services whenever possible. The goal set was based on the availability of M/WBEs for coring and saw cutting, asphalt paving and interior/exterior painting of ferry terminals, electrical construction on light poles.

### **Over \$100K**

We have analyzed our FY' 16 M/WBE utilization and have decided to increase our FY' 18 goal to to 7% in this category. DOT anticipates M/WBE opportunities in the area of subcontracting and some opportunities for M/WBE's to be primes for our Bridge Construction Contracts. Since the number of prime contractors has increased in the pavement markings contracts and milling contracts, the opportunities for M/WBE's should also increase. The goal set was based on the availability of M/WBEs for bridge painting and bridge rehabilitation, structural repair contracts and installing & removing street lighting.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

In FY'18 DOT decided to keep the 9% goal in this category and we anticipate the procuring in this category for technical and maintenance services for the NYC Plaza program contracts. DOT will continue to monitor our spending in this category for more opportunities for M/WBE both prime consultants and sub-consultants. The goal set was based on the availability of MWBEs in these areas for installation and maintenance for electrical switches at ferry terminals, elevator and escalator maintenance and service, bike to school consultant services, graphic design services, facilities assessment consultant services.

### **\$20K-\$100K**

In FY'18 DOT decided to keep the 18% goal in this category and we anticipate same amount of M/WBE subcontracting opportunities. DOT anticipates procuring services for FY' 18 for graphic design, HVAC maintenance at ferry terminals, authorized parking application, bridge component rehabilitation and work zone training contracts. The goal set was based on the availability of M/WBEs in these areas for urban design and streetscape, bridge rehabilitation of stone masonry walls.

### **Over \$100K**

In FY'18 DOT has decided to increase the goal to 18% in this category because we anticipate more procurement for Prime and sub-consulting opportunities for Construction Support Services, Resident Engineering Inspection (REI), and Bridge Component Rehabilitation. The majority of procurement in this category are city funded and will afford more opportunities for M/WBE Utilization. The goal set was based on the availability of M/WBEs in these areas for total design/construction support services for rehabilitation of bridges, engineering service agreement for planning engineering and architectural design and inspection services citywide, materials testing and sampling.



## STANDARD SERVICES:

### Under \$20K

In FY'18 DOT anticipates procuring less in this spending category for services for Alarm Services and Closed Circuit Television. Historically there are none/few M/WBE's in these areas fire fighting equipment maintenance and removal of waste material container to support increasing the goal. Historically DOT's M/WBE utilization in this category has not increased and based on this we have decided to lower our goal in this category to 17% from the last fiscal year goal. The goal set was based on the availability of M/WBEs in these areas for fire fighting equipment maintenance, elevator service and maintenance and removal of waste material containers.

### \$20K-\$100K

In FY'18 DOT will increase the goal in this category because we anticipate more spending for construction debris removal, engine repair services and overhaul, and catch basin maintenance. This will result in more opportunities for MWBE participation. The goal was increased to 20% based on the availability of M/WBEs in these areas for the above mentioned areas and debris removal of construction concrete.

### Over \$100K

In FY' 18 DOT does not anticipate an increase of M/WBE participation for primes and subcontracting in this category. The amount of procurements for security services for maintenance and operation of parking garages has decreased and it will affect the amount of MWBE subcontracting opportunities. The majority of procurements in this category are federal/state funded and thus fewer opportunities for M/WBE Utilization. The goal set was based on the availability of M/WBEs in these areas for preventive maintenance of traffic & revenue equipment and system and closed circuit television cameras.

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## GOODS:

### Under \$20K

In FY' 18 DOT anticipates an increase of upcoming procurements in this category for FY'18. DOT anticipates it will meet the 45% Citywide goal in this category. Based on DOT's spending in FY' 17 we anticipate an increase in spending for FY'18 resulting in more opportunities for MWBE's. The goal set was based on the availability of M/WBEs in these areas for supplying pedestrian barriers, generating equipment and security equipment.

### \$20K-\$100K

In FY' 18 DOT anticipates an increase of upcoming procurements in this category for FY' 18. DOT anticipates it will meet the 50% Citywide goal in this category. The goal set was based on the availability of M/WBEs that can supply goods for computer supplies, street name signs and skiff rescue boats and water barriers which will increase opportunities for MWBE utilization.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other: DOT's has enacted an internal procurement policy to encourage outreach to more M/WBE's & coordinating with SBS to conduct on-site P-card and Online Directory training for DOT procurement staff. DOT has dedicated M/WBE program staff and analyst go through large contracts scope of work line by line to look for MWBE opportunities.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	21
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	177

## G. Agency Organization

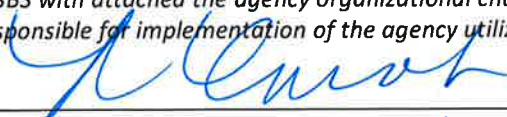
Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

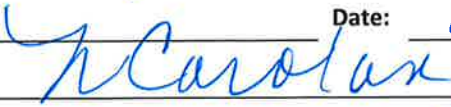
List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

Primarily the programs that impact NYCDOT's MWBE utilization or its ability to participate in the Local Law 1 program are the USDOT Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) DBE program, and the MWBE for State program Consolidated Local Street and Highway Improvement Program (CHIPS).

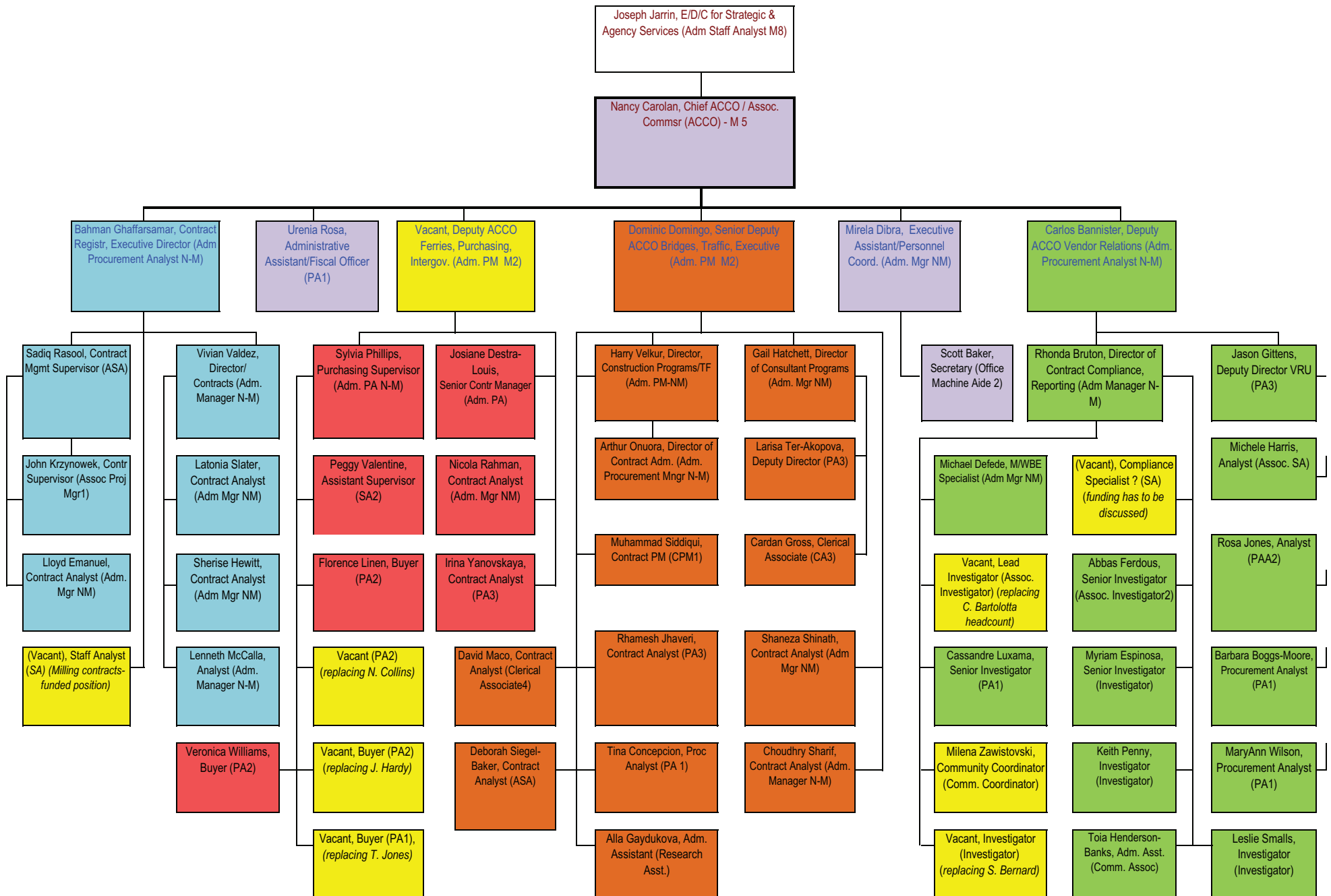
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
 Title: Assistant Commissioner  
 Date: 6-6-17

Authorized Signature (ACCO):   
 Title: Assistant Commissioner  
 Date: 6/6/17

# DOT AGENCY CHIEF CONTRACTING OFFICE (ACCO'S OFFICE)



# **Department of Parks and Recreation**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Parks and Recreation (DPR)  
**Street Address** The Arsenal, Central Park **City** New York **State** NY **Zip Code** 10065  
**M/WBE Officer Name** Iyana Titus **Email** iyana.titus@parks.nyc.gov **Telephone #** 212-360-2707  
**ACCO Name** Michael D'Ambrosio **Email** Michael.DAmbrosio@park **Telephone #** 718-760-6789  
**Date** June 20, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	38.00%	40.00%	38.00%	40.00%	40.00%	38.00%	25.00%	28.00%
	<b>Black</b>	8.00%	8.00%	9.00%	8.00%	8.00%	8.00%	8.00%	3.00%	4.00%
	<b>Hispanic</b>	4.00%	4.00%	5.00%	4.00%	6.00%	4.00%	4.00%	5.00%	5.00%
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	7.00%	7.00%
	<b>Women</b>	18.00%	18.00%	18.00%	18.00%	18.00%	18.00%	18.00%	10.00%	12.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	14.00%	14.00%	37.00%	50.00%	20.00%	37.00%	20.00%	20.00%
	<b>Black</b>	12.00%	1.00%	1.00%	12.00%	5.00%	5.00%	12.00%	2.00%	2.00%
	<b>Hispanic</b>	8.00%	1.00%	1.00%	8.00%	10.00%	10.00%	8.00%	4.00%	4.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	12.00%	10.00%	17.00%	35.00%	35.00%	17.00%	14.00%	14.00%

Standard Services	<b>Total Standard Services</b>	31.00%	13.00%	13.00%	31.00%	10.00%	10.00%	31.00%	6.00%	10.00%
	<b>Black</b>	12.00%	1.00%	1.00%	12.00%	1.00%	1.00%	12.00%	1.00%	1.00%
	<b>Hispanic</b>	6.00%	0.00%	2.00%	6.00%	0.00%	0.00%	6.00%	4.00%	0.00%
	<b>Asian</b>	3.00%	1.00%	1.00%	3.00%	1.00%	1.00%	3.00%	0.00%	1.00%
	<b>Women</b>	10.00%	9.00%	9.00%	10.00%	8.00%	8.00%	10.00%	1.00%	8.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	38.00%	38.00%	45.00%	23.00%	23.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	3.00%	3.00%	7.00%	2.00%	2.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	5.00%	5.00%	5.00%	4.00%	4.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	2.00%	2.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	22.00%	22.00%	25.00%	15.00%	15.00%	No Goal	No Goal	No Goal

D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

It's challenging to predict what our micro purchase needs will be in the construction industry and there are a limited number of M/WBEs that provide the services that we need, but we will make every effort to utilize M/WBE firms for these procurements.

### \$35K-\$100K

It's challenging to predict what our small purchase needs will be in the construction industry and there are a limited number of M/WBEs that provide the services that we need, but we will make every effort to utilize M/WBE firms for these procurements. We have increased our goal to meet the Citywide goal in this category.

### Over \$100K

Our goal is inclusive of everything that we may contract in FY18. Our Agency is quite successful in M/WBE subcontracting opportunities, but awards to primes are difficult to predict given that awards are made to the lowest responsive and responsible bidder. Additionally, we are expecting many of the contracts will be effective at the same time which may impact the capacity of M/WBE vendors to be able to work simultaneously on multiple projects throughout the City. In addition, DPR has noticed prime building contractors encountering difficulty with procuring the services of MEP (particularly plumbing) M/WBE vendors.

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## PROFESSIONAL SERVICES:

### Under \$20K

Our agency rarely engages in Professional Services contracts for less than \$100K.

### \$20K-\$100K

Our Agency rarely engages in Professional Services contracts for less than \$100K, and as such our goals are limited in this category. These goals were set based on current knowledge of the availability of firms to provide the services generally procured by the Agency, as well as the types of procurements we intend to enter in the next Fiscal Year.

### Over \$100K

The MWBE Goals will be set on each task order (depending on the funding source). While we will make every effort to utilize M/WBE firms for our needs in the professional services industry. There are a very limited number of certified M/WBE firms that provide these services.



## STANDARD SERVICES:

### Under \$20K

It is difficult to predict what our upcoming procurements will be in this category since these procurements are created as needs are identified. Our Expense unit even puts these micro purchases out to bid, even though it is not necessary to do so, in order to give M/WBE vendors the opportunity to be awarded. We will continue our due diligence to utilize M/WBE Vendors when possible.

### \$20K-\$100K

We have limited control over what vendors are selected for these procurements since the bidding process is utilized. Parks also rarely subcontracts on procurements in this category.

### Over \$100K

We will maintain the 10% goal in this category. There has been little growth in the availability of M/WBE firms in this category, ie. forestry, and we have very little control over what firms are selected for these procurements since they are awarded through the bidding process. Additionally, the Agency rarely has subcontracts in this category. We will continue to check SBS' Online database of newly certified vendors and perform outreach to find qualified M/WBE Vendors.

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## GOODS:

### Under \$20K

It is difficult to predict what our upcoming purchases will be in this category since these purchases are made as needs are identified. In addition, there is a limited number of M/WBE Vendors that can provide what we need in the necessary quantities and their prices are often prohibitive. We perform outreach and attend M/WBE Networking events in a continuing effort to identify additional prospective M/WBE Vendors.

### \$20K-\$100K

It is difficult to predict what our upcoming purchases will be in this category since these purchases are made as needs are identified. Additionally, there is a limited number of M/WBE Vendors that can provide what we need in the necessary quantities. The bidding process creates an inability to control what vendors are selected. Parks has no history of subcontracting in this category, further limiting our ability to increase M/WBE Utilization in this area.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: The Agency has put in a new needs request to hire two (2) M/WBE Field Agents. These positions will report directly to the D/MWBE Program Manger - Capital Division. Their responsibility is to work closely with the MWBE prime contractors to ensure they are meeting all the requirements of the contracts.</p> <p>Hold MWBE trainings for new Design and Construction Project Managers.</p> <p>We are developing a database of MWBE subcontractors that general contractors can access.</p> <p>Weekly internal meetings are conducted to analyze reports and track progress of M/WBE Utilization.</p>	

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	100
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	200

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

To the extent that projects are partially funded with State or Federal Funds, State/Federal MWBE and DBE program requirements are applied.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):

*[Handwritten Signature]*

Title: Assistant Commissioner for EEO

Date: 7/14/17

Authorized Signature (ACCO):

*[Handwritten Signature]*

Title: ACCO

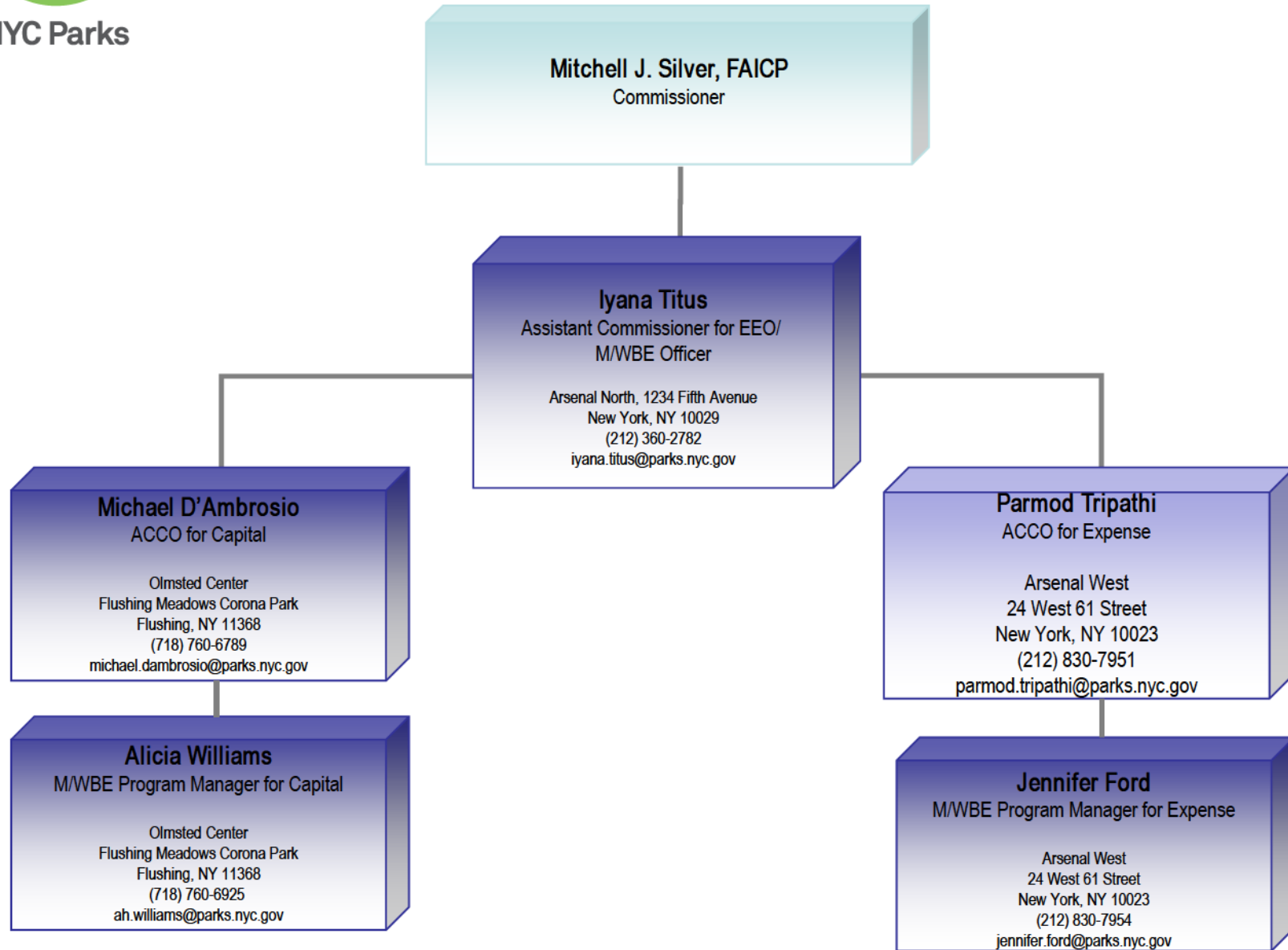
Date: 7/17/17



NYC Parks

# Parks & Recreation

## M/WBE Program - Organization Chart





NYC Parks

# Parks & Recreation

## M/WBE Program - Agency Mission

The agency's principal mission is to assure that the parks, beaches, playgrounds, stadia, marinas, recreation facilities, gardens, malls, squares and public spaces of the City of New York are clean, safe and attractive for the health and enjoyment of the people. As of March, 2016, there were approximately 30,000 acres of city parkland.

Parks is responsible for street trees, park flora and fauna, community gardens, historic houses, statues and monuments, open space, conservation and nature study. It develops management and restoration policy to protect and enhance the City's wetlands, woodlands and meadows. It conducts activities in athletics, physical fitness, environmental education, visual and performing arts and crafts. Special programs are provided for senior citizens, teenagers, pre-schoolers, the disabled and the homeless

# **Department of Sanitation**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Sanitation (DSNY)  
**Street Address** 44 Beaver Street **City** New York **State** NY **Zip Code** 10004  
**M/WBE Officer Name** Robert Orlin **Email** rorlin@dsny.nyc.gov **Telephone #** (646)885-5006  
**ACCO Name** Kirk Eng **Email** kieng@dsny.nyc.gov **Telephone #** (212)437-5048  
**Date** 5/23/2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	2.00%	20.00%	38.00%	30.00%	32.00%	38.00%	20.00%	22.00%
	<b>Black</b>	8.00%	1.00%	4.00%	8.00%	4.00%	4.00%	8.00%	5.00%	6.00%
	<b>Hispanic</b>	4.00%	0.00%	2.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
	<b>Asian</b>	8.00%	0.00%	4.00%	8.00%	11.00%	12.00%	8.00%	5.00%	6.00%
	<b>Women</b>	18.00%	1.00%	10.00%	18.00%	11.00%	12.00%	18.00%	6.00%	6.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	6.00%	20.00%	37.00%	5.00%	20.00%	37.00%	15.00%	16.00%
	<b>Black</b>	12.00%	2.00%	7.00%	12.00%	1.50%	5.00%	12.00%	5.00%	5.00%
	<b>Hispanic</b>	8.00%	2.00%	3.00%	8.00%	1.50%	5.00%	8.00%	3.00%	3.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	2.00%	10.00%	17.00%	2.00%	10.00%	17.00%	7.00%	8.00%

Standard Services	<b>Total Standard Services</b>	31.00%	20.00%	24.00%	31.00%	15.00%	16.00%	31.00%	2.00%	4.00%
	<b>Black</b>	12.00%	3.00%	8.00%	12.00%	3.00%	2.00%	12.00%	1.00%	1.00%
	<b>Hispanic</b>	6.00%	4.00%	4.00%	6.00%	3.00%	2.00%	6.00%	1.00%	1.00%
	<b>Asian</b>	3.00%	5.00%	6.00%	3.00%	2.00%	4.00%	3.00%	0.00%	1.00%
	<b>Women</b>	10.00%	8.00%	6.00%	10.00%	7.00%	8.00%	10.00%	0.00%	1.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	47.00%	48.00%	45.00%	20.00%	25.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	5.00%	7.00%	7.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	7.00%	4.00%	5.00%	3.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	6.00%	8.00%	8.00%	3.00%	5.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	29.00%	29.00%	25.00%	9.00%	10.00%	No Goal	No Goal	No Goal



**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

DSNY's procurement history shows limited micro purchase activity within the construction industry. Thus far in FY17, the agency has awarded two micro purchases, one of which was awarded to an M/WBE and the other to a non M/WBE. DSNY once again anticipates limited micro purchase opportunities for the upcoming fiscal year that will primarily include small general construction projects and tasks. As both of these services have M/WBE vendors available, DSNY has set a goal of 20% which is an increase of 18% from the FY17 goal of 2%.

### **\$35K-\$100K**

After a careful review our MWBE utilization information from FY16 & Q1, Q2, and Q3 of FY17 we have set our FY18 goals as follows:

To date, in FY17 a total of two small purchase contracts were awarded with both going to non-M/WBE vendors. During the past fiscal year DSNY awarded six new JOCS contracts which will greatly limit the future need for small purchase orders in construction-related industries. The only exceptions will be highly specialized procurements that fall under the generalized categories of electrical, masonry, plumbing and general construction that are too specialized to be assigned through any of the existing JOCS contracts. For these reasons, we have modestly increased our M/WBE goals for small purchase orders to 32%, which is a 2% increase from our FY17 projections.

### **Over \$100K**

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

Based primarily on projections from DSNY's Engineering Bureau, the agency has modestly increased our participation goals by 2% for the upcoming Fiscal year. The Department recently awarded six JOCS contracts, which has impacted the number of formal contracts needed during the upcoming fiscal year. While we are still expecting Engineering to have some formal contract needs, such as garage rehabilitation services in various boroughs and larger specialized solicitations, we are not forecasting a large volume of construction projects. Additionally, only six large construction procurements were awarded in FY17 with two of them being awarded to M/WBE vendors. For all of these reasons, we have set our utilization rate at 22% for FY18, a 2% increase from last year.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows: Based upon historical data that shows a very limited level of micro purchases for professional services, we have increased our M/WBE utilization percentage by 14% to 20%. To date in FY17, DSNY has had awarded 38 Professional Service micro purchases, 11 of which were awarded to M/WBE vendors. Almost three quarters of all micros were this year were awarded to non-M/WBE vendors thus far. In addition, specialized building inspections and environmental testing opportunities are upcoming in FY18 which have M/WBE availability, the agency believes that a 20% goal is achievable.

### **\$20K-\$100K**

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

While historical data shows a very limited level of small purchases for professional services, the agency has nevertheless set a participation goal of 20%. This represents a 15% increase from our FY17 goals and it is predicated on the fact that we have awarded small purchase contracts to M/WBE vendors in this category this past year. Most of our PS small purchases, however, are released by our Medical Unit and there are a limited numbers of M/WBE vendors that provide the medical testing services needed by the Department (no vendor responses from previous SBS e-blasts for medical solicitations) For this reason, we believe that realistic goal of 20% would be achievable for the upcoming year.

### **Over \$100K**

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

Historical data shows a very limited level of procurements over \$100K for professional services. For this reason, the agency has set a participation goal of 16%. In FY17 to date, only one professional service contract over \$100K was completed, and it was awarded to a non M/WBE. While we are anticipating new IT and construction management service contracts in FY18, which will provide subcontracting opportunities for M/WBE vendors, we do not believe that a utilization rate of more 16% will be pragmatic in FY18.

## STANDARD SERVICES:

### Under \$20K

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

In FY17 to date, 318 micro purchases have been made, and approximately 106 of them have been awarded to M/WBE vendors. For this reason we have raised our M/WBE utilization rate to 24%, (an increase of 4% from FY17). We anticipate there being a continuous need for standard services such as for office machine repair throughout all our Bureaus which will allow us to meet the 24% rate that we have set for FY18. Our hope is that we will be able to continue with our current FY17 utilization rate and thus actually exceed our FY18

### \$20K-\$100K

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

Currently only eight small purchase orders have been made in FY17 and two have been awarded to M/WBE vendors. The department has accordingly set a participation goal of 16%. This rate is based on the expectation of an increased need for occasional custodial and security services at some of our larger locations over the next fiscal year. Therefore, we increased our goal from 15% to 16% for FY18.

### Over \$100K

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

Over 97% of DSNY's expenditure in this area is for waste export contracts where there is no availability of M/WBEs. Out of 13 awards in this category, only one was awarded to a M/WBE. Therefore, the agency has set a participation goal of 4%, which is an aggressive doubling of our FY17 rate of 2%. This rate increase is based on the expectation that some of our bureaus will have the need to procure temporary staffing services in FY18.

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## GOODS:

### Under \$20K

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

In FY17, a total of 345 micro purchases were made for goods by the department with approximately 185 being made with M/WBE vendors. With this in mind, we have set a participation goal of 48% for this upcoming fiscal year. We believe that as DSNY continues with our need to purchase required goods such as fabrics, fittings, and mechanical parts for our numerous in-house mechanic shops, a goal of 48% is realistic.

### \$20K-\$100K

After a careful review our M/WBE utilization information from FY16 & Q1, Q2, and Q3 of FY17, we have set our FY18 goals as follows:

While most of our goods are secured through DCAS requirements contracts and the number of M/WBE vendors able to provide goods in the areas needed by the Department of Sanitation (automotive parts) is limited, the agency has increased our participation goal by 5% from FY17. We are hoping that through an increase in aggressive and proactive M/WBE outreach we will be able to secure additional M/WBE vendors that will be able to meet our needs. Thus, we have ambitiously increased our utilization goal in this category from 20%

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
Other:	The following initiatives are taken by the agency to increase M/WBE utilization for the City and the department. One-on-one meetings have been conducted with City-certified M/WBEs whereby we extended invitations to numerous vendors that were seeking face to face meetings with the DSNY personnel directly responsible for procurements in their respective industries. Additionally, DSNY has provided assistance and guidance to M/WBE vendors in the form of in-house workshops offered quarterly by each of the bureaus most involved in M/WBE outreach (Engineering, Bureau of Building Maintenance and Information Technology). These workshops have included walkthroughs with our buyers at our Central Repair Shop, as well as detailed lectures on the proper submittal of payment requisitions, and instructions on properly submitting bid paperwork, allowing us to bring about a greater understanding of the Citywide procurement process. Also, in regards to Small Purchase Orders we have asked all Bureau Contracting Officers to expand their invitations to bid, from the city's standard 5 non M/WBE vendors and 10 M/WBE vendors, to instead, include 5 non M/WBE vendors and the entire M/WBE list for vendors in the industry associated with the solicitation being issued.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	21
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	20

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

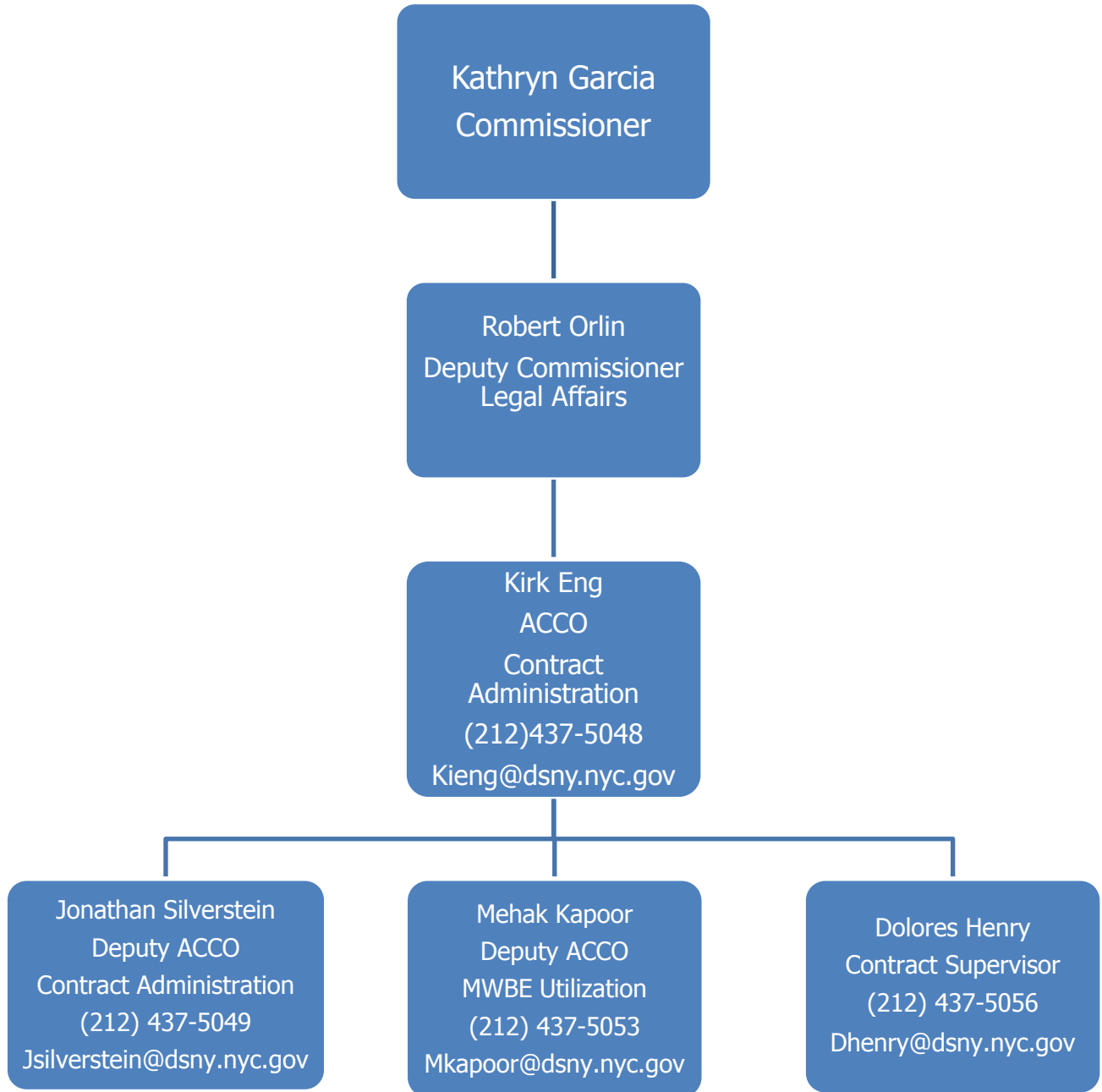
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): Robert Orieli  
Title: Deputy Commissioner Date: 5/24/17  
Authorized Signature (ACCO): [Signature]  
Title: ACCO Date: 5/24/17

**(RE: Local Law 1 )**

**May 2017**



**Department of  
Social Services /  
Department of  
Homeless Services**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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neighborhoods

## A. Agency Contact Information

**Agency Name** Department of Homeless Services (DHS)  
**Street Address** 33 Beaver Street, 17th Fl.    **City** New York    **State** NY    **Zip Code** 10004  
**M/WBE Officer Name** Vincent Pullo    **Email** pullov@hra.nyc.gov    **Telephone #** 929-221-6347  
**ACCO Name** Vincent Pullo    **Email** pullov@hra.nyc.gov    **Telephone #** 929-221-6347  
**Date** 05/24/17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A	15.00%	38.00%	N/A	10.00%	38.00%	N/A	30.00%
	<b>Black</b>	8.00%	N/A	8.00%	8.00%	N/A	5.00%	8.00%	N/A	10.00%
	<b>Hispanic</b>	4.00%	N/A	4.00%	4.00%	N/A	3.00%	4.00%	N/A	3.00%
	<b>Asian</b>	8.00%	N/A	8.00%	8.00%	N/A	4.00%	8.00%	N/A	10.00%
	<b>Women</b>	18.00%	N/A	2.00%	18.00%	N/A	2.00%	18.00%	N/A	1.00%

		FY 18 Utilization Goals									
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000			
		Citywide	Agency		Citywide	Agency		Citywide	Agency		
			FY17	FY18		FY17	FY18		FY17	FY18	
Professional Services	<b>Total Professional Services</b>	37.00%	N/A	33.00%	37.00%	N/A	20.00%	37.00%	N/A	20.00%	
	<b>Black</b>	12.00%	N/A	12.00%	12.00%	N/A	5.00%	12.00%	N/A	9.00%	
	<b>Hispanic</b>	8.00%	N/A	6.00%	8.00%	N/A	3.00%	8.00%	N/A	1.00%	
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A	15.00%	17.00%	N/A	12.00%	17.00%	N/A	10.00%	

Standard Services	<b>Total Standard Services</b>	31.00%	N/A	31.00%	31.00%	N/A	31.00%	31.00%	N/A	31.00%
	<b>Black</b>	12.00%	N/A	12.00%	12.00%	N/A	12.00%	12.00%	N/A	12.00%
	<b>Hispanic</b>	6.00%	N/A	5.00%	6.00%	N/A	5.00%	6.00%	N/A	5.00%
	<b>Asian</b>	3.00%	N/A	4.00%	3.00%	N/A	4.00%	3.00%	N/A	4.00%
	<b>Women</b>	10.00%	N/A	10.00%	10.00%	N/A	10.00%	10.00%	N/A	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A	42.00%	45.00%	N/A	40.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A	7.00%	7.00%	N/A	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A	5.00%	5.00%	N/A	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A	8.00%	8.00%	N/A	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A	22.00%	25.00%	N/A	20.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.



**D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

Historically, DHS has not procured more than two small purchase construction contracts. In FY17, DHS established the "Rapid Repair Squad", a series of small construction contracts to address and cure DOB Violations. For FY18, the agency will contract with two On-Call General Contractors to address these issues. DHS will be soliciting fewer small construction contracts for FY18.

### **\$35K-\$100K**

Again, this is an area where DHS typically does not have too many projects under \$100k. In the past, we did the 5+5 for these types of solicitations. Our approach for the coming fiscal year will be to include all the M/WBEs under the relevant commodity code(s) when soliciting. DHS anticipates procuring fewer small purchases in this category.

### **Over \$100K**

All our construction projects in this category have M/WBE goals. The Maintenance, Repair, Capital & Construction (MRCC) Division identified potential areas of the bids that may be subcontracted to M/WBEs. Our numbers reflects the responses we normally receive from the vendor community. DHS anticipates services for roof replacements, On-Call General Constructions, staircase replacement, plumbing, bathroom upgrades, Fire Alarm Upgrade, and window replacements at DHS facilities.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

These services typically cover IT subscriptions and Licenses, as well as subscription to on-line trainings. The Information Technology Division uses M/WBEs when available, and they will continue to reach out to as many M/WBEs as possible. DHS anticipates on-going need for Right-To-Know Training and IT consulting.

### **\$20K-\$100K**

On average, DHS solicits under 10 contracts per year for these services. They mostly consist of trainings for Administration and IT, and Medical and Psychological testing for the Department's Peace Officers. The anticipated goals reflect the normal responses we typically received for this category. Anticipated needs for FY18 in the areas of consultant management, trainers (various programs), IT services, and temporary workers.

### **Over \$100K**

The contracts under this category typically are the Architectural and Engineering Services and the Construction Management Services. The anticipated goals are base on the availability of M/WBEs in these areas. Services for this category include: Architectural & Engineering consultants, Construction Management services, IT services through DOITT and OGS, and lead testing.

## STANDARD SERVICES:

### Under \$20K

The anticipated goals reflect historical use of these services. They tend to be POs for various agency programs. Services include printing, shredding, temporary workers, and cleaning.

### \$20K-\$100K

These anticipated goals are based on the type of services we normally contract for such as moving services, parking, and elevator inspection. They reflect the anticipated needs for FY18.

### Over \$100K

This category mostly involves our Maintenance and Repair (M & R) contracts. These contracts tend to be "On-Call", therefore, the bulk of this work is done by the Prime and there is no guarantee of actual work. We encourage Program to set subcontracting goals to identified areas. Anticipated services for FY18 include moving, travel services, food contracts, M & R Emergency Generator, M & R HVAC, boiler maintenance & repair, Parking Facility for the DHS/NYPD Police, elevator repair, and snow removal.

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## GOODS:

### Under \$20K

This category mostly covers office supplies, IT, promotional items, and plumbing supplies. These items are typically procured through DCAS Requirement contracts. When purchase orders are utilized, program areas are strongly encouraged to purchase from M/WBE vendors, when available. The goals reflect typical use.

### \$20K-\$100K

DHS historically purchases various goods for the warehouse and where possible, we will continue to reach out to all available M/WBEs; and the identified goals reflect our typical vendors. Most of the purchases are made through DCAS requirement contracts. Purchases typically include mattresses, plumbing materials, fuel, power tools, office supplies, furnitures, electrical supplies, and IT supplies.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: -Meet on a quarterly basis with M/WBEs on up-coming solicitations                      -Send Invitation to Bids to all M/WBEs DHS contacted and met in the past on released Bids                      -Lowering Bonding requirements on some projects; this is an identified problem for M/WBEs                      -Attend M/WBE Fairs sponsored by other City Agencies throughout the year                      -Ensure solicitations are forwarded to appropriate M/WBEs contacted at various fairs</p>	

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	12
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	20

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

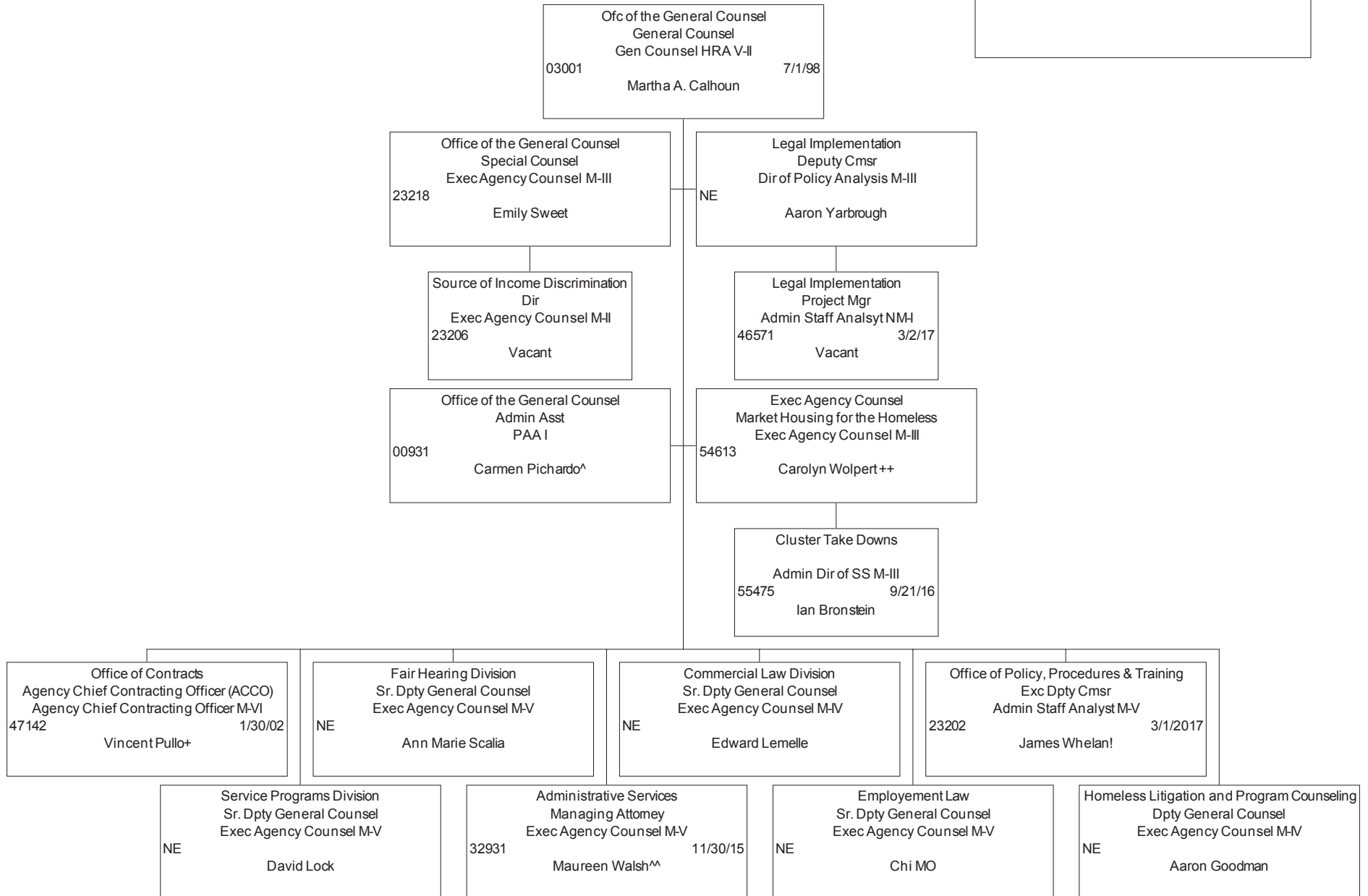
## H. Agency Approval

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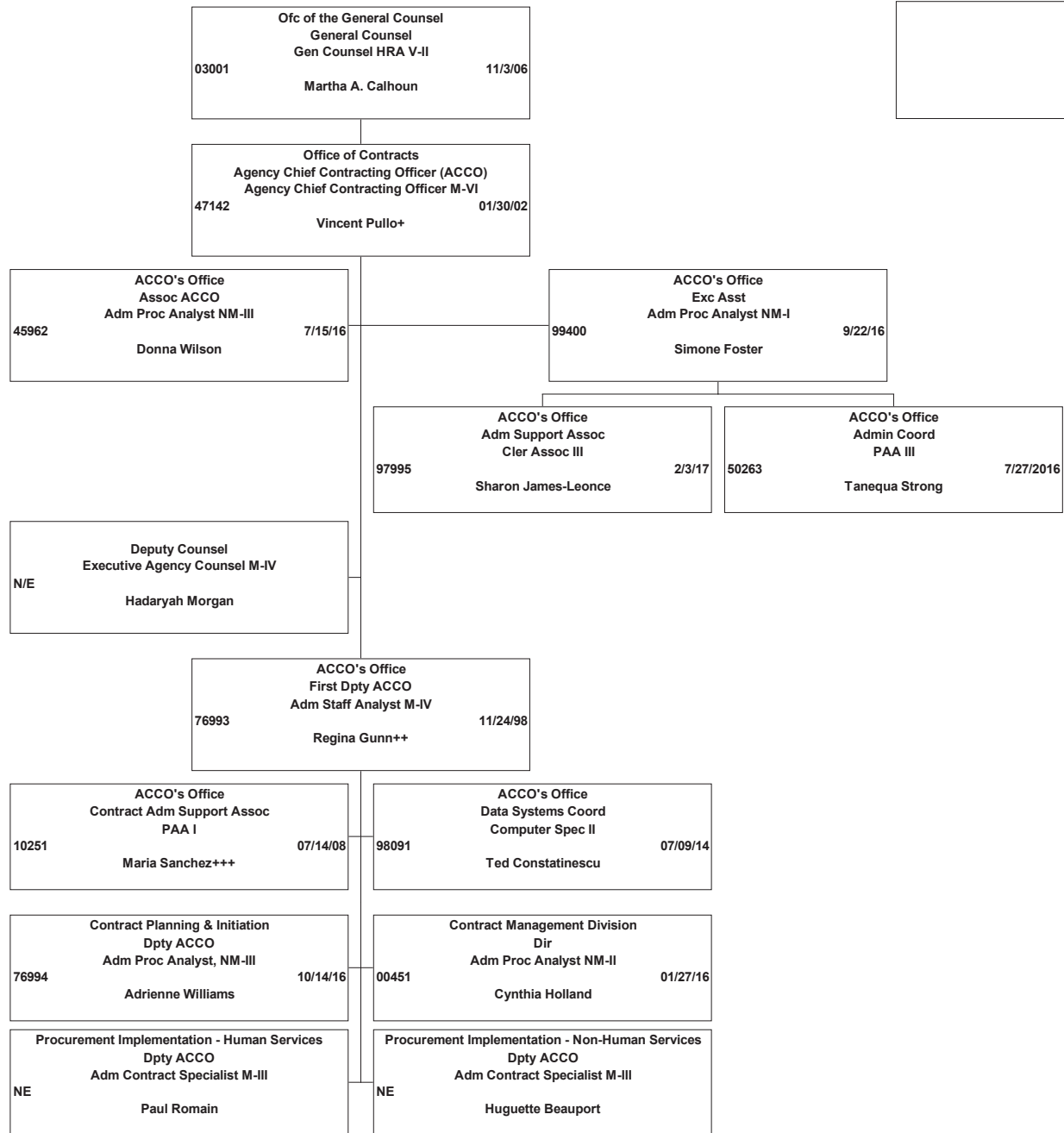
Authorized Signature (M/WBE Officer): [Signature]  
Title: ACCO Date: 6/20/17

Authorized Signature (ACCO): [Signature]  
Title: AM Date: 6/20/17

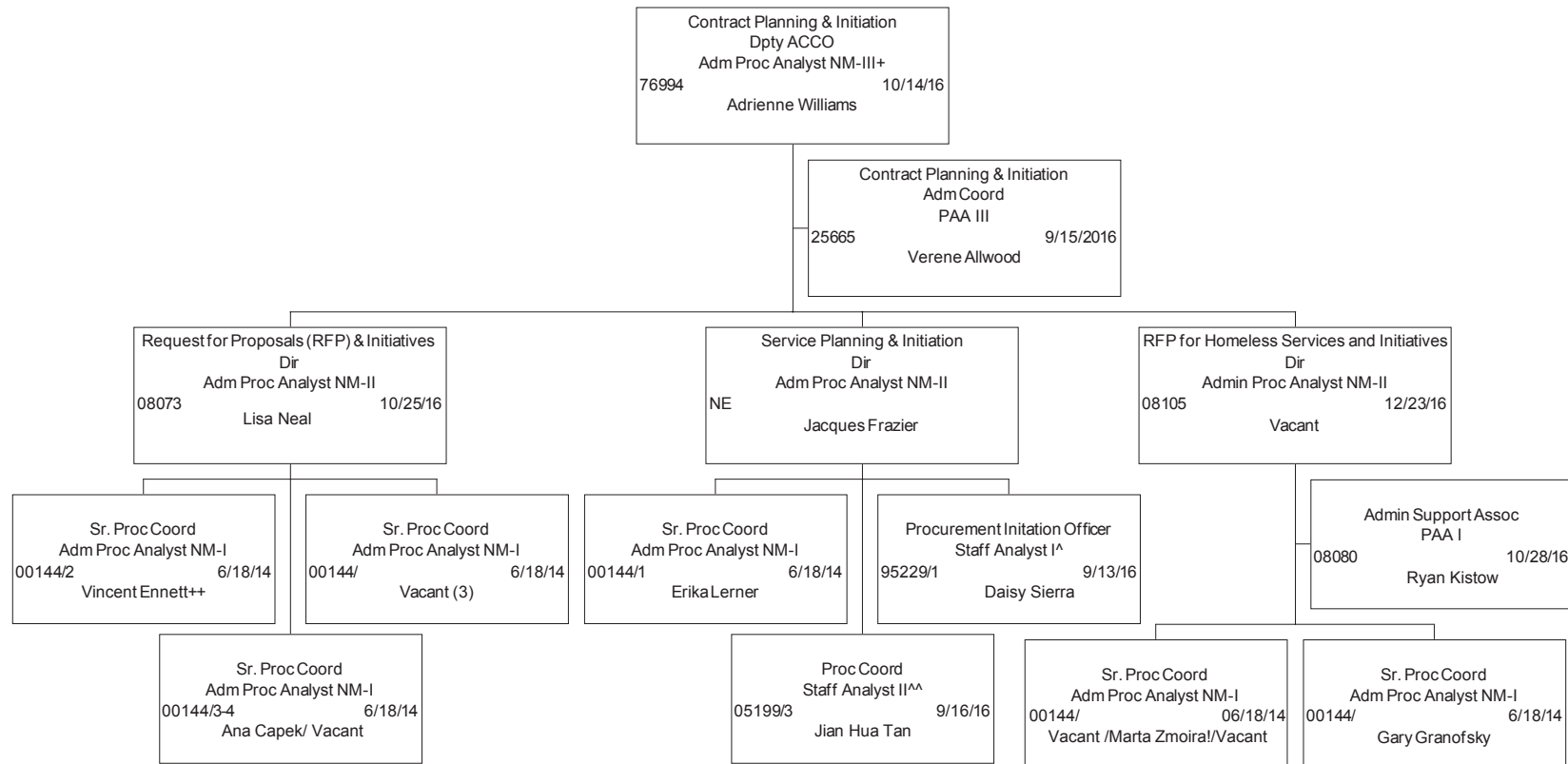
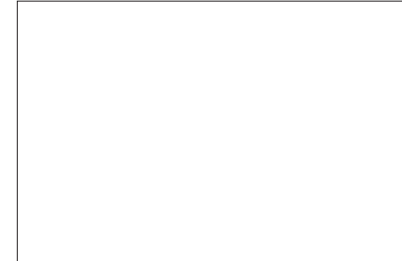
**The Office of the General Counsel**  
**Office of Contracts RC 1268**



**The Office of the General Counsel**  
**Office of Contracts RC 1268**  
**ACCO's Office**

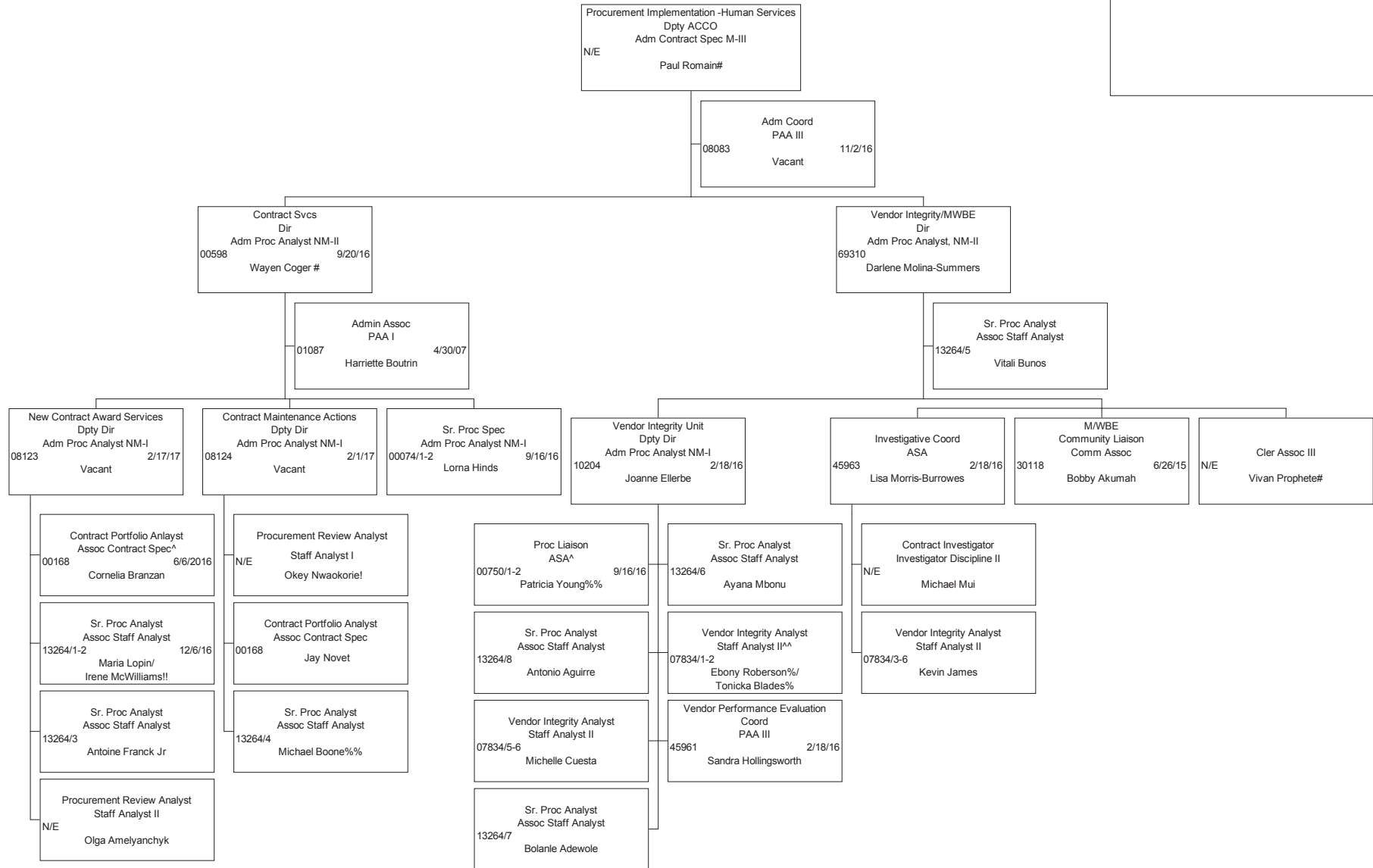
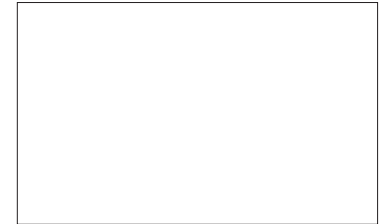


**THE OFFICE OF THE GENERAL COUNSEL**  
**OFFICE OF CONTRACTS RC 1268**  
**CONTRACT PLANNING AND INITIATION**





**THE OFFICE OF THE GENERAL COUNSEL  
OFFICE OF CONTRACTS RC 1268  
PROCUREMENT IMPLEMENTATION -HUMAN SERVICES**



**Additions/ Edits:**

1. Sash Surujall as a Proc. Review Analyst (SA II to CMAU) filling vacancy of downgraded Associate Contract Specialist line
2. CMAU - Associate Staff Analyst/ Sr. Procurement Analyst (vacancy title change from Proc. Specialist/ APA NM)

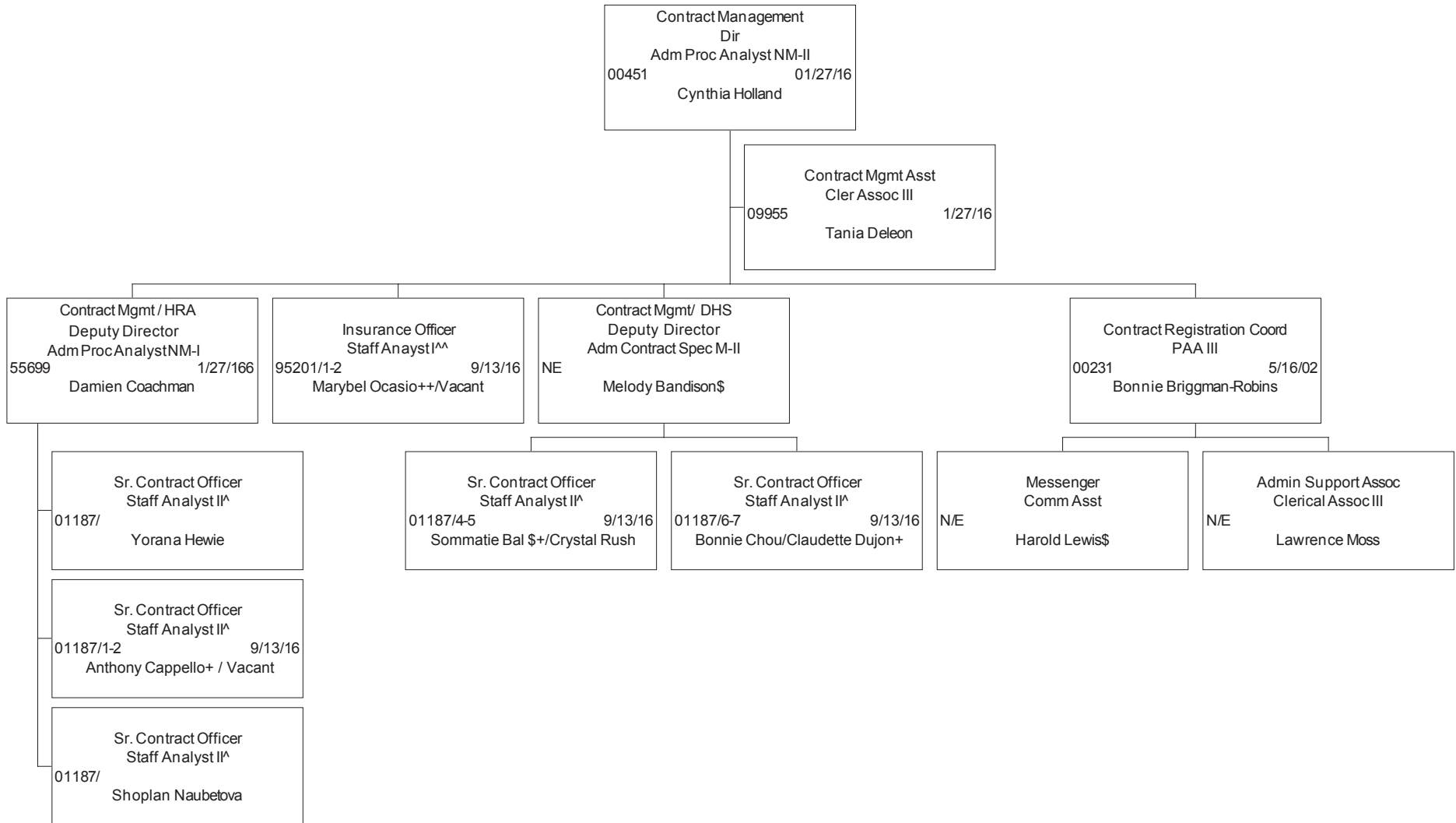
May 2017







THE OFFICE OF THE GENERAL COUNSEL  
OFFICE OF CONTRACTS RC 1268  
CONTRACT MANAGEMENT



**Department of  
Social Services /  
Human Resources  
Administration**

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Social Services (HRA)  
**Street Address** 150 Greenwich St. (4 WTC) **City** New York **State** NY **Zip Code** 10007  
**M/WBE Officer Name** Vincent Pullo **Email** pullov@hra.nyc.gov **Telephone #** 929-221-6347  
**ACCO Name** Vincent Pullo **Email** pullov@hra.nyc.gov **Telephone #** 929-221-6347  
**Date** 6/19/2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A	12.00%	38.00%	N/A	15.00%	38.00%	N/A	32.00%
	<b>Black</b>	8.00%	N/A	3.00%	8.00%	N/A	7.00%	8.00%	N/A	10.00%
	<b>Hispanic</b>	4.00%	N/A	1.00%	4.00%	N/A	4.00%	4.00%	N/A	2.00%
	<b>Asian</b>	8.00%	N/A	3.00%	8.00%	N/A	2.00%	8.00%	N/A	5.00%
	<b>Women</b>	18.00%	N/A	5.00%	18.00%	N/A	2.00%	18.00%	N/A	1.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	N/A	30.00%	37.00%	N/A	28.00%	37.00%	N/A	22.00%
	<b>Black</b>	12.00%	N/A	12.00%	12.00%	N/A	12.00%	12.00%	N/A	10.00%
	<b>Hispanic</b>	8.00%	N/A	8.00%	8.00%	N/A	8.00%	8.00%	N/A	5.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A	15.00%	17.00%	N/A	8.00%	17.00%	N/A	7.00%

Standard Services	<b>Total Standard Services</b>	31.00%	N/A	53.00%	31.00%	N/A	37.00%	31.00%	N/A	32.00%
	<b>Black</b>	12.00%	N/A	21.00%	12.00%	N/A	16.00%	12.00%	N/A	15.00%
	<b>Hispanic</b>	6.00%	N/A	21.00%	6.00%	N/A	16.00%	6.00%	N/A	6.00%
	<b>Asian</b>	3.00%	N/A	4.00%	3.00%	N/A	2.00%	3.00%	N/A	3.00%
	<b>Women</b>	10.00%	N/A	7.00%	10.00%	N/A	3.00%	10.00%	N/A	3.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A	60.00%	45.00%	N/A	50.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A	20.00%	7.00%	N/A	12.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A	5.00%	5.00%	N/A	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A	10.00%	8.00%	N/A	10.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A	25.00%	25.00%	N/A	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

Due to the limited number of construction-related contracts, HRA anticipates a small percentage in utilization goals for this category. HRA will use M/WBEs when available, and will continue to reach out to as many M/WBEs as possible.

### \$35K-\$100K

Due to the limited number of construction-related contracts, HRA anticipates a small percentage in utilization goals for this category. Thus far, HRA has been successful in awarding small purchases to M/WBE construction contractors.

### Over \$100K

HRA generally has limited construction-related solicitations, however we anticipate on soliciting some construction services in this category such as Maintenance and Repair of Emergency Generators and General Construction Services at HRA Facilities in FY'18.

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## PROFESSIONAL SERVICES:

### Under \$20K

HRA anticipates an influx of professional service contracts within this range. In particular, professional services such as Consulting Services.

### \$20K-\$100K

Note, that many of the vendors contracted with HRA via the small purchase method are not-for-profit entities. HRA anticipates that all procurement opportunities for professional services as they arise will be based on goals pertaining to M/WBE availability. As a result, these contracts will not be subject to Local Law 1 goals.

### Over \$100K

HRA anticipates a modest amount of contracts subject to Local Law 1 within this range and has set the utilization goals accordingly. HRA anticipates procuring services such as Consultant for IT Management and Consultant for Municipal Cards (IDNYC) in this category in FY'18.

## STANDARD SERVICES:

### Under \$20K

HRA has maintained an excellent track record in utilizing M/WBE vendors via Micro purchases, Small purchases and other competitively procured contracts, especially for standard services. HRA anticipates continued success in awarding a significant number of contracts to M/WBE vendors for services such as IT related services in FY'18.

### \$20K-\$100K

HRA has maintained an excellent track record in utilizing M/WBE vendors through small purchases and other competitively procured contracts, particularly for standard services. HRA anticipates continued success in awarding a significant number of contracts to M/WBE vendors for services such as Signage, Burglar Alarm Monitoring, Fire Safety Action Plan and OSHA related contracts.

### Over \$100K

HRA has traditionally high utilization with M/WBE vendors as prime contractors. However, not many M/WBEs have been low bidders. Due to the nature of these contracts, there are few sub-contracting opportunities. HRA anticipates procuring services such as Maintenance and Repair on HVAC Systems, Energy Conservation Work and Food Warehousing and Delivery Services.

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## GOODS:

### Under \$20K

HRA has maintained an excellent track record in utilizing M/WBE vendors in micro-purchases and other competitively procured contracts, specifically goods. HRA anticipates procuring goods such as office supplies in this category for FY'18. Therefore, utilization goals are based on previous years as well as anticipated procurements for FY'18.

### \$20K-\$100K

HRA has maintained an excellent track record in utilizing M/WBE vendors in small purchases and other competitively procured contracts, specifically goods. HRA anticipates the need to purchase similar goods in FY'18 as in previous fiscal years. In particular, HRA anticipates procuring goods and services such as Office furniture, Toners and Interior/Exterior Signage in this spending category within FY'18.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	
<p>Other: Increase outreach to available M/WBEs before procurements subject to Local Law 1 are solicited. Meet on a quarterly basis with M/WBE vendors from various industries on upcoming solicitations. Ensure solicitations, particularly Micro, Small and P-Card purchases are forwarded to appropriate M/WBEs contacted at various M/WBE fairs.</p>	



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	4
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	1

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

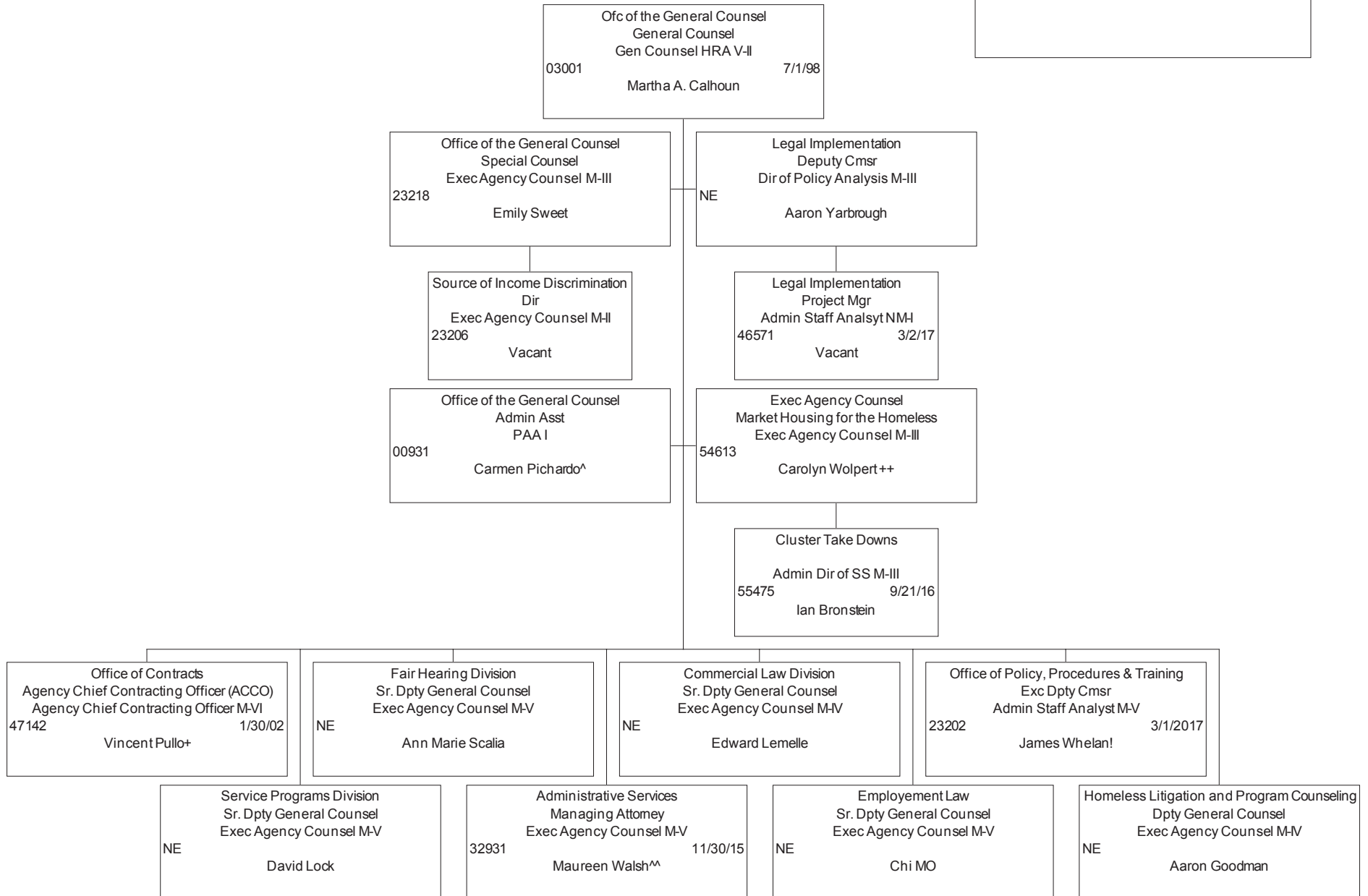
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

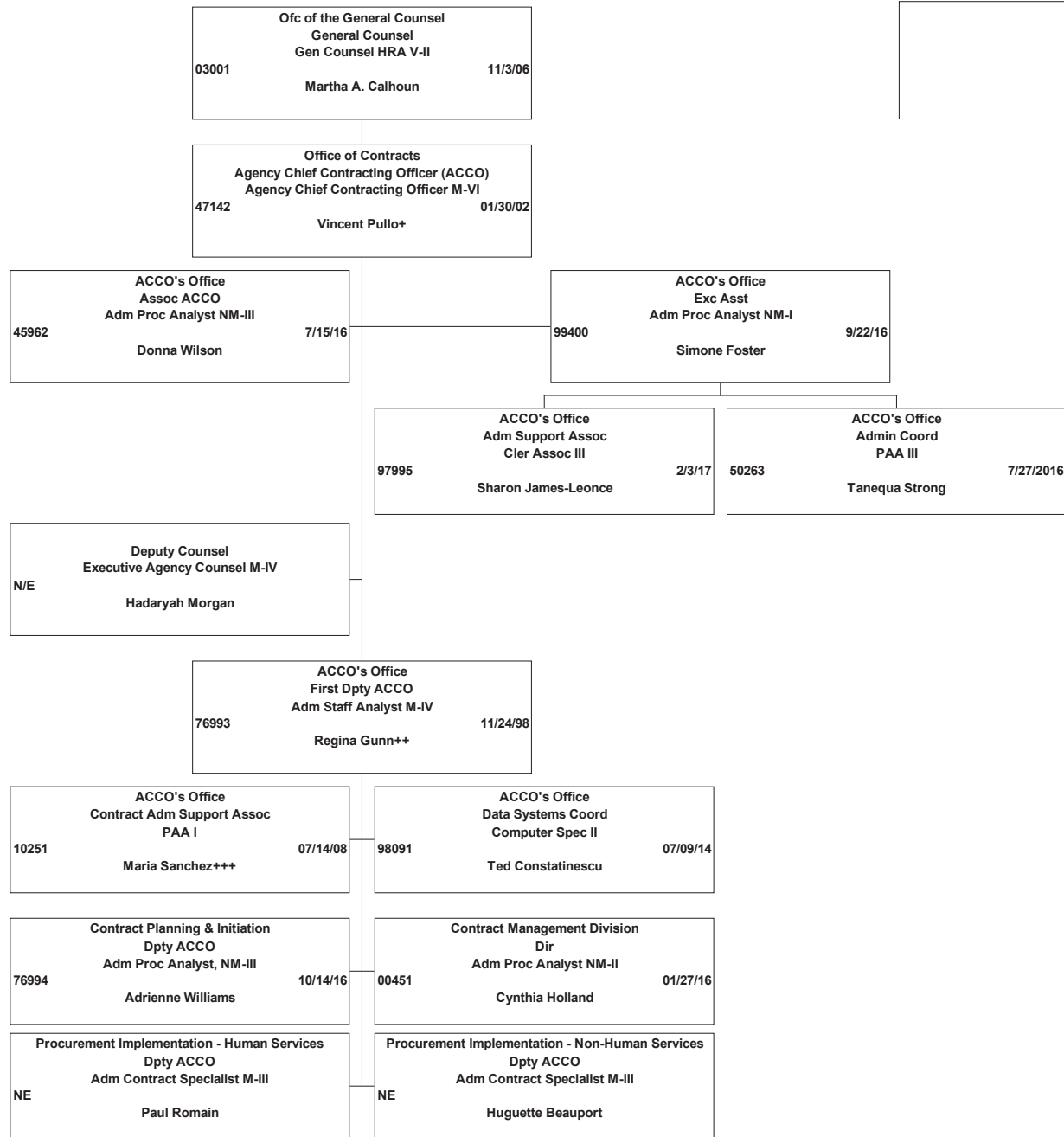
Authorized Signature (M/WBE Officer): [Signature]  
 Title: [Signature] Date: 6/30/17

Authorized Signature (ACCO): [Signature]  
 Title: [Signature] Date: 6/30/17

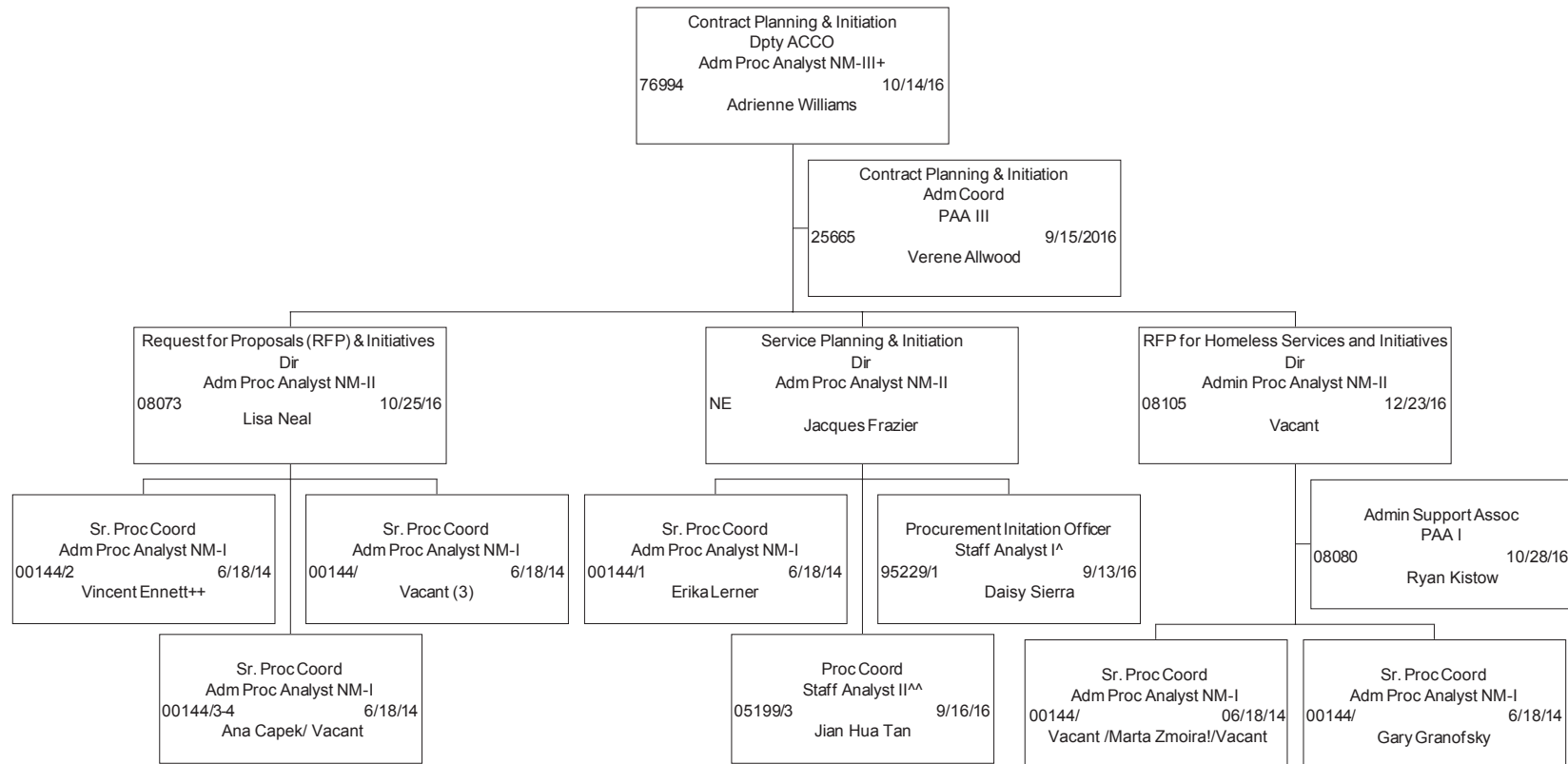
**The Office of the General Counsel**  
**Office of Contracts RC 1268**



**The Office of the General Counsel**  
**Office of Contracts RC 1268**  
**ACCO's Office**

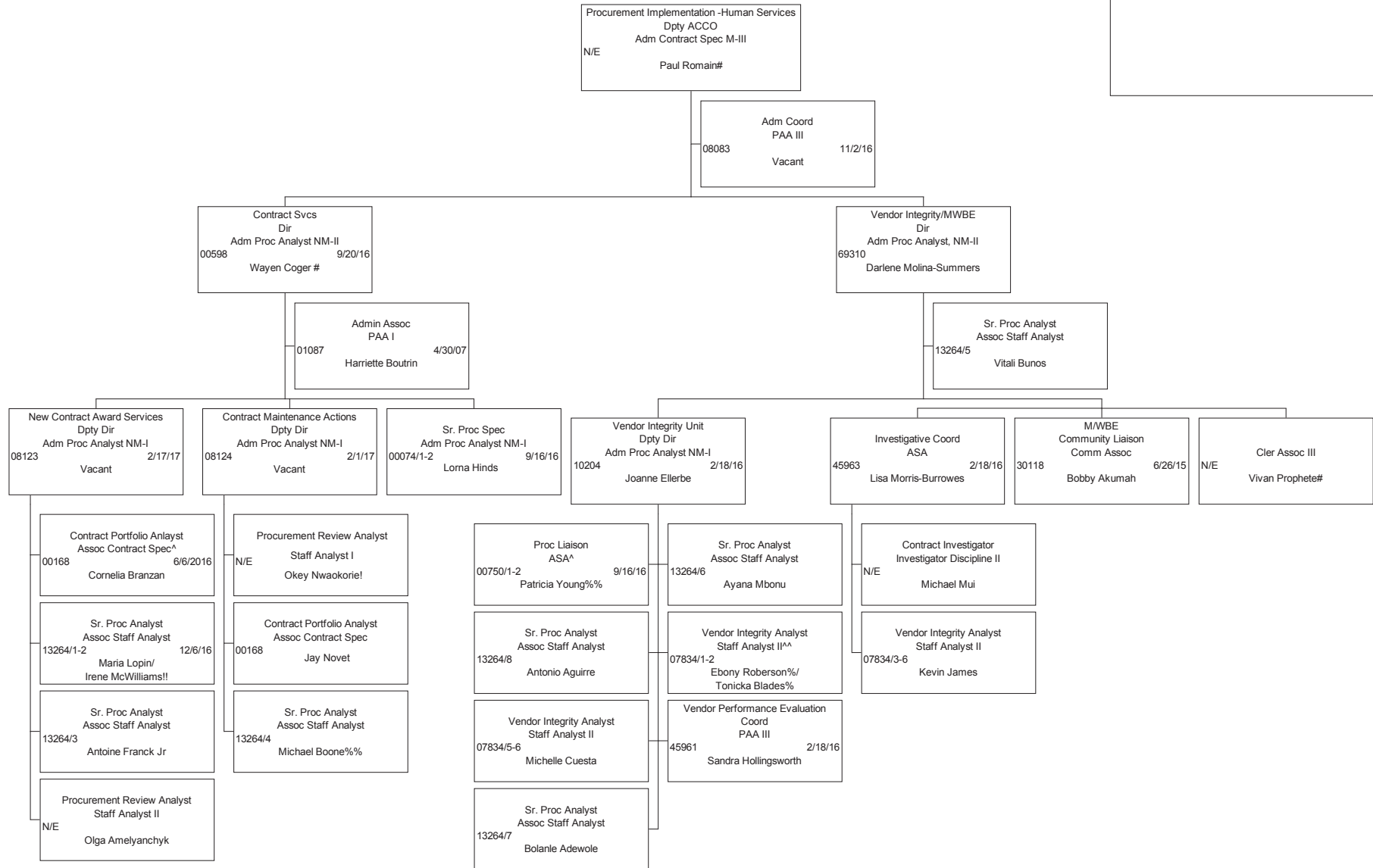
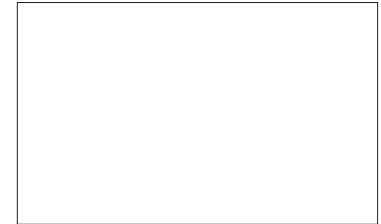


**THE OFFICE OF THE GENERAL COUNSEL**  
**OFFICE OF CONTRACTS RC 1268**  
**CONTRACT PLANNING AND INITIATION**





# THE OFFICE OF THE GENERAL COUNSEL OFFICE OF CONTRACTS RC 1268 PROCUREMENT IMPLEMENTATION -HUMAN SERVICES

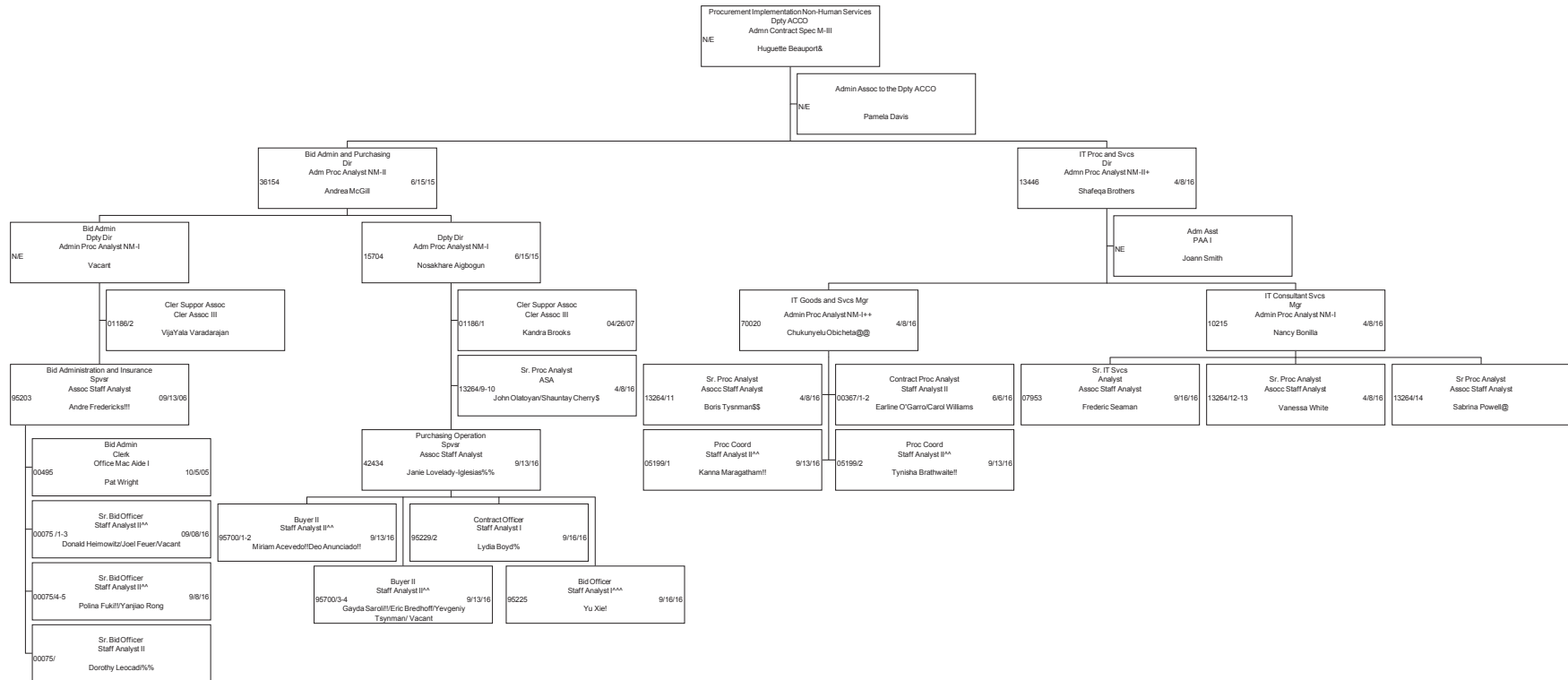
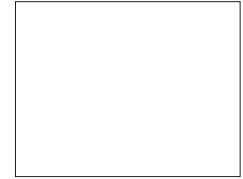


**Additions/ Edits:**

1. Sash Surujall as a Proc. Review Analyst (SA II to CMAU) filling vacancy of downgraded Associate Contract Specialist line
2. CMAU - Associate Staff Analyst/ Sr. Procurement Analyst (vacancy title change from Sr Proc. Specialist/ APA NM)

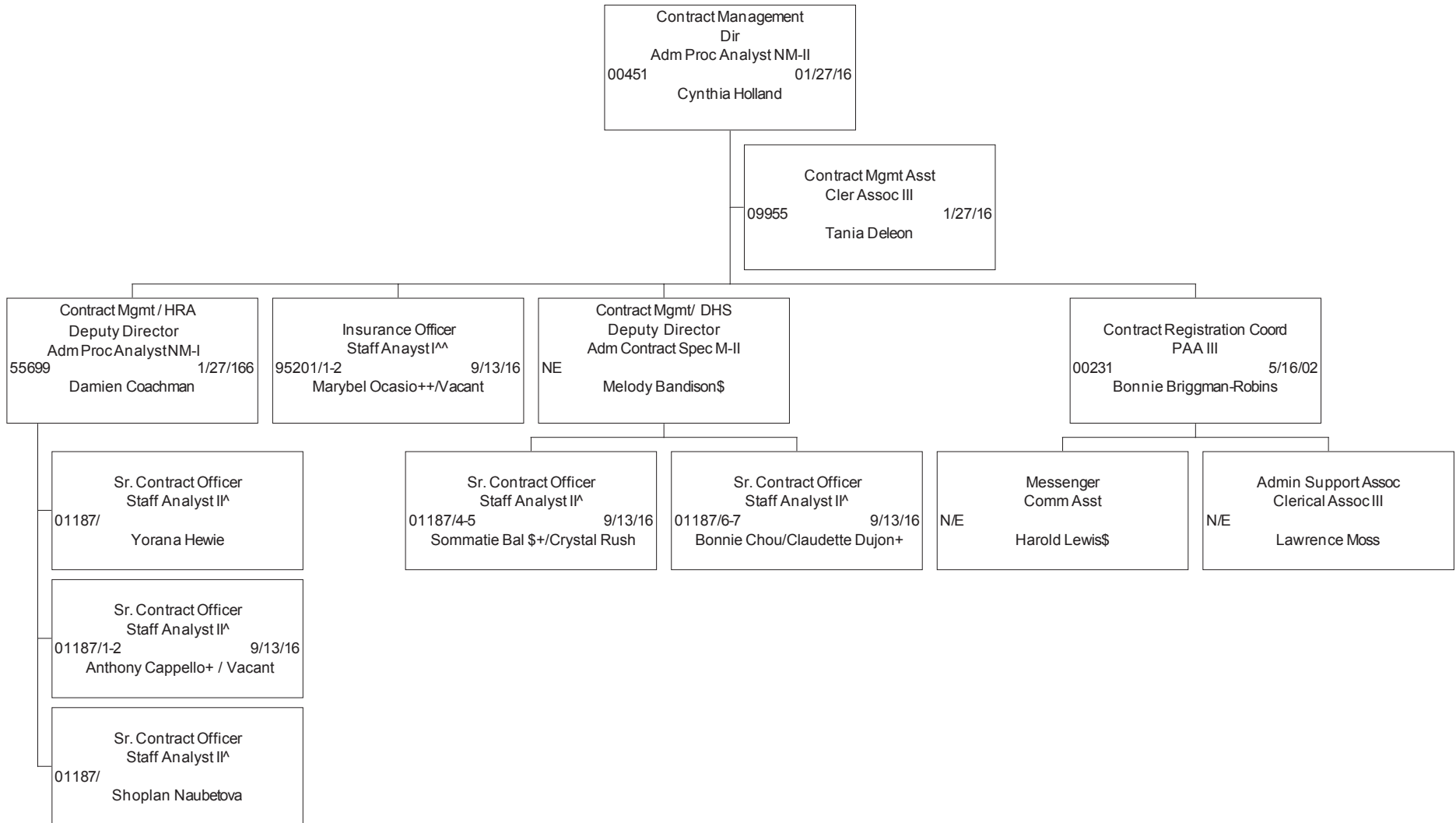
May 2017

**THE OFFICE OF THE GENERAL COUNSEL  
 OFFICE OF CONTRACTS RC 1268  
 PROCUREMENT IMPLEMENTATION NON-HUMAN SERVICES**





THE OFFICE OF THE GENERAL COUNSEL  
OFFICE OF CONTRACTS RC 1268  
CONTRACT MANAGEMENT



# Fire Department



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Fire Department of New York (FDNY)  
**Street Address** 9 MetroTech Center      **City** Brooklyn      **State** NY      **Zip Code** 11201  
**M/WBE Officer Name** Stephen Rush      **Email** Stephen.Rush@fdny.nyc.gov      **Telephone #** 718-999-2022  
**ACCO Name** Barry Greenspan      **Email** Barry.Greenspan@fdny.nyc.gov      **Telephone #** 718-999-1221  
**Date** 5/24/17

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	38.00%	38.00%	38.00%	0.00%	0.00%	38.00%	20.00%	20.00%
	<b>Black</b>	8.00%	8.00%	4.00%	8.00%	0.00%	0.00%	8.00%	5.00%	5.00%
	<b>Hispanic</b>	4.00%	4.00%	4.00%	4.00%	0.00%	0.00%	4.00%	5.00%	5.00%
	<b>Asian</b>	8.00%	8.00%	10.00%	8.00%	0.00%	0.00%	8.00%	5.00%	5.00%
	<b>Women</b>	18.00%	18.00%	20.00%	18.00%	0.00%	0.00%	18.00%	5.00%	5.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	0.00%	0.00%	37.00%	13.00%	15.00%	37.00%	20.00%	20.00%
	<b>Black</b>	12.00%	0.00%	0.00%	12.00%	6.00%	3.00%	12.00%	5.00%	5.00%
	<b>Hispanic</b>	8.00%	0.00%	0.00%	8.00%	2.00%	2.00%	8.00%	5.00%	5.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	0.00%	0.00%	17.00%	5.00%	10.00%	17.00%	10.00%	10.00%

Standard Services	<b>Total Standard Services</b>	31.00%	21.00%	21.00%	31.00%	21.00%	10.00%	31.00%	21.00%	21.00%
	<b>Black</b>	12.00%	8.00%	8.00%	12.00%	8.00%	3.00%	12.00%	8.00%	8.00%
	<b>Hispanic</b>	6.00%	4.00%	4.00%	6.00%	4.00%	2.00%	6.00%	4.00%	4.00%
	<b>Asian</b>	3.00%	2.00%	2.00%	3.00%	2.00%	2.00%	3.00%	2.00%	2.00%
	<b>Women</b>	10.00%	7.00%	7.00%	10.00%	7.00%	3.00%	10.00%	7.00%	7.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	25.00%	40.00%	45.00%	35.00%	45.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	3.00%	5.00%	7.00%	12.00%	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	2.00%	5.00%	5.00%	6.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	5.00%	10.00%	8.00%	3.00%	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	15.00%	20.00%	25.00%	10.00%	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

The majority of construction related work is performed under task order based requirement contracts. FDNY has been and will continue to review task orders for additional micro purchase awards to M/WBE vendors. In FY 17 thus far, FDNY exceeded their overall utilization goal in this area with a total utilization of 44%, but had lower utilization rates for Black and Hispanic vendors. In FY 18, FDNY intends on procuring a number of services from M/WBE vendors, including, but not limited to, the ongoing refurbishment of firehouses to add facilities for female firefighters; etc. Therefore, for FY 18, the FDNY anticipates that performance will be consistent with FY 17 historical data, and a result of this, we set a goal of 38%, consistent with the Citywide Goals in this area.

### **\$35K-\$100K**

The majority of construction related work procured by the FDNY falls under either the micro purchase category (under \$35,000) or as part of a task order based formal contract (over \$100,000). In FY 17, FDNY did not award any small purchases to M/WBE vendors in this category. Based on the FDNY's historical performance, the FDNY does not anticipate any awards in this category of work in FY18.

### **Over \$100K**

We anticipate that four construction based contracts (GC services for Bronx, Manhattan & Queens, GC services for Brooklyn and Staten Island, Electrical Contracting Services and Asbestos Abatement Services) will be solicited in FY18 and we expect that M/WBE participation will be possible in these procurements, especially for subcontracting services. Additionally, the FDNY will be awarding a contract for Overhead Door Repair Services in Queens to a WBE vendor in FY 18. However, due to the competitive nature of procurements over \$100,000 and based on FY 17 Utilization data (currently 16%), the FDNY has set a more realistic utilization goal of 20% for FY 18.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

In FY 17, the FDNY awarded a micro purchase to a women owned business for medical examination services, however, we do not anticipate a necessity for those services again. Therefore, the FDNY does not anticipate any awards in this category of work in FY 18.

### **\$20K-\$100K**

FDNY anticipates a limited number of professional service awards in this category, but does expect that M/WBE participation will be available for these procurements. In FY 18, FDNY intends on procuring professional services including, but not limited to, assessment and analysis of recruitment data, and training for Firefighters. In FY 17, only one award was made in this category to a Women-owned business. As a result of our historical performance, expected procurements for the next Fiscal year, and our continued efforts in outreach, FDNY has the capability of meeting a utilization goal of 15% in this category of services for FY18.

### **Over \$100K**

We anticipate that several professional service contracts subject to LL1 will be solicited in FY18 (Construction Management Services, Technology Support Center and Staffing, etc.) and that M/WBE participation will be available in these procurements including subcontracting services. However, professional service contracts are typically solicited through the RFP process which is a competitive process. In addition, professional service procurements in general are limited because most are IT related and are procured utilizing NYS OGS or GSA Schedule 70 vendors. Based on this information, FDNY's historical performance and the competitive nature of these procurements, the FDNY has set a utilization goal of 20% for FY 18.

## STANDARD SERVICES:

### Under \$20K

In the micro purchase category, although the FDNY has seen some improvement in the awards made to M/WBE vendors, we still remain lower than the City targeted goals. FDNY has instituted procedures to encourage users to reach out directly to M/WBE providers in this category and provide documentation of their efforts. FDNY will continue to work with the buyers and users of P-Cards to regularly consult the SBS certified M/WBE listing and our internal M/WBE database to see if new vendors can be located. In FY 18, the FDNY anticipates awarding micro purchases to M/WBEs in the areas including, but not limited to, equipment repair and maintenance and publishing and printing services. Based on historical data and our outreach practices, FDNY has set a utilization goal of 21% for FY 18.

### \$20K-\$100K

There are a limited number of awards in this category of services. Although small purchase goals can be targeted to meet the Citywide goals by continuing to identify qualified M/WBE participants that will provide quotes for the bids, comparison of awards for small purchases above the \$20,000 limit indicates that irrespective of increased outreach activities, awards remain less than the Citywide goal. Historically, despite the FDNY's outreach activities, there are a lack of available M/WBE vendors that both possess the capacity to provide the services needed and price competitively. Some of the opportunities in this area such as shredding and small scale cleaning services will be awarded to NYSID via Required Source procurement as per State Law. Services such as extermination and software maintenance. Based on this information and FY17 data, FDNY has set a more realistic goal of 10% for FY 18.

### Over \$100K

Most of FDNY's competitive sealed bids are solicited under this category of services. In FY18, the FDNY will procure Temporary Staffing services in this category, among other procurements. These contracts will provide an opportunity for participation from both primary M/WBE contractors and subcontractors. The FDNY intended on soliciting a contract via Competitive Sealed Bid for Gardening Services with M/WBE utilization goals, but the Contract will be awarded to NYSID via a Required Source procurement as per State Law. Based on historical performance and the competitive nature of procurements over \$100,000, FDNY has set a utilization goal of 21% utilization in this area.

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## GOODS:

### Under \$20K

In the micro purchase categories, although the FDNY has seen improvement in the awards made to M/WBE vendors, we still historically remain lower than the City targeted goals. FDNY has instituted procedures to encourage users to reach out to M/WBE providers directly in this category and provide documentation of their efforts. FDNY will continue to work with the buyers and users of P-Cards to regularly consult the SBS certified M/WBE listing to see if new vendors can be located. In FY 18, the FDNY anticipates awarding micro purchases to M/WBEs for goods purchases including, but not limited to, lumber, commercial supplies and equipment, plumbing fixtures, electrical supplies and accessories, tools, and promotional items. Therefore, the FDNY has the capability of meeting a utilization goal of 40% in this category for FY18.

### \$20K-\$100K

FDNY has made significant progress in the procurement of goods from M/WBEs in this category. This is partly due to the availability of M/WBE vendors who can provide supplies in this area as well as to an increase in the number of M/WBE vendors that are included in each solicitation. FDNY continues to expand the small purchase bid outreach and has increased the requirements to add matching M/WBE vendors. In FY 18, the FDNY anticipates awarding small purchases to M/WBEs for goods including, but not limited to, auto parts, drugs & pharmaceuticals, and electrical, heating and plumbing supplies. Therefore, the FDNY has the capability of meeting a utilization goal of 45% in this area.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

1. The FDNY is developing an Electronic M/WBE Program, including the following:
  - a. Automation of FDNY's internal M/WBE vendor database and utilization of tablets at M/WBE Networking Events to more efficiently connect with and track M/WBE vendors
  - b. Creation of a new M/WBE web page on the FDNY Internet site
  - c. FDNY Web information showings mall purchasing initiatives to allow for expressions of interest from certified M/WBE vendors
2. FDNY intends to perform Intergovernmental work with City Council representatives and State Legislative personnel from NYC to encourage them to promote our M/WBE initiatives in our communities
3. FDNY will host our annual M/WBE Networking Event in the Fall of 2017.
4. FDNY intends to utilize pre-bid/pre-proposal meetings as a networking opportunity for M/WBE vendors to meet and partner with vendors interested in becoming the prime contractor on solicitations.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	16
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	

## G. Agency Organization



Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

The Fire Department does not anticipate that there is any legislation, rules, policies or programs, other than those guidelines set forth in the existing new law that would impact the agency utilization or the ability to participate in this program.

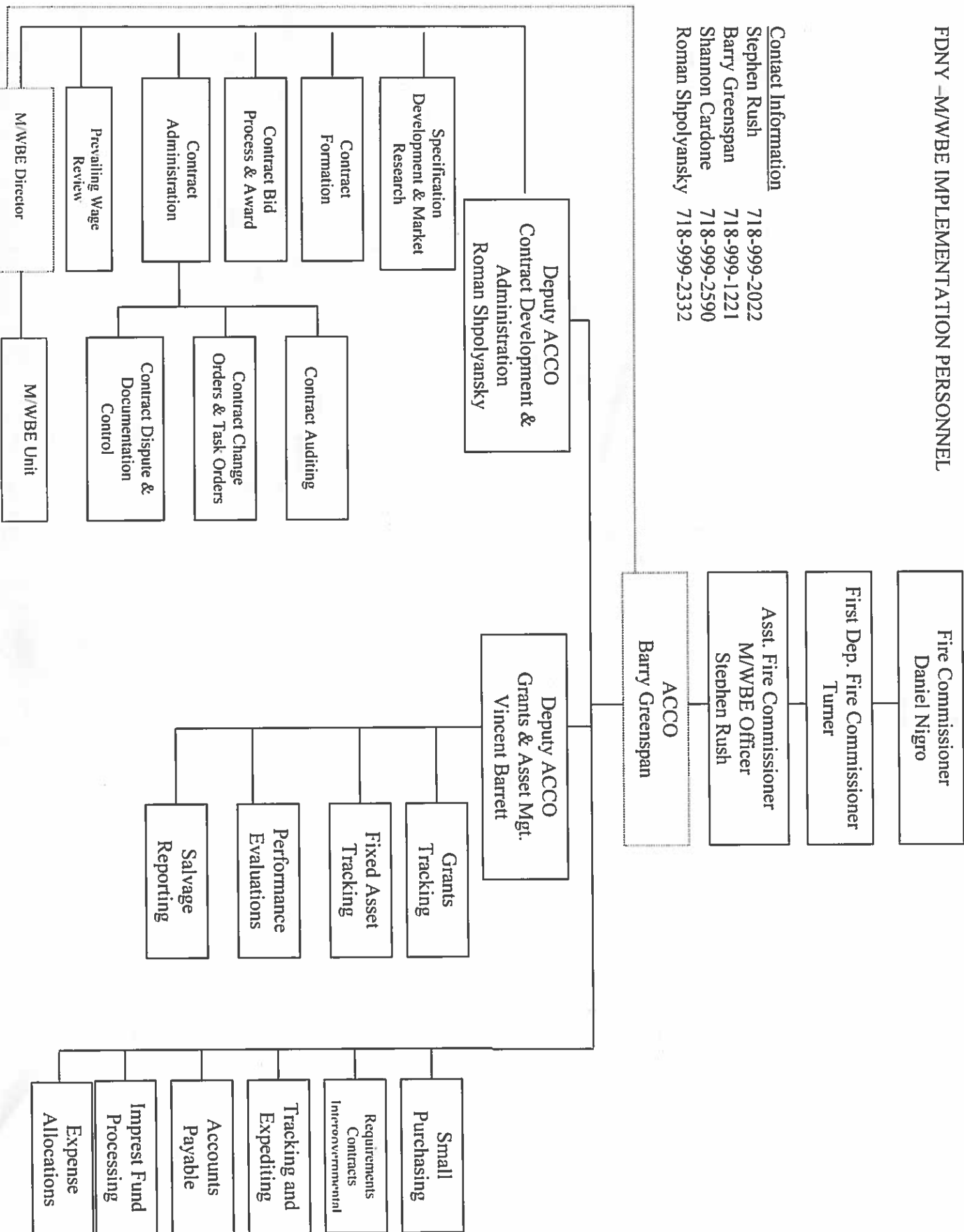
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):			
Title:	ASST. COMM	Date:	6-1-17
Authorized Signature (ACCO):			
Title:	ACCO	Date:	5-31-17

FDNY - M/WBE IMPLEMENTATION PERSONNEL

Contact Information  
 Stephen Rush 718-999-2022  
 Barry Greenspan 718-999-1221  
 Shannon Cardone 718-999-2590  
 Roman Shpolyansky 718-999-2332



# **Housing Preservation and Development**



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Housing Preservation and Development (HPD)  
**Street Address** 100 Gold Street **City** New York **State** NY **Zip Code** 10038  
**M/WBE Officer Name** Baaba K. Halm **Email** halmb@hpd.nyc.gov **Telephone #** 212-863-5289  
**ACCO Name** Malissa Smith **Email** smithm2@hpd.nyc.gov **Telephone #** 212-863-6652  
**Date** July 13, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	40.00%	40.00%	38.00%	45.00%	50.00%	38.00%	15.00%	20.00%
	<b>Black</b>	8.00%	8.00%	8.00%	8.00%	9.00%	11.00%	8.00%	4.00%	4.00%
	<b>Hispanic</b>	4.00%	4.00%	4.00%	4.00%	5.00%	7.00%	4.00%	1.00%	3.00%
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	9.00%	11.00%	8.00%	4.00%	4.00%
	<b>Women</b>	18.00%	20.00%	20.00%	18.00%	20.00%	21.00%	18.00%	11.00%	9.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	10.00%	10.00%	37.00%	25.00%	10.00%	37.00%	25.00%	20.00%
	<b>Black</b>	12.00%	4.00%	4.00%	12.00%	8.00%	3.00%	12.00%	8.00%	6.00%
	<b>Hispanic</b>	8.00%	4.00%	4.00%	8.00%	4.00%	3.00%	8.00%	4.00%	3.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	2.00%	2.00%	17.00%	13.00%	4.00%	17.00%	13.00%	11.00%

Standard Services	<b>Total Standard Services</b>	31.00%	20.00%	20.00%	31.00%	40.00%	40.00%	31.00%	25.00%	31.00%
	<b>Black</b>	12.00%	9.00%	9.00%	12.00%	16.00%	16.00%	12.00%	10.00%	12.00%
	<b>Hispanic</b>	6.00%	3.00%	3.00%	6.00%	8.00%	8.00%	6.00%	5.00%	6.00%
	<b>Asian</b>	3.00%	1.00%	1.00%	3.00%	4.00%	4.00%	3.00%	2.00%	3.00%
	<b>Women</b>	10.00%	7.00%	7.00%	10.00%	12.00%	12.00%	10.00%	8.00%	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	45.00%	45.00%	45.00%	50.00%	5.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	7.00%	7.00%	7.00%	9.00%	1.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	5.00%	5.00%	5.00%	6.00%	1.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	8.00%	8.00%	8.00%	10.00%	1.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	25.00%	25.00%	25.00%	25.00%	2.00%	No Goal	No Goal	No Goal

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

This category primarily consists of the procurement of contractors to conduct critical and urgent repairs to private residential buildings and demolition-related services for structures deemed unsafe. In light of the Agency's recent performance in this category and known possible contracts for FY18, the Agency rather than the citywide goal is adopting a 40% goal in this category.

### **\$35K-\$100K**

This category primarily consists of the procurement of contractors to conduct critical and urgent repairs to private residential buildings and demolition-related services for structures deemed unsafe. HPD has surpassed the citywide goal set in this category. Due to the policies in place to encourage M/WBE opportunities and anticipated contracting in this category, the Agency rather than the citywide goal is adopting a 50% goal in this category.

### **Over \$100K**

The Agency has historically had limited large contracts in this category. Contracts of this size, generally relate to the procurement of contractors to conduct critical and urgent repairs to private residential buildings and demolition-related services for structures deemed unsafe. Additionally, some of these contracts are considered emergency-based procurements which do not fall within the ambit of Local Law 1. In looking at our projected contracting for FY18, the Agency anticipates limited contracting in this category few of which will have opportunities for subcontracting. Therefore, the Agency rather than the citywide goal is adopting a 20% goal in this category.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

The Agency has had very little spending in this category over the past several years and has fallen short of the citywide goals in this area. Much of the Agency's professional services spending is excluded from Local Law 1 because those services are primarily IT consulting services that tend to be procured from non-profit organizations or off task orders. We anticipate that there will be limited, if any, M/WBE participation in this category and therefore the Agency rather than the citywide goal is adopting a 10% goal in this category.

### **\$20K-\$100K**

Much of the Agency's professional services spending is excluded from Local Law 1 because those services tend to be procured from non-profit organizations or off task orders. The Agency had no Local Law 1-eligible spending in this category in FY17. Consequently, rather than the citywide goal, the Agency is adopting a 10% goal in this category.

### **Over \$100K**

We have had limited spending in this category over the last two fiscal years, as much of our recent and projected spending is related to IT consulting needs, which must utilize task orders off of master contracts through DOITT. The few contracts that we have had in this size category have had limited opportunities for subcontracting. Consequently, rather than the citywide goal, the Agency is adopting a 20% goal in this category.

## STANDARD SERVICES:

### Under \$20K

Most of the Local Law 1-eligible spending in this category has been for office products and services such as shipping, certified legal education training, interpretation and translation and maintenance services. In review of the Agency 's overall spending in this category and projected spending for FY18, rather than the citywide goal, the Agency is adopting a 20% goal in this category.

### \$20K-\$100K

Most of the Local Law 1-eligible spending in this category has been for office products and services, such as shipping, certified legal education training and maintenance services. The Agency has consistently met the citywide goal in this category and based on our review of projected spending for FY18 we anticipate achieving a similar result. Consequently, rather than the citywide goal, the Agency is adopting a 40% goal for this category.

### Over \$100K

The Local Law 1-eligible contracting in this category has typically involved moving services, building services (unrelated to construction) and payroll services. Based on projected contracting opportunities for FY18, the Agency is adopting the citywide goal of 31% in this category.

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## GOODS:

### Under \$20K

The Local Law 1-eligible contracting in this category primarily involves office supplies and furniture. HPD adopted and has had consistent spending and met the citywide goal in the last several fiscal years. Due to a Based on projected spending for FY18, the Agency is adopting the citywide goal of 45% in this category.

### \$20K-\$100K

The Local Law 1-eligible spending in this category primarily involves office supplies and furniture. These goods are available on New York State Preferred Source Contracts or DCAS requirements contracts. DCAS requirements contracts, in particular, have broadened in the last year to include products for which we would have previously had more flexibility to determine the vendor. Because we don't expect contracts outside of these categories, we have limited flexibility in this category and expect low M/WBE utilization. Consequently, rather than the citywide goal, the Agency is adopting a 5% goal.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	1
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	2

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

NYC Citywide Administrative Services' Office of Citywide Procurement and NYS Office of General Services' Preferred Source guidance.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): Barda K. Haem

Title: M/WBE Officer Date: 5/24/17

Authorized Signature (ACCO): Maxim Sereb

Title: Agency Chief Contracting Officer Date: 5/24/17

## G. Agency Organization

Agency M/WBE Officer  
Assistant Commissioner  
Economic Opportunity & Regulatory Compliance

Baaba K. Halm  
212-863-5289  
[Halmb@hpd.nyc.gov](mailto:Halmb@hpd.nyc.gov)

Executive Director  
Regulatory Compliance

Lucy Joffe  
212-863-7968  
[Joffel@hpd.nyc.gov](mailto:Joffel@hpd.nyc.gov)

Deputy Director  
Labor Monitoring Unit

Terry Riley  
212-863-6065  
[Rileyt@hpd.nyc.gov](mailto:Rileyt@hpd.nyc.gov)

Assistant Commissioner/Agency Chief Contracting Officer

Malissa Smith  
212-863-6652  
[Smithm2@hpd.nyc.gov](mailto:Smithm2@hpd.nyc.gov)

Deputy Agency Chief Contracting Officer

Jay Bernstein  
212-863-6657  
[jb1@hpd.nyc.gov](mailto:jb1@hpd.nyc.gov)

Deputy Agency Chief Contracting Officer

Gaurav Channan  
212-863-6140  
[Channang@hpd.nyc.gov](mailto:Channang@hpd.nyc.gov)

Deputy Agency Chief Contracting Officer

Penny Langsam  
212-863-6640  
[Langsamp@hpd.nyc.gov](mailto:Langsamp@hpd.nyc.gov)

Director of Contract Registration

Lisa Thorpe  
212-863-5681  
[Thropel@hpd.nyc.gov](mailto:Thropel@hpd.nyc.gov)

Deputy General Counsel  
Contracts, Procurement & Labor

Maurice Dobson  
212-863-8359  
[Dobsonm@hpd.nyc.gov](mailto:Dobsonm@hpd.nyc.gov)

# Law Department



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Law Department (Law)  
**Street Address** 100 Church Street **City** New York **State** NY **Zip Code** 10007  
**M/WBE Officer Name** Muriel Goode-Trufant **Email** mgoodetr@law.nyc.gov **Telephone #** 212-356-2200  
**ACCO Name** Samuel Moriber **Email** smoriber@law.nyc.gov **Telephone #** 212-356-1120  
**Date** May 25, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%	38.00%	0.00%	0.00%
	<b>Black</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Hispanic</b>	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%	4.00%	0.00%	0.00%
	<b>Asian</b>	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%	8.00%	0.00%	0.00%
	<b>Women</b>	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%	18.00%	0.00%	0.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	14.00%	14.00%	37.00%	14.00%	14.00%	37.00%	14.00%	14.00%
	<b>Black</b>	12.00%	3.00%	3.00%	12.00%	3.00%	3.00%	12.00%	3.00%	3.00%
	<b>Hispanic</b>	8.00%	2.00%	2.00%	8.00%	2.00%	2.00%	8.00%	2.00%	2.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	9.00%	9.00%	17.00%	9.00%	9.00%	17.00%	9.00%	9.00%

Standard Services	<b>Total Standard Services</b>	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%	31.00%
	<b>Black</b>	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%	12.00%
	<b>Hispanic</b>	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%
	<b>Asian</b>	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
	<b>Women</b>	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	20.00%	45.00%	45.00%	20.00%	45.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	4.00%	7.00%	7.00%	4.00%	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	2.00%	5.00%	5.00%	2.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	4.00%	8.00%	8.00%	4.00%	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	10.00%	25.00%	25.00%	10.00%	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

The Law Department does not expect to award construction contracts in FY18.

### \$35K-\$100K

The Law Department does not expect to award construction contracts in FY18.

### Over \$100K

The Law Department does not expect to award construction contracts in FY18.

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## PROFESSIONAL SERVICES:

### Under \$20K

See below.

### \$20K-\$100K

See below.

### Over \$100K

Based on our past record of awarding professional services contracts to MWBEs, and the following factors, we anticipate that we can meet approximately one quarter of the Citywide goals. The professional contracts we award typically do not involve subcontracting, and therefore, we do not have available to us the tool of establishing participation goals for prime contractors to meet. It is also not typical for professionals used by the Law Department to enter into joint venture agreements. Generally, the only way for us to make progress toward a goal is to award a prime contract to an MWBE. A very large percentage of our professional contract awards are for engagements as expert witnesses in professional fields for which there are generally no certified professionals listed in the City's MWBE Directory, let alone professionals with experience as expert witnesses. Examples are as follows: (1) medicine, in fields such as orthopedics, neurology, psychology, internal medicine, etc.; (2) economics; (3) statistics; (4) real estate appraisal; (5) engineering. However, please note that we are currently in the process of awarding two \$1,325,000 contracts for Independent Medical Exams to two City-certified MWBEs. Depending on when contract registration is completed, the awards will either be recorded in FY17 or in FY18. It should also be noted that some of our budget expenses are to reimburse contractors selected by pro bono counsel or by another party in litigation involving the City.

## STANDARD SERVICES:

### Under \$20K

See below.

### \$20K-\$100K

See below.

### Over \$100K

We believe we may be able to achieve the Citywide goals. We have had success in the past awarding contracts for services such as photocopying, process serving and court reporting to certified MWBEs. In FY18, we plan to award new contracts for interpreting, written translation and transcription, all of which have often resulted in awards to certified MWBEs.

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## GOODS:

### Under \$20K

See below.

### \$20K-\$100K

Based on our past record of awarding goods contracts to certified MWBEs, we believe we may be able to achieve the Citywide goals.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other: Before exercising their discretion, Law Department staff who have authority to make micropurchase awards and other discretionary awards (i.e., negotiated acquisition of legal services and consulting services in support of litigation) must first conduct a search of the City's MWBE Directory to see if there are any certified MWBEs listed in the Directory who may be qualified to be considered for the award. If there are, staff members must consider such MWBEs along with any other vendors they may be aware of and, if appropriate, award to the certified MWBE. If the certified MWBE is not selected, then before the selection will be approved, the staff member must provide an explanation for why the MWBE was not selected. In addition, where legal services are being procured, the staff member must conduct a similar search of the website of the National Association of Minority and Woman-Owned Law Firms ("NAMWOLF") to see if there are any NAMWOLF members who may be qualified to be considered for award.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	None
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	NONE

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

The Law Department does not contract with outside law firms or experts representing clients whose interests conflict with the City's. Some of our budget expenses are to reimburse contractors selected by pro bono counsel or by another party in litigation involving the City.

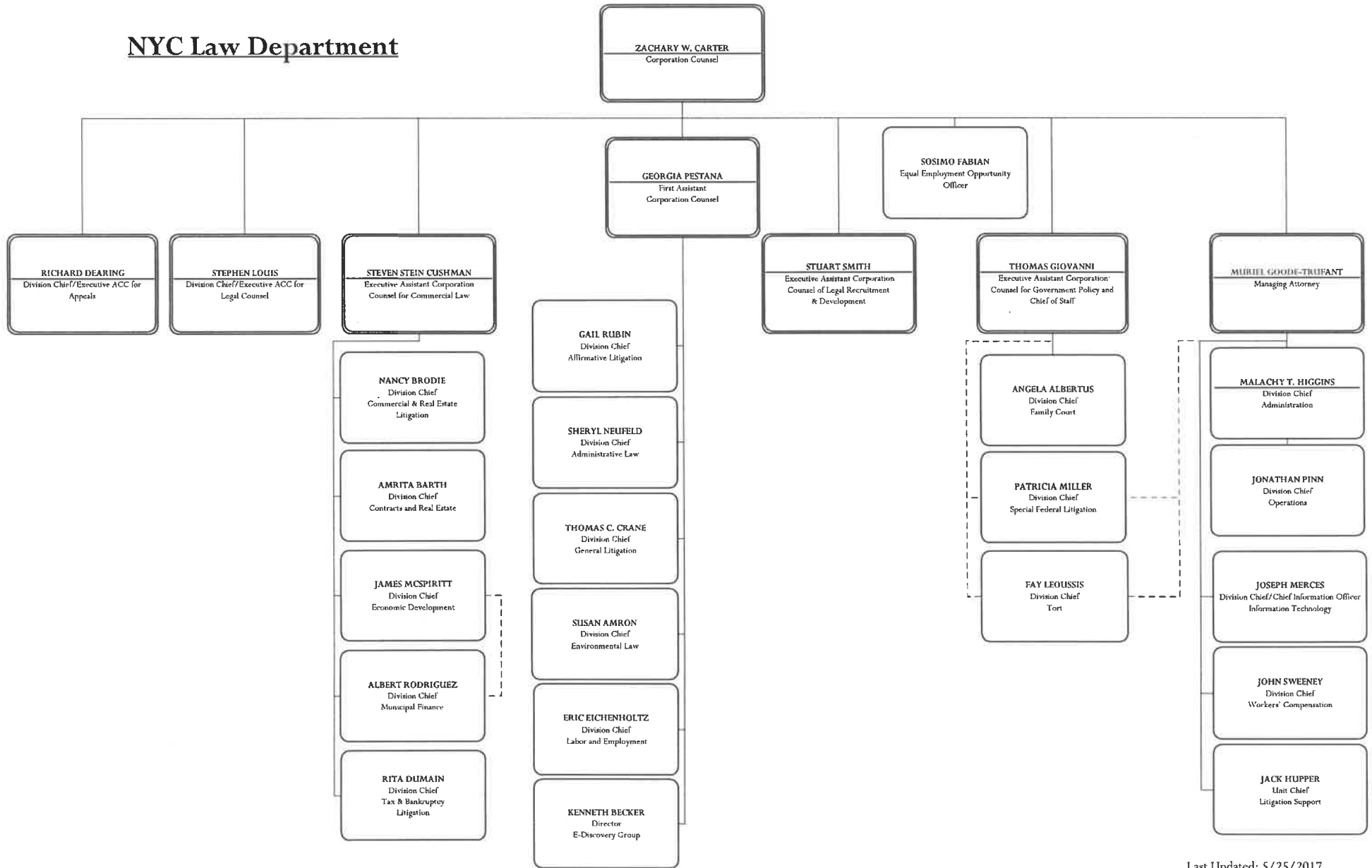
## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): W. P. Jordan  
 Title: MWBE officer Date: 5/25/17

Authorized Signature (ACCO): Samuel A. Mowbray  
 Title: ACCO Date: 5/25/17

# NYC Law Department



Last Updated: 5/25/2017

# **Office of Emergency Management**



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** NYC Emergency Management (NYCEM)  
**Street Address** 165 Cadman Plaza East      **City** Brooklyn      **State** NY      **Zip Code** 11201  
**M/WBE Officer Name** Stacy Rosenfeld      **Email** srosenfeld@oem.nyc.gov      **Telephone #** 718-422-3048  
**ACCO Name** Stacy Rosenfeld      **Email** srosenfeld@oem.nyc.gov      **Telephone #** 718-422-3048  
**Date** 7/21/2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A	0.00%	38.00%	N/A	0.00%	38.00%	N/A	N/A
	<b>Black</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Hispanic</b>	4.00%	N/A	N/A	4.00%	N/A	N/A	4.00%	N/A	N/A
	<b>Asian</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Women</b>	18.00%	N/A	N/A	18.00%	N/A	N/A	18.00%	N/A	N/A

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	N/A	N/A	37.00%	N/A	0.00%	37.00%	N/A	N/A
	<b>Black</b>	12.00%	N/A	N/A	12.00%	N/A	N/A	12.00%	N/A	N/A
	<b>Hispanic</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A	N/A	17.00%	N/A	N/A	17.00%	N/A	N/A

Standard Services	<b>Total Standard Services</b>	31.00%	N/A	8.00%	31.00%	N/A	5.00%	31.00%	N/A	N/A
	<b>Black</b>	12.00%	N/A	3.00%	12.00%	N/A	1.00%	12.00%	N/A	N/A
	<b>Hispanic</b>	6.00%	N/A	1.00%	6.00%	N/A	1.00%	6.00%	N/A	N/A
	<b>Asian</b>	3.00%	N/A	1.00%	3.00%	N/A	1.00%	3.00%	N/A	N/A
	<b>Women</b>	10.00%	N/A	3.00%	10.00%	N/A	2.00%	10.00%	N/A	N/A

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A	25.00%	45.00%	N/A	5.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A	6.00%	7.00%	N/A	1.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A	4.00%	5.00%	N/A	1.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A	4.00%	8.00%	N/A	1.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A	7.00%	25.00%	N/A	2.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

**D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.**

## **CONSTRUCTION:**

### **Under \$35K**

NYCEM construction goal under \$35,000 is 0.00% because NYCEM does not plan to procure nor have any upcoming contracts projected for FY18 that are construction-related. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

### **\$35K-\$100K**

NYCEM construction goal between \$35,000 -100K is 0.00% because NYCEM does not plan to procure nor have any upcoming contracts projected for FY18 that are construction-related. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

### **Over \$100K**

NYCEM construction goal over \$100,000 is 0.00% because NYCEM does not plan to procure nor have any upcoming contracts projected for FY18 that are construction-related. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

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## **PROFESSIONAL SERVICES:**

### **Under \$20K**

NYCEM's goal for professional services under \$20,000 is 0.00%. Based on NYCEM's FY17 purchases, the agency's utilization by value was 0.00%. The agency will continue to evaluate the upcoming procurements and intends to utilize SBS's M/WBE request form to gauge interest among M/WBE vendors. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

### **\$20K-\$100K**

NYCEM's goal for professional services between \$20,000- \$100,000 is 0.00%. Based on NYCEM's FY17 purchases, the agency's utilization by value was 0.00%. The agency will evaluate the upcoming procurements and intends to utilize SBS's M/WBE request form to gauge interest among M/WBE vendors. NYCEM does not intend to increase contracts in this area. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

### **Over \$100K**

Based on NYCEM's FY17 purchases, the agency's utilization by value was 0.00%. NYCEM will continue to evaluate the upcoming procurements and intend to utilize SBS's M/WBE request form to gauge interest among M/WBE vendors. The availability of M/WBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area. NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

## STANDARD SERVICES:

### Under \$20K

Based on the agency's FY17 purchases the agency intends to meet an MWBE goal of 8.00% in the FY18 Utilization Plan. The availability of MWBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area.

### \$20K-\$100K

Based on the agency's FY17 purchases, NYCEM has set a 5.00% utilization goal for standard services purchases between \$20,000 and \$100,000. The availability of M/WBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area.

### Over \$100K

Based on NYCEM's FY17 purchases, the agency's utilization by value was 0.00%. NYCEM will continue to evaluate the upcoming procurements and intends to utilize SBS's M/WBE request form to gauge interest among M/WBE vendors. The availability of M/WBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area. NYCEM does not procure a significant number of items in goods and services, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

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## GOODS:

### Under \$20K

NYCEM intends to meet a 25% M/WBE goal in this category. The availability of MWBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area.

### \$20K-\$100K

Based on NYCEM's FY17 purchases, the agency's utilization by value was 0.00%. NYCEM will continue to evaluate the upcoming procurements and intend to utilize SBS's M/WBE request form to gauge interest among M/WBE vendors. The availability of MWBEs has been assessed for upcoming/potential opportunities in this area. NYCEM does not intend to increase contracts in this area. NYCEM does not procure a significant number of items in goods and services, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input checked="" type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	0
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	0

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

NYCEM does not procure a significant number of items in professional services, standard services and construction, which could make meeting the agency's goal difficult. Additionally, NYCEM, during emergencies, often needs to procure goods and services quickly to respond to life safety needs. During these instances, it is often not possible to spend the time required to confirm if the procurements will satisfy NYCEM's LL1 goals.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): Stacy Rosenfeld


Title: Deputy Commissioner/Agency Chief Contracting Officer Date: 7-21-17

Authorized Signature (ACCO): Adrian Samuel DiAcio

Title: Deputy Agency Chief Contracting Officer Date: 7/21/2017

# NYCEM Procurement Unit Org Chart


 Stacy Rosenfeld - ACCO  
718 -422 -3048  
srosenfeld@oem.nyc.gov

 Althea Samuels – DACCO  
Althea Samuels 718 422-  
8466asamuels@oem.nyc.gov

 Sr. Procurement Analyst  
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Ehazasainz@oem.nyc.gov

 Procurement Analyst  
Simone Gainey  
718 422-4659  
sgainey@oem.nyc.gov

 Procurement Analyst  
Mikhail Berezin  
718 422-8481  
Mberezin@oem.nyc.gov

 Procurement Analyst  
Abdul Washington  
718 422 8936  
Awashington@oem.nyc.gov

# **Police Department**



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** New York Police Department (NYPD)  
**Street Address** 90 Church Street      **City** New York      **State** NY      **Zip Code** 10007  
**M/WBE Officer Name** Vincent Grippo      **Email** vincent.grippo@nypd.org      **Telephone #** 646-610-6670  
**ACCO Name** Frank Bello      **Email** frank.bello@nypd.org      **Telephone #** 646-610-5220  
**Date** May 24, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject to M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	60.00%	40.00%	38.00%	38.00%	38.00%	38.00%	38.00%	38.00%
	<b>Black</b>	8.00%	13.00%	8.00%	8.00%	8.00%	8.00%	8.00%	5.00%	8.00%
	<b>Hispanic</b>	4.00%	6.00%	5.00%	4.00%	4.00%	4.00%	4.00%	2.00%	4.00%
	<b>Asian</b>	8.00%	13.00%	8.00%	8.00%	8.00%	8.00%	8.00%	6.00%	8.00%
	<b>Women</b>	18.00%	28.00%	19.00%	18.00%	18.00%	18.00%	18.00%	25.00%	18.00%

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	3.00%	3.00%	37.00%	3.00%	3.00%	37.00%	10.00%	15.00%
	<b>Black</b>	12.00%	1.00%	1.00%	12.00%	1.00%	1.00%	12.00%	3.00%	5.00%
	<b>Hispanic</b>	8.00%	1.00%	1.00%	8.00%	1.00%	1.00%	8.00%	2.00%	3.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	1.00%	1.00%	17.00%	1.00%	1.00%	17.00%	5.00%	7.00%

Standard Services	<b>Total Standard Services</b>	31.00%	15.00%	15.00%	31.00%	15.00%	15.00%	31.00%	8.00%	8.00%
	<b>Black</b>	12.00%	6.00%	6.00%	12.00%	6.00%	6.00%	12.00%	2.00%	2.00%
	<b>Hispanic</b>	6.00%	3.00%	3.00%	6.00%	3.00%	3.00%	6.00%	2.00%	2.00%
	<b>Asian</b>	3.00%	1.00%	1.00%	3.00%	1.00%	1.00%	3.00%	2.00%	2.00%
	<b>Women</b>	10.00%	5.00%	5.00%	10.00%	5.00%	5.00%	10.00%	2.00%	2.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	30.00%	35.00%	45.00%	35.00%	35.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	5.00%	6.00%	7.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	3.00%	4.00%	5.00%	5.00%	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	5.00%	6.00%	8.00%	6.00%	6.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	17.00%	19.00%	25.00%	19.00%	19.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

**D. Justification Page: Please explain how your agency arrived at its goals for all industries and levels of procurement.**

## CONSTRUCTION:

### Under \$35K

In FY'16, the NYPD awarded 5 out of 10 contracts in this dollar threshold to M/WBEs. The NYPD will utilize the NYPD intranet portal to communicate and promote M/WBE discretionary spending Agency wide. In FY'18, a 40% utilization goal will be established, thereby exceeding the citywide utilization goal of 38%.

### \$35K-\$100K

In FY'16, the NYPD awarded 3 out of 4 contracts in this dollar threshold to M/WBEs. In FY'17 (1st and 2nd Quarters) only 1 contract was procured and it was awarded to a M/WBE. In FY'18, the NYPD will continue to provide staff training and utilize the NYPD intranet portal to communicate Agency wide and maintain the citywide utilization goal of 38%.

### Over \$100K

In FY'16, the NYPD awarded two large dollar value contracts, one for citywide bathroom renovations awarded to a M/WBE vendor and the General Contractor for citywide precinct renovations was awarded to a non-M/WBE vendor. The NYPD anticipates M/WBE subcontracting opportunities in these two contracts. In FY'17, the NYPD established the M/WBE PQL for Mechanical Contractors. In FY'18, the NYPD will utilize the PQL for upcoming HVAC work and will continue to pursue the Citywide goal of 38%.

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## PROFESSIONAL SERVICES:

### Under \$20K

In FY'16, the NYPD awarded only 3 contracts to M/WBEs in this category. The NYPD does not anticipate awarding many Professional Services contracts in this dollar threshold. The few contracts awarded are mainly in the Information Technology training industry. In FY'18, the NYPD will maintain its current goal of 3%.

### \$20K-\$100K

In FY'16, the NYPD did not award contracts to M/WBEs in this category. Most contracts in this category are solicited utilizing intergovernmental award methods which are not subject to Local Law 1. The NYPD does not anticipate awarding many Professional Services contracts in this dollar threshold. The few contracts awarded are mainly in the Information Technology training industry. In FY'18, the NYPD will maintain its current goal of 3%.

### Over \$100K

In FY'16, the NYPD did not award contracts to M/WBEs in this category. In FY'18, the NYPD anticipates awarding architecture, engineering and advertising services contracts and has assessed availability of M/WBEs. Therefore, the NYPD will increase the previously established FY'17 utilization goal of 10% to 15%.

## STANDARD SERVICES:

### Under \$20K

In FY'16, the NYPD had a 10% M/WBE utilization. In FY'18, the NYPD anticipates awarding to M/WBEs in the food catering industry and has assessed availability. In FY'18, the NYPD will continue to monitor and promote discretionary spending to M/WBE's and will maintain its current goal of 15%.

### \$20K-\$100K

In FY'16, the NYPD reached a 8% M/WBE utilization. In FY'18, the NYPD anticipates awarding to M/WBEs in the areas of equipment maintenance and has assessed availability. In FY'18, the NYPD will continue to provide staff training and will maintain its current goal of 15%.

### Over \$100K

In FY'16, the NYPD awarded 4 contracts to M/WBEs in this dollar threshold. In FY'18, the NYPD anticipates awarding a painting contract and has assessed availability of M/WBEs. Therefore, the NYPD will maintain its current goal of 8%.

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## GOODS:

### Under \$20K

In FY'16, the NYPD awarded 32% of micro-purchases to M/WBEs. The NYPD will continue to promote discretionary purchasing to M/WBEs. In FY'18, the NYPD anticipates procuring electronics and has assessed M/WBE availability. Therefore, the NYPD will increase the FY'17 previously established utilization goal of 30% to 35%.

### \$20K-\$100K

In FY'17 (Quarters 1 & 2), the NYPD awarded 34% of contracts in this category to M/WBEs. The NYPD will continue to provide staff training to increase outreach of M/WBEs in this category. In FY'18, the NYPD anticipates procuring electronics and computer parts and has assessed M/WBE availability. In FY'18, the NYPD will maintain its current utilization goal of 35%.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Agency M/WBE Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input checked="" type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other: The NYPD launched an intranet portal to communicate with other Divisions internally. The Contract Administration Unit will post M/WBE Program information, upcoming outreach events and available training in order to increase M/WBE awareness Agency-wide.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	23
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	14

## G. Agency Organization

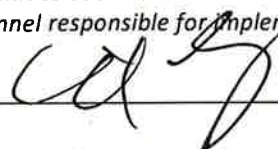
Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):

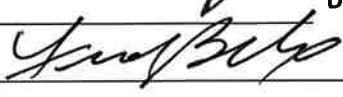


Title: Deputy Commissioner

Date:

5/16/17

Authorized Signature (ACCO):

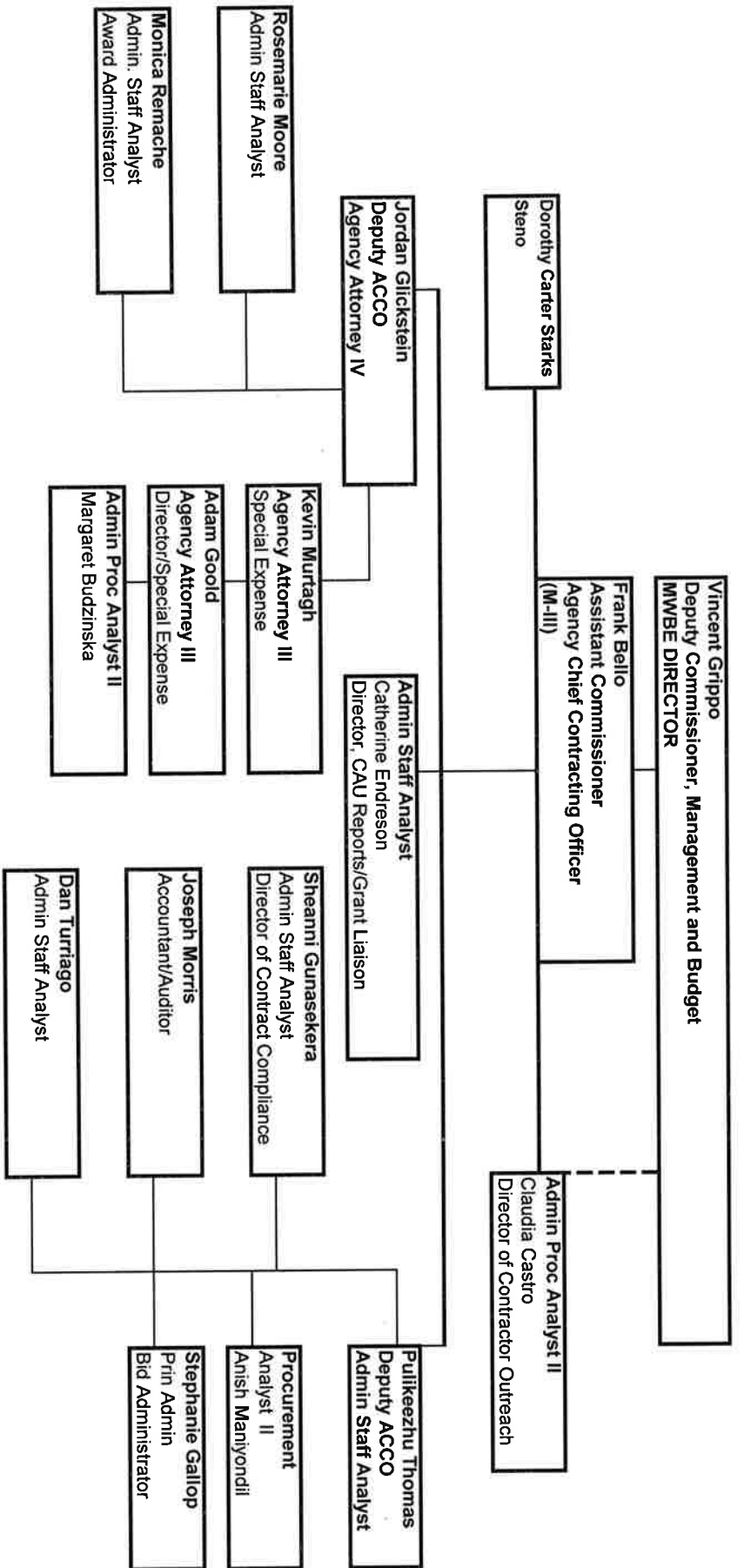


Title: Assistant Commissioner

Date:

5/23/17

# DCMB CAU ORGANIZATION CHART 20 2017



# **Department of Small Business Services**



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Department of Small Business Services (SBS)  
**Street Address** 110 William Street      **City** New York      **State** NY      **Zip Code** 10038  
**M/WBE Officer Name** Kimberly Hardy      **Email** KHardy@sbs.nyc.gov      **Telephone #** (212) 513-6435  
**ACCO Name** Daryl Williams      **Email** dwilliams@sbs.nyc.gov      **Telephone #** (212) 618-8731  
**Date** July 12, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A	N/A	38.00%	N/A	N/A	38.00%	N/A	N/A
	<b>Black</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Hispanic</b>	4.00%	N/A	N/A	4.00%	N/A	N/A	4.00%	N/A	N/A
	<b>Asian</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Women</b>	18.00%	N/A	N/A	18.00%	N/A	N/A	18.00%	N/A	N/A

		FY 18 Utilization Goals								
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Professional Services	<b>Total Professional Services</b>	37.00%	N/A	37.00%	37.00%	N/A	37.00%	37.00%	N/A	37.00%
	<b>Black</b>	12.00%	N/A	12.00%	12.00%	N/A	12.00%	12.00%	N/A	12.00%
	<b>Hispanic</b>	8.00%	N/A	8.00%	8.00%	N/A	8.00%	8.00%	N/A	8.00%
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A	17.00%	17.00%	N/A	17.00%	17.00%	N/A	17.00%

Standard Services	<b>Total Standard Services</b>	31.00%	N/A	31.00%	31.00%	N/A	31.00%	31.00%	N/A	31.00%
	<b>Black</b>	12.00%	N/A	12.00%	12.00%	N/A	12.00%	12.00%	N/A	12.00%
	<b>Hispanic</b>	6.00%	N/A	6.00%	6.00%	N/A	6.00%	6.00%	N/A	6.00%
	<b>Asian</b>	3.00%	N/A	3.00%	3.00%	N/A	3.00%	3.00%	N/A	3.00%
	<b>Women</b>	10.00%	N/A	10.00%	10.00%	N/A	10.00%	10.00%	N/A	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A	45.00%	45.00%	N/A	45.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A	7.00%	7.00%	N/A	7.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A	5.00%	5.00%	N/A	5.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A	8.00%	8.00%	N/A	8.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A	25.00%	25.00%	N/A	25.00%	No Goal	No Goal	No Goal

\* Please provide an explanation for your agency goals in section D.

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

Historically, SBS does not procure in the construction category and does not anticipate doing so in FY'18. Therefore, SBS will not set an M/WBE goal in this category.

### \$35K-\$100K

Historically, SBS does not procure in the construction category and does not anticipate doing so in FY'18. Therefore, SBS will not set an M/WBE goal in this category.

### Over \$100K

Historically, SBS does not procure in the construction category and does not anticipate doing so in FY'18. Therefore, SBS will not set an M/WBE goal in this category.

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## PROFESSIONAL SERVICES:

### Under \$20K

The majority SBS's procurement activities are in the professional services category. SBS procures professional services including consultants to develop curricula, conduct training programs and provide services for small businesses. Based on historic utilization and anticipated M/WBE availability in these areas, SBS will adopt the Citywide goal.

### \$20K-\$100K

The majority SBS's procurement activities are in the professional services category. SBS procures professional services including consultants to develop curricula, conduct training programs and provide services for small businesses. Based on historic utilization and anticipated M/WBE availability in these areas, SBS will adopt the Citywide goal.

### Over \$100K

The majority SBS's procurement activities are in the professional services category. SBS procures professional services including consultants to develop curricula, conduct training programs and provide services for small businesses. In FY'18, SBS anticipates procurements in this spending category such as Agency-wide Marketing Services, Business Education and Credit Counseling, Growth Intervention Services for M/WBEs, and Insurance Access and Employee Training for M/WBEs. Based on historic utilization and anticipated M/WBE availability in these areas, SBS will adopt the Citywide goal.

## STANDARD SERVICES:

### Under \$20K

Because SBS is not the leaseholder for its office space, we have limited Standard Services procurements. However, in FY'18 SBS will attempt to meet the Citywide goal of 31% for Standard Services based on sufficient M/WBE availability, historic utilization data, and outreach efforts.

### \$20K-\$100K

Because SBS is not the leaseholder for its office space, we have limited Standard Services procurements. However, in FY'18 SBS will attempt to meet the Citywide goal of 31% for Standard Services based on sufficient M/WBE availability, historic utilization data, and outreach efforts.

### Over \$100K

Because SBS is not the leaseholder for its office space, we have limited Standard Services procurements. However, in FY'18 SBS will attempt to meet the Citywide goal of 31% for Standard Services based on sufficient M/WBE availability, historic utilization data, and outreach efforts.

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## GOODS:

### Under \$20K

Historically, SBS has met or exceeded the Citywide goal for goods, and anticipates being able to do so in FY'18. For FY'18, SBS will adopt the CityWide goal of 45%.

### \$20K-\$100K

Historically, SBS has met or exceeded the Citywide goal for goods, and anticipates being able to do so in FY'18. For FY'18, SBS will adopt the CityWide goal of 45%.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input checked="" type="checkbox"/>	Post M/WBE program information on your agency's website.
<input checked="" type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
<input checked="" type="checkbox"/>	Require buyers and P-card users to reach out to SBS's Account Management team for assistance identifying M/WBE firms for upcoming solicitations and other procurement opportunities.
<input type="checkbox"/>	Hold pre-bid/proposal conferences on all procurements with M/WBE participation requirements.
<input type="checkbox"/>	Establish formal means of tracking M/WBE utilization and sharing information within agency.
Compliance Administration and Monitoring	
<input checked="" type="checkbox"/>	Ensure timely prime contractor compliance with all LL1 submission requirements.
<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	13
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	13


## G. Agency Organization


Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer):   
 Title: Deputy Commissioner Date: 7/20/17

Authorized Signature (ACCO):   
 Title: ACCO Date: 7/18/17



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**businesses**  
neighborhoods

## Primary Agency M/WBE Representatives

### **Kim Hardy**

M/WBE Officer / Deputy Commissioner  
Division of Economic and Financial Opportunity  
Tel: (212) 513-6435  
Email: [KHardy@sbs.nyc.gov](mailto:KHardy@sbs.nyc.gov)

### **Daryl Williams**

Agency Chief Contracting Officer (ACCO)  
Financial Management & Administration Division  
Tel: (212) 618-8731  
Email: [dwilliams@sbs.nyc.gov](mailto:dwilliams@sbs.nyc.gov)

### **Julia Haslam**

Deputy Agency Chief Contracting Officer (DACCO)  
Financial Management & Administration Division  
Tel: (212) 618-8747  
Email: [jhaslam@sbs.nyc.gov](mailto:jhaslam@sbs.nyc.gov)

# **Taxi and Limousine Commission**



# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## A. Agency Contact Information

**Agency Name** Taxi and Limousine Commission (TLC)  
**Street Address** 33 Beaver Street Street - 19 **City** New York **State** NY **Zip Code** 10004  
**M/WBE Officer Name** Vincent Chin **Email** chinv@tlc.nyc.gov **Telephone #** 212-676-1033  
**ACCO Name** Jeremy Halperin **Email** halperinj@tlc.nyc.gov **Telephone #** 212-676-1031  
**Date** July 12, 2017

## B. Local Law 1 Requirements

New York City's Minority and Women-Owned Business Enterprise (M/WBE) program, established in 2005, was designed to promote government contracting opportunities for certified M/WBEs. Accordingly, the Department of Small Business Services (SBS) built a program dedicated to promote fairness and equity in accessing contracting opportunities for City procurement.

In 2013, Local Law 1 was enacted to help strengthen the M/WBE Program. Some of the changes to the program include: (i) eliminating the \$1 million cap on contracts subject M/WBE participation goals; (ii) establishing participation goals on all services contracts (construction, professional and standard services); (iii) eliminating goals for goods over \$100,000; (iv) eliminating the distinction between prime contracts and subcontracts for the purposes of goal setting, including the Target Subcontracting Percentage; and (v) establishing participation goals for all ethnic and gender categories, except Asian Americans in Professional Services. Additionally, new monitoring and accountability requirements have been established in order to ensure transparency in the law's implementation, some of which include: (i) quarterly instead of bi-annual reporting requirements; (ii) establishing an M/WBE Director who will oversee agency compliance and will convene quarterly meetings with M/WBE officers to discuss agency performance in attaining Agency Utilization goals (agency Commissioners are required to attend two such meetings); and (iii) the creation of Performance Improvement Plans for agencies that fail to achieve their annual utilization goals.

Agencies are required to prepare annual M/WBE Utilization Plans. The following Utilization Plan template is designed to be a planning tool for each agency with total procurements in excess of \$5 million in the previous full fiscal year (excluding contracts that are exempt from the M/WBE participation requirements as required by local law). Agencies are required to establish M/WBE participation goals for Fiscal Year 2017 based on the size and nature of the anticipated procurements that will be subject to the M/WBE participation requirements as well as the availability of certified M/WBEs with the capacity to perform the specific types and scale of work anticipated in such procurements. Agencies are further required to set specific M/WBE participation goals for procurements in all industries valued: at or below \$20,000 (Goods and Services); at or below \$35,000 (Construction); at or below \$100,000 and over \$100,000 (except for Goods). When establishing goals for procurements valued at or below \$100,000, agencies must consider the potential for such purchases to provide opportunities for M/WBEs to develop greater capacity, thereby increasing competition for city procurement.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## C. FY 18 Utilization Goals as established by LL1 of 2013

		FY 18 Utilization Goals								
		Less than or equal to \$35,000			\$35,001 to \$100,000			Greater than \$100,000		
		Citywide	Agency		Citywide	Agency		Citywide	Agency	
			FY17	FY18		FY17	FY18		FY17	FY18
Construction	<b>Total Construction</b>	38.00%	N/A	N/A	38.00%	N/A	N/A	38.00%	N/A	N/A
	<b>Black</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Hispanic</b>	4.00%	N/A	N/A	4.00%	N/A	N/A	4.00%	N/A	N/A
	<b>Asian</b>	8.00%	N/A	N/A	8.00%	N/A	N/A	8.00%	N/A	N/A
	<b>Women</b>	18.00%	N/A	N/A	18.00%	N/A	N/A	18.00%	N/A	N/A

		FY 18 Utilization Goals									
		Less than or equal to \$20,000			\$20,001 to \$100,000			Greater than \$100,000			
		Citywide	Agency		Citywide	Agency		Citywide	Agency		
			FY17	FY18		FY17	FY18		FY17	FY18	
Professional Services	<b>Total Professional Services</b>	37.00%	N/A	30.00%	37.00%	N/A	30.00%	37.00%	N/A	30.00%	
	<b>Black</b>	12.00%	N/A	10.00%	12.00%	N/A	10.00%	12.00%	N/A	10.00%	
	<b>Hispanic</b>	8.00%	N/A	7.00%	8.00%	N/A	7.00%	8.00%	N/A	7.00%	
	<b>Asian</b>	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal	No Goal
	<b>Women</b>	17.00%	N/A	13.00%	17.00%	N/A	13.00%	17.00%	N/A	13.00%	

Standard Services	<b>Total Standard Services</b>	31.00%	N/A	30.00%	31.00%	N/A	30.00%	31.00%	N/A	30.00%
	<b>Black</b>	12.00%	N/A	11.00%	12.00%	N/A	11.00%	12.00%	N/A	11.00%
	<b>Hispanic</b>	6.00%	N/A	6.00%	6.00%	N/A	6.00%	6.00%	N/A	6.00%
	<b>Asian</b>	3.00%	N/A	3.00%	3.00%	N/A	3.00%	3.00%	N/A	3.00%
	<b>Women</b>	10.00%	N/A	10.00%	10.00%	N/A	10.00%	10.00%	N/A	10.00%

Goods (Under 100K)	<b>Total Goods</b>	45.00%	N/A	30.00%	45.00%	N/A	30.00%	No Goal	No Goal	No Goal
	<b>Black</b>	7.00%	N/A	5.00%	7.00%	N/A	5.00%	No Goal	No Goal	No Goal
	<b>Hispanic</b>	5.00%	N/A	11.00%	5.00%	N/A	11.00%	No Goal	No Goal	No Goal
	<b>Asian</b>	8.00%	N/A	18.00%	8.00%	N/A	18.00%	No Goal	No Goal	No Goal
	<b>Women</b>	25.00%	N/A	16.00%	25.00%	N/A	16.00%	No Goal	No Goal	No Goal

D. Justification Page: Please explain how you arrived at your agency goals for all industries and levels of procurement.

## CONSTRUCTION:

### Under \$35K

TLC does not procure construction services (all capital work is performed on behalf of TLC by the Department of Design and Construction), so rather than a goal, "N/A" has been entered across the board for this category.

### \$35K-\$100K

TLC does not procure construction services (all capital work is performed on behalf of TLC by the Department of Design and Construction), so rather than a goal, "N/A" has been entered across the board for this category.

### Over \$100K

TLC does not procure construction services (all capital work is performed on behalf of TLC by the Department of Design and Construction), so rather than a goal, "N/A" has been entered across the board for this category.

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## PROFESSIONAL SERVICES:

### Under \$20K

TLC procures little in the way of professional services under \$20K. For its first utilization plan, TLC is adopting an ambitious baseline goal of 30% in this category.

### \$20K-\$100K

TLC cannot readily predict what it may procure in this category or to whom contracts may be awarded but is adopting an ambitious baseline goal of 30% for its first utilization plan.

### Over \$100K

The agency's Citywide Accessible Dispatch contract has a utilization goal of 35% based on subcontracting. However, the total contract cost includes deadhead fees, which are not subject to subcontracting, so the overall goal for this category has been set slightly lower at 30%. TLC may be able to raise this goal next fiscal year pending registration of a Sole Source contract with an M/WBE-certified vendor.

## STANDARD SERVICES:

### Under \$20K

Most standard services are procured by TLC through requirements or Preferred Source contracts, but for micropurchases the agency utilizes M/WBE-certified firms wherever possible. For its first utilization plan, TLC is adopting an ambitious baseline goal of 30% in this category.

### \$20K-\$100K

Most standard services are procured by TLC through requirements or Preferred Source contracts. TLC cannot otherwise readily predict what it may procure in this category or to whom contracts may be awarded. For its first utilization plan, TLC is adopting an ambitious baseline goal of 30% in this category.

### Over \$100K

Most standard services are procured by TLC through requirements or Preferred Source contracts. TLC is planning to bid an HVAC repair and maintenance services contract in this category, but cannot predict to whom the contracts will be awarded. For its first utilization plan, TLC is adopting an ambitious baseline goal of 30% in this category.

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## GOODS:

### Under \$20K

This category historically represents TLC's best opportunity for M/WBE purchasing. For its first utilization plan, TLC is adopting a goal of 30% in this category that is consistent with previous agency performance.

### \$20K-\$100K

TLC cannot readily predict what it may procure in this category or to whom contracts may be awarded. For its first utilization plan, TLC is adopting an ambitious baseline goal of 30% in this category.

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## E. Prime Contractor Utilization Initiatives

LL1 Required Activities	
<input checked="" type="checkbox"/>	Engage in outreach activities and networking events (ie: co-sponsoring with other agencies, one-on-one meetings, etc.)
<input checked="" type="checkbox"/>	Encourage eligible firms to apply for certification.
<input checked="" type="checkbox"/>	Include language in RFPs and invitations to bid requiring potential bidders/ proposers to consult directories of certified M/WBE firms.
<input checked="" type="checkbox"/>	Encourage M/WBEs to join pre-qualified bidder's lists.
<input checked="" type="checkbox"/>	Advertise procurement opportunities in minority publications.
<input checked="" type="checkbox"/>	Conduct detailed analysis on a contract by contract basis to determine goals based on availability.
<input checked="" type="checkbox"/>	Consider reducing scope and size of contracts when planning procurements.
<input checked="" type="checkbox"/>	For construction contracts, enter into separate prime contracts for construction support services.
<input checked="" type="checkbox"/>	Attend quarterly M/WBE meetings (including two attended by the Commissioner.)
<input checked="" type="checkbox"/>	Conduct quarterly meetings with M/WBEs to discuss the agency's requirements for bids/ proposals.
<input checked="" type="checkbox"/>	Encourage prime contractors to enter into joint ventures with certified M/WBEs.
<input checked="" type="checkbox"/>	Designate dedicated staff to M/WBE program, including M/WBE Officer who is directly accountable to the agency head.
<input checked="" type="checkbox"/>	Submit to City Chief Procurement Officer all contracts valued over \$10 million to determine if they can be divided into smaller contracts (unbundling contracts.)
Performance Improvement Required Activities	
<input checked="" type="checkbox"/>	Meet with oversight agencies: Review performance (P-card, spending trends, etc.) and identify detailed lists of M/WBEs for upcoming procurements.
<input checked="" type="checkbox"/>	Review Utilization Plans: Assess anticipated procurements, M/WBE availability, and historical goals.
<input checked="" type="checkbox"/>	Review M/WBE initiatives: Past initiatives, effectivity of the actions, and new initiative to undertake.
<input checked="" type="checkbox"/>	Require contracting personnel to attend at least one of the monthly SBS/MOCS trainings.
<input checked="" type="checkbox"/>	Require post-award debriefings requested by an M/WBE.
Additional Initiatives (Select three or more)	
<input checked="" type="checkbox"/>	Participate in networking events, meetings, and workshops for certified M/WBE firms.
<input type="checkbox"/>	Post M/WBE program information on your agency's website.
<input type="checkbox"/>	Include M/WBE Utilization updates in all procurement team meetings.
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<input checked="" type="checkbox"/>	Ensure prime contractor's actual compliance with utilization plan by regularly employing monitoring techniques (at a minimum: contacting M/WBEs, auditing prime's books and records, and visiting job sites.)
<input checked="" type="checkbox"/>	Take appropriate enforcement action in cases where prime contractor is found to be out of compliance with utilization plan.
<input checked="" type="checkbox"/>	Record in PIP all actual payments to subcontractors.
<input checked="" type="checkbox"/>	As necessary, develop or modify written procedures pertaining to LL1 compliance administration, monitoring, and documentation.
Other Initiatives – List any other initiatives to be enacted by your agency	

Other:

# Fiscal Year 2018 Agency M/WBE Utilization Plan



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## F. Open Contracts with M/WBE Utilization Requirements

Approximate # of prime contracts <u>open</u> and subject to participation goals (under LL129 and LL1):	1
Approximate # of upcoming contracts which have potential for subcontracting (under LL1):	3

## G. Agency Organization

Attach the agency organizational chart with the names, titles, and contact information of all agency personnel responsible for implementation of the agency utilization plan.

List and describe any legislation, rules, policies or programs, other than those listed in the City Charter, PPB rules, General Municipal Law 103, and the Administrative Code, that impact agency utilization or the ability to participate in this program, i.e., Federal, State, or Local MBE, WBE, or Disadvantaged Business Enterprise (DBE) program requirements, etc.

Vincent Chin - M/WBE Officer, see Section A

Jeremy Halperin - ACCO, see Section A

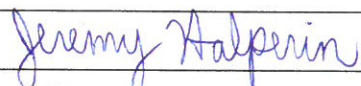
Ryan Murray - Procurement Analyst, 212-676-1156, murrayr@tlc.nyc.gov

## H. Agency Approval

Provide authorized signatures below and submit to SBS with attached the agency organizational chart with the names, titles, and contract information of all agency personnel responsible for implementation of the agency utilization plan.

Authorized Signature (M/WBE Officer): 

Title: Assistant Commissioner Date: May 24, 2017

Authorized Signature (ACCO): 

Title: Agency Chief Contracting Officer Date: May 24, 2017

**Taxi and Limousine Commission (TLC) Personnel Responsible for  
Implementation of the Agency M/WBE-Utilization Plan**

Vincent Chin  
Assistant Commissioner,  
Finance and Operations/  
M/WBE Officer  
[chinv@tlc.nyc.gov](mailto:chinv@tlc.nyc.gov)  
212-676-1033

Jeremy Halperin  
Agency Chief  
Contracting Officer  
[halperinj@tlc.nyc.gov](mailto:halperinj@tlc.nyc.gov)  
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Ryan Murray  
Senior Procurement/Budget  
Analyst  
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212-676-1156