Category: Financial Responsible Office: Business Services	**Policy Title:** Procurement Opportunities for New York State Certified Minority- and Women-Owned Businesses Document Number: 7556 Effective Date: April 06, 1984 This policy item applies to: State-Operated Campuses

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Summary

It is the policy of the State University of New York (University) to take affirmative action to ensure that New York State certified minority and women owned business enterprises (M/WBEs) are given the opportunity to demonstrate their ability to provide the University with commodities and services at competitive prices.

Policy

It is the policy of the State University of New York (University) to take affirmative action to ensure that minority business enterprises (MBEs), i.e., independent business concerns which are at least 51 percent owned and controlled by minority group members (citizens of the United States or permanent resident aliens who are Black, Hispanic, Asian, or American Indian), and women-owned business enterprises (WBEs), i.e., independent business concerns which are at least 51 percent owned and controlled by a women who are citizens of the United States or permanent resident aliens, are given the opportunity to demonstrate their ability to provide the University with goods and services at competitive prices.

The University statement for inclusion in all campus requests for quotations, bid proposals, and contract documents shall be as follows:

“It is the policy of the State University of New York to take affirmative action to ensure that minority- and women-owned business enterprises are given the opportunity to demonstrate their ability to provide the University with goods and services at competitive prices.”

Definitions

Minority-owned business enterprise – a business enterprise, including a sole proprietorship, partnership or corporation that is:(a) at least fifty-one percent owned by one or more minority group members;(b) an enterprise in which such minority ownership is real, substantial and continuing;(c) an enterprise in which such minority ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and (d)

an enterprise authorized to do business in this state and independently owned and operated.

Minority group member – a United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups:(a) Black persons having origins in any of the Black African racial groups;(b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American of either Indian or Hispanic origin, regardless of race;(c) Native American or Alaskan native persons having origins in any of the original peoples of North America;(d) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

Women-owned business enterprise - a business enterprise, including a sole proprietorship, partnership or corporation that is:(a) at least fifty-one percent owned by one or more United States citizens or permanent resident aliens who are women;(b) an enterprise in which the ownership interest of such women is real, substantial and continuing;(c) an enterprise in which such women ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and(d) an enterprise authorized to do business in this state and independently owned and operated.

Other Related Information

There is no related information relevant to this policy.

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

The following link to FindLaw's New York State Laws is provided for users' convenience; it is not the official site for the State of New York laws.

NYS Executive Law: Article 15-A - (§§310-318) Participation by Minority Group Members and Women with Respect to State Contracts

NYS Education Law §355 (Powers of Trustees)

NYS State Finance Law Article 11 (§§160 -168) State Purchasing

5 NYCRR Part 140

History

Memorandum to Presidents 84-3 dated April 6, 1984, Amendment to Policy on Minority Business Enterprises.

On August 3, 1983, Governor Cuomo issued Executive Order 21 that superseded Executive Order 117 and included women-owned business enterprises.

Memorandum to Presidents 83-8 dated July 1, 1983, Policy on Minority Business Enterprises.

On December 9, 1981, Governor Carey issued Executive Order 117 related to minority-owned business enterprises.

Appendices

There are no appendices relevant to this policy.