

Overview of MWBE and SDVOB Reporting Procedures & Requirements



Empire State
Development

Q: What is needed to comply with MWBE and SDVOB requirements and who manages the MWBE and SDVOB contract compliance?

To comply with the Minority- or Woman-Owned Business Enterprise (“MWBE”) and Service-Disabled Veteran Owned Business (“SDVOB”) requirements, grantees and contractors need to:

1. Complete and submit MWBE and SDVOB Utilization Plans (*additional information below*);
2. Record participation of MWBEs and SDVOBs on the project;
3. Record payments to MWBEs and SDVOBs on the project (*additional information below*); and,
4. Maintain records of Good Faith Efforts (“GFEs”) used to contract with MWBEs and SDVOBs.

Contract monitoring of MWBE and SDVOB utilization happens through the New York State Contracting System (“NYSCS”). All contractors, grantees and subcontractor must each create an account on the NYSCS (ny.newnycontracts.com), where payment information for MWBE and SDVOB firms utilized in the project will be reported and verified for each project/contract.

MWBE and SDVOB contract compliance will be monitored by Empire State Development’s Office of Contractor and Supplier Diversity (“OCSD”).

Q: What are Utilization Plans and when should they be submitted?

The Utilization Plans (“UPs”) identify New York State certified MWBEs and SDVOBs to be used on your project. Consultants must submit their [MWBE and SDVOB Utilization Plan \(Form OCSD-4\)](#) within **10 business days** of contract/grant execution.

UPs must contain a detailed description of the supplies and/or services to be provided by each NYS certified MWBE or SDVOB under the contract. These must reflect MWBE and SDVOB utilization up to the required goal amounts, but amended plans will be accepted, upon review, throughout the life of the project.

Q: What are MWBE and SDVOB utilization reporting requirements?

MWBE and/or SDVOB utilization (payments made to MWBEs and SDVOBs) must be reported to OCSD on a monthly basis, by the 10th day following the end of each month. The monthly due dates are as follows:

Month	Payments Made	Due Date	Month	Payments Made	Due Date	Month	Payments Made	Due Date
Jan	Jan 1- Jan 31	Feb 10 th	May	May 1- May 31	Jun 10 th	Sep	Sep 1- Sep 30	Oct 10 th
Feb	Feb 1- Feb 28	Mar 10 th	Jun	Jun 1- Jun 30	Jul 10 th	Oct	Oct 1- Oct 31	Nov 10 th
Mar	Mar 1- Mar 31	Apr 10 th	Jul	Jul 1- Jul 31	Aug 10 th	Nov	Nov 1- Nov 30	Dec 10 th
April	Apr 1- Apr 30	May 10 th	Aug	Aug 1- Aug 31	Sep 10 th	Dec	Dec 1- Dec 31	Jan 10 th

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Payments to MWBEs and SDVOBs must be reported by the grantee or contractor and verified by the subcontractor on the NYSCS* on a monthly basis, with attached proof of payments also being submitted by the grantee or contractor. **Proof of payment includes cancelled checks and wire transfer confirmations.**

Information on trainings for reporting on the NYSCS is available below.

*Should the consultant or subcontractors be unable to report directly on the NYSCS, reporting can be completed manually utilizing the MWBE and SDVOB Compliance and Payment Report (Form OCSD-6). Please contact your OCSD Compliance Manager for additional information.

Q: Where is training available for MWBE and SDVOB reporting and compliance on the NYSCS?

Periodic system trainings provided by B2GNow on the NYSCS website can be found under **System Training**.

The screenshot displays the New York State Contract System website interface. At the top, there is a header with the text "New York State Contract System" and a "LOG IN" button. Below the header, the page is organized into several columns of content blocks, each with a title and a primary action button:

- About**: New York State is working harder than ever to make this state the gateway to attract and grow Minority and Women-Owned Business Enterprises (MWBEs). The New York State Contract System ("NYSCS") enables users to apply for NYS MWBE certification, search for NYS MWBE certified firms, and easily interact with our State agencies and authorities. (Button: CERTIFY OR RECERTIFY WITH NEW YORK, UPDATE YOUR PROFILE)
- MWBE Certification**: Apply for NYS MWBE certification or recertification in New York State, or update your vendor profile. (Buttons: CERTIFY OR RECERTIFY WITH NEW YORK, UPDATE YOUR PROFILE)
- NYS Directory of Certified Firms**: Search the NYS MWBE Directory of Certified Firms. (Button: SEARCH THE DIRECTORY)
- NYS Bid and Grant Opportunities**: Find contracting opportunities in New York State. (Button: VIEW OPPORTUNITIES)
- NYS Program Notices and Trainings**: Find and register for upcoming MWBE events, trainings, webinars and program related notices. (Button: FIND OUTREACH AND SUPPORT)
- MWBE Program Information and Resources**: Find additional information and resources through Empire State Development and the Division of Minority and Women's Development (DMWBD). (Button: LEARN MORE)
- Account Access**: Lookup Vendor accounts or reset user passwords. (Buttons: VENDOR ACCOUNT LOOKUP, FORGOT PASSWORD)
- System Training**: Learn how to fully utilize our system with a live trainer. (Button: FIND TRAINING)

A red arrow points to the "System Training" section, specifically to the "FIND TRAINING" button.

Vendor trainings include: Introduction to the System, Contract Compliance Reporting and Utilization Plan trainings.

MWBE and SDVOB Requirements Q&A

Q: Where can I find NYS-certified MWBEs and SDVOBs?

To search NYS MWBE Certified Firms, visit the **Directory of NYS Certified MWBEs**:
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?XID=5147&TN=ny>

To search NYS SDVOB Certified Firms, visit the **Directory of NYS Certified SDVOBs**:
<https://online.ogs.ny.gov/SDVOB/search>

Q: Where can the OCSD forms be found?

OCSD forms can be found through the following links:

Form OCSD-1: <https://esd.ny.gov/sites/default/files/OCSD-1-Policy-Statement.pdf>

Form OCSD-2: <https://esd.ny.gov/sites/default/files/OCSD-2-Staffing-Plan.pdf>

Form OCSD-3: <https://esd.ny.gov/sites/default/files/OCSD-3-Workforce-Utilization-Report.xlsx>

Form OCSD-4: <https://esd.ny.gov/sites/default/files/OCSD-4%20Utilization%20Plan.pdf>

Form OCSD-5: <https://esd.ny.gov/sites/default/files/OCSD-5-Waiver-Request-Form.pdf>

Form OCSD-6: <https://esd.ny.gov/sites/default/files/OCSD-6%20-%20Contractor%20Compliance%20Payment%20Report.pdf>

Q: Who should be contacted with additional MWBE and SDVOB questions?

Questions regarding MWBE and SDVOB compliance should be directed to ESD's Office of Contractor and Supplier Diversity (OCSD) at OCSD@esd.ny.gov or your designated OCSD Compliance Manager.