

## **Waiver of Personal Net Worth Eligibility Requirements – Utility System Construction**

WHEREAS, pursuant to § 314(4) of the Executive Law, the Director of the Division of Minority and Women’s Business Development may waive the personal net worth requirement for Minority- and Women-owned Business Enterprise (“MWBE”) eligibility on an industry-wide basis upon determining that the personal net worth requirement, combined with industry-specific factors, has led to the significant exclusion of businesses in that industry from MWBE certification; and,

WHEREAS, upon conducting an availability analysis, I have determined that certified MWBEs are underrepresented in the utility system construction industry; and,

WHEREAS, I have determined that industry-specific factors in the utility system construction industry, coupled with the personal net worth requirement for MWBE certification, have led to the significant exclusion of businesses in the utility system construction industry from MWBE certification; and,

NOW, THEREFORE, I, Lourdes Zapata, Executive Director of the Division of Minority and Women’s Business Development, do hereby determine that business enterprises in the utility system construction industry shall be eligible for MWBE certification without regard to the personal net worth requirement for MWBE certification.



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Lourdes Zapata  
Executive Director  
Division of Minority & Women’s  
Business Development

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February 12, 2018

New York State Department of Economic Development