



**Office of
General Services**

Procurement Basics for MWBE Vendors

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Contents

- Procurement basics
- Which processes are opportunities for MWBE vendors
- How to identify and maximize those opportunities
- OGS commitment
- Common misconceptions
- Questions





Procurement Basics





Order of Procurement Processes

- Preferred sources
- OGS centralized contracts
- Agency or multi-agency contracts resulting from State agency competitive bids
- Discretionary spend
- Single source
- Sole source
- Piggybacking





Types of MWBE Contracting Roles

Prime Contractor — MWBE performs the work directly. You will be responsible for all deliverables, reporting, paying subs and resellers. Remember to pay it forward by hiring MWBE subs and resellers to support your effort, as well as sourcing your supplies from MWBE vendors when possible.

Subcontractor — MWBE will perform a fixed part of the project. You will need less capital and resources than the prime but need to negotiate clear terms with the prime so you know what to deliver and what is required to get paid.

Reseller — Even if you're just reselling products, remember to provide a commercially useful function.





“Commercially Useful Function”

- Providing goods or services to the contractor or performing, managing, and supervising the work
- Responsible for ordering and negotiating price and determining the quality and quantity of the items being sold to the contractor
- Must add substantive value to the transaction
- Not acceptable to be only an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of participation





Contract Tools to Encourage MWBE Usage

- Goals
 - Exclusive MWBE opportunities
- Agency spend goals
 - EEO/Workforce inclusion
- Technical evaluation points for MWBE primes
- Technical evaluation points for diversity practices
- Divide projects into smaller projects to encourage participation





Which Processes are Opportunities?





ALL OF THEM!!!

Preferred Sources

- Agencies can count any MWBE participation on a preferred source engagement toward their agency goals.
- MWBE vendors can become corporate partners. MWBEs who partner with the preferred sources can skip past the procurement process. Remember many of the disabled served by these programs are also minorities and you will be supporting two great purposes.





OGS Centralized Contracts

- MWBE vendors can be primes on any OGS centralized contract
- Most centralized contracts have goals for subcontractors too!
- Join the IT umbrella contracts as a reseller or subcontractor at ANY TIME during the contract
- Some contracts even allow mini-bids targeted at only MWBE's or subcontracting even at the mini-bid level.





Find Discretionary Spending Opportunities

- For purchases made below legally established monetary thresholds, agencies don't have to use a formal competitive bidding process.
- In most cases, this is \$50,000 for State agencies, but it increases to \$200,000 for purchases:
 - From a NYS small business or certified minority or woman-owned business enterprise (MWBE)
 - For commodities or technology that are recycled or remanufactured
 - For food (including milk and milk products) that are grown, produced, or harvested in NYS - this is the Buy NY initiative
 - Service-disabled, veteran-owned businesses (SDVOBs)

View the discretionary spending thresholds table at:

<http://www.ogs.ny.gov/purchase/spg/pdfdocs/PnpDiscretionaryThresholds.pdf>



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Identify and Maximize Opportunities





Success Favors the Prepared

- If you are not currently certified, get that process started! ESD can help.
- Sign up for the New York State Contract Reporter so that you can get daily updates on contracts that are available to bid on and sign up for all categories you provide goods and services in.
- Go to pre-bid and pre-proposal meetings to make contact with vendors who are planning to participate in case you need a partner.
- Consider becoming a corporate partner with preferred sources NYSID and PSP.
- Look at current contracts and ask questions so you are ready for the next solicitation.
- Carefully review the specifications and delivery instructions in every bid package.
- Make sure to review any solicitation updates and amendments.
- Contact the designated contact with questions.





When You Find Bid Opportunities...

A few things to keep in mind...

- Participate in all pre-bid activities
- Carefully review the specifications and delivery instructions
- Make sure to review any solicitation updates and amendments
- Contact the designated contact with questions
- Take advantage of post-bid debriefings





Market Yourself Directly to State Agencies

- It is important for you to identify and market yourself to those agencies that are most likely to purchase what you sell
- Discretionary spending opportunities valued at under \$50,000 are not required to be advertised in the NYS Contract Reporter
- Use archived solicitations to find agency matches
- The Contract Reporter lists quarterly and semi-annual reports of projected procurements by state agencies, too





More on Centralized Contracts

Where to Start

- Search our existing contracts:
 - <https://ogs.ny.gov/procurement/ogs-centralized-contracts>
- Review our bid opportunities:
 - <https://ogs.ny.gov/procurement/bid-opportunities>
- Register for **NYS Contract Reporter** email notifications:
 - www.nyscr.ny.gov

Opportunities

- Contracts may allow for vendor participation so reach out directly to existing contractors
- Benefits:
 - Maximize manufacturer's ability to market and support a statewide contract
 - Provide opportunities for sale from contractor's designated local resellers, dealers, distributors, or agents
 - Promote NY small, minority, women, service-disabled veteran-owned business participation





Identifying MWBEs

Finding MWBEs by searching the ESD Directory can be challenging for agencies

Many agencies will search by “business description” instead of commodity codes to yield a larger pool of MWBEs - they will use descriptive KEY WORDS to improve search results

All MWBEs should ensure that...

- ✓ ...their business description is up-to-date
- ✓ ...their business description accurately reflects scope of services/products
- ✓ ...all CSI, NAICS, and NIGP codes as it relates to your business services are included

Questions? Contact the MWBE Office:
E-mail mwbe@ogs.ny.gov or call (518) 486-9284





If You Don't Get a Contract

- Look for bid improvement opportunities by requesting an agency debriefing to learn how to improve on future bids
- A debriefing will detail strengths and weaknesses of your bid submission
 - Take notes and ask questions!
- Request assistance from procurement technical assistance centers (PTACs) and small business development centers in your area





Look for Reseller Opportunities

There are many opportunities for resellers, distributors, or agents on our contracts.

- **Contracts portal:**
<https://ogs.ny.gov/procurement>
- **Tips for searching:**
<https://ogs.ny.gov/procurement/ogs-centralized-contracts>





Office of the State Comptroller Open Book

State Contracts

- Search active state agency contracts and certain public authority contracts to see who is doing business with the state
- Information is updated daily

Local Government Spending

- See how your county, city, town, village, fire or school district gets and spends your money
- Data is updated annually

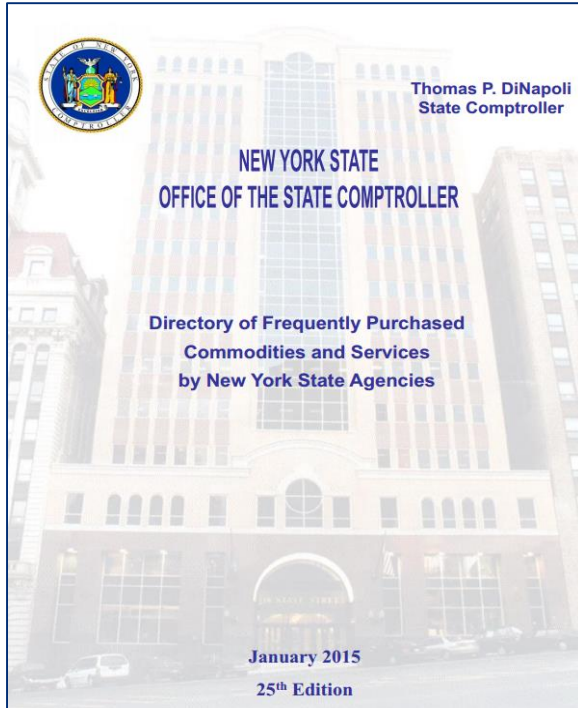
OSC Open Book: www.openbooknewyork.com



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OSC Directory of Frequently Purchased Commodities & Services



- Lists contact information for state agency procurement staff
- Lists what is most frequently purchased
- Updated annually

Find it online:

http://osc.state.ny.us/reports/fiscal/directory_commodities.pdf



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Information for Businesses

https://ogs.ny.gov/procurement

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- State Procurement Council

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- State Procurement Council

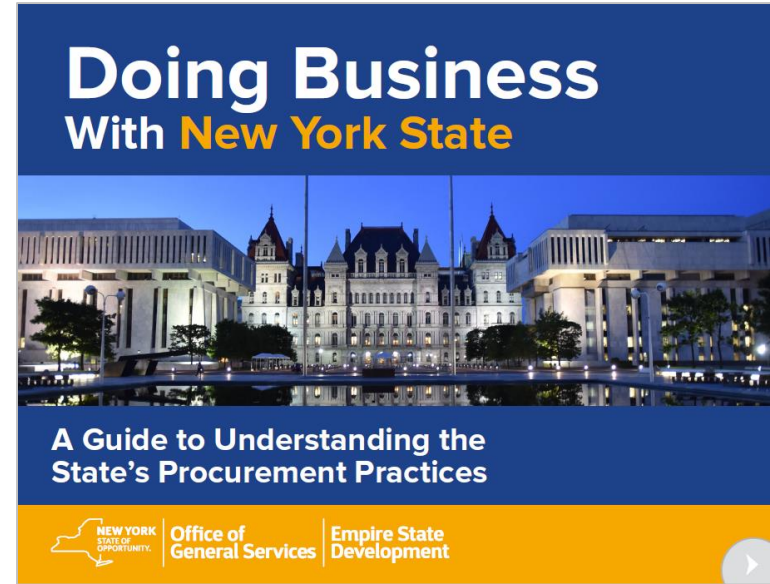


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Doing Business With NYS Guide

- This guide provides valuable information on procurement practices.
- Find it online at:
<https://ogs.ny.gov/system/files/documents/2019/03/doingbusiness.pdf>





Procurement Technical Assistance Centers

PTACs provide counseling and training for business that want to sell to government.

- **What they do:**
 - Help you register with the right groups
 - See if you are eligible for any special certifications
 - Research past contract opportunities
 - Help you identify bid opportunities
 - Measure your contract performance
 - Assist with contract audits
- **Find your local PTAC today at:** www.sba.gov/tools/local-assistance/ptac





OGS Commitment





IT Centralized Contracts

In centralized contracts, IT is a great place for MWBE opportunities including:

- **Hourly Based Information Technology Services Contract (HBITS)**
 - Supply staff augmentation to governments in IT fields
 - 15 of 23 vendors are MWBEs
 - 80% of onboarded staff are from MWBE businesses
 - OGS continues to build more opportunities for MWBE participation
- **Project Based Information Technology Consulting Services (PBITS)**
 - End to end project development and implementation.
 - Lot 1 is dedicated for projects up to \$200,000 for MWBE, SDVOB, and SBE firms
 - 50 MWBE vendors in Lot 1 alone
 - Lot 2 and Lot 3 have more than 40 MWBEs participating in contracts
 - Over 33% of the work on this contract has been awarded to MWBEs





IT Centralized Contracts

- **Manufacturer Based IT Umbrella Contract**
 - Ability to buy IT hardware, software, cloud and associated implementation services
 - Manufacturers can add resellers including MWBEs at any time
 - New contract terms allow agencies to preference MWBE, SDVOB, and SBE vendors up to \$200,000
 - Now have more than 132 manufacturers, 60 MBE Resellers and 68 WBE Resellers
- **Distributor Based IT Umbrella Contract**
 - MWBE's with unique IT products can sell through a distributor
 - This contract is great for MWBE's who have manufactured products they want agencies and authorized users to try or pilot
 - Allows MWBE's to build sales in order to qualify for a future manufacturers umbrella contract





Other Centralized Contracts

- **Hazardous Incident Response Equipment (HIRE) Contract**
 - Includes all types of hazardous response equipment like decontamination showers, protective gear, and air quality test kits
 - Overall value of \$125 million
 - 45 contractors, manufacturers & authorized distributors across 18 categories
 - 5 categories with MWBE goals of 20% (10% MBE, 10%WBE)
- **Industrial and Commercial Supplies and Equipment Contract**
 - Includes power tools, hand tools, electrical, material handling, HVAC, and lighting
 - Valued at \$95 million a year
 - Has an MWBE goal of 20% (10% MBE, 10% WBE)





Other Centralized Contracts

- **Floor Covering Contract**

- Includes several types of floor covering products such as broadloom carpet, carpet tile, and vinyl tile, as well as services like installation and recycling
 - Valued at \$7 million per year
 - Has an MWBE goal of 30% (15% MBE, 15% WBE)
 - State spend accounts for approximately 72% of spending (\$6 million per year)

- **Audio Visual Equipment and Accessories Contract**

- Includes mobile presentation carts, production and lighting, mounts and rigging, cables, presentation equipment, accessories, and consumables
 - Valued at over \$20 million annually
 - 20+ MWBEs are approved resellers on this contract
 - MWBE resellers can be added to the contract twice annually
 - Contract has easy-to-use directory to assist contract users in identifying available MWBE resellers ready to do business





You Are Now Part of a Strategic Shift

- OGS is committed to increasing MWBE participation in the procurement process
- It's all about the customer
- Let's build a partnership

We want to understand:

- What your experience has been?
- What the barriers to participation are?
- How we can work together?





Common Misconceptions





Misconceptions MWBE Vendors Often Have

- If I get certified I am guaranteed work
- Special programs like SDVOB, and preferred sources compete with the MWBE program
- Agencies have “preferred” or short listed vendors
- I have to be certified to bid on work
- If the prime I’m working with is not treating us fairly, I have no support





Questions?

