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New Law Amending the NYC Minority and Women-owned Business Enterprise (M/WBE) Program

On January 7, 2013, in an effort to strengthen New York City's Minority and Women-owned Business Enterprise (M/WBE) Program, Mayor Bloomberg signed into law Intro 911-A. The new law amends the requirements of NYC's current M/WBE program, Local Law 129, which was passed in 2005. Among other things, Intro 911-A eliminates the \$1 million cap on City contracts covered by the City's M/WBE program. This change was designed to increase the number of contracts that are covered by the City's M/WBE participation goals. According to the City's press release, by including larger contracts in the M/WBE program, the total value of program-eligible contracts could increase from \$400 million to \$2.2 billion.

Intro 911-A also enhances accountability and oversight of the M/WBE program. The legislation requires creation of a new accountability program with mandatory meetings for agency leaders to discuss their progress towards achieving M/WBE goals and their efforts to increase participation. In addition, it requires the establishment of a tracking system for City contracts and allows for cross-certification with other governmental agencies.

Intro 911-A also includes adjustments to the procurement goals for the various minority groups and women covered by the M/WBE program. The goals are determined generally by comparing the number of firms in each demographic group with whom the City contracts to the number of firms in each demographic group who are eligible to do work for the City. The goals for some demographic groups increased for certain types of City contracts and decreased for others.

The new law goes into effect on July 1, 2013.

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