**DOCUMENT 002213**

**SUPPLEMENTARY INSTRUCTIONS TO BIDDERS - MWBE-EEO**

COORDINATE ARTICLE AND PARAGRAPH NUMBERS WITH OTHER REQUIRED SUPPLEMENTARY INSTRUCTIONS TO BIDDERS. NUMBER IN THE ORDER OF THE DOCUMENT NUMBERS.

This Supplement modifies the Instructions to Bidders. Where any part of the Instructions to Bidders is modified by this supplement, the unaltered provisions of that part shall remain in effect.

Add the following:

**22. GOALS**

22.1 To ensure meaningful participation in the Project of certified Minority- and Women-Owned Business Enterprises (“MWBEs”) under the Contract, the Commissioner of General Services has established goals set forth in the Supplementary Conditions.

22.2 All bidders should note that important definitions and conditions relating to the foregoing MWBE goals are contained in the Supplementary Conditions.

22.3 In order to assist the State in determining compliance with the goals set forth in the Supplementary Conditions the apparent low bidder will be required to submit an MWBE Utilization Plan via the New York State Contracting System (NYSCS) prior to Contract award or subcontractor approval.

22.4 If unable to submit an MWBE Utilization Plan through the NYSCS, the apparent low bidder must use Form BDC 328 to submit the plan. The BDC 328 form is available for download at https://ogs.ny.gov/mwbe/forms and may be mechanically reproduced. Additional copies may be obtained upon request from the address listed in Paragraph 23.2 below.

22.5 The apparent low bidder must submit the completed MWBE Utilization Plan within seven (7) calendar days after the bids are opened. OGS will review the submitted MWBE Utilization Plan and advise the bidder of OGS acceptance or issue a notice of deficiency within twenty (20) days of receipt.

**23. CERTIFICATION**

23.1 All Minority- and Women-Owned Business Enterprises (“MBEs” or “WBEs”) proposed as contractors, subcontractors or suppliers must be certified by the NYS Empire State Development, Division of Minority and Women’s Business Development to be eligible for MBE or WBE credit on this project.

23.2 UPON WRITTEN REQUEST, The New York State Office of General Services’ Office of Business Diversity (OBD) will provide a computer printout of certified MBEs and WBEs in specific trades for a given geographical area of New York State.

This printout can be requested in writing as follows:

* By e-mail to:  [DCMWBEManager@ogs.ny.gov](mailto:DCMWBEManager@ogs.ny.gov)
* By fax to: (518) 486-2679
* By mail to:

NYS Office of General Services

Office of Business Diversity

29th Floor, Corning Tower, GNARESP

Albany, NY 12242

**24. LIQUIDATED DAMAGES – MWBE PARTICIPATION**

24.1 Refer to Article 27.8, Document 007307, Supplementary Conditions - MWBE-EEO, for “Liquidated Damages – MWBE Participation”.

**END OF DOCUMENT**