

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

TASK FORCE ON MWBE JOINTLY WITH COMMITTEE
ON CONTRACTS

----- X

January 29, 2020
Start: 10:08 AM
Recess: 12:33 PM

HELD AT: Council Chambers - City Hall

B E F O R E: ROBERT E. CORNEGY, JR.
Chairperson

BEN KALLOS
Chairperson

COUNCIL MEMBERS: Inez D. Barron
Bill Perkins
Helen K. Rosenthal
Kalman Yeger

A P P E A R A N C E S (CONTINUED)

Jonnel Doris, Senior Advisor and Director, Mayor's Office of Minority and Women Owned Business Enterprises

Dinah Shore Gross, Deputy Commissioner, Division of Economic and Financial Opportunity, Department of Small Business Services

Je Kwan, (sp?) Deputy Director of Strategic Initiatives and Performance Management, Mayor's Office On Contract Services

Wendy Garcia, Chief Diversity Officer, Scott Stringer's Office

Nancy Aber Goshow, New York State Licensed Architect, Goshow Architects

Gregory Man Sikis, President Maestro Construction Corporation

Felice Farber, Senior Director of Policy and External Affairs, General Contractors Association of New York

Krista Gobins-Wilson, Policy Advisor, Women's Builders Council, Submitting testimony for: Council

Hayes Slade, Member and former President of the American Institute of Architects New York, AKA: AIA New York, and founding partner of Slade

Amanda Weeks, Owner of Ambrosia, Research Lab for Recovery of food waste

Joyce Lynn Taylor, CEO, Taylor Made Contracting and Chair, New York City MWBE Alliance

Everett Perry, Minority Owned Woman Owned business with wife

Mala Popli, Vice President, Popli Design Group Architecture and Member of Alliance of New York Asian Architect and Engineers

Karmisha Superville, CEO of Enchanted By Karmisha, EBK Events

Yvette Richardson, Co-Owner of Sabr, Richardson and Weisberg Engineering and Architecture

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

4

2 (sound check) (background comments/
3 laughter)

4 SERGEANT-T-ARMS: Quiet down, please.
5 Quiet down. Everyone find seats and silence your
6 cell phones. Private conversations we take outside.
7 Thank you. (background comments) (gavel)

8 CHAIRPERSON CORNEGY: Good morning and
9 welcome to this joint hearing on New York City
10 Council's Task Force on Minority and Women Owned
11 Businesses, Enterprises and the city's Committee on
12 Contracts. I'm Robert E. Cornegy, Jr. and I have the
13 honor of chairing the Task Force, and I'm grateful to
14 partner in holding this hearing today with my friend
15 and colleague Council Member Ben Kallos who chairs
16 the Committee on Contracts. Our city government has
17 a proactive role in promoting economic inclusion and
18 the full participation of all of our shared
19 communities in the life of our city. That is why
20 city policy around MWBEs and procurement and
21 contracting is so important. As the hearing title
22 indicates, three themes serve as touchstones for
23 today: Building on successes, overcoming challenges
24 and expanding opportunities. In terms of building
25 those success we've seen important policy successes

2 in recent years. I'd like to recognize and to extend
3 my thanks to Assembly Member Rodneyse Bichotte and
4 State Senator James Sanders for their continued
5 support of the MWBE community and their efforts to at
6 the state level to improve the utilization of MWBEs
7 statewide. Through their efforts, and the efforts of
8 countless other officials both here and at the state
9 level, New York boasts a statewide MWBE utilization
10 rate of nearly 30%, the highest rate in the nation.
11 However, statewide utilization does not always
12 translate into citywide utilization. That brings us
13 to theme number two: Overcoming challenges. The
14 2018, City MWBE Disparity Study found that Agencies
15 were falling far short of their Mayor's stated 30%
16 goals. In Fiscal Year 19 only 23.6% of all eligible
17 contracts were awarded to MWBEs, and only 18% of the
18 eligible prime contracts were awarded to MWBEs. The
19 City Council has long supported the city's MWBE
20 vendors and through its various MWBE initiatives, the
21 Council has assisted MWBEs in expanding their role in
22 both city procurement and the private sector. In
23 2005, the city established its MWBE program in order
24 to address the disparities in city procurement
25 between the number of minority and women owned

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 businesses available to do business with the city and
3 the number that are actually awarded city contracts.

4 We on the City Council applaud the work being done by
5 the Department of Small Business Services, and the
6 Mayor's Office of MWBEs via their training,
7 networking and business development programs.

8 However, more remains to be done. Only and hand full
9 of city agencies are carrying the load for the
10 Administration's responsibility for MWBE contracting.

11 While we commend the best performing agencies this
12 year, the New York City Commission on Human Rights,
13 the Department of City Planning and Fire Department
14 to name a few much remains to be done to assist other
15 mayoral agencies in reaching 30% utilization on all
16 eligible contracts citywide. In Fiscal Year 2019,
17 the city's contract budget was \$20.5 billion. Of
18 this, \$5.3 billion were—was for contracts subject to
19 MWBE program and of that number, 18%, or \$715.8
20 million was actually awarded to MWBE prime
21 contractors. While 60% of eligibility subcontracts,
22 about \$319.6 million were awarded to MWBEs. When
23 combined, the total number is around 23.6% of all
24 eligible city contracts. While this is an
25 improvement of Fiscal Year 2018, it still falls short

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 of the Mayor's stated goal of achieving 30% MWBE
3 utilization. How can we approve these numbers—
4 improve these numbers? The low hanging fruit here is
5 understanding each department's utilization rate in
6 order to identify which agencies of the city are more
7 efficient, and effective in supporting MWBEs and
8 which are struggling. When considered on an agency by
9 agency basis the disparity between agency utilization
10 is stark. The New York City Commission on Human
11 Rights awarded nearly 88% of its eligible prime
12 contracts to MWBEs, and the Fire Department awarded
13 nearly 58% of its \$1.8—I mean \$186 million budge to
14 MWBE contractors. Admittedly, these agencies have
15 much smaller contracting budgets than some of the
16 large contracting agencies, but they're obviously
17 making an effort to contract with MWBEs. Meanwhile,
18 the Department of Transit awarded a paltry 2% of its
19 \$645 million to MWBE eligible contracts, and MWBE
20 firms. Similarly, the Department of Information
21 Technology and Telecommunications and City Planning
22 each awarded less than 5% of their MWBE eligible
23 contracts in Fiscal Year 2019 to MWBEs. Instead of
24 highlighting the agencies with the greatest successes
25 in MWBEs contracting the Administration should hold

2 these under-performing agencies accountable and do
3 whatever it takes to improve their utilization rates.

4 The taskforce does not expect full MWBE utilization
5 for every agency, but when numbers are that low, it
6 speaks volumes about the lack of effort to fulfill
7 the goals of the MWBE program on the part of those
8 agencies. We hope this hearing will provide the task
9 force with an opportunity to discuss some of the road
10 blocks these under-performing agencies are having in
11 their procurement processes, and what steps the
12 Administration can take to improve the number of
13 agencies at the low end of this list. Like the
14 Mayor, we're committed to reaching 30% utilization.
15 Let's work together to improve MWBE utilization rates
16 of the worst performing Agencies so we can get there
17 together. I want to close on the expanding
18 opportunities theme. (coughs) This hearing will be
19 the first in a series to get a best practices to
20 challenge ourselves as a city to think creatively
21 about the obstacles and the tools at our disposal to
22 overcome those obstacles. I'm particularly pleased
23 that we will be hearing from MWBE advocates, business
24 owners, and experts today. Your first hand expertise
25 is essential to this process, and we must remain open

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 minded in hearing out your ideas. I look forward to
3 pursuing policies and partnership to move our city's
4 MWBE policies forward. Ultimately, our ambitious
5 goals for MWBE success in New York only have real
6 meaning when they deliver results. That's contract
7 signed, businesses grown, and employees hired. Step
8 by step we must continue building up measures to
9 ensure city government acts as a constructive partner
10 in advancing shared prosperity for all New Yorkers.
11 I will now turn the floor over to Council Member Ben
12 Kallos Chair of the Contracts Committee for his
13 opening remarks.

14 CHAIRPERSON KALLOS: Thank you, Chair
15 Cornegy. I'm Council Member Ben Kallos, and I have
16 the privilege of chairing the Council's Committee on
17 Contracts. If you're watching at home or the live
18 stream or want to be, please feel—feel free to
19 participate by Tweeting me at Ben Kallos or my Co-
20 Chair at R. Cornegy, Jr. As Chair of the—as Chair
21 Cornegy mentioned, more remains to be done in order
22 and ensure the city's contracting Agencies are
23 meeting their MWBE procurement targets. While it may
24 be the case that 23.6% of all eligible city contracts
25 went to MWBEs in Fiscal Year 19, the majority of

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 those contracts are concentrated among only a handful
3 of groups, and when you take a look at it, um, only
4 6%--when you take a look at women of color in
5 particular, 6% went to Hispanic or Latinx women owned
6 firms; .42% to Asian women owned firms; and I feel
7 that this is slightly embarrassing, but .29% to Black
8 women owned firms, and so we—we have to do better in
9 our city for women of color. (coughs) The 2018
10 Disparity Study highlighted that the city's
11 procurement system still has many problems that need
12 to be addressed in order to bring MWBEs into them
13 more and MWBEs into the fold, but the aggregate
14 numbers are not enough (coughing). It remains the
15 case that there is still a disparity within the
16 disparity of MWBE contractors, and we on the
17 committee implore the Administration to focus its
18 efforts towards awarding more contracts to the least
19 represented groups identified in the 2018 study
20 particularly women of color. Having said that, it is
21 worth noting that the Contracts Committee passed two
22 local laws last year in furtherance of these goals:
23 Local Law 174 and 176 for the first time made Native
24 American owned firms eligible for MWBE procurement
25 preferences, right size procurement goals for all

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 MWBE categories to be more consistent with the 2018

3 Disparity Study findings and require contracting

4 Agencies to offer more frequent training on MWBE

5 program implementation. I'd like to extend my thanks

6 again to Chair Cornegy who offered one of those laws

7 as well as Council Member Debi Rose for their

8 sponsorship of those laws last year and for their

9 leadership as champions of our city's MWBEs. I'd

10 also like to thank Chair Cornegy for end. Thank you

11 to Assembly Members Rodneyse Bichotte and State

12 Senator James Sanders for their support of the MWBE

13 community at the state level. Finally, I'd like to

14 thank the committee staff, which happens to be the

15 same staff as the Task Force Legislative Counsel,

16 Alex Paulenoff; Policy Analyst Casey Addison; Finance

17 Analyst Peter Butler; Finance Unit Head John Russel;

18 as well as Chief-my Chief of Staff Jessie Townsend;

19 my Legislative Director Wilfredo Lopez for all their

20 hard work in preparing for this hearing. I want to

21 start with actually an apology from my end. We are-

22 have been working with students in my district since

23 they were in kindergarten in 2015 on legislation.

24 They offered to ban pesticides from being sprayed in

25 parks. That hearing has been scheduled at the same

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 time as this hearing. So, I will be leaving this
3 hearing in the capable hands of my Co-Chair. I will
4 be at the 16th Floor, and if that hearing should wrap
5 up before this hearing, I—I will be back, but
6 otherwise we will be reviewing the transcript,
7 reviewing the testimony and look forward to working
8 with you, and if you don't already know the email
9 address, if you have any concerns please feel free to
10 reach out to us at contracts@benkallos.com, and
11 whether it's being an MWBE—sorry. Whether you're a
12 business who wants to become an MWBE is having
13 difficulty, you're an MWBE who is having difficulty
14 Jetting contracts, or you're an MWBE who's looked at
15 an RFP and you're like: That's written in a way that
16 now MWBE can Jet it. Whatever it is, let us know. We
17 think that our Agencies are trying to do their best.
18 We know the Office of MWBE is doing its best, but all
19 of us are smarter than anyone of us, and together we
20 can make a difference. Thank you.

21 CHAIRPERSON CORNEGY: So, thank you Co-
22 Chair. I do want to say that as a proud member of the
23 newly minted Super Duper Nerds Caucus (laughter) we
24 are—we are trying to move towards paperless hearings,
25 and so when you see myself and my co-chair reading

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 from our computers, it is in an effort to move to at
3 some point, hopefully this year actually paperless
4 hearings. So, we're not crazy. There's a method to
5 our madness.

6 CHAIRPERSON KALLOS: Okay.

7 CHAIRPERSON CORNEGY: I want to
8 acknowledge the presence of Kalman YeJer who's joined
9 us, and now we will do the affirmation so we can move
10 forward, and have testimony from the Administration.

11 LEGAL COUNSEL: Please raise your right
12 hands. Do you swear or affirm to tell the truth, the
13 whole truth, and nothing but the truth in your
14 testimony today, and to respond honestly to Council
15 Member questions?

16 JONNEL DORIS: I do.

17 LEGAL COUNSEL: Great. You may begin your
18 testimony.

19 CHAIRPERSON CORNEGY: So, thank you so
20 much for joining us this morning.

21 JONNEL DORIS: Good morning. Good
22 morning, um, Chair Cornegy, Chair Kallos, Members of
23 the Council's Committee on Contracts and Task Force
24 on MWBE. My name is Jonnel Doris. I'm the Senior
25 Advisor and Director of the Mayor's Office of

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 Minority and Women Owned Business Enterprises. Today

3 I will provide an overview of the citywide MWBE

4 program including the progress made toward our MWBE

5 Certification and Utilization goals set by this

6 Administration. With me today are Dinah Shore Gross,

7 the Deputy Commission of the Division of Economic and

8 Financial Opportunity at the Department of Small

9 Business Services; Inje (sp?) Kwan, the Direct--

10 Deputy Director of Strategic Initiatives and

11 Performance Management at the Mayor's Office On

12 Contract Services to answer questions that you may

13 have specific to our work. In the fall of 2015 Mayor

14 Bill de Blasio announced the creation of the Mayor's

15 Office of MWBEs as a critical next steps in the

16 administration's commitment to increasing contracting

17 opportunities for minority and women owned

18 businesses. The Mayor pledged ambitious goals

19 achieving 30% MWBE utilization by the end of 2021 and

20 having 9,000 firms by the end of 2019, Fiscal Year

21 19. In 2015, the Mayor also outlined a separate

22 citywide goal to award \$16 billion to Minority and

23 Women Owned businesses over the next 10 years by

24 Fiscal Year 25. This One NYC goal and the 30% covers

25 both mayoral and non-mayoral Agencies. We have since

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 increased this goal twice to \$20 billion, and then
3 again to \$25 billion just this past November as we
4 are ahead of schedule. Since the start of the de
5 Blasio Administration the number of certified firms
6 have doubled from just over 4,000 to over 9,000 by
7 June 30th of 2019, achieving the Mayor's goal and
8 we're climbing. (siren) Additionally at the end of
9 Fiscal Year 19, MOCS reported the MWBE utilization
10 was at nearly 24% representing over one billion in
11 contracts awarded to MWBEs under Local Law 1 as
12 compared to 8% or \$465 million value of city
13 contracts in Fiscal Year 15 at the start of this
14 administration. Just to put that into perspective
15 that is three times higher utilization rate in nearly
16 as many years. In fact, at the end of Q-1 of Fiscal
17 Year 20, the MWBE utilization was 28%. By comparison
18 it was 14% in Q-1 of Fiscal Year 19. We are also
19 happy—are very happy to report that since 2015 over
20 \$14 billion have been awarded to MWBEs by mayoral and
21 non-mayoral Agencies citywide under the One NYC
22 program, and I would add that last year we did \$3.8
23 billion in that particular program. We would also
24 note the importance of leadership of Deputy Mayor
25 Phil Thompson whose career long justice and equity

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 work includes increasing economic development
3 opportunities by calling out and challenging
4 structural and historical barriers in the marketplace
5 and within government. Under the supervision of the
6 Deputy Mayor on MWBE, our office, SBS and MOCs play
7 and integral role in implementing the MWBE Program
8 respectively providing essential capacity building
9 services and technical assistance as well as tracking
10 and reporting utilization data for all city contracts
11 subject to Local Law 1. In other words, outcomes.

12 The foundation and mission of the city's MWBE
13 Program: The purpose of the city's MWBE Program is to
14 remedy the impact of discrimination in the market
15 where the city make its procurements. This impact is
16 statistically analyzed in a disparity study. The
17 most recent disparity study demonstrated that
18 Minority and Women Owned Business firms are under-
19 utilized in city procurements. The city will make
20 policy Changes in accordance with the key findings
21 and recommendations of the Disparity Study that was
22 published this past May 2018. Along with my
23 colleagues here today, my office will continue to
24 play a strategic role in ensuring the city Agencies
25 remain focused on achieving the goals of the program.

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 In the fall of 2019, the Council passed bills to
3 increase the goals for the MWBEs in accordance with
4 the findings of this 2018 Disparity Study. The hire
5 goals will be implemented in April 2020 as per the
6 bill Intro 1293, Local Law 147. Sorry. The now,
7 Local Law sponsored by Council Member Cornegy, which
8 codified best practices and by Council Member Rose to
9 authorize the 2018 Disparity Study recommendations
10 including the increase in MWBE goals and the
11 inclusion of goals for Asian-Americans in
12 professional services, and Native Americans. Since
13 then OMWBE, MOCS, and SBS have led several citywide
14 trainings for MWBE officers and ACOs at the city
15 Agencies as well as robust outreach efforts to get
16 the word out to MWBEs. This includes borough wide
17 MWBE forums organized by SBS where current and
18 prospective MBWEs networks—network with purchasing
19 officers at city Agencies. We had one last week at
20 Medgar Evers College, and it was a great success. We
21 have also included in the city agency training and
22 public outreach helpful information about new state
23 law that authorized the \$500,000 discretionary award
24 limit, which went live just this month. The
25 estimated impact of which is \$200 to \$300 million in

2 addition to—addition to where we are now on an annual
3 basis. By way of example, the impact of the MWBE
4 exclusive \$150,000 discretionary threshold has been
5 over 1,900 awards valued at \$140 million since its
6 implementation in March of 2018 through the end of
7 2019. The other portions of the law authorizing the
8 use of a firm status to include them in pre-qualified
9 lists and the establishment of a mentorship program
10 at S-DDC, will be implemented later this year and
11 early next year respectively. In keeping with the
12 core principles of the city's program, which are
13 accountable—accountability, accessibility, capacity,
14 sustainability, we have implemented initiatives to
15 address issues that MWBEs face in the private
16 marketplace namely access to capital, which is a
17 common obstacle for many small and midsize firms. In
18 order to respond to this need, the administration
19 launched the Contract Financing Loan Fund, and the
20 Bond Collateral Assistance Fund both administered by
21 SBS and the Emerging Developer Loan Fund, which is
22 administered by EDC. Together the administration
23 invested \$30 million across these three funds, and
24 Citi Bank's, depository banks responded to the call
25 of action by the Mayor invested an additional \$41

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 million for the total of \$71 million in affordable
3 capital for MWBEs and small businesses. We are glad
4 to report that since the launch of these funds the
5 CFL fund or the Contract Finance Loan Fund has
6 awarded 92 loans for a total of \$19.5 million and the
7 Bond Collateral Loan has awarded \$800,000 as of
8 September. The EDLF Fund has awarded six loans of
9 \$10.4 million. Still, we continue to do—we are
10 committed to doing more to lower and wherever
11 possible remove structural barriers to entering the
12 city's procurement marketplace by providing resources
13 for our—for increased programming at city Agencies,
14 and creating strategic initiatives to increase MWBEs'
15 ability to compete successfully. This spring with
16 the help of the New York State Legislature we will
17 seek changes to the New York State Insurance Law
18 among other amendments that would improve access for
19 MWBEs. Going forward we will continue to work
20 closely with the Council and other elected partners
21 on MWBE outreach networking, and educational events.
22 We will also continue to meet regularly with
23 interested Council members to share updates on the
24 program's milestones. Thank you for the opportunity
25 to testify today, and your continued support and

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 advocacy for our program. We'll be happy to answer
3 questions you may have. Thank you. (siren)

4 CHAIRPERSON CORNEGY: Thank you for your
5 testimony. I would be remiss if I didn't say that
6 (siren) you being here today in this office being
7 formulated is definitely a testament to the
8 commitment of the Administration and in particular
9 the Mayor to address some issues. So, today's
10 hearing is acknowledging that, but knowing that we
11 could push forward and do better, and identifying
12 some of the Agencies that are performing poorly, and
13 trying to find ways to bring them up to speed as to
14 meet the mandate currently that exists within the
15 Administration, but I would be remiss if I didn't say
16 (1) I'm grateful that we have this because I've—I've
17 been around long enough to be—to know when this
18 didn't exist, and we were kind of just spitting in
19 the wind as disgusting as that sounds on tape.

20 (background comments) But, to-to see that happening
21 now it only makes us want and desire to move forward,
22 and Jet more out of it. So, I do acknowledge,
23 though, that your presence and Deputy Mayor Phil
24 Thompson's great work and body of work over the
25 history suggests that we can do better. So, I'm—I'm

2 going to start, but first I have a series of
3 questions I'd like to ask, but you mentioned the Loan
4 Funds, and I'm just curious as to whether or not you
5 can articulate today if there have been any defaults
6 on those loans that you mentioned, and if so, can you
7 describe why or when or--?

8 JONNEL DORIS: No, to our knowledge we
9 have not had any defaults on those loans. The loans
10 are constructed in a way where it's, in it's
11 assignment associated with the loans says the MWBE
12 performs the work. The agency then will pay directly
13 to the--to the, um, lending agency, which helps
14 facilitate the process. Our MWBEs, as you know, are
15 spectacular. They do great work. The challenge is
16 the market discriminates against them particularly
17 when it comes to Jetting financing to do the work,
18 and so we know that if it's essentially a performance
19 based risk, that's what these loan funds are, we know
20 that it's almost next to nothing because they
21 perform, and they do very well, and they have the
22 capacity and ability to perform and, therefore, we
23 have not had any defaults on those loans.

24 CHAIRPERSON CORNEGY: I mean that was my--
25 my--my prevailing thought, but I was just curious as

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 to—as to whether or not these programs are working in
3 the—in the way that they intended, and if there are
4 some people who would say that, you know, it's unfair
5 based on the fact that there are defaults, but I knew
6 or I hoped that that wasn't the case. So, in
7 November 2019, the Procurement Policy Board updated
8 its rules in accordance with new state law to enable
9 Agencies to procure goods and services up to \$500,000
10 up from \$150,000 without competitive bidding. How has
11 the new Change been implemented at the agency level
12 so far?

13 JONNEL DORIS: Thank you for that
14 question Council Member. So, the—there was a PPB
15 Rule process—rule making process that started back in
16 the summer after the law was passed and signed by the
17 governor, and in November and December of this past
18 year, the PBB Rule Committee approved all the Changes
19 not only the 500-K, but also our best value
20 provision, which is essential to MWBE utilization
21 where the MWBE status you have Quantitative factor or
22 points essentially awarded to you based on that in a
23 RFP process, and which is great. The State has it,
24 the Port Authority has it, the MTA has it, everyone
25 has it except New York City, but now we do have that

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 as well, and so as of January 1 the 500K has been in
3 full effect, and we are—we have trained the Agencies,
4 the ACOs and the MWBEs officers on the new process
5 similar to what we did when we Changed and went from
6 \$20,000 to \$150,000 and, um, I know for some of us
7 folks are not remembering when the city had a
8 discretionary threshold only three years ago of
9 \$20,000. Today it's a half a million dollars, and
10 that's due to the work of the State Legislature, our
11 Council Members who—who lobbied with us heavily at
12 the State level to get that Change, and so this month
13 we essentially started to utilize that 500K, and so
14 we will be reporting our on that as the—as the months
15 ahead—in the months ahead. Sorry.

16 CHAIRPERSON CORNEGY: So, as you've
17 indicated I realize the implementation is relatively
18 new, but can you give any concrete examples of how
19 Agencies are procuring goods and services from MWBE
20 in accordance with the new rules?

21 JONNEL DORIS: Yeah, I think we can—and
22 I'll start and I'll ask you to jump in, we—we know
23 that again it's literally weeks, and so we, we've
24 trained them. We know they're utilizing it. If we
25 take what happened with the \$. We know they're

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 utilizing it. If we take what happened with the 150,
3 which right now we're at 1,900 contracts at \$140
4 million in a year and a half that we were able to Jet
5 that going, I think we will see the kind of results
6 we're looking for in the coming months. The process
7 is very similar. There's some things needed to add
8 because the 500K is a bit more than 150 and, um, you
9 know some other guardrails we have to put in place in
10 order to Jet the process moving smoothly, but we are
11 confident that we were able to Jet to the extra 200
12 to 300 million we anticipate we can Jet utilizing
13 this new tool, but it's a bit early for us to report
14 out on it, and certainly quarter we'll be doing that,
15 but we—we know that it's starting to be utilized. Do
16 have anything to add?

17 DEPUTY COMMISSIONER GROSS: Sure. I just
18 wanted to point out that as of last week the Agencies
19 actually have a delay to make the actual purchases up
20 to the increased discretionary threshold of \$500K in
21 the system, and also just there has been about a week
22 that's gone by since then, and there are some
23 protocols in place that—that Agencies still have to
24 follow in order to make purchases. No awards of that
25 size including public hearings, and so as we see some

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 of those procurements occurring, we should see more
3 actual contracts registered in that range in the
4 coming weeks.

5 CHAIRPERSON CORNEGY: So, I definitely
6 look forward to in the next quarter having you come
7 back to report back on that, and which leads me to
8 just say that this is actually the first time that
9 the Task Force has been able to convene a hearing,
10 and we look forward to being able to do these
11 relatively regularly for check backs. So—but for the
12 record this is actually the first time that we as an
13 MWBE task force have convened a hearing. This one
14 happens to be in partnership obviously with the—with
15 the contracts offers, but we look forward to, you
16 know, really Jetting together with the Administration
17 in this hearing format to move both of—well, the very
18 similar agenda of 30% utilization forward. So, and
19 this is a question that I know personally, but for
20 the record I'd just like you to answer it. How
21 involved was the Mayor Office of MWBEs in affecting
22 those Changes? I—I traveled with you to Alban so I
23 know the answer, but if you could just--

24 JONNEL DORIS: We were on the train
25 Together.

2 CHAIRPERSON CORNEGY: Yes.

3 JONNEL DORIS: You know, I-I appreciate
4 the question and I think it speaks to the-the overall
5 nature of our work in the sense that we understood
6 and me essentially coming from the-the Governor's
7 Office of the state as a COD coming down to the city,
8 understanding the real disparity between the tools
9 the state has, and what the state gives its
10 municipalities as big as we are. As New York City
11 we're still considered a municipality under State
12 Finance Law, and the restrictions that we had when we
13 want to be creative with our MWBE Program, and so we
14 were very active. We worked with State Legislatures.
15 We worked with our Council Members and the advocates
16 in this room, and we went up to Albany on several
17 occasions. We advocated, we led the charge, we were
18 up there several times and, you know, we brought to-
19 the reality to MWBEs to the members in the State
20 Legislature. We essentially took just a strategy,
21 took lists of MWBEs in their districts, and how they
22 were winning and what the potential was, and we
23 demonstrated to them that the MWBE Program is an
24 economic development program and a community
25 development program. We know that MWBEs hire from

2 their communities, and I think once we made the case
3 of why we need it with our budget, with our influence
4 aa city, the Legislature, you know, they lined up
5 with us. It wasn't easy, but we certainly led the
6 charge and with our Council Members and our state
7 elected officials, Assemblywoman Rodneyse Bichotte as
8 was mentioned, Senator Kevin Park was a sponsor of
9 our recent bill and, of course, Senator James Sanders
10 and the entire team up there who support what we're
11 trying to do, and all the legislators from New York
12 City who are in Albany were very supportive.

13 CHAIRPERSON CORNEGY: Thank you. So, in
14 September 2019, the Council's Contracts Committee--
15 and this on behalf of my colleague who had to step
16 away--passed two Local Laws in support of MWBEs, Local
17 Laws 174 and 176 added Native American owned firms to
18 the category of the minority group, and updated the
19 MWBE procurement goals to be consistent with the 2018
20 Disparity Study findings. How have these Changes
21 been implemented by agency to date?

22 JONNEL DORIS: So, the updated goals I
23 believe we--we have two--I think it's improv (sic). We
24 would launch those for the updated goals. The bill
25 had a six-month period for us to update the rules and

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 regs and so forth. So that will be live in April.

3 The other components of those bills were—are live
4 now, and anything to add Dinah Shore?

5 DEPUTY COMMISSIONER GROSS: The inclusion
6 of the other mackens (sic) in the program also have
7 the 180-day effective date. So, they will be
8 eligible to be certified MBEs beginning in April.

9 CHAIRPERSON CORNEGY: Thank you. What
10 response to the legislation have Agencies received
11 from city contractors? Has there been an outpouring
12 to be included? What have you seen?

13 JONNEL DORIS: From the legislation that
14 we just spoke about. Well, I think Agencies (1) are
15 excited. You know, they have additional tools in
16 which they can use to help them reach their goals,
17 and I really wanted to paint a picture today of, you
18 know, what was before and what is now. You know, if
19 we even talk about discretionary, we talked about
20 adding folks in, updating the goals based upon where
21 were are now. We have 9,600 firms, 9,600 firms. A
22 few years ago it was 4,000 firms, and so we've worked
23 diligently to increase the pool. We cannot act as we
24 were acting when we had 4,000 firms when we have
25 9,600 firms meaning we've added a capacity. We've

2 added availability to the—to the pot, and those firms
3 are ready and able to participate. So the Agencies
4 are excited. We meet with the commissioners all the
5 time. We meet with the MWBE Officers and ACOs on a
6 regular basis. They are excited for the tools that
7 they have now, the best value provision. We're
8 excited about the Mentorship Program we're about to
9 implement at DDC similar to what's at SCA and also
10 the MTA. All these programs have been successful,
11 but the city was precluded from utilizing those tools
12 based on state finance laws and rules, etcetera, and
13 so now that we have these tools we're beginning to
14 see the results. We're at 28% last quarter, 28%. I
15 mean we're 2 percentage points away from our 30%
16 goal, and we're very excited about that, and we're
17 looking forward to having additional tools that the
18 City Council will give us, but also one of the major
19 things if you may—if I may, that we're looking for
20 back in Albany is insurance reform. We need insurance
21 reform because we know the industry treat MWBEs
22 differently and small businesses differently just as
23 the finance industry does as well, and so we need a
24 tool where we can—we can call OCIP, Owner Control
25 Insurance Program, or a Contractor Control Insurance

2 Program or a lack of (sic) insurance program where
3 MWBEs who are subcontracted on a job are wrapped up
4 in the insurance of the prime. It makes it more
5 affordable. It makes them be able to engage with us
6 and that's the last I believe major issue. We have a
7 bond program. We have a finance program for working
8 capital, but the insurance issues is a challenge, and
9 we need to go to Albany to get them to approve
10 that for us this year.

11 CHAIRPERSON CORNEGY: Well, certainly I
12 look forward to joining you in that—I don't want to
13 say fight, but in that—in pushing that agenda
14 forward because I think it is a Trifecta, and, um,
15 we're always going to be lagging behind if we have
16 that hanging over our heads. So, I think—I think
17 addressing that is a testament to understanding what
18 the—the climate and the marketplace really look like
19 for MWBEs. I think that's incredibly important. So,
20 the disparity study—the disparity study released—oh,
21 I'm sorry. Council Member, do you have any
22 questions? Alright, because I could just do this all
23 day so-- The disparity study released in 2018 did
24 not include the last three year of city utilization
25 data for MWBEs. Does the Administration believe the

2 study was an accurate reflection of current
3 utilization or availability trends with the absence
4 of that last three years?

5 JONNEL DORIS: Yeah, I think—I think the-
6 the—the results that came out of disparity showed
7 that we're—we're about 50% availability. I mean so
8 it's clearly telling us that there's an increase from
9 before, which is 37 or so percent up to 50% or so
10 availability. That means that we have more MWBEs in
11 the pool to participate, and so I think on the
12 implementation side of those numbers we're able to
13 adjust, which we have, the goals now, and then
14 starting in April we're able to execute on those
15 larger numbers of MWBEs who were able to participate
16 based upon the availability and capacity of those
17 firms. So, I do agree that, you know, there's always
18 going to be a lag because we have to gather the data.
19 We have to set a parameter of when we're going to
20 examine the data, and these disparity studies that
21 are look-backs essentially as to where we are, and
22 certainly I believe in the law that was just recently
23 passed. The bill spoke about sort of updating on a
24 more frequent basis some of the—the numbers in order
25 for us to better adjust. I believe that was a

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 benefit that was added in the last City Council bill
3 that you—that you sponsored that we are able to do
4 that going forward.

5 CHAIRPERSON CORNEGY: Well, we do believe
6 the demographics are changing so quickly and the city
7 is moving so quickly that there should be a smaller
8 snapshot. Just having said that, though, when is the
9 next scheduled disparity study? Do we know?

10 JONNEL DORIS: Dina Shore.

11 DEPUTY COMMISSIONER GROSS: So, the last
12 disparity study was about a two-year process to
13 complete. We released the procurement in 2016 and
14 published the Disparity Study in the summer of 2018.
15 We are preparing to release a procurement for a
16 vendor to perform the next disparity study later this
17 fiscal year, and we will do our best to have an
18 efficient and thorough process of completing that
19 disparity study so we can put it out as soon as
20 possible.

21 CHAIRPERSON CORNEGY: Is there—is there a
22 solicitation for—for that in place already?

23 DEPUTY COMMISSIONER GROSS: Um, not
24 public yet.

25

2 CHAIRPERSON CORNEGY: Okay. As part of
3 the Disparity Study several MWBE firms provided
4 recommendations that they believed would improve the
5 interaction with the city procurement process. What,
6 if any of these recommendations has been reviewed and
7 implemented? And this is a question because I think
8 the MWBE community although, you know, Jets to
9 seeming—it feels that they are not really at the
10 table.

11 JONNEL DORIS: Thank you, thank you for
12 that question. Several things I know was proposed in
13 the Disparity Study. Several of them were around
14 access to capital and sort of being even in the bond
15 markets and—and the, um, the financial markets being
16 able to have an in-between, if I may solution for the
17 MWBEs. We've done a lot of that. One of the things
18 we did. MBWEs their contract finance loan fund was
19 originally \$150,000, and now it's up to a million in
20 the year, calendar year you can Jet and recap it at
21 3%. That's the lowest in the state. I mean we are—
22 we listen to the MWBEs that we need to revise that
23 process, and revise that particular loan. The other
24 thing we heard was we are not hearing from the
25 Agencies on a regular basis. We need to know what's

2 going on. We need to make sure that we have access
3 to those, um, upcoming opportunities, and so what
4 we've done, as you know, we've done borough forums.
5 We literally go into each borough and we hold MWBE
6 forums. We have a large one. We have 2,000, over
7 2,000 MWBEs and businesses and, um, and various
8 corporations attend on an annual basis on our
9 procurement for it, but that's one big—that's a big
10 event, right, and so we—we go to each borough now,
11 and we were just in Brooklyn last week. We go to
12 each borough and we work with the local MWBEs in that
13 borough, and really bring the Agencies to them.
14 Secondly, we asks Agencies to start doing the same
15 thing that we were doing. So, each agency now has the
16 ability to go and do their own MWBE outreach. Their
17 own MWBE programs, Parks Department, DCAS, DSNY all
18 these Agencies are doing it on a their own, and
19 they're—they're having several hundred MWBEs attend
20 those events speaking directly to their prime
21 vendors, their buyers at the Agencies, their ACOs at
22 the Agencies, and so that's something that we've
23 heard that we've implemented. And I think that last—
24 lastly, I mean there are other—other issues we've
25 heard, but the other issue that we—that we're really

2 looking at, and I don't want to get too in the weeds
3 here, but, you, know, there are challenges with
4 requirements on city contracts, right. There are
5 things that have been there for many, many years,
6 rules or requirements as to having X amount of
7 employees within this distance of the project. All
8 these things that are not even associated with
9 actually doing the work, and these things have been
10 on the books. These rules have been on the books for
11 some time, and so, what we—and the other part of that
12 it prohibits MWBEs from ramping up, and actually
13 addressing the need of a particular project. If you
14 were just looking at me where I am now, as an MWBE, I
15 have the capacity to work, the ability to—the
16 skillset, but I have to go ramp up like every other
17 business has to go ramp up in order to perform a job,
18 and so we dealt with that at some of our city
19 Agencies, and we heard it from the MWBE community the
20 challenge there of those requirements, and we have
21 revised some of those requirements particularly
22 around our pre-qualified list, and what you are
23 required to be—to have as in employees, the number of
24 employees, those kinds of things to show your
25 capacity on those lists, and we revised it based upon

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 our small, medium and large businesses in order for
3 it to be equal, and folks are competing against each
4 other, and so those are some of the things we've
5 heard from the Disparity Study also, some of the rule
6 Changes, the regs Changes, the increase in
7 discretionary. All of that came out of that
8 disparity study process.

9 CHAIRPERSON CORNEGY: Thank you. So, how
10 many firms are currently certified as MWBEs?

11 JONNEL DORIS: We have 9,600 firms about.

12 DEPUTY COMMISSIONER GROSS: Yes as of the
13 close of Q-2 of 2019. Just over 9,600.

14 CHAIRPERSON CORNEGY: Do aggregate or do
15 you collect that data and store it in a way of
16 determining the firms by race and gender?

17 JONNEL DORIS: Yes. we do.

18 CHAIRPERSON CORNEGY: How many Native
19 American owned firms have certified since the passage
20 of Local Law 174 in 2019 if you know?

21 DEPUTY COMMISSIONER GROSS: The law is
22 not in effect until April. So, although the bill was
23 passed in September, it went into effect in October,
24 it is -excuse me. The effective date has not yet
25 passed. So, we are currently planning in reach

2 within our certified pool. We know that there are
3 women owned firms that are also Native American
4 identity that we haven't been able to designate with
5 the minority status. So, we will do in reach in our
6 own pool. In addition, the state has long had Native
7 Americans as part of their program. We will focus on
8 cross-certification on those firms to ensure that we
9 can include them in our program, and then broader
10 outreach to the Native American community through
11 partners in the Council and in the community to
12 include them in the program, but as of today, there
13 are no firms designated as Native American in the
14 program.

15 CHAIRPERSON CORNEGY: While the aggregate
16 percentage of eligible contracts awarded to MWBEs has
17 increased over the last year, the disparity between
18 minority groups remains. For example, 68% of the
19 MWBE contracts went to white female and Asian male
20 owned firms from Fiscal Year 16 to Fiscal Year 19.
21 While firms owned by African American women only
22 received 1.5% of all contracts during this time.
23 What is the administration doing to address the
24 disparity among awards to MWBE vendors?

2 JONNEL DORIS: Thank you so much for that
3 question, Council Member. I want to—I have a multi-
4 tier response for you. We're doing a tremendous
5 amount of things, but I first want to acknowledge
6 that reality of when it comes to black businesses. We
7 know that black businesses are treated differently in
8 the marketplace by themselves. We understand that
9 black women business are even treated worse in the
10 marketplace. The market then has to—that they go to
11 the market to actually get financing, support
12 services, et cetera to come and then do business with
13 us as a city, and then obviously if they're being
14 treated in disparate way there, and they come to us,
15 they're not, um, they're not as ready as other firms
16 may be not based on their ability, but based on the
17 fact they can't get financing out in the marketplace
18 because of how market treats women of color. For
19 instance, when you think about investing in—in MWBEs
20 in equity funds and so forth and so on, less than—
21 less than 2% of those funds in the market went to
22 black women firms. I mean it's—it's atrocious the
23 amount of investment that is happening, and what's
24 actually going to black women firms. So when those
25 firms come to us, right now we have about a thousand

2 or so firms that are black women firms. That's an
3 increase, a significant increase from where we
4 started many years ago. We were deliberate about that
5 fact about going out to recruit them because of this
6 same problem. We also understand that those
7 businesses are zero to five employees. So,
8 essentially they are sole proprietors. They are
9 micro businesses and the challenge that we have here
10 is the city's procurement process for all the rules
11 et cetera. We need to do better of making sure we
12 on-ramp those businesses in to our process. And so,
13 what we've done was, the Black Entrepreneurship
14 Program and Dina Shore will talk a little bit more
15 about what we're doing there. We launched that last
16 year at the Apollo, and by the way, we had to delay
17 the start of the program because there were so many
18 MWBEs, black firms in the city who were looking to
19 participate. It was wrapped around the block, and
20 we—you know, we had to wait until everybody got in,
21 but the response was overwhelming. That means that
22 we know we have the businesses there, and who have
23 the capacity and the interest in order to engage with
24 us. However, they come to us with these specific
25 challenges, and so what we've done was over the last

2 several months we've gone around the city speaking to
3 black firms specifically about the challenges they
4 are having with the city, and again, the similar
5 issues arise. One was access to capital. Two was
6 access to government. Well, what are we doing more?
7 How do we specifically address those issues? We--and
8 that's what us going out in those communities we were
9 able to do. We're very excited about the Black
10 Entrepreneurship Program. It's--there's no other
11 program like it in the country. There's in any major
12 city. The State doesn't have a specific program that
13 calls out black entrepreneurs, but we have because we
14 know of the historical challenges and discriminations
15 that specifically black firm space, and we're
16 beginning to address that. Are we there yet? No.,
17 we're not there yet. The challenge is that as you
18 know in the Black community since Mayor Dinkins came
19 in and after the next subsequent administrations
20 there was really not an in intensity to the MWBE
21 Program. I mean our office is the first in the
22 city's history. I am the first Senior
23 Advisor/Director of the office. I mean it's unheard
24 of in a city that's majority, minority and women that
25 we do not have that, and so for the first time we

2 have it. So, we're making those corrections. We
3 acknowledge that we need to do better. We have
4 specific programs for these businesses. We have a
5 whole program initiative for black entrepreneurs
6 around that, and we're making those adjustments with
7 them as well. Dina Shore, you want to add to that?

8 DEPUTY COMMISSIONER GROSS: Sure. I just
9 want to point out that although, you know, we are a
10 program that's based in data. We don't shy away from
11 analysis of the data that drives us to do better for-
12 for the firms that are part of our program, but the
13 story of Black women's participation in the program
14 it's not a story of deficit. We have excellent firms
15 owned by black women who are growing through
16 participation in this program. That is why we've
17 been able to triple the number of Black WBEs in the
18 pool as we've doubled the number-the size of the
19 overall pool, the-the black WBE number has actually
20 tripled. It's because black women believe in the
21 possibility of city procurement to actually grown
22 their businesses, and last year firms owned by black
23 women that were certified won just over \$5 million in
24 city prime contracts and \$6 million in subcontracts.
25 We can absolutely do better, and we will push to do

2 better, but that's not nothing. Those—those are real
3 dollars, real revenue for those firms, and they're
4 supporting families and communities. Now, we know
5 that 90% of our certified Black WBEs have zero to
6 five employees, and that really mirrors the state of
7 black businesses citywide. Only 3% of black owned
8 businesses in New York City are employer businesses,
9 and so the—the MWBE pool is quite diverse, and where
10 those micro businesses are competing against larger
11 more experienced firms even while they Agencies are
12 doing their best to utilize MWBEs, there are capacity
13 issues that they have to grapple with as they are
14 struggling to deliver on those public goods and
15 services. So, it is our job to help understand how
16 those women are struggling, to scaffold them through
17 technical assistance, to help they Jet access to
18 capital, all of the services that SBS can bring to
19 bear to help them succeed in what is a very
20 competitive government procurement environment even
21 inside the MWBE program.

22 CHAIRPERSON CORNEGY: So, you—you've
23 touched on what the Administration and what the city
24 can do. I'm curious as to how can minority groups
25 that remain under-represented in city procurement

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
2 CONTRACTS

21

3 make themselves more competitive to be awarded city
4 contracts. So from your perspective it seems that
5 you're attempting to move the ball forward and to
6 increase the pool. What can-what can these
7 entrepreneurs be doing?

8 JONNEL DORIS: You know, it's-it's-each
9 entrepreneur as you know, is unique in their-in their
10 interests and what they do. We just encourage
11 entrepreneurs number one you have to-you have to take
12 advantage of the services that we have. At the end
13 of the day we know that two-thirds, 65, 66% of the
14 winners in our program participated in some program
15 or service or capacity building program that SBS has.
16 So, we know it works. We know those programs work.
17 They connect you to the opportunities that we have at
18 the city, and so we encourage MWBEs to actually be
19 engaged in the process to-to take advantage of the
20 free programs. By the way, everything that we do is
21 for free, and they can participate in those, and we
22 encourage them to do that. There's also something
23 I've been pushing around all our MWBEs whenever I go.
24 It's called Diversification Imperative. You have to
25 be able to diversify your company, you know, because
the-the-the-the world is changing. When we look at

2 the—the Green Economy as a new economy initiative
3 where we have green roofs, and we have, you know,
4 more efficient heating systems in structures. If
5 you're an HVAC MWE, think about diversifying Jetting
6 into the new green economy that's coming, our tech
7 spaces, the same thing. When you think about
8 healthcare, healthcare is significant, 25% of our
9 GDP. There's all kinds of diversification when it
10 comes to tech and health tech that is happening. We
11 tell our MWBEs you have to diversify what you do. If
12 you're a tech company not—don't just sell the
13 supplies for IT services and good, but also think
14 about the future. Think about innovation, try to
15 help facilitate some of that within your own company
16 and think a little bit broader to Jet to those places
17 and opportunities that we know that are coming, but
18 the main thing for us is engagement. We have the
19 resources, we have the programs, and we have the
20 services for the firms. We just need them to come to
21 us to engage with us because we know the programs
22 work, and—and hopefully we encourage them to do so.

23 CHAIRPERSON CORNEGY: So that's an
24 interesting—that's an interesting point of
25 intersection because what we know is as you've

2 mentioned there's a large percentage of the
3 businesses that are in your program that will be
4 deemed micro businesses.

5 JONNEL DORIS: Correct.

6 CHAIRPERSON CORNEGY: What we've heard
7 from those micro businesses if I put on my former hat
8 as Chair of Small Business is that they don't have
9 the capacity to spend time away from their—their
10 businesses to even access. If you were giving a
11 million dollars away, they could—the could only spend
12 a small amount of time. So, some of this is about
13 outreach, and I know you're partnering with SBS in
14 some ways, but I do have to ask about, you know,
15 there's programs through SBS that I believe were
16 missed. We had a whole hearing and I haven't brought
17 Chamber on the Go yet, which is amazing, but
18 partnering with programs like that that are going
19 directly into communities, the commercial corridors,
20 taking the entrepreneurship model and the tools that
21 that the MWBE portion of the Administration is doing.

22 JONNEL DORIS: Directly to the people,
23 yeah.

24 CHAIRPERSON CORNEGY: Directly to the
25 people because what I'm hearing and what I heard

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 before was that, you know, there's five of us, and,
3 um--

4 JONNEL DORIS: Yes.

5 CHAIRPERSON CORNEGY: --the--and the sole
6 pro--and the proprietor is working 14 hours a day just
7 to maintain the business. So, when these services
8 even--even if they are available, which I agree that
9 they are available, and the--and the city has a great
10 plethora of them, they are very difficult to access
11 because of capacity.

12 JONNEL DORIS: And I think--I think you
13 made a great point, and we are and we have (1)
14 revamped some of the--the livery mechanisms that we
15 have for our programs like Chamber, you know, Chamber
16 To Go, like, you know, our Business Solution Centers
17 in each borough. You know, we sort of bring it into
18 the community. The fact that we're literally going
19 out. So our procurement fairs are not only sitting
20 and talking to MWBEs and city Agencies for
21 opportunity, it also brings the services that SBS
22 provides to the actual procurement fair now. So, as
23 an MWBE, you come to us. You give us an hour. You
24 can go downstairs. You can--you can sign up for PIP,
25 which is the Payee Information Portal. It Jets you

2 on-boarded with the city. You can check on your
3 application at that particular point. You can also
4 talk to the service providers that we work with, with
5 out Technical Assistance and Training Programs on
6 site, and so within an hour you can—you can just walk
7 around and get all those services because we heard—we
8 heard from those businesses, and it's a challenge
9 when you are trying to run your business every
10 single day in order for you to participate in some of
11 these programs. So, the other things we've done, and
12 I know Dinah Shore can talk a little bit more about
13 it, we have night programs at night, and so, you
14 know, I—when I—when I was a small business owner, I—I
15 trucked from—from, you know, Brooklyn to—to the
16 Harlem State Building to actually help myself as well
17 at night for six months to do a program on
18 construction management as I had to learn that as my
19 clients were in that field. So, I mean for me, you
20 know, it was a sacrifice, but we made the sacrifice,
21 but we—we are making the adjustments, understanding
22 the challenges that those businesses have, but we
23 have to do better. We have to bring more services to
24 them, but we have heard them, and we've made these

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 similar adjustments. Dinah Shore, do you want to add
3 anything to it?

4 DEPUTY COMMISSIONER GROSS: Sure, to just
5 point out that every single division at SBS, our
6 Workforce Division, our Business Services, our, um,
7 MWBE Program Team, we use the SBS Mobile Outreach
8 Unit to go out into the community every single month.
9 So, that's at least, you know, four visits to
10 commercial trips or corridors around the city on a
11 monthly basis, and we're using it strategically. It's
12 not just drop the RV and they will come, right. We
13 are making appointments. So, if we have certified
14 firms who are—whose certification is expiring, we're
15 making appointments to service them on the MOU so
16 they can update their records and remain in the
17 program. If we have a firm that has begun the online
18 applications, but gotten stuck at a point, we're
19 calling them on the phone and saying, hey, we noticed
20 you got stuck here. We're going to be in your
21 district. Let us help you pass that point. So,
22 we're trying very efficiently to use targeted
23 outreach to help people pass the pain points in the
24 program as well as speak to our certified firms about
25 services they can take advantage of like contract

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 financing and our Technical Assistance program. If
3 you are considering bidding on a particular
4 solicitation, we want to be sure that before you
5 invest that time and money and preparing that
6 response, that it's the right size opportunity for
7 you, and so we are helping them. We can do three
8 sessions on each opportunity with a firm that's
9 certified in our program that wants to bid. Those
10 are the—that's the type of outreach we are bringing
11 into the field for our MWBEs.

12 CHAIRPERSON CORNEGY: Thank you. The
13 only other thing that I would just suggest is again
14 when I had the former hat as the Chair of Small
15 Business one of the things that we came to
16 understanding was we—we—we have I think entrepreneurs
17 and probably elected officials have short attention
18 spans, and giving them as much information in compact
19 ways or in short control bursts as we said it, was-
20 was helpful, and I know SBS has tried to do that in
21 some ways, but we all have the time to look at our
22 mobile devices for what we prescribe was seven
23 minutes, which is my attention span generally. As a
24 father of six that's all I got is seven minutes, but
25 we understand that someone can take that amount of

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 time, and to—to condense the plethora of information
3 that's available through the MWBE program and through
4 SBS. In that way is just a small suggestion that I
5 have as a—as the former chair. So, I can revisit that
6 with you some other time.

7 JONNEL DORIS: I would be happy to do
8 that. Thank you so much.

9 CHAIRPERSON CORNEGY: We have several
10 panels of advocates that we'd like to hear from, some
11 small business owners and entrepreneurs. So, I just
12 have a couple more questions. I'll start on contract
13 and bidding. Does the Administration currently track
14 the number of certified MWBEs that bid on city
15 contracts? Not—not so much the ones that have won,
16 but just the overall number of bidding.

17 JONNEL DORIS: So, I'll start and then Je
18 can wrap.

19 JE KWAN: We are excited that this is a
20 portion of the Pass, the new Passport that's coming.
21 The city as you know, has several antiquated systems
22 that we use that was never intended to give us that
23 level of detail, and so, for the last several years
24 and we've already launched I think 1 and 2, and the

25

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 third version of Passport I believe will have that,
3 but do you want to add to-to that?

4 DEPUTY COMMISSIONER GROSS: Sure. So,
5 among the primary goals of the Passport Project is to
6 increase transparency and accessibility to the
7 citywide procurement process, and Passport will
8 enable us to better track who is actually bidding on
9 these bids and procurements available in the city and
10 that are released in the city. We capture the number
11 of bidders currently in our current systems, but
12 we'll be able to better track and capture that data
13 when Passport is launched.

14 CHAIRPERSON CORNEGY: So, MWBEs who have
15 not been awarded a contract often complain that they
16 receive little to no feedback about their bids. Is
17 there a process to communicate how a business might
18 improve their bid or the reasons they did not win?
19 That's one of the things I think I hear most is that
20 they got a rejection, and not really a way, um, do
21 better on the contract. So, kind of like some way to
22 just let them know that you missed this, you missed
23 that. So even, you know, some revision or-or a
24 grievance process--

25 JONNEL DORIS: Right.

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 CHAIRPERSON CORNEGY: --but going forward
3 at least you know, how to--how to bid better.

4 JONNEL DORIS: Yeah absolutely. I mean
5 we do have that. They can request a debrief from
6 every agency. Every MWBE can request that debrief.
7 The agency is required to provide it. So, I, you
8 know, we're certainly to speak with--with firms that
9 you--you communicate with about making sure that they
10 get their debrief. I know, you know, we have had to
11 step in where firms have said that to us, you know to
12 our office about the fact that they weren't able to
13 get a debrief, and we had facilitated to make sure it
14 happened, but every firm if you bid on a contract,
15 you access their particular contracting agency for a
16 debrief, and they are required to give it to you.

17 CHAIRPERSON CORNEGY: So, I just--so just
18 so I understand the process, if you do not ask for
19 that, though, there's no volunteer information
20 provided? So you have to say hey I didn't get this
21 bid?

22 JONNEL DORIS: Yeah, you have to request
23 it.

24 CHAIRPERSON CORNEGY: Okay.

25

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 JONNEL DORIS: I mean it's-it's a request
3 that needs to be made. Yeah.

4 CHAIRPERSON CORNEGY: Okay. This is for
5 SBS. SBS is required to audit 5% of all contracts
6 awarded to MWBEs and at least 5% of all contracts with
7 established MWBE utilization plans. How often does
8 SBS audit MWBE contracts?

9 DEPUTY COMMISSIONER GROSS: Audits are
10 conducted on an annual basis.

11 CHAIRPERSON CORNEGY: Okay. To what
12 degree you can answer this I don't know, but what-
13 what do the audits typically reveal?

14 DEPUTY COMMISSIONER GROSS: Largely they
15 reveal agency compliance with the requirements of
16 Local Law. You know, sometimes they-something we
17 learned from our most recent audit, you know, will
18 likely lead to changes in our online director so that
19 agencies are able to preserve searches they're doing
20 in the online directory because, you know, what they
21 maintain in a procurement file may no always show all
22 of the due diligence they perform. So, if we can
23 provide an electronic tool that allows them to show
24 that they are, you know, searching MWBE availability
25 correctly at the time of solicitations going out that

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 will facilitate our knowing that when they audit
3 those contracts. But for the most part, agencies are
4 diligently working to implement all of the
5 requirements of the program, and they are working to
6 come up with innovative solutions to better serve
7 MWBEs who are, you know, who they rely on.

8 CHAIRPERSON CORNEGY: What consequences
9 would a vendor suffer if it turned out not to be an
10 MWBE or did not hire an MWBE subcontractor?

11 JONNEL DORIS: In the law there are—there
12 are several provisions. The MWBE utilization plan is
13 a material component of that contract, and if they
14 fail, there are several things that can happen and
15 all the way up to including for non-compliance
16 liquidated damages, et cetera. So, the law, Local
17 Law 1 does provide us with tools to that. The
18 challenge is we—not the challenge but I think the
19 benefit is that we sort of work with the agencies so
20 that we try not to get to that point where folks are
21 not using—participating and bringing MWBEs and
22 participate on it, and we have to actually go down—go
23 down that route. So, we are engaged with them on a
24 regular basis when we are beginning to see there
25 challenges in meeting goals on certain contracts, and

2 our office and MOCS actually are very highly involved
3 in that. SBS is involved, and the contractor comes
4 back and say well, you know I had an MWBE to do a
5 particular job. They got busy. They can't do it or
6 some kind of issue. Their SBS comes in. they do a
7 search, they do an assessment. We provide a list.
8 They engage and so, you know, it's very difficult for
9 contractors to escape their responsibility because we
10 are so actively involved in the project completion
11 and implementation. So, those are some of the—the
12 challenges, the, um, things that we have. Any other
13 things you want to add to the list?

14 DEPUTY COMMISSIONER GROSS: No. I think
15 we work closely with the agencies throughout the term
16 of the contract to make sure that that the vendors
17 are compliant with the—the goals that are set on
18 their contracts. If there is an unfortunate non-
19 compliance. If a vendor is non-compliant, there is a
20 protocol in place to review that process, and we do
21 report on any vendors that may be non-compliant with
22 their, um, their contracted goals in our quarterly
23 compliance reports.

24 CHAIRPERSON CORNEGY: So, I've
25 unfortunately been around long enough to remember

2 when there was a waiver that a prime sponsor could
3 ask for and we found that sometimes people hadn't
4 done their due diligence when asking for the waiver.
5 So, they hadn't—they would ask for a waiver saying
6 they couldn't find anybody to do or provide or
7 somebody was busy, whatever the case may be. Where
8 are as a—as an agency in—in making sure that that's
9 not happening?

10 JONNEL DORIS: Yeah, you know, you're
11 absolutely right. I mean there's several things that
12 some prime contractors do. They do bait and switch.
13 They, you know, they—they say that we can't find
14 MWBEs. They talk about capacity of our firms. I mean
15 they have all types of excuses as to why they can't
16 or cannot do—to do any of this work. I think with
17 the emergency of our office these requests come in
18 and really come to us. We weren't a part of the
19 process before. We are now, and so we saw the
20 decrease in those, that type of activity because
21 we've obviously pushed back against it, and also,
22 they know that it actually has to end up in the
23 Mayor's Office as a sign-off to say yay or nay if
24 we're going to go forward with this, and so we have
25 had very little of that type of activity over the

2 last several years once folks know that the
3 accountability is there, and—and I think that's a
4 testament to the Mayor sort of bringing this office
5 into being and giving us the power and tools to
6 actually implement these—these accountability
7 measures.

8 CHAIRPERSON CORNEGY: Yeah. So that's
9 good to hear that that check, which didn't exist
10 before now—now it totally exists, and just my last
11 few questions are around SBS lending and financing
12 programs. How many certified MWBEs have received
13 loans from the programs SBS Office if you—if you have
14 that?

15 JONNEL DORIS: So, I know—I think we had,
16 um, 94. In my testimony I said I think it was 94
17 loans to \$19.5 million in our Contract Finance Loan
18 Fund two loans in the Bond Collateral Assistance
19 Program, and I think it was six or so in the
20 Developer's Program, but also, you know, this is
21 specific to MWBEs in these particular programs, but
22 SBS also on an annual basis, and—and I'm speaking for
23 Dinah Shore here a little bit because I want to just
24 give them a of credit here. Um, they also connect
25 MWBEs and regular. Small businesses to other

2 financing institutions. Last year I think to the
3 tune of over \$60 million or something like that that
4 we're counting here because it's not specifically
5 with the programs that we're—that we're talking about
6 but in general they're connecting them to loans, and
7 that's—that's quite a number for small businesses and
8 MWBEs who are also being connected through other
9 types of services that SBS provides.

10 DEPUTY COMMISSIONER GROSS: Yes, and we
11 should point out when we're talking about the
12 financing programs that are focused on MWBEs, we're
13 using MWBE as a term of art to—to describe the
14 certified pool, but our Business Solutions Network
15 where we operate the general financing programs that
16 do serve a majority of New Yorkers of Color and they
17 are serving very small businesses, and in our We NYC
18 Program we're developing targeted financing
19 instruments for women entrepreneurs across the city
20 and those are focused on low income women
21 entrepreneurs, and so the majority of our financing
22 work is benefitting communities of color and
23 businesses owned by people of color though they may
24 not be performing at areas of work where the city is

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 contracting and, therefore, participating in the MWBE
3 certification program.

4 CHAIRPERSON CORNEGY: So, the two
5 programs you aforementioned were the, um, Contract
6 Finance and Bond Readiness Programs. What's the
7 criteria for those two add-on programs?

8 JONNEL DORIS: Sure for the Contract
9 Finance Program well most—for both the criteria lies
10 with the fact that you have a city contract, and so
11 if you—you are bidding on a city contract or you have
12 a city contract, essentially that's the major
13 criteria because again we use your contract as your
14 collateral and your performance as the risk
15 assessment. So, generally speaking it is open to our
16 firms to participate most of them who apply do get
17 it, and that again because of the assignment
18 mechanism that's there, and so it's—it's actually
19 working extremely well. That's one of the most, you
20 know, really highlights of our program.

21 CHAIRPERSON CORNEGY: So, I—I understand
22 these to be revolving funds programs.

23 JONNEL DORIS: Revolving loan fund
24 programs. Correct.

25

2 CHAIRPERSON CORNEGY: So, is there enough
3 money in these revolving funds to cover the needs of
4 MWBEs at this point? Because I know we started this
5 a couple of years ago.

6 JONNEL DORIS: Correct. So, you are
7 absolutely right. These are revolving loan funds,
8 and also there are components of it that are placed
9 for technical assistance purposes. The 3% is where we
10 cap, but, you know, the loan is not 3%. It's a bit
11 more. We buy down the interest so there's a cost
12 there, and there's a cost also to the CDFI, Community
13 Development Financial Institutions who actually
14 administer these funds for their support overhead and
15 also for technical assistance that they provide. So,
16 yes, there is a cost to it. We are—we are doing well
17 because you went to banks and we got some of those
18 banks, three banks in particular: Union Bank, City
19 Bank, and Bank of America to join us in this and we
20 raised \$41 million that's going to also join the, um,
21 the \$10 million that we had on that particular fund.
22 So bringing that—bringing that up, and also \$20
23 million from Amalgamated Bank to join our Emerging
24 Developer Loan Fund, which their pipeline is about
25 \$54 million that they have out there. So, can we—do

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 we need more? I'm always open for more—more funding.

3 Obviously as MWBE is needed, but we have enough to—to
4 take care of the pool that we currently have.

5 However, as we grow and as we expand we are looking
6 to raise additional dollars in order for us for us
7 to, um, supplement the need of those MWBEs.

8 CHAIRPERSON CORNEGY: Good you just for
9 me offer a few examples of businesses that have
10 benefitted from these programs, the two loan
11 programs? You do not have to be specific. You do not
12 have to state the specific business, but the type of
13 business that may have found a way to benefit?

14 JONNEL DORIS: Yeah, I mean I know
15 several of our construction businesses because they
16 need their working capital upfront to get the project
17 started and have benefitted from it. Some of our
18 businesses also in, um, in culinary have benefitted.
19 Again, they have to go to get, you know, get the
20 food, get the preparation done all of that higher up
21 staff in order to help us on the catering side. We
22 also know some of our IT firms have benefitted from
23 this again because they are providing a particular
24 service. Again, you need to ramp up. So, any
25 business that really needs to ramp up I believe

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 particularly around the construction side, IT side
3 and—and food and beverages, those kinds of services.
4 Those types of firms have really utilized the
5 program. Anything in addition to that or...?

6 DEPUTY COMMISSIONER GROSS: Sure. I mean
7 the first firm that I supported in applying for a
8 contract financing loan fund was doing a renovation
9 of a city-owned property similar. Picture this room
10 and there's an MWBE who is hired to do renovations in
11 this room, but in addition to putting in the carpet
12 and the paint they've got to provide those daeses at
13 which you sit, and those manufactured by someone, and
14 they—the MWBE has to put down a down payment. So,
15 even though they've been found to be the right vendor
16 a responsible vendor, when the manufacturer sees that
17 they're going to be working a new firm and not the
18 incumbent, they expect a higher down payment for the—
19 for the equipment, but the—for the materials that the
20 MWBE needed to install. That's wasn't included in
21 the MWBE's planning of their bid, and so the upfront
22 capital allowed the MWBE secure the materials that
23 needed to be installed to be sure that they could
24 complete that project on time, which was critical for
25 that city entity, and allowed them to perform for the

2 first time on a city construction project. So that is
3 the kind of upfront need that might be presented to
4 an MWBE firm that's smaller, that might have a
5 different credit or collateral position, and it might
6 infect—affect their ability to actually get the
7 materials that they need to complete the job.

8 CHAIRPERSON CORNEGY: So, I want to —I
9 want to thank you so much for your testimony. I look
10 forward to having these ongoing relationship building
11 hearings. So, again, thank you, and we're going to
12 call the next panel.

13 JONNEL DORIS: Thank you.

14 CHAIRPERSON CORNEGY: The next panel will
15 consist of Scott Stringer's Office in the person of
16 Wendy Garcia who is the Chief Diversity officer.
17 (background comments/pause) I am just going to
18 affirm your testimony.

19 LEGAL COUNSEL: Please raise your right
20 hand. Do you swear or affirm to tell the truth, the
21 whole truth, and nothing but the truth in your
22 testimony today, and to respond honestly to Council
23 Member questions?

24 WENDY GARCIA: I do.

25 LEGAL COUNSEL: Great.

2 WENDY GARCIA: Alright. Well, good
3 morning and thank you to Chairman Cornegy and Kallos
4 who was here earlier, and the New York City Council
5 Task Force on Minority and Women Owned Business
6 Enterprises and the Committee on Contracts for the
7 opportunity to testify today. My name is Wendy
8 Garcia, and I am the Chief Diversity Officer for the
9 Office of New York City Comptroller Scott Stringer.
10 My position is a first in New York City government,
11 and it is to champion diversity across the city.
12 Each day my focus is to ensure that the city uses its
13 financial power from contracts to investments to
14 level the playing field for women and people of color
15 and, of course, the theme of today that begins with
16 is accountability. For the last six years
17 Comptroller Stringer has published is annual Making
18 the Grade Report to evaluate how the city is spending
19 its dollars in real time with MWBEs. In Fiscal Year
20 2019, the city earned its first fee grade, and that
21 is after consecutive D+ grades with MWBE spending.
22 This represents 4.9% of the city's total spending on
23 contracts allocated to MWBEs, and specifically the
24 report gave the city a B grade with Asian -Americans,
25 a C grade with Hispanic-Americans, a D grade with

2 women and an F grade with African-Americans. The
3 truth is that doing business with the city can be
4 daunting. That is why we surveyed more than 550
5 MWBEs this year, and this is what we learned: 80% of
6 MWBEs want fair contracts. They expressed being kept
7 out of the process due to unfair criteria, and
8 solicitations. For example, agencies developed
9 minimum criteria that state a need for previous
10 experience working with the an agency or scopes of
11 work that are tailor made for the previous vendor.
12 This type of language favors incumbent vendors
13 keeping new vendors out and MWBEs out of the process
14 and disproportionately favoring white male-owned
15 businesses. MWBEs need access to the right decision
16 makers at agencies. We found that 70% of MWBEs
17 surveyed by the Comptroller's office said that
18 agencies are unresponsive to their inquiries about
19 contracting opportunities, and 60% said that they
20 never received support using important online systems
21 like the City Record, Passport and the Payee
22 Information Portal. This is a systemic problem as
23 you all know because agencies with MWBE officer are
24 only able to outreach, refer and report on MWBE
25 activity, but they are not able to hold their

2 agencies accountable for spending. Finally, 80%
3 reported receiving no more than \$150,000 and 80% of
4 MWBEs reporting being paid late. It is clear that
5 MWBEs need dollars, more dollars and they need to get
6 paid on time all the time. We believe that the
7 recent revision of Local Law 1 goals and
8 authorization of the city to increase its
9 discretionary contracts to MWBEs from \$150 to \$500-K
10 will help relieve some of these challenges, but as
11 you know, it is only the beginning. The
12 Comptroller's office recommends the following:

13 First, every agency and City Hall must be
14 mandated to have a Chief Diversity Officer. While we
15 are able to change the City's Charter to codify the
16 current MWBE program, we believe that there is more
17 that needs to be done structurally to eliminate
18 systemic racism. We have spoken now to over 25
19 states and cities across the country that have
20 already appointed Chief Diversity Officers in various
21 capacities including one of them in Massachusetts who
22 reports to the City Council President and has
23 oversight over the budget. Second, every agency must
24 be required to conduct a market analysis on all
25 solicitations. We mandated—mandated this in our own

2 office and for the first time earned an A grade
3 taking our procurement dollars with MWBEs from 12% to
4 37%. We have also recently spoken to the Canadian
5 Government officials who are exploring technology to
6 do justice for all their agencies. Lastly, agencies
7 should hold private vendors accountable for hiring
8 diverse labor, which Comptroller Stringer has
9 prioritized in his Pensions Unit. After taking
10 office, Mr. Stringer has asked managers to disclose
11 gender and race data in order to be compliant with
12 the scope of their contract. We know this works
13 because we have tried it ourselves and no one walked
14 away. Now, New York State also introduced a similar
15 clause with Article 15-A. These recommendations will
16 require us to be honest and take a hard look at
17 ourselves. Comptroller Stringer and I believe that
18 with your help we can get this done, and expand
19 economic-economic opportunity for all New Yorkers.
20 Thank you for your time today and I'm happy to answer
21 any questions. (applause) Thank you.

22 CHAIRPERSON CORNEGY: So, I have some
23 basic questions. The first question I would—I would
24 as is having, you know, sat on the, um, Blue Ribbon
25 Commission, I was one of the only elected officials

2 to do that in my current capacity—I mean my former
3 capacity as the Chair of Small Business. How much do
4 you think what was able to be done in the
5 Comptroller's office is replicable through agencies?

6 WENDY GARCIA: I think there are many. I
7 just remember the Comptroller's Office is an agency
8 and just like every other agency we have to follow
9 the same procurement policy rules. We have to follow
10 the same Local Law 1 Rules, and so I think there are
11 multiple layers to this. I think every agency needs
12 to have a Chief Diversity Officer. Because we were
13 able to do this in our office, we are also able to do
14 internal accountability. I look at every single
15 bureau in my office and check to see if they're in
16 compliance just—not just with current rules, but with
17 internal policy that we have created to think outside
18 of the box and how we can get our numbers up with
19 MWBEs. I don't think that would be possible if we
20 just had an ACO. We've always had an ACO. We've
21 always had an MWBE Officer. Now, with our particular
22 office we're able to do accountability. We have
23 oversight over how audits are getting done. We are
24 able to look at things from the lens of the
25 helicopter point of view, and really see how we can

2 move this along. So, I think number one that is an
3 easy replicable item that really is just about a
4 commissioner making a decision to get that done.
5 That's a pretty simple one. I think the second one is
6 that we have done a market analysis and we've
7 implemented that in our office. So, every
8 procurement in our office goes through a process
9 where we check how many MWBEs are in that scope of
10 work, and if the market meaning the MWBE market does
11 not match the criteria that the current scope of work
12 has, we change the criteria. So, we are making sure
13 that every scope of work that comes out of our office
14 is also matching the experience and the need of
15 MWBEs. We are flipping it. This is not a mandate.
16 The city does not have to do this. This is an
17 internal policy that we created, and that's how we
18 were able to shift into the A range, and by the way
19 if you remember, we started at a C. So, we know that
20 this works because we've seen what happens when we
21 didn't do the market analysis process. Number 3 I
22 would say we are also looking at structurally for
23 MWBEs how rules and regulations can be changed. So,
24 we've seen in our office that when you change the way
25 you do a procurement, when you're implementing a

2 diversity initiative in every single bureau for
3 agencies that would probably mean in every, um,
4 internal agency department, you see that initiatives
5 will come out. The—the letter grade is an aspect of
6 what we do, but we are also making sure that women
7 and people of color are sitting on boards and that's
8 through authority of proxy access. We're making sure
9 that our investment managers represent women and
10 people of color on a national level and we're asking
11 them to disclose data on who sits on their boards.
12 So, this really goes beyond—having a CDO goes beyond
13 just supplier diversity. It's making sure we have a
14 seat at the table in every single level of not just
15 government, but also in the private sector, and if
16 agencies implemented this, I am sure that we will
17 have and we lead the way forward the rest of the
18 nation.

19 CHAIRPERSON CORNEGY: So, I appreciate
20 what you've been able to do within your agency, but—
21 but I do—I am acutely aware that you have oversight
22 because you guys sign the checks of most kind and
23 actually sign off on mot contracts. So, my next
24 question for you is having done what you've done on
25 your agency level, and set a fairly decent example

2 for what other agencies can do, what can the
3 Comptroller's office do as it relates to these
4 contracts, and making sure the contracts are in
5 compliance or in line with the 30%?

6 WENDY GARCIA: Yeah. So, if you take a
7 look at, if you haven't—for those of you who haven't
8 had the book, we have some copies, but if you take a
9 look at the book we actually have a section in the
10 Making the Grade book that looks at compliance and
11 utilization around MWBEs goals. So, what we did this
12 past year because most of the MWBEs they actually ask
13 for us to do this, is that we looked at whether
14 agencies were in compliance with MWBE goals. The good
15 news is that we found that they were. So, about 90%
16 that were placing goals were also utilizing MWBEs at
17 the same time. So that is kudos to the Mayor's Office
18 for getting that done. We can capture spending and
19 contracts in that—in that very unique way, and what
20 we want to see is that pattern. This was the first
21 year we captured it so we'll see if the numbers keep
22 going up or if they decline.

23 CHAIRPERSON CORNEGY: Well, I'd like to
24 work closely with you because what you find should be

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 reflective in the policy and legislation that we put
3 forward.

4 WENDY GARCIA: Yes.

5 CHAIRPERSON CORNEGY: So, we've-we've had
6 that relationship in the past where the
7 recommendation is coming out of the Comptroller's
8 Office. We here at the Council have been able to put
9 to some degree it into practice through policy and
10 legislation. I'd like to through the Making the
11 Grade see if there's possibilities for us to do the
12 same to standardize what you've done in your office
13 through or codify it at least through policy
14 amendments.

15 WENDY GARCIA: Yes, we would love that
16 and you can-if you want to take a look at it, it's on
17 page 14, and that should give you a highlight if the
18 MWBE utilization across goals in New York City, and
19 we plan to continue to track that. This was the
20 first year. We hold three focus groups throughout
21 the summer where I think the majority of people who
22 are sitting her attended and MWBEs requested that we
23 look at this data.

24 CHAIRPERSON CORNEGY: Okay, so, I would
25 like to continue to partner with your office, but in

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 a way to get what you found as recommendations after
3 your focus groups into policy and legislation--

4 WENDY GARCIA: Absolutely.

5 CHAIRPERSON CORNEGY: --to codify what
6 you've been able to accomplish from your agency
7 perspective.

8 WENDY GARCIA: Yes, thank you.

9 CHAIRPERSON CORNEGY: Thank you. So,
10 we're going to call the next panel. Nancy Amber
11 Goshow, Krista Gobins-Wilson, Felice Farber, Gregory
12 Man Sikis. Sorry for butchering that I'm sure.
13 Gary. Yes. So, what I didn't announce prior to the
14 panels is that we are leaving three minutes on the
15 clock for testimony. So, if you could try to keep it
16 under that, that would be--that would be awesome. We
17 have three--

18 NANCY ABER GOSHOW: For us all.

19 CHAIRPERSON CORNEGY: Hmm?

20 NANCY ABER GOSHOW: For the whole thing
21 or each person?

22 CHAIRPERSON CORNEGY: No, no, no, per
23 person

24 NANCY ABER GOSHOW: Okay.

25

2 CHAIRPERSON CORNEGY: And you can take
3 another person's time if they don't finish.
4 (background comments) I just ask that before your
5 testimony you identify yourself and the agency that
6 you're associated with unless you are testifying on
7 your own behalf, and you can begin whenever you're
8 ready.

9 NANCY ABER GOSHOW: My name is Nancy Aber
10 Goshow. I'm a New York State licensed architect. My
11 firm is Goshow Architects. I've been in business 30
12 years as a certified WBE since 1989. With our WBE we
13 have won projects with the SCA, CUNY and the DEP.
14 Gowhow Architects an established successful firm over
15 half of my 26 employees are women and minorities, and
16 through this WBE program, I'm able to mentor other
17 MWBEs and I want to thank you for the program because
18 that's important in helping me help my MWBE
19 colleagues. Given the opportunity many MWBEs have
20 much to offer the city, but let's face it, not every
21 MWBE will make the grade. This is as it should be.
22 The program does not guarantee success, but it can
23 offer an opportunity to compete with majority firms
24 on a leveled playing field. Then it's up to us, but
25 it's still difficult, and there are subtle ways of

2 keeping us at bay. For example, requests for
3 proposals, RFPs by public agencies require a short
4 list of firms to have completed three similar
5 projects from the—within the past five years. It's
6 important to have relevant experience, but on the
7 largest majority firms will likely have completed t
8 here in five years. Yet, many MWBEs who have
9 completed one similar project in the past five years
10 has plenty of expertise to be on that short list.
11 Requirements like this, scope of work, requirements
12 of the shortlisted firms sets up a barrier for
13 established MWBE firms to be considered. For many
14 MWBE firms we are offered smaller projects with
15 limited growth opportunities especially with
16 financial limitations of smaller projects. More
17 often MWBE firms are given sub consultant
18 opportunities by majority firms who win most of the
19 prime contracts. For experienced MWBE firms more
20 prime contract wins not just subcontracts are needed
21 to provide business stability and continuity. MBE
22 firms who demonstrate their capability to serve as
23 prime contractors need to be offered a better way to
24 win more prime contracts. Only then will this worthy
25 program be truly successful. My final point is I

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 agree with everything that the Comptroller's Office
3 testimony presented to you today. Thank you.

4 CHAIRPERSON CORNEGY: Thank you.

5 (background comments/pause)

6 GREGORY MAN SIKIS: Yes, hi. My name is
7 Gregory Man Sikis with Maestro Construction Corp. I
8 am the President of the Company, and I am not an MBE
9 or a WBE firm. I am just a small business in New
10 York City with the same struggles. I am letting you
11 know that I did some work for DDC Build it Back
12 Program, and payment for these projects were
13 ridiculously difficult to receive, and we are still
14 having human issues after three years. For a small
15 company like me, it's very difficult to go forward,
16 and I do appreciate everything you guys are doing for
17 the MBEs and WBE companies, and small businesses, and
18 I would—I think when you do a private project you
19 usually ask for a deposit, 25%, 20%, 15%. It's not
20 fair for a small business to do a city project, and
21 everything they have has to go into that project, and
22 I would—that's basically what I would like to say,
23 and that's it. Thank you.

24 CHAIRPERSON CORNEGY: Thank you.

25

2 FELICE FARBER: Thank you for the
3 opportunity to comment today on building successes
4 and overcoming challenges for MWBEs. I'm Felice
5 Farber, Senior Director of Policy and External
6 Affairs for the General Contractors Association of
7 New York. GC members are unionized heavy civil
8 contractors that build the infrastructure that moves
9 New York, the roads, bridges, transit systems, water
10 and sewer systems, parks, schools and building
11 foundations. We support opportunities for MWBEs
12 through membership in our organization, targeted
13 networking events to connect MWBEs to significant
14 subcontracting opportunities and training programs to
15 help build MWBE skills and capacity. There are a
16 number of factors that I lay out in my testimony that
17 can help with opportunities for MWBEs, but I want to
18 focus on just a couple of them right now. You talked
19 about insurance earlier. The Scaffold Law is one of
20 the biggest barriers, and while that's not in the
21 control of the city, as a City Council it is enormous
22 factor that is driving up the cost of insurance and
23 creating a real barrier for small firms to obtain
24 insurance and to manage public work. Local Law 1 is
25 another barrier in that it limits opportunities to

2 direct subcontractors only. So, indirect subs as the
3 city calls it in the law or what are lower tier subs
4 do not count towards participation, and this is a
5 significant barrier to opportunities to break the
6 work up into smaller pieces that smaller firms can
7 handle. So, it really limits those subcontracting
8 opportunities to the bigger more successful MWBEs.
9 The city's program also doesn't allow suppliers to
10 count towards the goal, something that the state and
11 federal program does. So, both of those are elements
12 that really impact opportunities for MWBEs. Data
13 analytics is something that the city should look at,
14 and you mentioned it earlier. The MWBE Directory
15 should be subject to the Open Data Law. You can't
16 download the entire directory and the codes that each
17 firm is certified under to really do an analysis of
18 where the capacity exists or the lack of capacity,
19 and if you really had a better understanding where
20 there was a lack of capacity, the city could better
21 target their MWBE program, and training programs to
22 those firms. The directory also has to be accurate,
23 and there's significant amounts of inaccuracies both
24 in the contact information and in the industry
25 classifications for those companies, and if you have

2 inaccurate information it makes it very hard to
3 identify the firms to do particular types of work or
4 to really engage in more meaningful outreach because
5 you're spending all your time sifting through firms
6 that don't engage in work, and then you have that
7 give and take that the perception is the outreach is
8 not meaningful. Our members with rather be able to
9 target the firms that actually do that work, and have
10 meaningful discussion with those firms about business
11 opportunities, and so any effort that can be made to
12 make the directory more accurate, I think would
13 really go a long way (bell) towards improving
14 opportunities. There's more in my testimony. I'm
15 happy to discuss it with you in greater length at
16 your convenience.

17 CHAIRPERSON CORNEGY: Actually, I-I'd
18 prefer-I'd really appreciate it if you would
19 formulate what you've just said as recommendations.

20 FELICE FARBER: Sure it's-it's laid out
21 in my-in my written testimony.

22 CHAIRPERSON CORNEGY: I'd appreciate
23 that. Did you submit your testimony?

24 FELICE FARBER: Yep.

25 CHAIRPERSON CORNEGY: Okay. Thank you.

2 KRISTA GOBINS-WILSON: Hello. My name is
3 Krista Gobins-Wilson. I'm here as a policy advisor
4 for the Women Builders Council. I'm providing
5 testimony that was submitted by Renee Sacks, our
6 Executive Director. She apologizes she can't be here
7 today, but I am going to read some recommendations
8 put together by our Public Policy Committee, which
9 Felice we're so lucky to also have her participate
10 on. Now in its 16th year the Women Builders Council
11 is New York's largest organization dedicated to the
12 advocacy for women and minorities as well as the
13 growth and development of women' leadership in the
14 construction industry. We've been active in the re-
15 in the recent New York State Reauthorization of
16 Article 15-A, and we are continuing these
17 conversations with New York State on the
18 implementation of the new law especially its impact
19 on MWBEs. New York City's economic agenda offers
20 more opportunities for MWBEs than ever before to
21 participate in both mega projects as well as smaller
22 projects that are at the heart of the city's
23 operations. In addition, the Mayor's 30% MWBE goal
24 sets a strong goal for agency and authority diversity
25 inclusion. However, there are challenges created by

2 the current Local Law 1 legislation especially in
3 light of the Public Policy Procurement Board
4 regulations that may interrupt the journey to success
5 for MWBEs. WBC--(sneezing) bless you--recognizes the
6 important role that New York City Council plays in
7 adopting new legislation, and modifying existing
8 regulations to create success for MWBEs. With that in
9 mind, we're going to make four recommendations today.
10 (1) In conjunction with lease, a review of Local Law
11 1 to identify barriers to participation. (2) An
12 expanded definition of graduating MWBEs. (3) New
13 Design-Build legislation and its impact on MWBEs and
14 the final government MWBE Procurement Best Practices.
15 On the first issue with--which Felice explained very
16 thoroughly, the law itself, Local Law 1 now seven
17 years later deserves a comprehensive analysis to
18 identify those regulations to actually create
19 barriers to MWB participation in New York City.
20 Local Law 1 provides for Tier 1 subcontracting
21 restrictions. As Felice had mentioned, that means
22 that only 1 Tier MWBE subcontractors count for credit
23 and procurement. Tier 2 usually the smaller MWBEs
24 are not credited in the procurement and as a result
25 are not offered opportunities. This needs immediate

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 examination and change. Our suggestion would be to
3 complete a comprehensive review of the regulations
4 and their impact on Local Law 1. Our second
5 recommendation for the expanded definition of
6 graduating MWBEs would be to increase the revenue
7 requirement for graduating MWBEs to minimally include
8 \$100 million to enable these qualified MWBE
9 contractors continue to compete and win larger
10 contracts. Third, regarding Design-Build, we have
11 listed all these recommendations in the provided
12 testimony today. We're looking to establish a task
13 force on Design-Build and the best practice for MWBE
14 and we would be happy to work in partnership with you
15 on that.

16 CHAIRPERSON CORNEGY: I think that task
17 force is going to be important as we look forward to
18 on the city level using more Design-Build.

19 KRISTA GOBINS-WILSON: Absolutely.

20 CHAIRPERSON CORNEGY: So thank you.

21 KRISTA GOBINS-WILSON: Thank you so much.

22 CHAIRPERSON CORNEGY: Look forward to
23 that.

24 KRISTA GOBINS-WILSON: And thank you for
25 having us.

2 CHAIRPERSON CORNEGY: Thank you. The
3 next panel up is Amanda Weeks, Joyce Lynn Taylor,
4 Hayes Slade, Vanessa Alicia Coquis (sp?) Sorry.
5 (background comments/pause) So, again, I just ask
6 that you will identify yourself and the agency or
7 organization that you represent unless you're
8 representing yourself, which is fine as well. Thank
9 you.

10 HAYES SLADE: Thank you Chairs Cornegy
11 and Kallos for holding this hearing today. I'm Hayes
12 Slade a proud member and former president of the
13 American Institute of Architects New York, also know
14 as AIA New York. Today, I'm here speaking as a
15 founding partner of Slade Architecture, an MBE
16 registered architecture firm located a block away on
17 Chambers Street. James Slade and I founded our firm
18 in 2002. We are a small firm passionate about our
19 work and have been delivering projects locally,
20 nationally and internationally. Our dedication,
21 vision and concern for our clients has been rewarded,
22 and we have been recognized with awards, exhibits and
23 publications here and abroad. Over the course of the
24 last two decades we have completed approximately 200
25 projects public and private. However, we have not

2 received any city contracts as a result of our MBE
3 status. We have received city term contracts on the
4 basis of our design excellence four of the five times
5 the DDC Design Excellence Program was held, and we
6 have been MBE certified since 2012. We are currently
7 certified with New York City, New York State, the
8 Port Authority, and the School Construction
9 Authority. We continue to participate in the MWBE
10 programs because we are dedicated to the ideal of
11 increased access and equity in business and we are
12 avid believers in the potential o public architecture
13 and keen to contribute. However, it is a punishing
14 process that does not fully deliver on the potential
15 and we would love to do our part to improve the
16 process and in turn the city for everyone. If I
17 could take the liberty of making several suggestions
18 for your consideration. Please create something like
19 a common app for the certification process in order
20 to reduce the incredible amount of time required to
21 prepare the certification submissions, and also have
22 the submissions work across more agencies. Secondly,
23 please use the information that has been so carefully
24 provided by applicants in the certification process
25 so that firms are receiving relevant RFP

2 opportunities. Third, please ensure that agencies
3 that issue a term contract, RFP or MWBE certification
4 process—process actually have work for the selected
5 firms so that there is a reward after the intense
6 application process. Otherwise, it is a waste of
7 effort in preparing the RFP and submission as well as
8 in the review and selection. Fourth, please check in
9 with the firms on the selected list at least
10 biannually. This would provide a valuable feedback
11 system rather than a one-way dead end. On the face
12 of it, the potential MWBE program is very attractive
13 and we are very interested in giving back to our
14 community by building more in the public sector . We
15 feel that the highest and best use of our talents
16 would be to bring them to bear in the public
17 architectural fabric of the city we love that has
18 been our home for so long and where we've raised our
19 family. So, we consistently submit to the onerous
20 qualification processes required by every one of
21 these MWBE programs. Typically, the qualification
22 processes require several person weeks of paperwork.
23 Each agency has their own, but they are time
24 consuming. The real issue is that after investing
25 all this effort and energy and successfully being

2 certified, the rewards are minimal. (bell) I've
3 submitted all this in writing, and thank you so much
4 for the opportunity to testify today.

5 CHAIRPERSON CORNEGY: Thank you.

6 AMAND WEEKS: Thank you for the
7 opportunity to submit a testimony today regarding
8 oversight of MWBEs in New York City. My name is
9 Amanda Weeks and my company Ambrosia is an innovative
10 research lab and start-up that recovers resources
11 from food waste, while providing the infrastructure
12 demanded by cities, the municipalities for waste
13 diversion. In my testimony today I will discuss how
14 the current MWBE framework prevents venture capital
15 funded start-ups such as mine from accessing the
16 program and its benefits. My company provides a
17 critical solution at the intersection of
18 sustainability and tech. Our technology is capable
19 of processing all types of residential and commercial
20 food waste including meat, dairy, fish, fruits and
21 vegetables. We validize 100% of the food waste feed
22 stock into various end products following our primary
23 bio refining process. Our approach separates the
24 core components of food waste leaving us with clean
25 water and a suite of resource materials. These

2 outputs can be manufactured into different products
3 and commodities that replace petro chemicals or plant
4 derived materials with a renewable alternative.

5 Ambrosia could play a key role in helping New York
6 City achieve its goal of zero waste by 2030. As a
7 native New Yorker born in Staten Island in the 1980s
8 that the height of the use of the Fresh Kill
9 Brownsville, this is an initiative the I personally
10 want to see become a reality. With the closure of
11 Fresh Kills, the city now spends hundreds of millions
12 of dollars on waste transport, a cost driven by the
13 weight and volume of food waste. I started this
14 company in Brooklyn after the passage of Local Law
15 146 by the Bloomberg Administration to mandate food
16 waste recycling among certain businesses. The city
17 has then struggled to expand these and other food
18 waste diversion plans due to a lack of alternative
19 options to our current waste system. Over six years
20 my team and I have worked to develop a scalable and
21 sustainable approach to handle New York City's food
22 waste. It was a capital intensive process. I put
23 myself \$20,000 in debt to get off the ground.

24 Eventually, we were able to validate the concept
25 enough to attract venture capital and angel

2 investors. Bringing in outside investors is the only
3 way we were able to perform the research and
4 development necessary to prove our technology and
5 scale it to the point that we would be taken
6 seriously by the waste industry in New York City. We
7 are now in the middle of launching our first product,
8 a household cleaner made with ingredients derived
9 from food waste. I'm preparing to raise another round
10 of investments that we can open our first commercial
11 scale food waste manufacturing plant in New York
12 City. Valued at \$71 billion, New York City's start-
13 up ecosystem is a key contributor to the city's
14 economy. For example, New York City ranks second
15 globally for start-up output in 2019, and the tech
16 sector provided 33,000. I'm sorry. 300,000 jobs. New
17 York City Economic Development Corporation
18 initiatives and programs such as the Urban Tech Hub
19 and the Grid supports the growing Tech Ecosystem, and
20 we have been actively involved in this sector. I'm
21 proud of our growth since our humble beginnings
22 working out of a garage in Red Hook, Brooklyn. This
23 growth simply would not have been possible without
24 venture capital funding. Traditional financing
25 options (bell) such as bank loans are not available

2 to O-A stage start-ups so I turned to venture capital
3 to get our operations up and running. This meant
4 that I gave up equity in my company in exchange for
5 funding to build the business. Since 2016, I have
6 raised over \$4 million in venture capital. This has
7 allowed me to create over 20 jobs and work towards
8 impactful solutions the city needs. We have been
9 successfully diverting food waste from Mottville at
10 our demo facility since 2018, and plan to recycle
11 40,000 tons of New York City's food waste by 2022 as
12 we scale. Working with city of New York will be a
13 significant aspect of our business, and MWBE
14 certification would help us to access government
15 contracts, grow our business and help the city to
16 achieve its sustainability goals. I thought that we
17 were an ideal candidate for MWBE certification as my
18 business intersects with many male dominated
19 industries, playing field that MWBE program was
20 conceived to level. When I attempted to apply I was
21 disappointed to discover that I did not qualify under
22 the current regulations. The primary requirement is
23 at least 51% of the business be owned, operated and
24 controlled by a woman and/or a designate minority
25 group. When I started the business with my co-

2 founder, I owned 60%. The we created an option pool
3 for employees. Then we started raising venture
4 capital. Today, that number is 29% and will only
5 shrink further the next time I raise capital in order
6 to achieve our goals. However, it's still my
7 company. I'm the single largest share-shareholder,
8 the next largest although my co-founder is 19%. The
9 largest holding of a single investor, a venture fund,
10 is 8%. The numbers keep going down from there. I
11 also operate this business. I'm the Chief Executive
12 Officer responsible for all company operations and
13 decisions. I control the company through my seat on
14 the Board of Directors. By law the Board of Directors
15 controls the company, and all critical decisions must
16 be approved by the Directors. Therefore, the actions
17 taken or approved by the Board, controls the
18 business. Often a simple majority may approve
19 corporate action. Our board consists of three
20 directors. I serve on the board with my fellow
21 directors Sanket Parekh (sp?) one of our investors
22 who is himself a person of color and a member of a
23 designated minority group. Together we control two-
24 thirds of the vote necessary to direct corporate
25 actions. Although I am a CEO and single largest

2 shareholder in my company with a Board of Directors
3 majority represented by a woman and an individual
4 from a designated minority group, this is not
5 acceptable for MWBE certification as it is written. I
6 do not hold the requisite 51% of shares, and the more
7 complex ownership model of my business is unable to
8 be submitted for the current application process. In
9 practice the requirement for at least 51% of the
10 business to be owned by a woman and/or designated
11 minority group will exclude most venture funded
12 start-ups founded and run by women-owned minority
13 groups from qualification because the venture capital
14 model requires a large base of investors, and most of
15 these investors are traditionally male and/or non-
16 minority. The submission requirements related to the
17 ownership-ownership criteria are also overly
18 cumbersome, and not appropriate for venture funded
19 start-ups. For example, due to the structure of the
20 funds that we've invested in our business, it is not
21 possible to know all funding members and, therefore,
22 not possible to provide resumes (bell) for each
23 owner, nor is it feasible to provide proof of
24 minority group status for each owner or their
25 citizenship or permanent resident alien status for

2 all owners of the business. Again, the venture model
3 relies on a more diffuse ownership group. The
4 information requested by the city's certification
5 process goes beyond what is standard for a company to
6 obtain from its investors at the time of investment.
7 It requires information that our venture funded
8 company is simply unlikely to have ready access to
9 and, therefore, places an additional administrative
10 burden that is difficult to satisfy as a growing
11 business with more limited resources. These
12 requirements will privilege non-venture funded
13 companies where the ownership is more closely held or
14 the funding obtained through other methods, and in so
15 doing, excludes new businesses that wouldn't exist
16 without the start-up venture model. Considering this
17 view and intent of MWBE certification we are
18 concerned that this requirement could undermine the
19 policy objective of the program to promote fairness
20 and equity by enabling such businesses to improve
21 their capacity, connect to opportunities—which is to
22 connect to opportunities, and positively contribute
23 to the economy. Entrepreneurs and start-up
24 companies play a crucial role in developing creative
25 new solutions—solutions to public problems. We do

2 not believe that the legislation was intended to deny
3 female and minority group entrepreneurs the ability
4 to obtain its certification when they take on outside
5 capital to achieve their mission. It is my hope that
6 we can broaden the definition of what it means to
7 own, operate or control a company such as this one,
8 opening the door for many more start-ups to engage
9 with the city. I suggest exploring the addition of
10 criteria for minority and women run businesses to
11 obtain MWBE status. Thank you for your
12 consideration.

13 CHAIRPERSON CORNEGY: So, as most people
14 will have noticed, we allowed that testimony to
15 continue, and part of the reason is that we're having
16 the same kind of issue with worker cooperatives. So
17 there are models that fall just outside of it. So,
18 it's interesting to hear your model. We're trying to
19 work through this language as it relates to worker
20 co-ops, which seem that they would fit directly into
21 the scheme and scope of what Local Law 1 and—and laws
22 around that were designed to do. So, thank you for
23 your testimony?

24 VANESSA LESAY: Thank you Chairs Cornegy
25 and Kallos for holding this hearing today for MWBEs

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 in New York City. My name is Vanessa Lesay (sp?) .

3 I'm founding Principal of New York (sic) Architecture

4 and a proud member of both the American Institute of

5 Architects New York also know, as AIA New York and

6 the New York Chapter of the National Association of

7 Minority Architects also known as NYCOBA NOAM. I

8 stand before you today or sit to share my story as a

9 new business owner and a champion for equity,

10 diversity and inclusion of architects and

11 architecture in our city. I'm the past Co-Chair of

12 the Emerging New York Architects and the Diversity

13 and Inclusion Committee of the AIA New York Chapter

14 and have been involved over the years in advocating

15 for ways to support increased representation with an

16 architecture, engineering and the construction

17 professions. As a Latina architect, I'm one of the

18 minority of the minorities. Women represent 30% of

19 architects, and of that list, then 8% identify as

20 Hispanic or Latino, which is higher than the 4% of

21 black women architects and the 1% of Native American

22 women who are practicing as architects today. After

23 15 years of practicing architecture I decided to

24 start my own practice. I have noticed an increased

25 number of mid-career professional peers who also

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 identify as women and people of color also branching
3 out to start their own architecture firms, and we
4 have been sharing best practices of working through
5 city and state procurement procedures and—and—and—and
6 the process of becoming an MWBE and practicing in New
7 York City. Navigating through the New York State and
8 New York City procedures have been—ben and adventure
9 to say the least. I have been fortunate to know
10 where to reach out, too, for resources. The New York
11 City Small Business Services has been the most
12 helpful in providing free information, mentoring and
13 training opportunities through Women Entrepreneurs
14 NYC and a few of their other courses. I would
15 encourage the New York City Council to consider
16 creating a series of programming focused on
17 professional design services in collaboration with
18 both AIA New York and NYCOPA NOMA similar to how SBS
19 is supporting food service, health, tech—food
20 service, health and tech business tracks. Most
21 importantly, the process and procedures for MWBEs
22 need to be streamlined and ideally coordinated
23 through the agencies in the state. Many of the firms
24 that I've spoken to an that I've—that are my mentors
25 seem that they don't have the capacity in house to

2 repeat-to-to repeat the application processes for
3 numerous agencies. In conversations with peers, a few
4 do not have the overhead needed and/or the cash—the
5 cash flow on hand to maintain a healthy business and
6 pursue new work while chasing down payments from past
7 work already completed, but not yet paid. Our
8 procurement, payment, processes and procedures are an
9 area which definitely should be improved as we have
10 heard a little bit here today. I also believe that
11 there's an opportunity for New York City to support
12 increased MWBE firm participation in Local Law 97
13 compliance and other building energy retrofit efforts
14 to help meet some of the increased goals that the
15 city has set for reducing greenhouse gas emissions by
16 2050. As the New York City Council considers the
17 future of MWBEs in New York City, I hope that it will
18 engage both the AIA New York Chapter and NYCOPA NOMA
19 and continue the conversation on how to overcome some
20 of these challenges, and expand opportunities for
21 architecture (bell) and design professionals in the
22 city. Thank you for your time this morning.

23 CHAIRPERSON CORNEGY: Yes, we will.

24 JOYCE LYNN TAYLOR: Good afternoon. Thank
25 you Chair Cornegy for hosting this hearing and having

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 us here today and all of your support of the small
3 business and MWBE community. My name is Joyce Lynn
4 Taylor and I am the CEO of Taylor Made Contracting as
5 well as the Chair of the New York City MWBE Alliance.
6 While I'm a business owner and as the Chair of the
7 New York City MWBE Alliance, I'm small-strong
8 advocate for small and minority owned—the small and
9 minority owned business community. I come to you
10 today because I've sat in the room with business
11 owners in tears because they are on the verge of
12 losing their businesses due to the laws that have
13 been implemented by the city. I come to you today
14 because I've heard stories of business owners on the
15 verge of losing their homes because they took out
16 loans in the hopes of doing business with the city
17 and thought it would be a good thing, but they end up
18 stuck because they didn't receive their payments on
19 time, and they were stuck in audit. And, I come to
20 you today because I heard from first that have done
21 millions of dollars of work with the city and are
22 still struggling. We've heard a lot of statistics
23 earlier as it relates to how MWBE firms are not
24 getting opportunities with the City of New York. So,
25 having said that, I want to just focus on some of the

2 things that the city could implement to increase
3 capacity for MWBEs and small businesses. The first
4 thing I want to discuss is the elimination of
5 directive service—Directive 7. Directive 7 calls for
6 the audit of payments during the payment process. The
7 purpose of payments should be to pay the vendors and
8 the city should stop holding up people's payments to
9 audit it. The city needs to implement a process
10 where auditing is done outside the payment process,
11 and allow the payments to flow. We can't use that as
12 an opportunity for the city to take a second bite at
13 reducing its costs. The next thing I want to talk
14 about is change orders. A lot of firms especially in
15 the construction industry have been put in the
16 position of doing work, and then negotiating the cost
17 for that work on the back end, many of times having
18 to fight for funds that they've already put out.
19 This puts a huge burden on the firms, and it's
20 something that the city needs to implement is the
21 request that any change order must be approved prior
22 to the work being done. The next thing I want to
23 discuss is the city taking financial responsibility
24 for their projects. If you really truly want to
25 increase capacity the city needs to implement a

2 graduated deposit program where firms are vetted and
3 you give firms deposit for—for the city's project.
4 The city needs to take more of a financial burden.
5 The fact that the business owners have to take out
6 loans in itself is discriminatory and it's basically
7 saying that the city only wants to do business with
8 people who have money. The last thing I want to talk
9 about, and I think it's pretty much a no-brainer is
10 that every city and state agency should make sure
11 that firms have the ability to pay for anything with
12 debit and credit cards. (bell) It's 2020. I know
13 some of the things that I suggested will require that
14 the city work with the state to implement them, but
15 I'm sure that the Mayor's Office and the Governor's
16 Office will put great minds together to ensure that
17 it happens. The Goal of the city government is to
18 make business easier, businesses' lives easier to
19 help them to grow capacity. In closing I'm just going
20 to say this: God created heaven and earth. We
21 created this laws—these laws. If they're not working
22 we need to fix it. (applause)

23 CHAIRPERSON CORNEGY: Thank—thank you,
24 and I look forward to continuing to work on those
25 very things that you've said. Thank you all for your

2 testimony. (pause) We must have and all-star panel.
3 I got my colleague Daneek Miller from Queens is in
4 the building. So then, I'm going to call the--the
5 last panel for today. I think this is Everett Perry,
6 Mala Popli, Evette Richardson, Karmisha Superville,
7 and for the record, we were joined by my colleague
8 from Brooklyn, Inez Barron. (background
9 comments/pause) So, again, I will ask that you just
10 identify yourself and who you're associated with,
11 agency and/or organization, and if you're testifying
12 on your own behalf that is--it's fine as well. I
13 believe Mr. Perry, we're going with you.

14 EVERETT PERRY: I'd like to thank
15 Councilman Cornegy for helping to facilitate this and
16 all the people involved. I would also like to take
17 this time to respectfully remind everyone in this
18 room been working on this, that this is primarily a--
19 this is a primarily small business issue in addition
20 to being an MWBE issue. So, I am an Minority Owned
21 Woman Owned business. The business is owned by my
22 wife. (coughs) We started at four employees. We have
23 had as many as 109 employees between two territories.
24 We started about five years ago. We are a product of
25 success of this MWBE program even before the changes

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 that have been made recently. We have had contracts
3 with the SCA, EDC, the MTA, EDC and OGS, and we have
4 completed over-close to about 700 projects in the
5 past, um, I'd say two years. My wife also happens to
6 be-happens to be partially Native American. So, some
7 of the good things that were-that we spoke about
8 today from the--

9 CHAIRPERSON CORNEGY: Wait. Before you--
10 before you finish, you said your-your wife is--?

11 EVERETT PERRY: Fifty percent Native
12 American just by happenstance.

13 CHAIRPERSON CORNEGY: Are-is-have you
14 classified the business under that new--?

15 EVERETT PERRY: No.

16 CHAIRPERSON CORNEGY: Okay.

17 EVERETT PERRY: We shall.

18 CHAIRPERSON CORNEGY: Okay.

19 EVERETT PERRY: So, um, so some of the
20 good things that were spoken about today from the
21 Mayor's Office was the Comptroller was bonding. We
22 currently utilize bonding, the bonding program.
23 That's absolutely fantastic. We have two bonds right
24 now. We definitely utilize the access to capital.
25 The loans are great. They're 3%. We have two right

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 now. The discretionary being increased. We—we don't
3 bid discretionary, but that's a wonderful thing also.
4 They're going up \$500,000. There's a new mentor
5 program incoming, but we've done all the mentor
6 programs and we've graduated out of each one of those
7 programs. The—the insurance program that's happening
8 is game changing. That is probably going to solve
9 30% of the issues that are out there. It's a
10 wonderful thing, and again, we are the direct result
11 those—that what I just mentioned, but what I'm here
12 to talk about today is that there is a \$20 billion
13 budget, and we are a constructive company and the
14 reason why some of the construction companies don't
15 bid. So, what I've done is outline. I want to
16 concur with many other things that Joyce Lynn
17 mentioned. So, (coughs) we—as businesses, we're—we
18 get deposits promptly, 10%, 50%, 20%. The city has a
19 big pocketbook. We are vetted thoroughly with, um,
20 through Passport. We are bonded so the reality is
21 that the city should provide deposits. It would make
22 the city one of the best places to do business.
23 There's a change order problem that some—that can be
24 fixed by simply not allowing change orders to proceed
25 without them be approved. No other place and no

2 other business allows for that. If you eliminate
3 Directive 7, you eliminate a problem I've had for the
4 last three years of being owed upwards to a million
5 dollars for three years. That will put out of
6 business probably 90% of the MWBEs. Of those 90% of
7 the 9,600 that are (bell) that are currently
8 certified. If you take credit cards, instead of
9 taking checks it's 20/20. That just should be a part
10 of doing business. ACH payments some of us wait two
11 to three weeks. The payments are lost in the mail.
12 Again, it's 20/20. It should—we should be paid
13 within 48 hours. That's a simple one, and lastly or
14 second to last is that the city should be paperless.
15 There used to be an organization called 1,000 trees I
16 believe, and it's a—I have stacks of paperwork to get
17 paid sometimes like this, which is sort of it
18 shouldn't be in 2020, and the last point is the
19 software should be consistent amongst all agencies.
20 So if those few items were met, the city would become
21 one of the best places to do business. Thank you.

22 CHAIRPERSON CORNEGY: Thank you. I

23 appreciate the fact that we're—we're actually getting
24 a chance to hear from business owners. I wish that,
25 um, some of the Administration would have stayed to

2 hear that testimony. I see that the, um, that the
3 Comptroller's Office is still here, but this is one
4 of the Administration faculty here. I just think
5 it's important that they hear directly from, and I
6 know you have access to—to the Mayor's Office, but
7 it's—it's really important, though that when we have
8 these oversight hearings that they can hear literally
9 what's happening on the ground because some of this
10 is conceptual in terms of what we do as policymakers,
11 but this is literally where the rubber kind of meets
12 the road is when you hear directly from businesses
13 who are struggling through a system that you put in
14 place to help them do better and it's doing the—it's
15 having the opposite impact. So, thank you for your
16 testimony.

17 EVERETT PERRY: I agree. Thank you.

18 MALA POPLI: Thank you, Chairman Cornegy
19 Chairman Kallos, members of the committee on
20 Contracts, and MWBE task force—task force members for
21 holding this hearing for MWBEs in New York City. My
22 name is Mala Popli and I work for Popli Design Group.
23 We are a full service architecture and engineering
24 firm specializing in buildings and transportation
25 with five offices across New York State including New

2 York City. Today I am testifying as a member of the
3 Alliance of New York Asian Architect and Engineers,
4 and as an MBE business to express my support for the
5 continue growth and development of MWBE programs
6 across New York City. Collectively, the Alliance is
7 comprised of more than 50 Asian-American owned
8 architectural and engineering firms, which provide a
9 full spectrum of engineering and architectural
10 services and employ more than, 1,000 individuals
11 across the state of New York. My father started our
12 firm nearly 40 years ago as one-man operation.
13 Today, Popli Design Group has five offices across the
14 State and employs just under a hundred people. Our
15 business is able to grow through a combination of
16 hard work and opportunities afforded to us by state
17 MWBE and federal DBE programs. These programs
18 allowed us to obtain initial work from critical
19 experience as a sub-consultant, which ultimately
20 translated to opening doors to obtain work as a prime
21 contractor. All of this helped grow our business to
22 what it is today even enabling us to graduate from
23 the DBE program just late last year. In our opinion,
24 successful MWBE program open doors for firms owned by
25 under-represented minorities, and its ultimate goal

2 should be to allow them to obtain work as prime
3 contractors. In order to ensure this, a critical
4 part of an MWBE program would be to ensure firms are
5 not prematurely removed from programs to being-to
6 attain these goals. For example, one Asian owned firm
7 removed form Local Law 1, many firms like mine
8 experienced a negative impact on our business. Many
9 Asian firms have not yet become prime contractors,
10 and prematurely removing them from New York City's
11 MWBE program resulted in the disparity reappearing
12 and a setback to many of these firms. The recent
13 reinstatement of Asian-American first as part of 1293
14 will be a tremendous help to our firms and other
15 Asian-American firms as it will help facilitate
16 opportunities as we continue to work towards
17 obtaining prime contracts. To prevent this from
18 happening again, if we believe the following:
19 Ongoing legislation to have language that outlines
20 graduation criteria, but also ensures firms are not
21 prematurely removed from such programs before they
22 are able to stand alone as prime contractors. As we
23 move forward it will be critical that all city
24 agencies be held accountable for upholding the
25 legislation and initiative. To that end, we believe

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 that keeping track of the number of MWBE prime
3 contractors should be part of the reporting process.
4 By tracking and reporting this agencies would be
5 accountable and it would be reflected by seeing an
6 increase in the number of MWBE firms obtaining prime
7 contracts over time. We also believe to your point
8 about debriefings this means this practice needs to
9 be expedited. Currently (bell) the debriefing
10 process can take up to two years. This makes it
11 impossible to then take any of that feedback and
12 incorporate it in order to gain more contracts. We
13 also believe that an MWBE-MBE set-aside pool for
14 smaller projects will help to achieve the goal such
15 as the MTA and the Port Authority achieve. I want to
16 thank you for your time, and continued support today.
17 Thank you.

18 CHAIRPERSON CORNEGY: Thank you.

19 KARMISHA SUPERVILLE: Good afternoon.

20 Thank you all for gathering here today. My name is
21 Karmisha Superville, CEO of EBK Events. That stands
22 for Enchanted By Karmisha. We are a mission focus
23 event planner firm. We are specializing in event
24 planning community development and strategic
25 initiatives throughout the city. Full transparency.

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 Though we respect the dedication of many of the city
3 agencies and its MWBE representatives, many times
4 over we as MWBEs are not getting the adequate support
5 that the earliest stats depicted by Mr. Jonnel Doris.
6 I have been a member of the Brooklyn Chamber of
7 Commerce, and though on occasion city agencies will
8 present your services and offer their support, that
9 is not the reality. Many times when MWBEs reach out
10 via email, phone calls and/or meetings at annual
11 forums, procurement forums, not of these action
12 collectively work because the reality is we aren't
13 receiving diverse opportunities. Another factor
14 that's hurting efficient MWBE business is a complex
15 program to become certified city and/or state. As we
16 are being told that there is a current backlog, we
17 need a more seamless process that's less daunting.
18 My suggestion is creating an effective MWBE task
19 force at the grassroots level. I'm happy to assist
20 with that. Also, we need more opportunities for
21 businesses of color not relating solely to
22 construction and/or electrical services. A city with
23 over eight million residents and a variety of needs
24 not to mention over 50 city agencies. Yet, over five
25 years as I have been an MWBE personally, I have never

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 received a procurement or I've never, yes, received a
3 procurement opportunity solely based on event
4 planning services such as community engagement and/or
5 initiatives in collaboration with any city agency.
6 Why is that? I have witnessed many of these events
7 being held throughout the city, and especially in my
8 community. The system is flawed, Council Member
9 Cornegy, and we can have these meetings, we can have
10 these elaborate conversations, but if something is
11 not being done to assist and adequately support
12 MWBEs, then there's nothing to toot our horns about
13 because the system is completely flawed. Thank you.

14 CHAIRPERSON CORNEGY: Thank you. (bell)

15 You should know, though that we're moving in a
16 direction not away from construction, but more in
17 professional services. We've had that conversation a
18 thousand times because we know that there is a huge
19 amount of money that's not being spoken about that's
20 divvied up in professional services. Generally, when
21 we have these conversations it is around procurement
22 as it relates to—as it relates to construction and/or
23 development. But we know that those are the large
24 numbers. Like if you look at the number of—of
25 contracts there are more contracts in professional

2 services. The amount of money seems larger in
3 construction. So-so, we-we're aware of that, and
4 we're aware that there has to be a concentration
5 around professional services and having those be more
6 procurement of MWBE oriented as well. We can't leave
7 that out, and we're aware of that, but thank you for
8 your testimony.

9 KARMISHA SUPERVILLE: Thank you.

10 YVETTE RICHARDSON: Good afternoon. My
11 name is Yvette Richardson. I am a co-owner and I'm
12 one of four owners of Sabr, Richardson and Weisberg
13 Engineering and Architecture. We are a full service
14 engineering and architecture firm with an office in
15 New York. We also have another office in New Jersey.
16 We employ 20 people, and we've been in business for
17 15 years. We are MBE certified WBE certified, SBE,
18 DBE with New York City SCA, Port Authority. We are
19 members of NYCOBA, which is New York City Coalition
20 of Black Architects, which is the New York City
21 chapter of the national organization of Minority
22 Architects. We are also members of the Council of
23 Black Architectural and Engineering Companies. I am
24 a personal member of the New York State, of the
25 National Society of Black Engineers. I'm a licensed

2 electrical engineer in New York State and we are also
3 members of the National Association of Black Women in
4 Construction. I don't want to say that I am a
5 unicorn, right because I'm Latina. I'm black. I'm an
6 engineer. We provide professional services. Because
7 unicorns don't exist, I'm here in flesh and blood.
8 We have in the attempt to sustain and be successful
9 we have checked all the boxes and joined all the
10 organizations and have all the certifications
11 required including our professional licenses to
12 practice. So, I'm here today really to challenge the
13 city in really monitoring spending as opposed to
14 contracts. We received the, um, in 2017. We still
15 have an active contract with DDC, and under the small
16 business category. So we are part of that micro
17 small, medium, large. From that contract we have
18 received no work. We've actually performed work for
19 free where at no cost at no, you know, we-we didn't
20 get paid for it because we were approached to try to
21 do this work because if it becomes a project it's
22 yours, and so we actually are minus on that contract.
23 So, I think it's really important to—to monitor
24 spending as a—in addition to just contracts awarded.
25 I also want to talk about capacity especially as a

2 professional services firm. Our equity is really in,
3 um, our knowledge, right? So I think one of the
4 things that happens is that people equate capacity to
5 the number of people employed. Um, which I said, you
6 know, our firm we're lucky that we have 20 people,
7 but, um, that's not necessarily true on the
8 professional services. So, I think that has to be
9 rethought of, um and I-I just lastly want to talk
10 about access to capital. My firm was lucky that we--
11 we actively are Love Your Local Grantee, which is a
12 fantastic program, and I-I really applaud SBS and the
13 city for having it. Um, but the access to capital as
14 far as (bell) loans go, I think should be rethought
15 because when the utilization goal is primarily
16 emphasized as to be a subcontracting goal, and the
17 financing is really available for firms that have
18 prime contracts, that right there eliminates MWBEs
19 from accessing that capital. Thank you for allowing
20 me to testify today.

21 CHAIRPERSON CORNEGY: First of all, I
22 appreciate your comment on being--on the whole unicorn
23 comment--

24 YVETTE RICHARDSON: Uh-hm.

2 CHAIRPERSON CORNEGY: --but the reality
3 is, though, that is a special place to be. So, I
4 would certainly like for you to connect with my
5 office to make sure that--We're trying to put together
6 a rolodex of folks that are undeniably, should be
7 performing in particular spaces, and I certainly
8 would like to add all of you to--to that rolodex. So,
9 my Chief of staff is sitting right there if you could
10 just on your way out kind of holler out so we can
11 make sure that we continue to build that rolodex in a
12 way like I--like I mentioned before when Jonnel was
13 here that there's these waivers granted to prime--
14 prime contractors when they say they can't meet the
15 requirement based on capacity, based on not finding
16 anybody. We want to make sure that we can help
17 dissuade that narrative that--that the services don't
18 exist in our communities because we know that they
19 do. So, thank you for your testimony. Before you
20 leave my colleague Daneek Miller from the great
21 Borough of Queens would like to speak.

22 COUNCIL MEMBER MILLER: Thank you,
23 Council Member Cornegy, and as well as Chair Kallos
24 for putting together this--this really informative
25 necessary oversight hearing. I've spoken to a few

3 folks in my capacity as the Chair of the Black,
4 Latino and Asian Caucus, and—and to get this—this
5 group of folks in front of the caucus so that we can
6 really engage and understand whether or not this
7 program and others like it are doing what they're
8 intended to do, and I think that there is obviously a
9 consensus that that is not the case. Otherwise we
10 wouldn't be here and—and doing this now. So, that is
11 one part of it. The other part as—as the Council
12 Member indicated that we need to know that you all
13 exist, that there is opportunities in each and every
14 one of our communities, and I've been an absolute
15 stickler on how the city leverages \$50 billion in
16 procurement, right? I know in my district we're
17 doing two billion worth of sewer infrastructure, and,
18 um, those contracts don't really reflect the needs
19 and advice of the community, and so we have to make
20 sure that where there's a will there's a way that we
21 can actually do that, but we also need to know what
22 about this particular program or policies aren't
23 working, right so that—so that they can be amended,
24 they can be addressed to move forward. One of the
25 things before I do leave out. I want to say that
there's opportunity outside of the city, and one of

2 the things that I have spoken to pretty regularly the
3 Administration on is making sure that even if it's a
4 state project or a Port Authority project that the
5 residents in New York City here, our small businesses
6 should have an opportunity to avail themselves,
7 right? Which means that whether, um, it is the
8 technical assistance, the certification opportunities
9 and all those things there is still a role for them
10 to play so that we're taking advantage of everything
11 that's out there, and on that note, I know that, um,
12 there's a- In my district in, um, at JFK there's a
13 \$13 billion redevelopment of JFK happening there. We
14 need to make sure that we have qualified MWBEs. We
15 love for them to be local, but quite frankly that's
16 not going to happen, right? And so, that we have to
17 expand our scope so as the Council Member indicated
18 please make sure that we know who you are and for
19 those who haven't signed up and there's an office to
20 the-the JFK Redevelopment Office, Jamaica Avenue and
21 148th Street there, and professional services
22 contract for developers are needed very much so, and-
23 and so, um, we're doing all the training and capacity
24 building. So, here's what happens: When we all sit
25 back, and we negotiate these opportunities, we have

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 to make sure that we're able to take advantage of
3 these opportunities, right? And so, if we're not
4 talking, we're not fixing it, let's please continue
5 to talk and make sure that we're taking advantage of
6 these opportunities quite frankly that we are often
7 times paying for and not receiving value back, and-
8 and so again, thank you for this, um, courageous
9 oversight hearing. Hopefully, this is the first of
10 many, and, um, it is also an invitation that the
11 Caucus is extending to the groups that are here
12 today. So, thank you Council Member.

13 CHAIRPERSON CORNEGY: Um, I was
14 expecting, anticipating testimony from the Black
15 Institute. Is anybody here from the Black Institute?
16 I don't want to close without have heard from them if
17 they are present. If not, thank you so much for your
18 testimony, and let me just remind you that this is
19 the first of many hearings. We've gotten commitments
20 from all of the agencies and the Administration to
21 continue this dialogue in this forum. So, don't be
22 afraid to attend and bring your questions. Most
23 then-if you have questions prior to us meeting again,
24 please forward them to my office or to the Black,
25 Latino and Asian Caucus Chair, Daneek Miller. This

1 TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

21

2 is the first of many. So thank you so much for
3 coming. This hearing is adjourned. (gavel)

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TASK FORCE ON MWBE JOINTLY WITH COMMITTEE ON
CONTRACTS

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 6, 2020