

STATE OF NEW YORK

9147

IN SENATE

February 6, 2026

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the executive law, the state finance law and the public authorities law, in relation to establishing expanded construction mentorship opportunities for small business enterprises

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (e) of subdivision 4 of section 311 of the executive law, as added by chapter 96 of the laws of 2019, is amended to read as follows:

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4 (e) identify and establish mentorship opportunities and other business development programs to increase capacity and better prepare MWBEs for bidding on contracts with state agencies upon successful completion of the mentorship opportunity. Such mentorship opportunities shall be intended to ensure that mentor and mentee are connected based on a commercially useful function. Mentorship opportunities shall also be identified and established in instances where there is privity of contract between a small business enterprise and a subcontractor or contractor working on a state contract.

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13 § 2. Subdivision 2-a of section 313 of the executive law is amended by adding a new paragraph (k) to read as follows:

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15 (k) encourage mentor-protege relationships as defined in section one hundred forty-seven of the state finance law, between a small business enterprise and a state agency where there is privity of contract between a small business enterprise and a subcontractor or contractor working on a state contract.

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20 § 3. Paragraph 1 of section 147 of the state finance law, as added by chapter 360 of the laws of 2009, is amended to read as follows:

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22 1. In every state agency, department and authority which has let more than ten million dollars in service and construction contracts in the prior fiscal year, the chief executive officer of that agency, department or authority shall develop a mentor-protege program to foster long-term relationships between state agencies, approved mentor firms, and small business concerns [~~and minority and women-owned businesses~~] certi-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 fied pursuant to article fifteen-A of the executive law, in order to
2 enhance the capabilities of small [~~and minority and women-owned~~] busi-
3 ness concerns, improve their success in contracting with the state or
4 receiving subcontracts under a state contract, and to create sources of
5 reliable contractors and subcontractors ready to perform larger jobs and
6 responsibilities. Participation in the program shall be voluntary for
7 both the mentor firm and the protege firm. Such mentor-protege programs
8 shall be established in instances where there is privity of contract
9 between a small business enterprise and a subcontractor or contractor
10 working on a state contract.

11 § 4. Subparagraphs (vi) and (vii) of paragraph (b) of subdivision 2 of
12 section 1265-b of the public authorities law, as added by chapter 206 of
13 the laws of 2010, are amended and a new subparagraph (viii) is added to
14 read as follows:

15 (vi) to assist only small business mentoring program participants that
16 have been awarded small business mentoring program contracts to obtain
17 any surety bond or contract of insurance required of them in connection
18 with such contract only notwithstanding any provision of section two
19 thousand five hundred four of the insurance law to the contrary; [~~and~~]

20 (vii) for small businesses that have been accepted into the small
21 business mentoring program under subparagraph (ii) of paragraph (d) of
22 subdivision one of this section, in addition to the benefits of such
23 program and notwithstanding any other provision of law, to provide tech-
24 nical assistance in obtaining bid, payment and performance bonding for
25 authority public work contracts that are not small business mentoring
26 program contracts, for which the small business is otherwise quali-
27 fied[~~-~~]; and

28 (viii) to further establish small business mentoring programs between
29 the agency and a small business enterprise in instances where there is
30 privity of contract between a small business enterprise and a subcon-
31 tractor or contractor working on an authority public works contract.

32 § 5. This act shall take effect immediately; provided, however that
33 the amendments to:

34 (a) sections 311 and 313 of the executive law made by sections one and
35 two of this act shall not affect the repeal of such sections and shall
36 expire and be deemed repealed therewith;

37 (b) paragraph (b) of subdivision 2 of section 1265-b of the public
38 authorities law made by section four of this act shall not affect the
39 repeal of such section and shall be deemed repealed therewith.