

STATE OF NEW YORK

7300--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 2025

Introduced by M. of A. BICHOTTE HERMELYN, LUNSFORD -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 execu-
2 tive law, as added by chapter 96 of the laws of 2019, is amended to read
3 as follows:

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

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

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

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

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

LBD11180-02-6

1 1. In every state agency, department and authority which has let more
2 than ten million dollars in service and construction contracts in the
3 prior fiscal year, the chief executive officer of that agency, depart-
4 ment or authority shall develop a mentor-protege program to foster long-
5 term relationships between state agencies, approved mentor firms, and
6 small business concerns [~~and minority and women-owned businesses~~] certi-
7 fied pursuant to article fifteen-A of the executive law, in order to
8 enhance the capabilities of small [~~and minority and women-owned~~] busi-
9 ness concerns, improve their success in contracting with the state or
10 receiving subcontracts under a state contract, and to create sources of
11 reliable contractors and subcontractors ready to perform larger jobs and
12 responsibilities. Participation in the program shall be voluntary for
13 both the mentor firm and the protege firm. Such mentor-protege programs
14 shall be established in instances where there is privity of contract
15 between a small business enterprise and a subcontractor or contractor
16 working on a state contract.

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

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

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

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

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

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

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