

STATE OF NEW YORK

7235

2025-2026 Regular Sessions

IN ASSEMBLY

March 21, 2025

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Governmental Operations

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 and minority and women-owned 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 minority and women-owned business enterprise and a
12 subcontractor or contractor working on a state contract.

13 § 2. Paragraph (j) of subdivision 2-a of section 313 of the executive
14 law, as amended by chapter 96 of the laws of 2019, is amended and a new
15 paragraph (k) is added to read as follows:

16 (j) require each agency to consult the most current disparity study
17 when calculating agency-wide and contract specific participation goals
18 pursuant to this article; ~~and~~

19 (k) encourage mentor-protege relationships as defined in section one
20 hundred forty-seven of the state finance law, between a minority and
21 women-owned business enterprise and a state agency where there is privi-
22 ty of contract between a minority and women-owned business enterprise
23 and a subcontractor or contractor working on a state contract.

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

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§ 3. Subdivision 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:

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

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

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

(vii) for small businesses that have been accepted into the small business mentoring program under subparagraph (ii) of paragraph (d) of subdivision one of this section, in addition to the benefits of such program and notwithstanding any other provision of law, to provide technical assistance in obtaining bid, payment and performance bonding for authority public work contracts that are not small business mentoring program contracts, for which the small business is otherwise qualified~~-~~; and

(viii) to further establish small business mentoring programs between the agency and a minority and women-owned business enterprise in instances where there is privity of contract between a minority and women-owned business enterprise and a subcontractor or contractor working on an authority public works contract.

§ 5. This act shall take effect immediately; provided, however, that;

(a) the amendments to article 15-A of the executive law, made by sections one and two of this act, shall not affect the expiration of such article and shall expire and be deemed expired therewith; and

(b) the amendments to section 1265-b of the public authorities law made by section four of this act shall not affect the repeal of such section and shall be deemed repealed therewith.