

STATE OF NEW YORK

7300

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 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 executive law, as amended by chapter 96 of the laws of 2019, is amended to
2 read as follows:

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

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

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

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

21 1. In every state agency, department and authority which has let more
22 than ten million dollars in service and construction contracts in the
23

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

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1 prior fiscal year, the chief executive officer of that agency, depart-
2 ment or authority shall develop a mentor-protege program to foster long-
3 term relationships between state agencies, approved mentor firms, and
4 small business concerns and minority and women-owned businesses certi-
5 fied pursuant to article fifteen-A of the executive law, in order to
6 enhance the capabilities of small and minority and women-owned business
7 concerns, improve their success in contracting with the state or receiv-
8 ing subcontracts under a state contract, and to create sources of reli-
9 able contractors and subcontractors ready to perform larger jobs and
10 responsibilities. Participation in the program shall be voluntary for
11 both the mentor firm and the protege firm. Such mentor-protege programs
12 shall be established in instances where there is privity of contract
13 between a minority and women-owned business enterprise and a subcontrac-
14 tor or contractor working on a state contract.

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

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

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

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

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

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

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