

New York State's Technology Sector
MWBE Infielder
Leveling the Playing Field in the Tech Sector



New Regulations Set To Improve MWBE Participation In State Contracts

On December 22, 2010, new regulations to improve MWBE participation in state contracts became effective for all state agencies and authorities. The new regulations level the playing field for MWBE firms and open up the marketplace for greater involvement in all business sectors.

One new regulation, based specifically on the findings from the 2010 Disparity Study, requires agencies to consider specific statewide goals, by industry, when setting annual MWBE participation goals and submitting an annual goal plan to Empire State Development for approval. Previously, agencies were tasked with setting MWBE participations goals with no specific numbers for guidance.

Another new regulation requires agencies to submit a remedial action plan if they "substantially fail" to meet the MWBE goals set forth in their annual goal plan. If an agency fails to implement the remedial action plan within one year, the agency procurement process will be reviewed and may be turned over to



another state agency or agencies. This rule ensures agencies are individually responsible and accountable for achieving MWBE procurement goals.

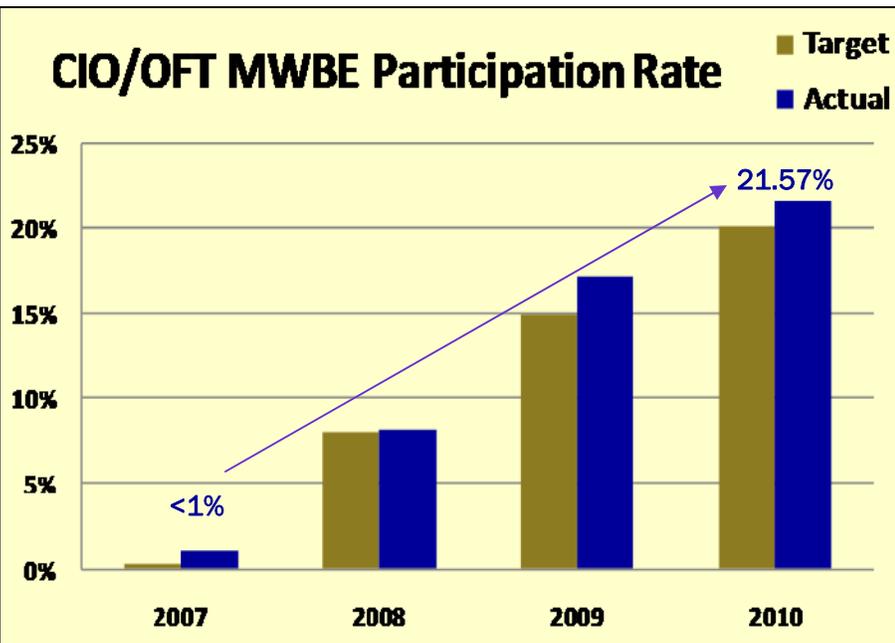
Contractors are also held to higher standards under the new regulations. Contractors who have intentionally failed to comply with the MWBE requirements of the contract can be liable to the agency for liquidated or other monetary damages incurred by the agency. In addition, the contractor can become ineligible to submit

bids or be awarded state contracts for up to one year, or up to five years for repeat offenders.

The new regulations allow agencies to take into account a bidder's past diversity practices, as one area of assessment, when considering a best value contract or response to an RFP or RFQ. For example, if a bidder has consistently employed MWBEs as subcontractors or developed an internal MWBE mentor program, agencies may consider this among several factors when deciding to award or decline to award a bid or proposal. One

aspect of the new regulation encourages prime contractors to develop formal mentor-protégé relationships with MWBEs. Formalized relationships between prime vendors and MWBEs will not only help MWBEs develop business and gain more entry into state contracting, but also helps prime vendors satisfy MWBE compliance in state contracting.

To view the full regulations, please visit: http://esd.ny.gov/MWBE/Data/122210_MWBE15-ARegs.pdf.



Governor Andrew M. Cuomo Appoints New Chief Diversity Officer



Ms. Yrthya A. Dinzey-Flores, New York State's Chief Diversity Officer

Governor Andrew M. Cuomo appointed Yrthya A. Dinzey-Flores to serve as the Chief Diversity Officer. Ms. Dinzey-Flores previously served as Manager at the Toyota USA Foundation and Program Officer for National Philanthropy Programs at Toyota Motor North America. She also served as a community relations and philanthropic

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Spotlight On MWBE

Customer Service Is Compulink's Secret to Success

For many small minority and women owned business enterprises (MWBE) the most difficult challenge is building a reputation in competitive markets. Reputation or brand awareness is a dominant factor in marketing a business and developing sales revenue. But successful branding can be extra challenging when your brand is "small." For a small technology firm, entering new markets, it is often difficult to compete against industry giants like IBM, HP, Dell, and Intel, which have global reach and significant brand awareness. So how can a small technology firm compete against the behemoths? Is there room in the high-tech marketplace for small, home-grown niche firms? And, how do the "little guys" and MWBEs get a chance to compete on the same playing field with the "big guys?"

With superior customer service and attention to detail! That was the emphatic answer of Rafael Arboleda, CEO and President of Compulink Technologies, when he



Compulink's President and CEO,
Rafael Arboleda

entered the IT business world. With 23 years in the high-tech marketplace, Compulink is known as one of the most reliable and knowledgeable MWBEs in New York State, bringing intelligent cost saving solutions and a strong focus on customer service to every client, proving time and again their ability to deliver. This dependable, reliable performance has helped boost their brand awareness and earned Compulink a reputation among the tech giants as a "go to" MWBE firm.

Compulink collaborates with the most well-known IT manufacturers (HP, VMware, Cisco etc.) to advise clients on choosing the best solutions to support growth and value. For many clients, understanding technology appears like a foreign language. Compulink works with clients as a "translator" between the client's business needs and the abundance of high-tech solutions offered by their global IT partners.

As an MWBE firm competing in a global high-tech market, Compulink has gained a reputation for meeting challenges head on. Clients and leading edge global IT companies alike value Compulink as a business partner. Through its consistency and value added relations, Compulink has proven there is room for small MWBE firms on the playing field and plenty of shared success for the players.

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consultant for the Novartis Pharmaceuticals Corporation.

Prior to that she was Director of the Office of School CBO Partnerships at the New York City Department of Education, managing relationships and providing support to more than 350 community-based organizations.

The Chief Diversity Officer is one of three statutorily required positions within the executive chamber, along with the Secretary and the Counsel. The Chief Diversity Officer's task is to reform and strengthen the State's programs and efforts encouraging the growth of Minority and Women's Business Enterprises within the state government and in the private sector.

Upcoming Events

Marketing Research

February 3, 6:00 pm — 9:00 pm

Location: Watertown, NY 13601

Contact: (315)782-9262 or sbdc@sunyjefferson.edu

This workshop will help prospective and existing business owners identify their ideal consumer, and then use a variety of resources to determine the size of their customer base and how, when, and where they buy.

Women in Networking

February 10, 11:00 am — 1:00 pm

Location: Jamestown, NY 14701

Contact: (716)338-1024 or irenedobies@mail.sunyjcc.edu

Monthly fee: \$10.00 This is a monthly networking group consisting of women business owners.

Capital Region MBE and Corporation Networking Event

February 11, 12:30 — 2:30 pm

Location: Ballston Spa, NY 12020

RSVP: Maureen Darr, State Farm Insurance
(518)884-6421 or maureen.darr.hi5n@statefarm.com

MBEs can learn how their companies can reach big business in the Capital Region. Local Corporations and MBEs can network to grow business and meet with local supplier diversity professionals.

Small Business Legal Clinic

February 17, 5:00 pm — 7:00 pm

Location: Brooklyn, NY 11201

Contact: (718)797- 0187 ext. 302 or sbdc@citytech.cuny.edu

If you are a small business owner or are thinking about starting your own business, this is a great opportunity to meet one-on-one with an attorney and learn more about the legal consequences of owning and operating a business in NYC.

To learn about additional events, please visit:

<http://www.nylovesmwbe.ny.gov/Events%20Calendar/Event.htm>

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