

MBE/WBE UTILIZATION PLAN MODIFICATION FORM (UP-3) INSTRUCTIONS

Prime contractors must submit an **MBE/WBE Utilization Plan Modification Form (UP-3)** prior to making any changes to an approved MBE/WBE Utilization Plan (UP-1).*

**All plan participants must be included on the modification.
Complete and accurate information is required.**

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1. **Modification Submission #** - What is the modification submission number?
2. **MBE and WBE Participation** – Participation percentages reflected in the Utilization Plan (UP-1) approval Letter.
3. **Subcontractor Name, Street Address, Contact Name and Email address** – Contact information for each MBE/WBE subcontractor or supplier. The MBE and WBE firms included must be businesses **the bidder seriously expects to include in the project activity.**
4. **Contract With** - Indicate who the subcontract is with. Prime contractor is responsible for ensuring participation included in the Plan by lower tier subcontractors.
5. **MBE or WBE** – MBE/WBE Certification Designation (Check one). Dual certified firms may be used as *either* but **not** both within their certification product code. MBE and WBE firms must be certified by the NYS Department of Economic Development, Division of Minority and Women Business Development. The directory of certified Minority and Women-owned Business Enterprises is available on the internet at <http://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>.
6. **Modification type** (Include all MWBE firms from the approved plan.)
 - **NO CHANGE** - for firms on the approved plan with no modifications to report.
 - **ADD** – for firms that you are adding to the plan.
 - **DELETE** – for firms you are removing from the original approved plan. For any deletions or decreases in subcontract value, an explanation is required on page 2.
 - **UPDATE** – for firms whose value is being modified from original utilization plan, decreases to original plan value requires an explanation on page 2.
7. **Federal ID No.** – Provide **accurate** federal identification number for each MBE/WBE subcontractor or supplier.

8. **Description of Work** – Provide a brief but specific description of work to be performed or supplies to be purchased from the MBE/WBE subcontractor or supplier.
9. **Subcontractor, Supplier, Broker** – (Check one that applies) Contractors utilizing MBE/WBE firms for supplies/materials/equipment **will receive 60% of the value of the purchase**
10. **Approved Plan Value** – Total approved value of the signed subcontract.
11. **Revised Plan Value** – Total value of the revision to the signed subcontract. If this value reflects a decrease from the original plan, an explanation should be provided on page 2.
12. **Signature** – must be signed by a Company Officer.

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13. **Subcontractor Name** – List the name of the subcontractor whose value decreased.
14. **Certification Type** – Select MBE or WBE.
15. **Explanation** – required if modification value reflects a decrease from the original plan.

*Prior approval must be obtained from the Fund for all modifications that may result in a **decrease** in Participation. If the Modification Value is different from the amount in the approved MBE/WBE Utilization plan, a letter of explanation is required on page 2. Supporting documentation of efforts must be submitted to the Fund, with the explanation.

All information provided to the Fund, is subject to verification by the Fund.

A copy of the approved modified Utilization Plan will be provided to the contractor after the Fund's review and approval.

Questions regarding the Utilization Plan Modification Form (UP-3) should be directed to the Opportunities Program Office at (518) 320-1650 or via e-mail: SUCF.OpportunityAdmin@suny.edu.