MBE/WBE UTILIZATION PLAN FORM (UP-1)

INSTRUCTIONS

The MBE/WBE Utilization Plan (UP-1) is required to be submitted by the three low bidders within seven (7) calendar days after the bid opening.

Complete and accurate information is required:

1. **Goals** - MBE% and WBE% Goals (as specified in project advertisement and/or documents) are separate and not to be treated as one combined goal.

2. **Company Name, Street Address, Contact Name and Email address** - for each MBE/WBE subcontractor or supplier. The MBE and WBE firms included are businesses the bidder seriously expects to include in the project activity.

3. **Contract With** - Indicate if the participation is via a subcontractor and not direct from prime. Prime contractor is responsible for ensuring participation included in the Plan by lower tier subcontractors.

4. **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](http://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp).

5. **Federal ID No.** – Provide **accurate** Federal Id. Number for each MBE/WBE subcontractor or supplier.

6. **Dollar Value of Subcontract or Purchase Order** – This is the total value of the subcontract expected to be signed and the contractor reasonably commits to the values listed for participation by the MBE and WBE subcontractors and suppliers.

7. **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.

8. **Subcontractor, Supplier, Broker** – (Check one that applies) Contractors utilizing MBE/WBE firms for supplies/materials/equipment whose NYS certification profile designates them as “Broker” will receive **25% of the value of the purchase**.

9. **Subcontractor/Supplier Schedule** – The anticipated start and completion dates for each MBE/WBE subcontractor or supplier. Do not include the overall construction schedule for the life of the entire project.

10. **Signature** – UP-1 must be signed by an Officer of the Company.
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The ideal Plan should include a mix of MWBE subcontractor and supplier participation. However, if either goal includes more than one third in supplies/material a compelling explanation must be attached. Submission of a Plan which fails to meet or exceed each goal shall be accompanied by documentation of specific efforts undertaken both pre and post bid. A letter of explanation and documentation of efforts should accompany any MBE/WBE Utilization Plan (UP-1) that falls short of the stated goals.

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

The Fund will review the Utilization Plan (UP-1) and notify the contractor of any deficiencies and determine necessary actions to bring the Plan into compliance.

The Fund may require the contractor to provide sufficient documentation of the efforts made in the development of the Plan. The documentation should be responsive to good faith efforts and demonstrate the contractor’s commitment to providing opportunities for MBE and WBE firms in the development of the Plan.

A copy of the approved Plan will be provided to the contractor after issuance of the Fund’s Notice of Award.

Without an approved MBE/WBE Utilization Plan, the Fund’s Notice of Award and Construction Contract may be withheld.

For assistance with the directory and/or questions regarding the Utilization Plan (UP-1) contact the Opportunities Program Office at (518) 320-1650 or via e-mail: SUCF.OpportunityAdmin@suny.edu.

Submit To:

State University Construction Fund
Office of Design & Construction Management
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Albany, New York 12246
or peggy.mcsorley@suny.edu