SCHEDULE B – M/WBE Utilization Plan & PASSPort

PASSPort
Procurement and Sourcing Solutions Portal

Modified June 2021

The M/WBE Requirements tab along with the information you provide in the Subcontractors and Joint Ventures tab of the RFx comprises your M/WBE Utilization Plan. Please review the Notice carefully as it outlines all requirements that will apply to contracts subject to the M/WBE Program.

Part 1: M/WBE Participation Goals

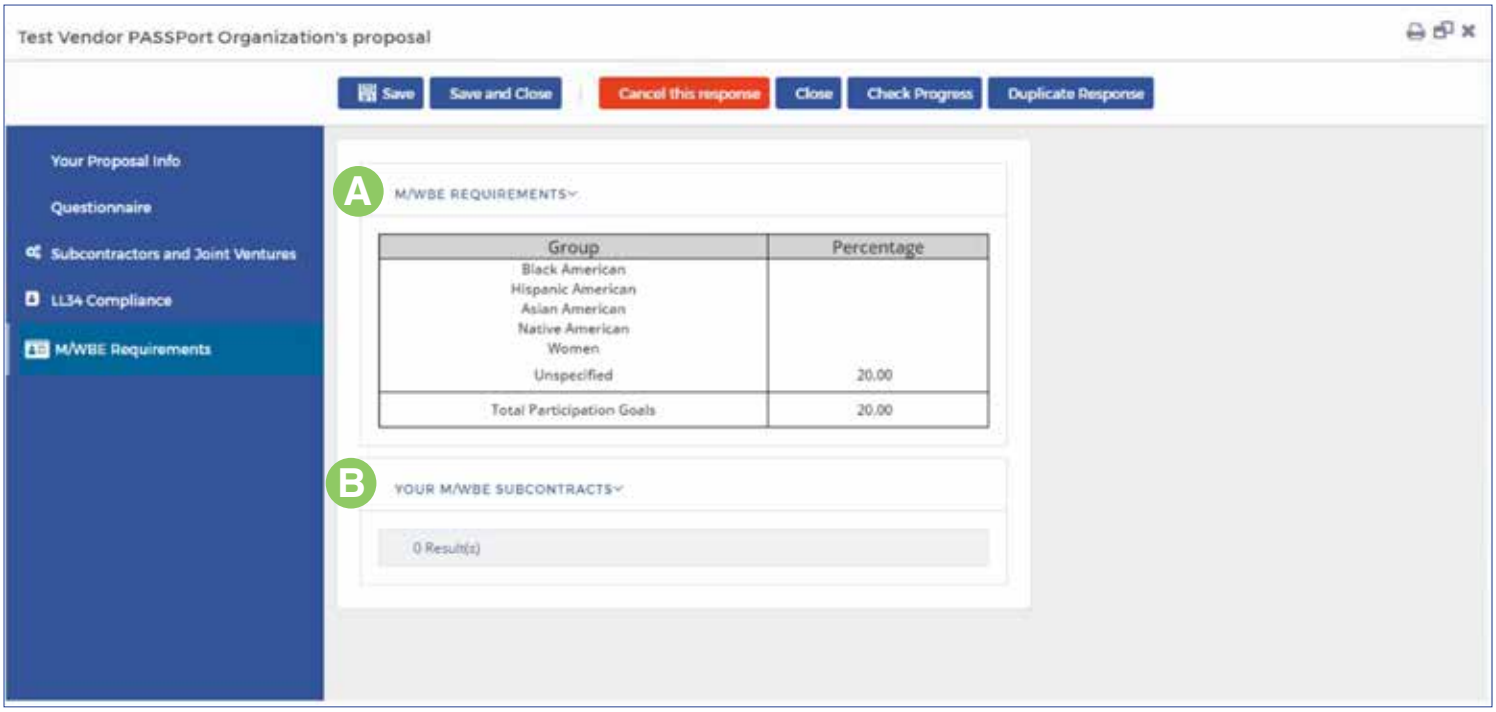
The M/WBE Participation Goals are found in the M/WBE Requirements tab of your response to a Solicitation (RFx) in PASSPort. Please follow the instructions below to review the M/WBE Participation Goals in PASSPort for any RFx. Please refer to the Local Law 1 Notice to All Prospective Contractors for additional information about the M/WBE program related to this solicitation.

Step 1 Log into **PASSPort** and open the RFx by clicking the edit pencil button.

Step 2 Click on the **Manage Responses** tab of the RFx and open a response in progress.

Step 3 Navigate to the **M/WBE Requirements** tab to view the goals for the RFx.

- **A** The **M/WBE Requirements** section will outline the goals for the RFx.
- **B** The **Your M/WBE Subcontracts** section will list all subcontracting work that you've identified. *(Please see Part 2 for instructions on how to add subcontracting information in PASSPort)*



In this example, the M/WBE Participation Goals are set at 20 percent unspecified, and the vendor has not identified any subcontractors.

Part 2: M/WBE Participation Plan

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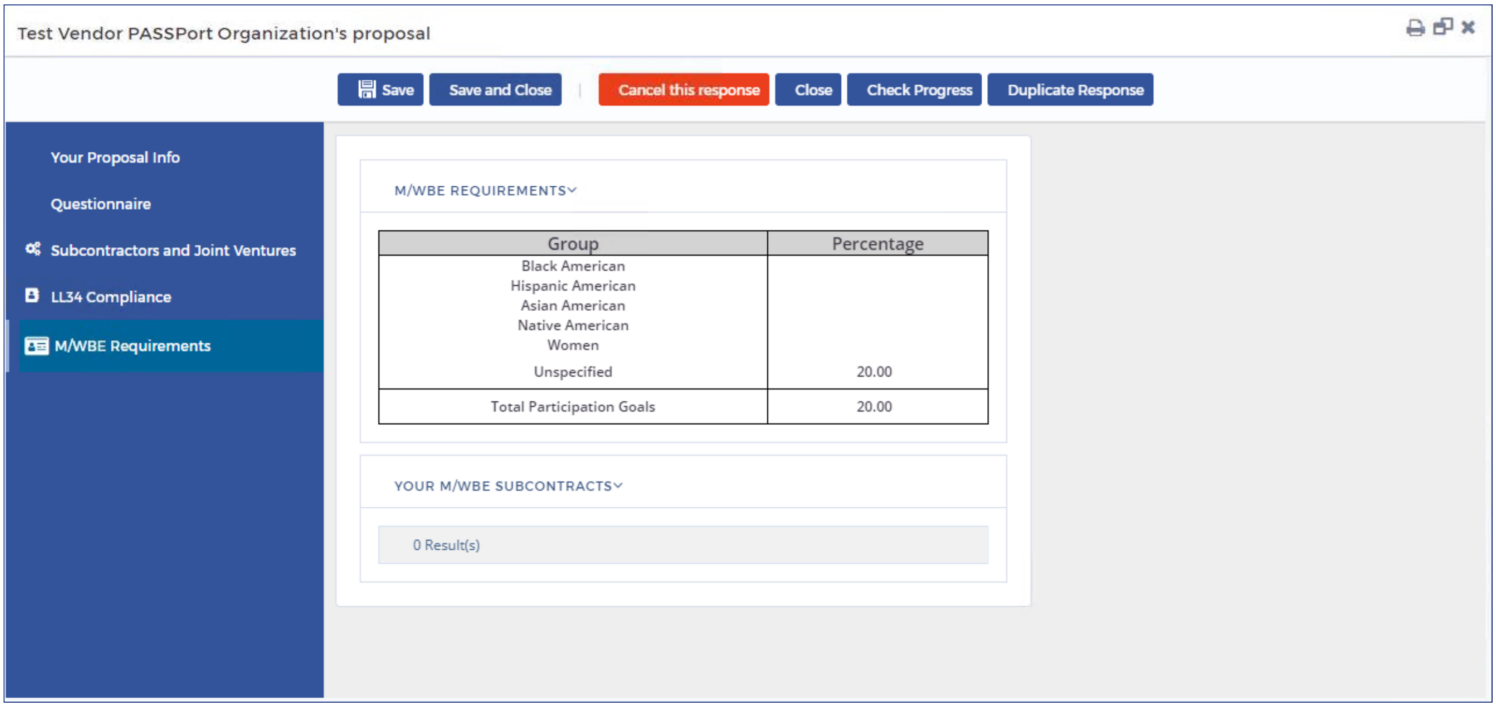
The Proposer or Bidder will fulfill the M/WBE Participation Goals in one of the following ways:

- As an **M/WBE Prime Contractor** that will self-perform and/or subcontract to other M/WBE firms the portion of the contract the value of which is at least the percentage amount listed on the M/WBE Requirements tab, as applicable. The value of any work subcontracted to non-M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals. If the solicitation requires specified goals in a particular ethnicity/gender category (e.g., Women, Black American, etc.), you can only meet the goal through self-performance if you are a certified MWBE in that specified ethnicity/gender category. Otherwise, you must meet the specified MWBE goal by subcontracting to certified M/WBE(s) who are certified in those specified ethnicity/gender.
- As a **Qualified Joint Venture with an M/WBE partner,** in which the value of the M/WBE partner's participation and/or the value of any work subcontracted to other M/WBE firms is at least the percentage amount located on M/WBE Requirements tab. The value of any work subcontracted to non-M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals.
- As a **non-M/WBE Prime Contractor that will enter into subcontracts with M/WBE firms** the value of which is at least the percentage amount located on M/WBE Requirements tab.

Please see below instructions how to complete M/WBE Participation Goals in PASSPort. If submitting a waiver, please complete Part 3, which includes instructions on how to submit the waiver in PASSPort. If you require any assistance with PASSPort, please contact the MOCS Service Desk at help@mocs.nyc.gov.

As an M/WBE Prime Contractor

Your current M/WBE Certification(s), a part of your Vendor record in PASSPort, will count to your overall utilization plan.



In this example, the Vendor's own certification counts towards meeting the overall goal. No further action is needed. Complete the rest of the proposal and submit.

As a Qualified Joint Venture with an M/WBE partner

You will be able to identify your joint venture within the **Subcontractors and Joint Ventures tab** of the RFx response. Follow the steps below to add your joint venture information:

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Step 1 Open your response in the **Manage Responses** tab of the RFx you are working on.

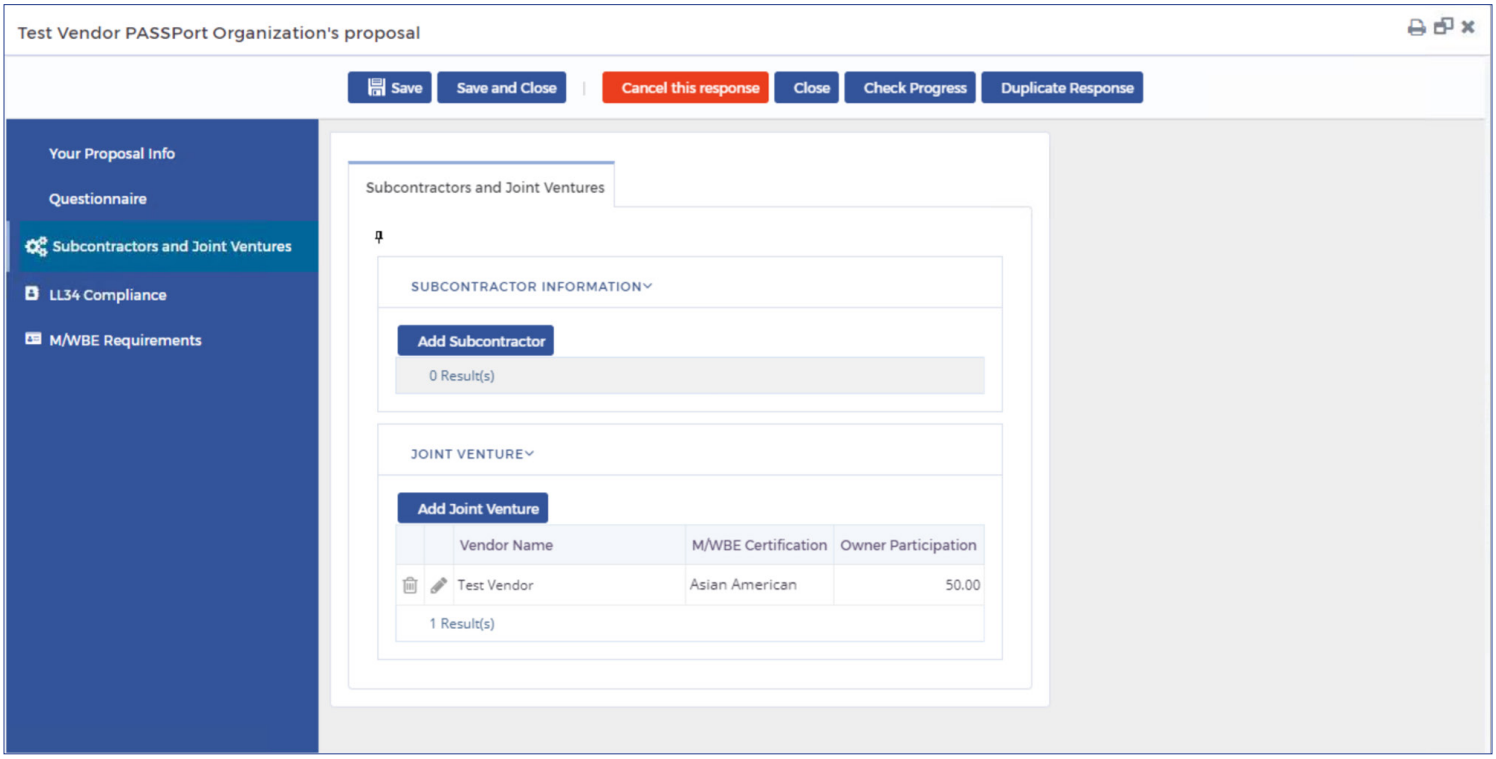
Step 2 Click on the **Subcontractors and Joint Ventures** tab.

Step 3 In the **Joint Venture** section, click the **Add Joint Venture** button.

Step 4 Within the pop-up, identify the vendor who will be part of your joint venture within the **Select Passport Vendor** field. Your joint venture partner must also be in PASSPort. Click here to learn how to create a PASSPort Account.

Step 5 Click the **Save** button once you've identified the vendor. The **M/WBE Certification** field will populate with the vendor's current City M/WBE certification.

Step 6 Complete **Ownership Percentage** field and click on the **Save and Close** button. Your joint venture information will be saved.



In this screenshot, the vendor has added Joint Venture information in the Subcontractors and Joint Ventures tab.

Subcontracting with M/WBE firms

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You will be able to identify the M/WBE firms you plan to subcontract within the Subcontractors and Joint Ventures tab of the RFx response. Follow the steps below to add subcontracting information:

Step 1 Open your response in the **Manage Responses** tab of the RFx you are working on.

Step 2 Click on the **Subcontractors and Joint Ventures** tab.

Step 3 In the **Subcontractor Information** section, click on the **Add Subcontractor** button.

Step 4 Within the **Subcontract Information,** complete the required fields including **Subcontract Dollar Amount, Purpose, Estimated Start Date,** and Estimated **End Date.**

Step 5 In the **Vendor Information** section, determine if the vendor has been identified or not.

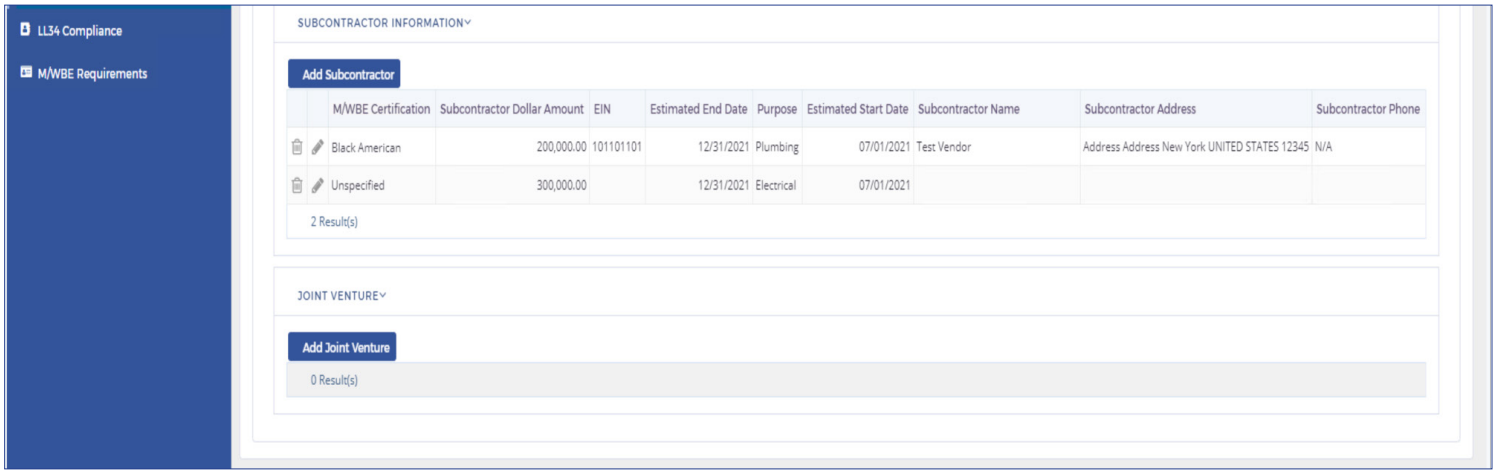
Step 6 If the vendor has not be identified, click on the **Vendor Not Yet Identified** checkbox and complete the **M/WBE Certification** field.

Step 7 If the vendor has been identified, use the **Select PASSPort Vendor** to identify the vendor. The vendor must have a PASSPort Account. **Click here** to learn how to create an Account.

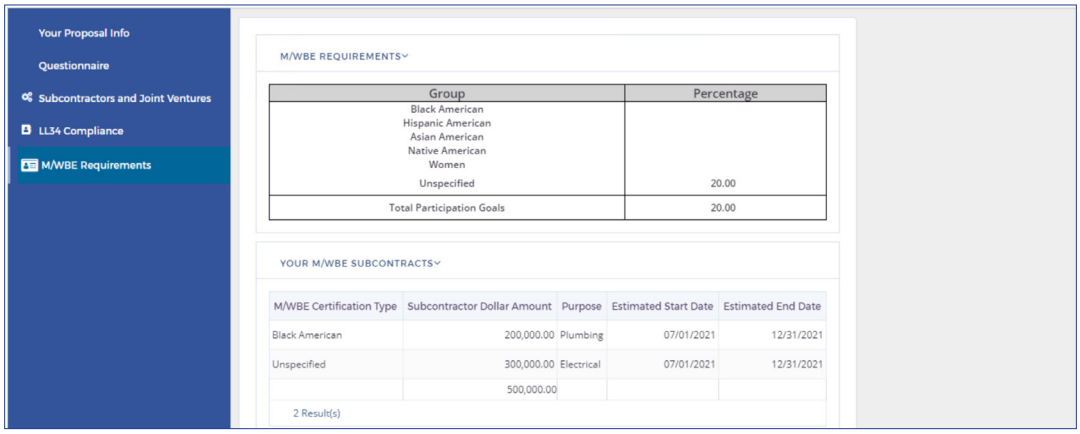
Step 8 Click the **Save button** once you've completed all required fields. The **M/WBE Certification** field will populate with the vendor's current City M/WBE certification.

Step 9 **Click Close** and repeat steps to add any additional subcontracting opportunities.

Step 10 Navigate to the **M/WBE Requirements** tab to review the subcontractor information along with the outlined goals.



In this screenshot, the vendor has added two rows of information with subcontract information. In the first row, the vendor has identified the subcontractor while in the second, the vendor has included planned subcontracting work without identifying the specific subcontractor.



The addition of the subcontractor information will count towards the overall goal. A summary of the M/WBE subcontracting information added in the Subcontractor and Joint Ventures tab can be found in the M/WBE Requirements tab.

Part 3: SCHEDULE B – Part 3 Instructions

Please see instruction to submit a waiver in PASSPort. A copy of the blank form can be found in page 7 with the linked Vendor Contract History Excel template.

PASSPort
Procurement and Sourcing Solutions Portal

To submit a Waiver and Contract History document

Step 1 Log into **PASSPort** and open the RFx by clicking the edit pencil button.

Step 2 In the **View RFx** tab, download the Schedule B form and complete Part 3.

Step 3 Navigate to the **Discussion With Buyer** tab and click the **Compose** button to draft a message.

A. In **Type field,** select **Clarification.**

B. Add a subject in **Subject field.**

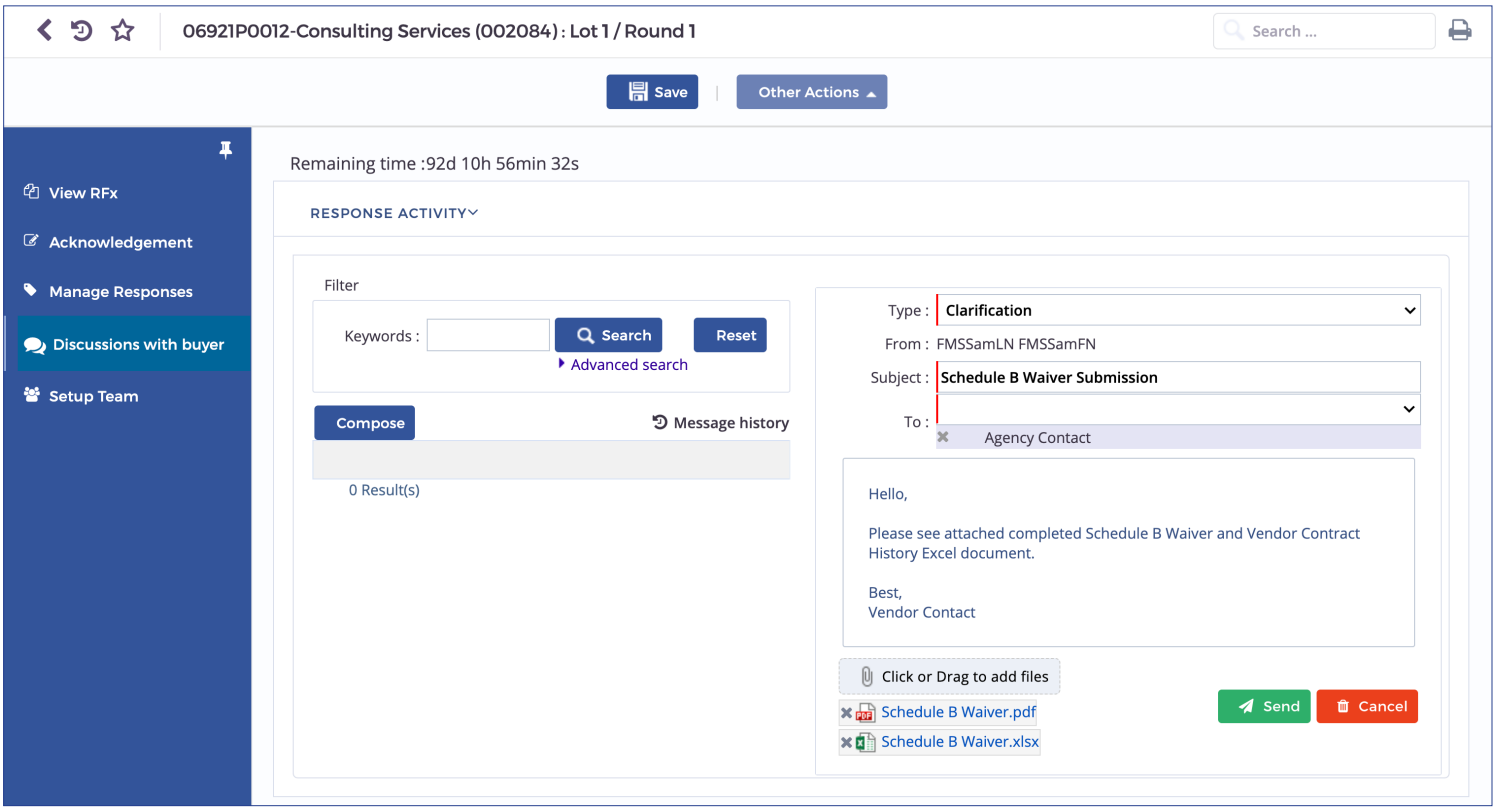
C. Select **Agency Contact** in the **To field.**

D. Compose your message in the **Text field.**

E. Attach the completed Part 3 of Schedule B and completed Vendor Contract History Excel document in the **Click or Drag to add files** field.

Step 4 Click on the **green Send button** to send the message to Agency contact.

Step 5 The agency contact will review the waiver and submit to the Mayor's Office of M/WBE's. Once approved, the result of the waiver determination will be reflected in PASSPort in the **M/WBE Requirements tab** of your response to the RFx. For additional information, please refer to the Local Law 1 Notice to All Prospective Contractors.



Mayor's Office of Contract Services

SCHEDULE B – Part 3

Request for Waiver of M/WBE Participation Requirement

Contract Overview

Tax ID#_____ FMS Vendor ID#_____

Business Name_____ Contact Name_____

Email_____ Telephone_____

Contracting Agency_____

PASSPort PIN#_____ Bid/Proposal Due Date_____

M/WBE Participation Goals for Services

Defined by AGENCY in bid/ solicitation documents

Percent of the total contract value to be subcontracted to M/WBE vendors for services and/or credited to an M/WBE Qualified Joint Venture.

Unspecified _____ %

Black American _____ %

Hispanic American _____ %

Native American _____ %

Asian American _____ %

Women _____ %

Total Participation Goals _____ %

Proposed by VENDOR seeking waiver

Percent of the total contract value anticipated in good faith by the bidder/ proposer to be subcontracted to M/WBE businesses for services. Or if M/WBE Qualified Joint Venture, percent of total contract value anticipated to be credited to M/WBE vendor(s).

Unspecified _____ %

Black American _____ %

Hispanic American _____ %

Native American _____ %

Asian American _____ %

Women _____ %

Total Participation Goals _____ %

Basis for Waiver Request: Check appropriate box & explain in detail below (attach additional pages if needed)

☐ Vendor does not subcontract services, and has the capacity and good faith intention to perform all such work itself with its own employees.

☐ Vendor subcontracts some of this type of work but at a lower % than bid/solicitation describes, and has the capacity and good faith intention to do so on this contract. Identify your subcontracting plan in the vendor certification section below.

☐ Vendor has other legitimate business reasons for proposing the M/WBE Participation Goal requested here. Explain under separate cover.

Vendor Contract History

Using the linked Excel template, list all contracts (for City and Non-City work) performed within the last 3 years and provide the requested information for each contract.

From the list of all contracts, provide reference information below for the 5 most relevant contracts in size, scale and scope (performed for New York City or any other entity) to the bid or proposal for which you are submitting this waiver request. Provide the requested information for each subcontract awarded during the life of the listed reference contract.

Please make sure to highlight the 5 reference contracts provided below among the comprehensive list of all your contract awards within the attached Excel template.

Reference 1

Agency/Organization_____ Contract #_____

Reference Contact_____ Telephone_____ Email_____

Contract Start Date _____ Contract End Date_____ Total Contract Value $_____

Prime Contract description

Did the vendor perform as a Prime Contractor or as a Subcontractor? ☐ Prime Contractor ☐ Subcontractor

Was the Prime Contract subject to any Goals? ☐ City M/WBE Goals ☐ State Goals ☐ Federal Goals ☐ No Applicable Goals

Did the Prime Contractor meet Goal requirements? ☐ Yes ☐ No ☐ N/A

If the Prime Contractor did not meet Goal requirements or contract is still ongoing, please explain

If you performed as the Prime Contractor, please provide a description and value of all work subcontracted to other vendors.

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Percentage of total contract value subcontracted to other vendors _____ %

If you performed as the Subcontractor, please provide a description and value of work areas you self-performed.

_____ $_____

For information or assistance, please contact your contracting City Agency

Reference 2

Agency/Organization _____ Contract # _____

Reference Contact _____ Telephone _____ Email _____

Contract Start Date _____ Contract End Date _____ Total Contract Value $ _____

Prime Contract description

Did the vendor perform as a Prime Contractor or as a Subcontractor? ☐ Prime Contractor ☐ Subcontractor

Was the Prime Contract subject to any Goals? ☐ City M/WBE Goals ☐ State Goals ☐ Federal Goals ☐ No Applicable Goals

Did the Prime Contractor meet Goal requirements? ☐ Yes ☐ No ☐ N/A

If the Prime Contractor did not meet Goal requirements or contract is still ongoing, please explain

If you performed as the Prime Contractor, please provide a description and value of all work subcontracted to other vendors.

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Percentage of total contract value subcontracted to other vendors _____ %

If you performed as the Subcontractor, please provide a description and value of work areas you self-performed.

_____ $ _____

Reference 3

Agency/Organization _____ Contract # _____

Reference Contact _____ Telephone _____ Email _____

Contract Start Date _____ Contract End Date _____ Total Contract Value $ _____

Prime Contract description

Did the vendor perform as a Prime Contractor or as a Subcontractor? ☐ Prime Contractor ☐ Subcontractor

Was the Prime Contract subject to any Goals? ☐ City M/WBE Goals ☐ State Goals ☐ Federal Goals ☐ No Applicable Goals

Did the Prime Contractor meet Goal requirements? ☐ Yes ☐ No ☐ N/A

If the Prime Contractor did not meet Goal requirements or contract is still ongoing, please explain

If you performed as the Prime Contractor, please provide a description and value of all work subcontracted to other vendors.

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Percentage of total contract value subcontracted to other vendors _____ %

If you performed as the Subcontractor, please provide a description and value of work areas you self-performed.

_____ $ _____

Reference 4

Agency/Organization _____ Contract # _____

Reference Contact _____ Telephone _____ Email _____

Contract Start Date _____ Contract End Date _____ Total Contract Value $ _____

Prime Contract description

Did the vendor perform as a Prime Contractor or as a Subcontractor? ☐ Prime Contractor ☐ Subcontractor

Was the Prime Contract subject to any Goals? ☐ City M/WBE Goals ☐ State Goals ☐ Federal Goals ☐ No Applicable Goals

Did the Prime Contractor meet Goal requirements? ☐ Yes ☐ No ☐ N/A

If the Prime Contractor did not meet Goal requirements or contract is still ongoing, please explain

If you performed as the Prime Contractor, please provide a description and value of all work subcontracted to other vendors.

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Percentage of total contract value subcontracted to other vendors _____ %

If you performed as the Subcontractor, please provide a description and value of work areas you self-performed.

_____ $ _____

Reference 5

Agency/Organization _____ Contract # _____

Reference Contact _____ Telephone _____ Email _____

Contract Start Date _____ Contract End Date _____ Total Contract Value $ _____

Prime Contract description

Did the vendor perform as a Prime Contractor or as a Subcontractor? ☐ Prime Contractor ☐ Subcontractor

Was the Prime Contract subject to any Goals? ☐ City M/WBE Goals ☐ State Goals ☐ Federal Goals ☐ No Applicable Goals

Did the Prime Contractor meet Goal requirements? ☐ Yes ☐ No ☐ N/A

If the Prime Contractor did not meet Goal requirements or contract is still ongoing, please explain

If you performed as the Prime Contractor, please provide a description and value of all work subcontracted to other vendors.

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Percentage of total contract value subcontracted to other vendors _____ %

If you performed as the Subcontractor, please provide a description and value of work areas you self-performed.

_____ $ _____

Vendor Certification

Identify/list all the work areas you intend on subcontracting on the current anticipated contract for which you are submitting this waiver request.

I hereby affirm that the information supplied in support of this waiver request is true and correct, and that this request is made in good faith. I further affirm that the work that I did not list as work that will be subcontracted on this contract for which I am submitting this waiver request is work that I have performed on past contracts and will not subcontract if awarded this contract.

Signature _____ Date _____

Print Name _____ Title _____

☐ Partial Waiver Approved with Revised Participation Goals

Unspecified ____ %

Black American ____ %

Hispanic American ____ %

Native American ____ %

Asian American ____ %

Women ____ %

Total Revised Goals ____ %

Approvals (for Agency completion only)

ACCO Signature _____ Date _____

CCPO Signature _____ Date _____

Waiver Determination

☐ Full Waiver Approved

☐ Waiver Denied