

# Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**County City Town x Village**

*(Select One)*

of Island Park

Local Law No. 1 of the year 2021

**A local law is hereby adopted to read as follows:**

**TITLE:** MINORITY AND WOMEN OWNED BUSINESSES & SERVICE-DISABLED VETERAN OWNED BUSINEESES IN VILLAGE CONTRACTS

A local law in relation to ensuring Minority & Women Owned & Service-Disabled Veteran Businesses have greater participation in Village of Island Park contracts.

**SECTION 1: DEFINITIONS**

- A. "Minority-owned business enterprise" ("MBE") shall mean a business enterprise including a sole proprietorship, partnership or corporation that is: (a) at least fifty-one percent owned by one or more minority group members; and (b) an enterprise in which such minority ownership is real, substantial and continuing; and (c) an enterprise in which such minority ownership has and exercises the authority to control independently the day- to- day business decisions of the enterprise; and (d) an enterprise authorized to do business in this state and is independently owned and operated.
  
- B. "Women owned business enterprise" ("WBE") shall mean a business enterprise, including sole proprietorship, partnership or corporation that is: (a) at least fifty-one percent owned by one or more United States citizens or permanent resident aliens who are women; and (b) an enterprise in which the ownership interest of such women is

real, substantial and continuing; and (c) an enterprise in which such women ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and (d) an enterprise authorized to do business in this state and is independently owned and operated.

- C. "Service-Disabled Veteran owned business" ("SDVOB") must be a business: (a) independently owned and operated and have a significant business presence in New York State; (b) One or more service-disabled veterans, with a service-connected disability rating of 10% or more from the U.S. Department of Veterans Affairs (or from the New York State Division of Veterans' Affairs for National Guard veterans), must own at least 51% of the business; (c) Service-disabled veteran ownership must be real, substantial, and continuing; (d) The eligible service-disabled veteran owner(s) must have (and exercise) authority to independently control the day-to-day business decisions; (e) must qualify as a small business under the New York State program; (f) must be located in New York State or have a significant business presence in New York State.

## **SECTION 2: MBE and WBE BUSINESSES**

- A. The Village of Island Park shall, to the extent practicable, model its MWBE goals pursuant to New York State Executive Law Article 15-A.
- B. All Village Departments shall take reasonable steps to provide equal opportunity to such MBE and WBE businesses to contract with the Village of Island Park through the utilization of a bona fide minority business enterprise (MBE) and women business enterprise (WBE) on all contracts above \$10,000. Reasonable action shall include, but not be limited to:
- i. Utilizing a source list of MBEs and WBEs;
  - ii. Solicitation of bids, RFQs and RFPs from MBEs and WBEs;
  - iii. Providing MBEs and WBEs sufficient time to submit proposals in response to solicitations;
  - iv. Maintaining records showing utilization of MBEs and/or WBEs as well as the specific efforts taken to identify and utilize these companies;
  - v. Entering into subcontracts with MBE/WBE firms, if appropriate and feasible, to effectuate the policy goal set forth herein.
- C. All Village Departments shall make good faith efforts to ensure State-Certified MBE and WBE Businesses have a 10% participation rate in Village contracts.

- D. The Village Clerk, or an individual acting under the direction of the Village Clerk shall be responsible for outreach to State-Certified Businesses to participate in public contract bidding opportunities and for maintaining a database of all State-Certified Businesses.
- E. All Village departments and offices shall maintain documents reflecting their good faith efforts.
- F. The Village intends on utilizing the list of MBEs and WBEs which have been certified by New York State (NYS) and / or the County of Nassau (NC).

**SECTION 3: SDVOB BUSINESSES**

- A. All Village of Island Park departments shall make good faith efforts to ensure State-Certified Veteran Businesses have a 6% participation rate in Village contracts, subject to a waiver as provided below; and
- B. That participation rate is separate from the current Minority and Woman’s Business Enterprise (MWBE) goals required for minority-based contracts.
- C. The Village Clerk, or an individual acting under the direction of the Village Clerk shall be responsible for outreach to State-Certified Businesses to participate in public contract bidding opportunities and for maintaining a database of all State-Certified Businesses.
- D. All Village departments and offices shall maintain documents reflecting their good faith efforts.
- E. The Village intends on utilizing the list of Service-Disabled Veteran-Owned Small Business (SDVOB) which have been certified by New York State (NYS).

Be it enacted by the \_\_\_\_\_ BOARD OF TRUSTEES \_\_\_\_\_ of the  
*(Name of Legislative Body)*

**County City Town x Village**  
*(Select One)*

**of** \_\_\_\_\_ Island Park \_\_\_\_\_ **as follows:**

**This local law shall take effect immediately upon filing with the Secretary of State.**