

W/MBE Policy (2021)

The Applicant will use its best efforts to take "affirmative steps" (as defined below) to assure that qualified women-owned and/or minority-owned business enterprises ("W/MBE's") are used, when possible, for each contract the Applicant (or any Affiliate thereof) proposes to enter into with respect to the Project Facility, including, without limitation, contracts for construction (including, without limitation, the initial construction and installation of the Project Facility and for buildout of subtenant premises), renovation, demolition, replacement, alteration, management, purchase of goods or services, maintenance and repair.

For purposes of this policy, the term "affirmative steps" shall mean:

- (1) placing qualified W/MBE's on solicitation lists;
- (2) assuring that qualified W/MBE's are solicited whenever they are potential sources;
- (3) dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by qualified W/MBE's;
- (4) establishing delivery schedules, where the requirement permits, that encourage participation by qualified W/MBE's; and
- (5) requiring the prime contractor, if subcontractors are to be let, to take the affirmative steps listed in clauses (a) through (d) above.

For purposes of this policy, "qualified W/MBE's" shall mean those women-owned and/or minority-owned business enterprises designated as such by New York State.

The Applicant shall furnish to the Agency all information requested by the Agency pursuant to this policy and will cooperate with the Agency for the purposes of investigation to ascertain compliance with this policy.