

Public Hearing NYC - Department of Small Business Services MWBE  
Program  
May 11, 2021

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2 NEW YORK CITY

3 DEPARTMENT OF SMALL BUSINESS SERVICES

4 PUBLIC HEARING

5 - - - - - X

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7 PROPOSED AMENDMENT OF RULES

8 GOVERNING MWBE PROGRAM

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12 WEBEX VIRTUAL MEETING

13 TUESDAY, MAY 11, 2021

14 10:08 A.M.

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23 REPORTED BY:

24 DANIELLE M. RIVERA

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1 APPEARANCES

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3 LEEMOR ROZEN, Assistant General Counsel

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5 DYNISHAL GROSS, Deputy Commissioner, Division  
6 of Economic & Financial Opportunity

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8 JENNIFER YAM, Assistant Director, Mayor's  
9 Office of Contract Services

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11 ANNA YAKUBOVA, Executive Director of  
12 Certification

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14 LEAH SKRZYPIEC, New York City Council

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16 JACLYN TACORONTE, JMT Media

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18 HASAN MIR

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20 ANTHONY DELLOLIO

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1 MS. ROZEN: Thank you all for  
2 attending. Good morning. My name is  
3 not Andy Schwartz, even though that's  
4 what appears on the screen here. My  
5 name is Leemor Rozen, and I am an  
6 Assistant General Counsel at SBS.

7 This is a New York City Department  
8 of Small Business Services virtual  
9 hearing. It is a public hearing held  
10 pursuant to the New York City  
11 Administrative Procedure Act, also known  
12 as CAPA. Present here today are a  
13 number of SBS staff members and members  
14 of the public.

15 Today's hearing concerns proposed  
16 amendments to the rules governing the  
17 MWBE Program. The full text of the rule  
18 proposal and a statement of the basis  
19 and purpose was published in the City  
20 Record on April 8, 2021 and on the New  
21 York City Rules website. The proposed  
22 rules were certified by the New York  
23 City Law Department and the New York  
24 City's Office of Operations.

25 By way of background, the City's

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1 MWBE Program, codified in Chapter 56 of  
2 the Charter and Section 6-129 of the  
3 Administrative Code, establishes goals  
4 for participation by Minority-owned  
5 Business Enterprises, Women-owned  
6 Business Enterprises and Emerging  
7 Business Entities as contractors and  
8 subcontractors in procurements for  
9 construction, standard services, goods  
10 valued under one million dollars, and  
11 professional services.

12 Charter Section 1304 also requires  
13 the Commissioner of SBS to establish and  
14 operate, on behalf of the City, a  
15 centralized program for the  
16 certification of MBEs, WBEs and EBEs for  
17 the purpose of establishing their  
18 eligibility for participation in the  
19 programs.

20 This proposed rule would implement  
21 provisions of Local Law 174 for the year  
22 2019 and Local Law 176 for the year 2019  
23 and establish new requirements related  
24 to the process by which the City  
25 certifies businesses as minority-owned

1 enterprises, or women-owned enterprises  
2 and sets goals for their utilization on  
3 City procurement contracts.

4 At this time, we will open the floor  
5 to give an opportunity to members of the  
6 public to testify and share their  
7 comments. We will begin by unmuting  
8 those who have requested to testify, one  
9 at a time.

10 So, the request that I've received  
11 before the hearing started was from  
12 Jaclyn Tacoronte. And so, I am going to  
13 unmute her first.

14 For those who wish to testify and  
15 did not sign up to do so prior to this  
16 hearing, please use the raise-hand  
17 feature of WebEx, and we will add you to  
18 the list and unmute you at one time.

19 For those who've dialed in, you can  
20 also raise your hand by pressing \*3.  
21 We're going to start with Jaclyn. We're  
22 going to unmute you. Hello.

23 MS. TACORONTE: There we go. Hey,  
24 y'all. Good morning.

25 MS. ROZEN: Hi, good morning.

1 MS. TACORONTE: Thank you so very  
2 much. For those of you that don't know  
3 me, my name is Jaclyn Tacoronte. I'm a  
4 small business owner living in the  
5 greenest borough, here in Staten Island.  
6 I own and manage one of the largest  
7 marketing and public relations agency,  
8 JMT Media.

9 Many of you probably do not know  
10 this, but I am actually the first  
11 official Native American MWBE in New  
12 York City history, and I proudly serve  
13 as the Second Vice President of the  
14 Minority Women in Business Association  
15 of Staten Island, the first of its kind.

16 It's good to be here, and thank you  
17 to all the City agencies working on  
18 behalf of the small business community  
19 of Staten Island.

20 Today's presented amendments require  
21 a high-level view of understanding the  
22 current MWBE roster, and the big one,  
23 inequitable distribution.

24 With some industries receiving  
25 seventeen percent here, and less than

1 two percent there, the City needs to  
2 provide a plan for equitable outreach to  
3 minority communities, including the  
4 LGBTQ community to acquire information  
5 and we've gone through this before, from  
6 Dun & Bradstreet and reports every seven  
7 years.

8 It's not an accurate representation  
9 of the vast, diverse and colorful small  
10 business sector that keeps New York City  
11 alive. We need support from City  
12 agencies for accessibility for City  
13 funding, adequate accessibility for  
14 services and outreach from qualified  
15 representatives that understand -- truly  
16 understand -- the needs of small  
17 business.

18 The MWBE Certification Program was  
19 supposed to be set up to help with all  
20 of the historic barriers. If you create  
21 a program that is constantly  
22 perpetuating that, it is doing  
23 absolutely nothing. It is not serving  
24 small businesses, it is creating more  
25 and more barriers, aside from the access

1 to capital funding, resources and time.

2 Even -- (technical difficulties) --

3 MBA, it took me over nine months to

4 acquire the coveted NYC MWBE

5 Certification. I often think about my

6 neighbors and friends, who are also

7 minority business owners, but they do

8 not have the time for additional

9 historic barriers.

10 I would encourage the City to review

11 your existing practices of retrieving

12 data before amending or proposing any

13 sort of new legislation.

14 I want to thank you all for your

15 work during unprecedented times and for

16 showing up. I look forward to working

17 with you all to help push through

18 initiatives to help small businesses

19 across this beautiful City. Thank you.

20 MS. ROZEN: Thank you so much,

21 Jaclyn, for your comments. Thank you.

22 I don't see any additional hands raised.

23 I am going to unmute the person who

24 dialed in so they can identify

25 themselves and let us know if they want



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1 to comment. Hello?

2 (No response.)

3 MS. GROSS: I think they were  
4 disconnected, Leemor.

5 MS. ROZEN: Yes. Okay. The person  
6 whose name appears as LSKRZYPIEC, I will  
7 unmute you and give you an opportunity  
8 to comment and give us your name.  
9 Hello?

10 (No response.)

11 MS. ROZEN: Can you hear me?

12 (No response.)

13 MS. ROZEN: I don't know if you are  
14 speaking, but we cannot hear you.

15 (No response.)

16 MS. ROZEN: I see that you wrote in  
17 the chat that you do not wish to  
18 testify, and have no mic. Can you  
19 please just give us your name? You can  
20 write it in the chat.

21 MS. SKRZYPIEC: (Complying.)

22 MS. ROZEN: Okay, thank you. All  
23 right. It seems that there are no other  
24 members of the public who wish to  
25 comment, but I'm going to wait a couple

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1 of minutes, just in case others would  
2 like to join, and we'll just wait in  
3 doing so.

4 So, please bear with us. I think  
5 we're going to hold this meeting open  
6 until 10:30, but those who wish to log  
7 off can do so, and we will keep the  
8 meeting open for anybody who wants to  
9 join until that time.

10 Thank you so much for those who have  
11 attended and spoke.

12 (Whereupon, a short recess was  
13 taken.)

14 MS. ROZEN: Okay, everyone. The  
15 time is now 10:30, and we will be  
16 concluding the hearing at this time.

17 If you would like to submit a  
18 comment in writing, you can do so by  
19 5 p.m. today. Thank you again for  
20 attending.

21 (TIME NOTED: 10:30 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK )

ss:

COUNTY OF NEW YORK )

I, Danielle Rivera, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on 05/11/2021.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of May 2021.

  
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DANIELLE RIVERA

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