

		<input type="checkbox"/>	<input type="checkbox"/>		
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IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, SUCCESSFUL BIDDER MUST SUBMIT A REQUEST FOR WAIVER and GOOD FAITH EFFORTS FORM (Exhibits S3 and S4 respectively.)

Commercially Useful Function. Making false representations or including information evidencing a lack of good faith as part of, or in conjunction with, the submission of a Utilization Plan is prohibited by law and may result in penalties including, but not limited to, termination of a contract for cause, loss of eligibility to submit future bids, and/or withholding of payments. Firms that do not perform commercially useful functions may not be counted toward utilization.

The utilization of certified minority- and women-owned business enterprises for non-commercially useful functions is strictly prohibited.

Proceeds from State contracts that are paid to certified minority- and women-owned business enterprises that are not performing commercially useful functions shall be disregarded by State Agencies for utilization purposes.

If a contractor changes its utilization plan after submission, it shall be required to notify the Authority in writing of such change and obtain approval from the Authority in accordance with 5 NYCRR Part 142.6 and 142.8.

Submission of this form constitutes the Bidders acknowledgement and agreement to comply with the M/WBE requirements set forth under NYS Executive Law, Article 15-A and 5 NYCRR Part 142. Failure to submit complete and accurate information may result in a finding of noncompliance or rejection of the Bid and/or suspension or termination of the contract.

Prepared By (Signature)		Email Address	
Name and Title of Preparer (Print or Type)		Telephone No.	Date

FOR M/WBE USE ONLY

Reviewed By	Date
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Utilization Plan Approved <input type="checkbox"/> Yes <input type="checkbox"/> No	Date
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Contract No.	Project No. (If applicable)	Contract Award Date	Estimated Completion Date	Contract Amount Obligated
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Notice of Deficiency Issued <input type="checkbox"/> Yes <input type="checkbox"/> No	Date	Description of Work
Notice of Acceptance Issued <input type="checkbox"/> Yes <input type="checkbox"/> No	Date	