

# Resolution 22-24

## Finger Lakes Regional Land Bank Corporation Board of Directors

Moved by Kyle Barnhart, Ernie Brownell

### RESOLUTION ADOPTING A MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES & EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR THE FINGER LAKES REGIONAL LAND BANK CORPORATION

**WHEREAS**, the Finger Lakes Regional Land Bank Corporation (the "Land Bank") was recently awarded a grant by New York State Homes and Community Renewal (the "Grant") under the Land Bank Initiative; and

**WHEREAS**, the Land Bank is required to have a Minority and Women-Owned Business Enterprises & Equal Employment Opportunity Policy (the "Policy") as a condition of the grant; and

**WHEREAS**, the proposed Policy relates to the existing FLRLBC Purchasing Policy and it is the Board's intention in adopting the Policy that the two policies will be implemented consistently with one another; and

**WHEREAS**, the Board has received the proposed Minority and Women-Owned Business Enterprises & Equal Employment Opportunity Policy and have had the opportunity to review it;

**NOW, THEREFORE, BE IT RESOLVED** by the Corporation that the Minority and Women-Owned Business Enterprises & Equal Employment Opportunity Policy and is hereby adopted effective immediately.

I, Amanda Forney, Secretary of the Finger Lakes Regional Land Bank Corporation, a corporation organized and existing under the laws of the State of New York (the "Corporation"), do hereby certify that the above is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the Corporation duly held and convened on September 27<sup>th</sup>, 2022, at which meeting a duly constituted quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded, or revoked, and is at present in full force and effect.

IN WITNESS THEREOF, the undersigned has affixed their signature this 27 day of September, 2022. The Corporation has no corporate seal.

x   
Amanda Forney  
Corporation Secretary

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	Yes	Nay	Abstain	Absent
Kyle Barnhart	[X]	[ ]	[ ]	[ ]
Ernie Brownell	[X]	[ ]	[ ]	[ ]
Jill Henry	[X]	[ ]	[ ]	[ ]
Les Marquart	[ ]	[ ]	[ ]	[X]
Don Northrup	[ ]	[ ]	[ ]	[X]
Frank Sinicropi	[X]	[ ]	[ ]	[ ]
David Wood	[X]	[ ]	[ ]	[ ]

FINGER LAKES REGIONAL LAND BANK CORPORATION  
*Policy on: Minority and Women-Owned Business Enterprises  
Equal Employment Opportunity*

I. Minority and Women-Owned Business Enterprises Policy

The Finger Lakes Regional Land Bank (“Land Bank”) will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participations goals set by the New York State for that area in which the State-funded project is located, by taking the following steps:

(1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBEs or WBEs, including solicitations to M/WBE contractor associations.

(2) Request a list of State-certified M/WBEs from Agency(ies) and solicit bids from them directly.

(3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBEs.

(4) Where feasible, divide the work into smaller portions to enhanced participations by M/WBEs and encourage the formation of joint venture and other partnerships among M/WBE contractors to enhance their participation.

(5) Document and maintain records of bid solicitation, including those to M/WBEs and the results thereof. Contractor will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.

(6) Ensure that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation

Joe McGrath, CEO/President of the Land Bank is designated as the Minority Business Enterprise Liaison. He is responsible for administering the Minority and Women-Owned Business Enterprises-Equal Employment Opportunity (M/WBE-EEO) program.

M/WBE Contract Goals

10% Minority and Women’s Business Enterprise Participation

10% Minority Business Enterprise Participation

10% Women’s Business Enterprise Participation

II. Equal Employment Opportunity Policy

(a) The Finger Lakes Regional Land Bank (“Land Bank”) will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities

without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts.

(b) This Land Bank shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex disability or marital status.

(c) At the request of the contracting agency, the Land Bank shall request each employment agency, labor union, or authorized representative for a statement that it will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(d) Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to nondiscrimination on the basis of prior criminal conviction and prior arrest.

(e) The Land Bank will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the State contract.

#### References:

This policy relates to and is intended to be consistent with the following Land Bank policies:

1. Purchasing Policy (Adopted February 26, 2018)