



*American Council of Engineering Companies of New York*

November 10, 2025

The Honorable Kathy Hochul  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

**Re: Support A.2296/S.596 “Rebuttable Presumption for MWBE Recertification”**

Dear Governor Hochul:

For over 100 years the American Council of Engineering Companies of New York (ACEC New York) has been the unified voice for engineering professionals, driving the business of professional engineering services with the mindset focused on safety, function, and the value of the built and natural environment. ACEC New York is a proactive coalition comprised of a diverse group of almost 300 member firms from every discipline and size, collectively employing around 33,000 New Yorkers and nearly ten times that worldwide. Approximately 25 percent of our member firms are comprised of MWBE and veteran-owned firms.

On behalf of the ACEC New York Board of Directors, I write in **support of bill A.2296 (McDonald)/S.596(Hinchey)**, which would provide a rebuttable presumption to recertification as a minority and women-owned business enterprise if there is no change in the ownership and no material change in the nature or management of the enterprise from the previous certification.

The 2024 Disparity Study states that the denial of recertification was one of the most prominent barriers to doing business with the State. The inability of MWBE firms to obtain recertification exacerbates the situation for prime contractors and consultants to select from a competitive pool of qualified subs. The convoluted recertification process disrupts the efforts of MWBE firms to build their portfolios and may even discourage them from their continued involvement in the program. The current status quo is not in the best interest of any of the State procurement stakeholders, as a decreasing pool of qualified firms creates an untenable compliance situation.

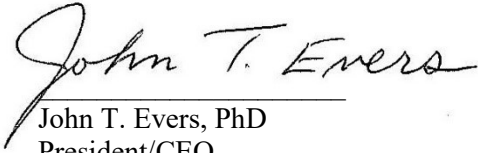
As it stands, the practice of engineering, both by individual engineers and corporate entities, is highly regulated and restricted, as engineering firms must be owned by a licensed professional engineer. Obtaining a license in professional engineering is a significant achievement, as aspirants are required to obtain 12 credits of combined education and experience over a period of several years. ACEC New York distributed \$106,500 in scholarships in 2025 and is fully invested in growing the pipeline of future professional engineers from every walk of life. However, if a paradigm shift is to take root, ACEC New York needs dedicated partners and public policies that acknowledge the facts and reality of the current situation.

For the reasons stated above, ACEC New York **supports bill A.2296(McDonald)/S.596(Hinchey)** and recommends its approval.

# ACEC *New York*

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Sincerely,



John T. Evers, PhD  
President/CEO

Cc: Hon. John T. McDonald, III  
Member, New York State Assembly

Hon. Michelle Hinchey  
Member, New York State Senate