



**Office of
General Services**

ANDREW M. CUOMO
Governor

ROANN M. DESTITO
Commissioner

October 9, 2015

John J. Hines III
President
AssetWorks LLC
998 Old Eagle School Road – Suite 1215
Wayne, PA 19087

Dear Mr. Hines:

We are in receipt of AssetWorks LLC's application for Waiver of MWBE Participation Goal (BDC 333) in response to Solicitation 22802 for Information Technology Umbrella Contract – Manufacturer Based, Lot 2. Upon review of the provided documentation, your request to waive the MWBE goals on this contract has been granted.

Included with this letter is a signed copy of your waiver application. If you have any additional questions, I can be reached at (518) 486-6866.

Sincerely,

Anuola N. Surgick
Minority Business Specialist 2
Office of MWBE & Community Relations

cc: Sharon Featherstone, OGS
Sheila Long, OGS
Ann Fisher, OGS

APPLICATION FOR WAIVER OF MWBE PARTICIPATION GOAL

(must be submitted before requesting final payment on the contract)

Section 1: Basic Information			
Contractor's Name: AssetWorks LLC		Federal Identification Number: 98-0358175	
Street Address: 998 Old Eagle School Road, Suite 1215		E-Mail Address: Lynn.sons@assetworks.com	
City, State, Zip Code: Wayne, PA 19087		Telephone: (610) 687 - 9202	
Contract Number: PT60412 Solicitation 22802 LOT 2- Hardware	MWBE CONTRACT GOALS		
	MBE %	WBE %	
	15%	15%	
Section 2: Type of MWBE Waiver Requested			
MBE Waiver	<input checked="" type="checkbox"/> Total	<input type="checkbox"/> Partial	If partial waiver, please enter the revised MBE percentage:
WBE Waiver	<input checked="" type="checkbox"/> Total	<input type="checkbox"/> Partial	If partial waiver, please enter the revised WBE percentage:
Please explain the reason for the waiver request:			
<p>AssetWorks LLC does not provide hardware except in very limited circumstances in support of our proprietary fuel management solution. Clients using our fleet management software system have to option to add a fuel management module (software available through Lot 1). If they select this option, they would require FuelFocus Island Controllers, hardware that is installed at the fuel island to control and record the fuel that is dispensed to fleet equipment.</p> <p>Lot 2 is being offered in the event that the State of New York might at some point require these Fuel Island Controllers. This is the only hardware AssetWorks offers, and we do not use resellers. This hardware also requires highly specialized installation, integration with the state's current fueling equipment, and state specific permitting and licensing. Because of this, implementation is typically handled by state employees rather than private subcontractors.</p> <p>Therefore, because we do not use resellers or subcontractors in relation to our very limited hardware, there is no opportunity for MWBE inclusion. This is the reason we cannot provide the documents listed below; in relation to our hardware, there is no appropriate participatory role for any subcontractor, reseller, or supplier---MWBE or otherwise.</p>			
Section 3: Supporting Documentation			
Provide the following documentation as evidence of your good faith efforts to meet the MWBE goals set forth in the contract and in support of your waiver application:			
<ul style="list-style-type: none"> <input type="checkbox"/> Attachment A. List of the general circulation, trade and MWBE-oriented publications and dates of publications soliciting for certified MWBE participation as a subcontractor/supplier and copies of such solicitation. <input type="checkbox"/> Attachment B. List of the certified MWBEs appearing in the Empire State Development MWBE directory that were solicited for this contract. Provide proof of dates or copies of the solicitations and copies of the responses made by the certified MWBEs. Describe specific reasons that responding certified MWBEs were not selected. <input type="checkbox"/> Attachment C. Descriptions of the contract documents/plans/specifications made available to certified MWBEs by the contractor when soliciting their participation and steps taken to structure the scope of work for the purpose of subcontracting with or obtaining supplies from certified MWBEs. <input type="checkbox"/> Attachment D. Description of the negotiations between the contractor and certified MWBEs for the purposes of complying with the MWBE goals of this contract. <input type="checkbox"/> Attachment E. Identify dates of any pre-bid, pre-award or other meetings attended by contractor, if any, scheduled by OGS with certified MWBEs whom OGS determined were capable of fulfilling the MWBE goals set in the contract <input type="checkbox"/> Attachment F. Other information deemed relevant to the request. 			
Section 4: Signature and Contact Information			
By signing and submitting this form, the contractor certifies that a good faith effort has been made to promote MWBE participation pursuant to the MWBE requirements set forth under the contract. Failure to submit complete and accurate information may result in a finding of noncompliance, non-responsibility, and a suspension or termination of the contract.			

John H. Hines III

Date:
2 September 2015

Prepared By: (Signature)

Name and Title of Preparer (Print or Type)

John H. Hines III, President

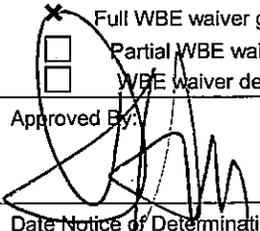
For OGS Use Only

Reviewed By: Anuola Surgick	Date: 10/7/2015
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Decision:

Full MBE waiver granted
 Partial MBE waiver granted; revised MBE goal: _____ %
 MBE waiver denied

Full WBE waiver granted
 Partial WBE waiver granted; revised WBE goal: _____ %
 WBE waiver denied

Approved By: 	Date: 10/9/15
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Date Notice of Determination Sent:
10/9/15

Comments: