SBR LIAISON TRAINING

Presented by
Governor's Office of
Small, Minority & Women Business Affairs (GOSBA)







Governor's Office of Small, Minority & Women Business Affairs

Lisa Mitchell Sennaar

Small Business Reserve (SBR)
Compliance Manager



AGENDA

SBR Liaison Training

November 13, 2019

- Outreach Alison Tavik
- ➤ Small Business Reserve (SBR) Program Overview Lisa Mitchell Sennaar
- The Procurement Review Group(PRG)Process Chantal Kai- Lewis
- SBR Liaison Duties Lisa Mitchell Sennaar
 - Procurement Forecast
 - Strategic Business Plan
 - eMMA- Checking SBR's Certification
 - Quarterly/Annual Reporting Requirements/Procedures
 - Best Pratices
- VSBE Update Tanita Johnson
- Announcements
- Upcoming Training Dates





- Housekeeping
- Lunch Break from 1-2 pm
- MD Guest Wi-Fi
- Slide Deck
- Survey



Governor's Office of Small, Minority & Women Business Affairs



Greetings

The Governor's Office of Small, Minority & Women Business Affairs is a coordinating office within the Executive Branch. Our primary role is to connect the small business community to greater economic opportunities in both the public and private sectors. We monitor the state's Small Business Reserve (SBR) and Minority Business Enterprise (MBE) and Veteran Owned Small Business Enterprise (VSBE) procurement programs, establish best practices for their successful implementation, and monitor compliance across the 70 participating agencies.

GOSBA Staff

Jimmy Rhee, Special Secretary

Pam Gregory, Chief of Staff

Alison Tavik, Director of Communications & Outreach

Chantal Kai-Lewis, Legal & Policy Advisor

Lisa Mitchell Sennaar, SBR Compliance Manager

Tanita Johnson, SBR Compliance Manager

Nichelle Johnson, MBE Compliance Manager

Eduardo Hayden, Outreach Manager

Gerald Stinnett, MBE Compliance Manager VLT Operations





Alison Tavik Director, Communications & Outreach

- Ready, Set, GROW!
- Technical Training Classroom
- Website Resources
- Procurement Forecast



Quick Links

- > About Us
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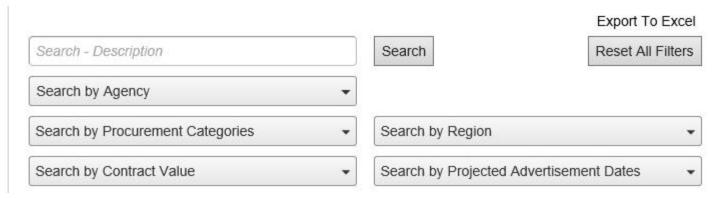
Procurement Forecast Portal

Welcome to Maryland's Procurement Forecast Portal for Fiscal Year 2020.

This database is populated with *projected* purchases of \$100,000 and above for the current fiscal year. Not all projected purchases will be made as indicated in the Procurement Forecast.

We strongly advise you to connect with the buyer directly for details and updates.

To obtain the contact information of the buyer, download your search results by clicking on "EXPORT TO EXCEL" below.



			Estimated Total			
			Contract Award (no			
Agency Name	Incumbent Name	Description	options)	PO Name	PO Phone	PO Email
Police		McHenry Boiler	\$100,000 to \$500,000	Rene Alonso	410-379-9410	rene.alonso@maryland.gov
Juvenile Services		Art Instruction	\$100,000 to \$500,000	Julia Bouie	410-230-3124	mailto:julia.bouie1@maryland.gov
Transportation - State Highway	KCI TECHNOLOGIES, INC.	SUPPLEMENTAL ENGINEERING SUPPORT SERVICES	\$1,000,001 to \$5,000,000			
Environment		Aerial Photography/Helicopter service	\$15,000 to \$99,000			
Human Services		Upgrade & Install Audio Visual Equipment in conference rooms	\$15,000 to \$99,000	Carri Younker	240-420-2134	carri.younker@maryland.gov
Human Services	Universal Security	Unamed security guards (2) Full time / 80 hrs per wk.	\$100,000 to \$500,000	Tonia Wells	410-767-4720	Tonia.Wells@maryland.gov
Environmental Services	None	Swallow Falls State Park- Upgrade of Potable Water Distribution System	\$500,001 to \$1,000,000	Salem Alsai	410-729-8200	salsa@menv.com
Public Safety and Correctional Services		REPLACE ROOF AT ED 1	\$500,001 to \$1,000,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Veteran's Affairs		CEMETERY WALL STABILIZATION & FENCE RECONDITIONING	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Deaf, School for the		REPLACE 52 YEAR OLD TRANSFORMER.	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Military		REPAIR & OVERLAY ROADS & PARKING LOTS	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
General Services		REPLACE FIRE ALARM SYSTEM.	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
General Services		REPLACE CURRENT CAMERAS & DVR; UPGRADE TO DIGITAL.	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Human Services		REPLACE OLD TILE & REFURBISH SHOWERS-2ND N. STAFF	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Human Services	Way Station	Provision of Interagency Family Preservation Services	\$1,000,001 to \$5,000,000	Barbara Tollley	301-600-4541	Barbara.Tolley@maryland.gov
Transportation - Motor Vehicle	Carder's Lawn & Landscaping, Inc.	Landscaping Services at the Cumberland Branch Office	\$15,000 to \$99,000	Kelli Gower	410-768-7396	kgower@mdot.maryland.gov
Frostburg State University		PE Building Entrance Repairs and building envelope repairs	\$100,000 to \$500,000	Robert Boyce	301-687-4125	rjboyce@frostburg.edu
Frostburg State University		Hitchins Air Handler Controls	\$15,000 to \$99,000	Robert Boyce	301-687-4125	rjboyce@frostburg.edu
Health	Coordia 9 Class	REPLACE STAIRWAY & EXIT DOORS.	\$15,000 to \$99,000	Colleen Haynes	410 767-4995	colleen.haynes@maryland.gov
Labor	Sparkle & Clean Janitorial	Janitorial Service	\$15,000 to \$99,000	Sean Watson	410-767-2595	sean.watson@maryland.gov

In 2004, the state created the Small Business Reserve (SBR) Program, providing small businesses with the opportunity to participate as prime contractors on state contracts by establishing a unique marketplace where small businesses compete against other small businesses instead of larger, more established companies. This is a race- and gender-neutral program pursuant to COMAR 21.11.03.07.

Under state procurement law, the SBR Program directs 66 participating agencies/departments to spend at least 15% of its fiscal year procurement expenditures with qualified small businesses. Code Ann., State Fin. & Proc. Art. §14-501 - 14-505 (2011 Supp).

Once a solicitation has been designated as "SBR," an award can only be made to a certified SBR vendor. Certification is an online process through the vendor registration process on the state's eProcurement platform - eMaryland Marketplace Advantage (eMMA). Vendors must meet the eligibility standards and must re-certify annually. There is no cost to participate in the SBR Program.

For-profit businesses, other than a broker, must meet defined eligibility standards to participate in this program as a certified SBR vendor.

- SBR Program Eligibility Standards:
- The business is independently owned and operated.
- The business is not a subsidiary of another business.
- The business is not dominant in its field of operation.

- The **wholesale** operations of the business did not employ more than **50** persons, **or** the gross sales of the business did not exceed an average of \$**4,000,000** in its most recently completed three fiscal years*.
- The **retail** operations of the business did not employ more than **25** persons, **or** the gross sales of the business did not exceed an average of \$**3,000,000** in its most recently completed three fiscal years*.
- The manufacturing operations of the business did not employ more than 100 persons, or the gross sales of the business did not exceed an average of \$2,000,000 in its most recently completed three fiscal years*.
- The **service** operations of the business did not employ more than **100** persons, **or** the gross sales of the business did not exceed an average of \$**10,000,000** in its more recently completed three fiscal years*.
- The **construction** operations of the business did not employ more than **50** persons, or the gross sales of the business did not exceed an average of \$7,000,000 in its most recently completed three fiscal years*.
- The architectural and engineering operations of the business did not employ more than 100 persons, or the gross sales of the business did not exceed an average of \$4,500,000 in its most recently completed three fiscal years*.

Goals & The Procurement Review Group: THE DO'S & DONT'S

Chantal Kai-Lewis Legal & Policy Advisor



Governor's Office of Small, Minority & Women Business Affairs

Procurement Review Group (PRG)

Process for reviewing any:

- (a) Contract solicitations;
- (b) proposed sole-source contracts; and
- (c) proposed contract renewal options

Expected to exceed \$200,000 in value in order to maximize opportunities for Minority Business participation

Group makes recommendations to the agency head and procurement officer concerning specific MBE contract goals and/or procurement methods.

Don't automatically exempt emergency procurements or SBR procurements from MBE goal consideration

PRG Participants

 There should be at least one or more standing procurement review group(s).

- The group shall be comprised of:
 - Agency's chief procurement official or senior-level procurement official designated to act in his/her place
 - MBE Liaison Officer or senior level alternate
- Do rely on agency legal counsel to provide support and advice as necessary

GOALS

• The statewide aspirational goal is 29%.

• It is important to remember that this is an overall goal.

 Individual contract goals must be considered on a contract-bycontract basis

DON'T put a blanket 29% goal on projects without a legitimate justification.

Subgoals

Industry Category	Subgoal				
	Women	African-American	Asian American	Hispanic	
Construction	N/A	7%	4%	N/A	
Architectural/ Engineering & Construction Related Services	9%	6%	N/A	2%	
Maintenance	N/A	8%	3%	N/A	
IT Services & IT Supplies	8%	7%	N/A	3%	
Human, Cultural, Social & Education Services	12%	7%	4%	2%	
Supplies & Equipment	10%	6%	5%	N/A	

DO use the subgoal worksheet and guidelines to apply subgoals as appropriate

Before Goalsetting

DO Consider Race Neutral Options (COMAR 21.11.03.07)

Race neutral methods are those that assist businesses without consideration of social, economic, race or gender

Small Business Reserve

Small Business Preference

Divide larger procurements into several smaller procurements where feasible

Directly notifying qualified small businesses including MBES

Relaxed bonding requirements

Simplifying bidding requirements to the extent permitted by law

Pre-Solicitation Conferences

Clarify complex solicitations
Connect subs and primes

DO Identify Subcontracting Opportunities

- Can the procurement be broken down into subcontracting opportunities:
 - Scope of Work
 - Engineer's Estimate
 - Previous compliance reports
 - Similar procurements in size and discipline
- List all possible subcontracting NAICS Codes on the PRG Form
 - Are MBE's available in the categories identified?
 - Does it make sense geographically?
- Does the contract structure support subcontracting?

Goalsetting & Counting

• **DO** allow MBE Primes to self-perform 50% of an established contract goal; 100% of any subgoal

- DO treat the MBE & VSBE Programs as mutually exclusive (dually-certified firms can count toward both program goals)
- DON'T Forget to Consider the 60% Rule's Impact on Goalsetting
 - e.g.: If supply purchase accounts for 5% of the overall contract value—the goal for that line item would compute to 3% to account for the 60% Rule.

Other PRG Requirements

 DO send all PRGs for procurements expected to exceed \$25M to GOSBA for approval

 DO provide as much detail and context as possible on your PRG Determination (for historical purposes and protest)

PRG Scenario #1

SBR Dredging Company was a subcontractor to a large firm on a \$5.0m dredging and tug boat project in 2019 and handled \$1.5m worth of dredging work.

New dredging work arises in 2020 that is estimated at \$3.0m, PRG is reviewing the scope and determines it is a good opportunity to designate this as an SBR, because they believe that there are enough small firms to bid on this work.

What is the best practice to put forth the solicitation:
☐to open market with no MBE goal
□to open market with 3% VSBE goal
☐ as SBR designation as SBR designation and accept winning bid with SBR naming a
large subcontractor to perform 70% of the work
□to open market with an MBE goal
☐as SBR designation with an MBE goal
☐ As SBR designation

PRG Scenario #2

Agency has the need for three Project Managers to handle a routine IT data migration project. Estimated cost is \$100,000 over 2 year period.

What is the best practice to put forth the solicitation:

- ☐ to open market with no MBE goal
- ☐ to open market with VSBE goal
- ☐ as SBR designated
- ☐ to open market with an 20% MBE goal
- ☐ as SBR designation with an MBE goal

COMAR 21.11.01.06

I. **SBR Liaison Officer**. The head of each procurement unit shall designate an employee to be the SBR liaison officer in the administration of that unit's small business reserve program. The SBR liaison officer shall be a high-level employee reporting directly to the agency head or head of the procurement unit. The SBR liaison officer shall be responsible for coordinating the procurement unit's outreach efforts to the small business community, reviewing the unit's contracting procedures to ensure compliance with small business reserve requirements, assisting in the resolution of small business reserve contracting issues, and submitting required small business reserve program reports or information.

Compliance

- In coordination with the Director of Procurement, assist your agency in implementing SBR Program best practices
- Provide guidance to P card holders and buyers on compliance and best practices
- Develop, update and ensure efficiency and accuracy of the SBR data submissions

Compliance

- Assist agency staff for SBR Compliance and Procurement in developing data and trends' analysis for SBR Strategic Plan
- Regularly meet with small business vendors to connect with buyers (see strategic plan)
- Be knowledgeable about the SBR application and eligibility criteria

Outreach

- Represent agency at ongoing public SBR outreach meetings by staffing booth exhibits, making presentations on SBR topics, etc. upon request.
- Coordinate and facilitate various SBR training and compliance related meetings with your State agency and procurement personnel
- Support SBR liaison meetings with agency SBR and/or procurement representatives

Outreach

- Assist SBR Compliance with ongoing enhancements to SBR training efforts within your State agency
- Assist your agency in resolving SBR complaints
- Provide customer service to SBR vendors on inquiries and guidance regarding the SBR program

Data Collection Function

- Assist SBR Compliance with collection, review and analysis of SBR data received from your agency in excel
- Assist in providing customer service to SBR stakeholders regarding the SBR program

PROCUREMENT FORECAST

21.11.01.06

Forecast. Each procurement unit shall, based upon the approved budget and other applicable factors, annually prepare a fiscal year procurement expenditure forecast. The forecast shall project expected expenditures under procurements to be awarded or currently under contract, and the unit shall develop a plan allocating a minimum of 15 percent of the total expected expenditures under these contracts directly to certified small businesses.

PROCUREMENT FORECAST

Please keep in mind the forecast is provided to the public and serves as an important tool for the small, minority, women, and veteran business community. Please give the proper attention to this **mandatory** report by following the instructions and being thorough with your responses.



Quick Links

- > About Us
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Procurement Forecast Portal

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			Export To Excel		
Search - Description		Search	Reset All Filters		
Bowie State University	-				
Search by Procurement Categories		Search by Region	×		
Search by Contract Value	•	Search by Projected	Advertisement Dates •		
Agency Name:	Bowie State Un	niversity			
Procurement Category:	Competitive Se	aled Proposal			
Procurement Method:	Elevator Prever	ntive Maintenance			
Description: CENTRAL MA		RYLAND			
Location/Delivery: Q4 (April-Ju		2020)			
Estimated Advertisement Date:	\$100,000 to \$5	00,000			
Estimated Total Contract Award (no options):	2-3 years				
Term of Contract:	Steven Jost				



PROCUREMENT FORECAST

The Procurement Forecast instructions, template and due dates are located in the SBR Reporting Toolkit:



https://gomdsmallbiz.maryland.gov/Pages/Reporting-Tool-SBR.aspx



Fiscal Year SBR STRATEGIC PLAN

Each designated procurement unit shall submit an expenditure plan on the small business reserve program as set forth in COMAR 21.11.01.06D to the Governor's Office of Small, Minority & Women Business Affairs within 60 days after enactment of the annual budget bill by the General Assembly. The format of the expenditure plan shall be determined by the Governor's Office of Small, Minority & Women Business Affairs.



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Fiscal Year SBR STRATEGIC PLAN

 Used to help Agencies focus in or their prior SBR efforts and develop a plan for the new Fiscal Year to continue and increase efforts to engage Small Business Reserve certified vendors

• Reminders:

- Think outside of the box!
- Provide as much detail as you can.

NEW*

- Plans will now be due by June 30th
- Going forward, submissions will only include up to Quarter 3 of the current Fiscal Year to alleviate issues with retrieving 4th Quarter data.



Fiscal Year SBR STRATEGIC PLAN

The Strategic Business Plan instructions, template and due date are located in the SBR Toolkit on our website:



https://gomdsmallbiz.maryland.gov/Pages/Reporting-Tool-SBR.aspx

Quarterly Reporting

SBR report data is cumulative. Reports for the first three quarters are **due no later than 30 days following the quarter being reported**, and should contain data from the start of the fiscal year. No 4th quarter report is due. Instead, the full fiscal year is reported in the Annual Report. Data for the Annual Report is submitted 90 days after the close of the fiscal year being reported.

Quarterly Reporting

You may find the SBR Quarterly Report instructions, template and due date in the SBR Toolkit on our website:



https://gomdsmallbiz.maryland.gov/Pages/Reporting-Tool-SBR.aspx

Annual Reporting

Each designated procurement unit shall submit a report on the small business reserve program to the Governor's Office of Small, Minority & Women Business Affairs within 90 days after the end of each fiscal year, in a format determined by the Governor's Office of Small, Minority & Women Business Affairs, that includes at a minimum:

(a) The total number and the dollar value of payments the unit made to certified small businesses under contracts designated as small business reserve contracts;

Annual Reporting

- (b) The total number and the dollar value of payments the unit made to certified small businesses under contracts not designated as small business reserve contracts, including purchase card payments;
- (c) The total dollar value of payments the unit made under procurement contracts; and
- (d) Other information required by the Governor's Office of Small, Minority & Women Business Affairs.



eMMA-SBR CERTIFICATION

For information on how to register for the Small Business Reserve (SBR) Program's certification or annual re-certification process, vendors may go to eMaryland Marketplace Advantage (eMMA), Maryland's Procurement Portal and follow the Quick Reference Guides (QRGs) for SBR Certification and Renewal:



There is a Quick Reference Guide (QRG) for SBR Certification and Re-Certification on the eMaryland Marketplace Advantage (eMMA)home page.

https://procurement.maryland.gov/

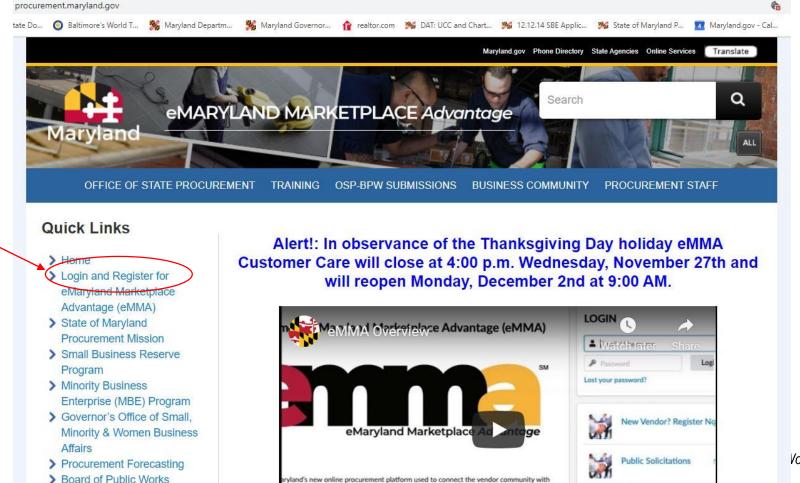


Finding SBR Certified Vendors in eMMA

The eMMA team is working on adding the public vendor search option. Until that option is available, procurement officers may find certified SBR vendors by using the SBR filter option when logged into eMMA. We will send out an announcement when this search function is operating.

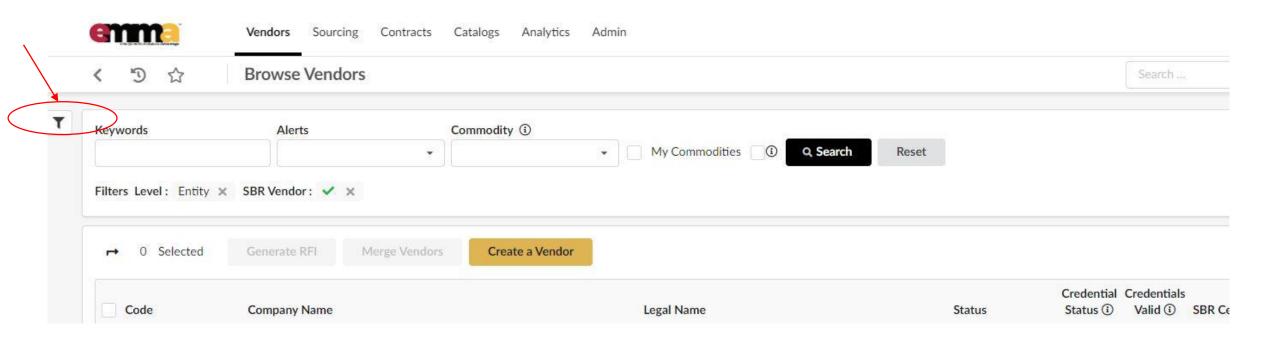
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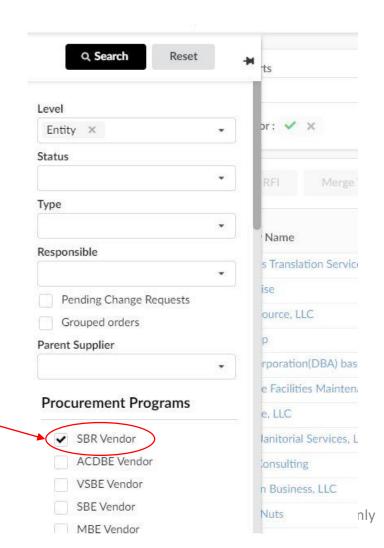




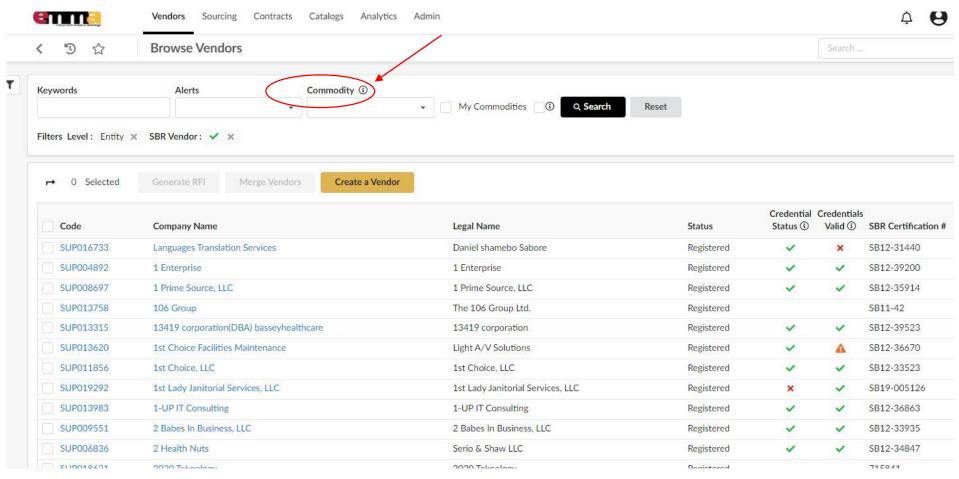
Finding SBR Certified Vendors In eMMA



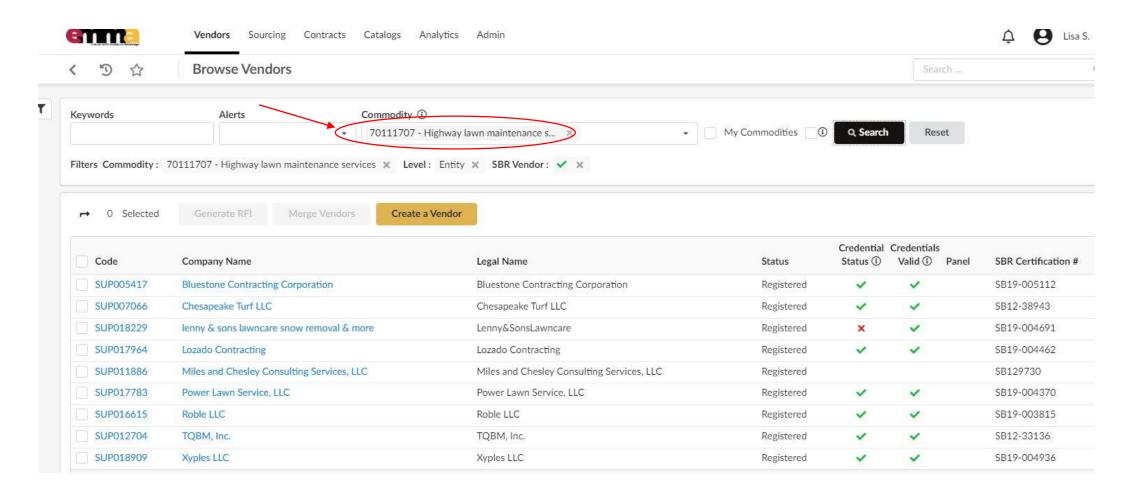
Finding SBR Certified Vendors In eMMA



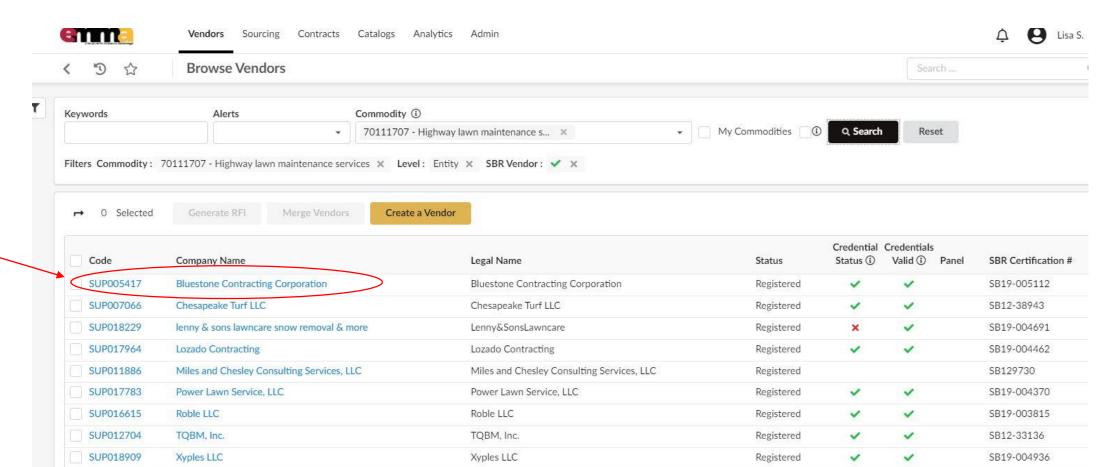
This will yield quite a few vendors. You can then narrow the field by looking up the Commodity.



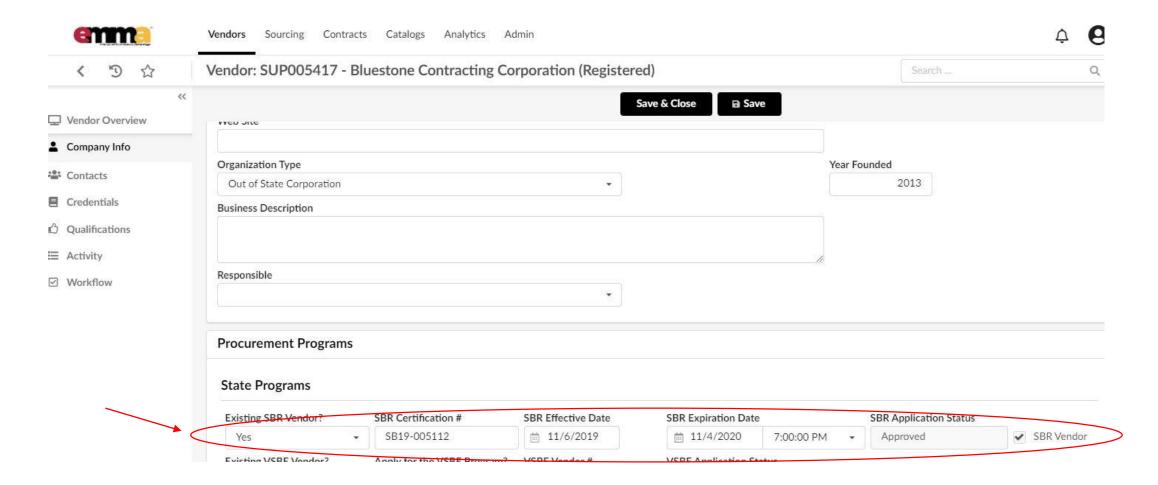
This will yield vendors that have selected the commodity code in their profile



You will then need to look inside of the vendor profile to verify that their SBR certification is current. The Credential Status and Credentials Valid fields outside of the profile do not tell the whole SBR story. That status may be referring to insurance or another credential status.



Looking inside a vendor's company profile will reveal the SBR number and effective and expiration dates.



Small Business Reserve (SBR) Helpdesk

For questions or help with the Small Business Reserve (SBR) Program's certification or annual re-certification process, you may contact the SBR Helpdesk at **410-697-9600** and ask to speak with a SBR Compliance Manager, Tanita Johnson or Lisa Mitchell Sennaar.



Searching for Small Businesses

Cast a Wide Net

SBR Search on eMaryland Marketplace Advantage

https://procurement.maryland.gov/

MDOT MBE Directory

https://mbe.mdot.maryland.gov/directory/

SBA Small Business Search

https://web.sba.gov/pro-net/search/dsp_dsbs.cfm



Searching for Small Businesses

Cast a Wide Net

- Agency specific vendor databases
- Sister agencies



SBR Best Practices

- Agency Strategic Plan
- Agency Procurement Forecast
- Procurement Review Group (PRG)
- Creating SBR Designated Solicitations
- Searching for SBR Firms
- SBR Reporting



Governor's Office of Small, Minority & Women Business Affairs

Tanita Johnson

Small Business Reserve (SBR)
Compliance Manager





VSBE PROGRAM



• Provides contracting opportunities on state-funded procurements for qualified veteran-owned small businesses.

 Designated agencies spend at least 1% of the total dollar value of their procurement contracts either directly (prime contractors) or indirectly (subcontractors) with certified VSBE firms.





VSBE PROGRAM



VSBE Businesses must:

- 1) Meet size standards adopted by the <u>United States Small Business</u> <u>Administration in 13 C.F.R. 121.201</u> and any subsequent revision of that regulation.
- Be at least 51% owned and controlled by one or more individuals who are veterans.



VSBE PROGRAM



Certification within VSBE requires a vendor to:

- 1) Register within eMaryland Marketplace Advantage (eMMA)
- Obtain Veteran Verification
 (Maryland Department of Veterans Affairs OR U.S. Department of Veterans Affairs/Vetbiz)









VSBE PROGRAM Reporting



- 1. At this time, no *new* guidance is available for Liaisons, please continue to report as you have in prior years.
- 2. Additional guidance and/or instructions will provided by the FY2020 reporting period.
- 3. For those agencies that have not yet completed their FY2019 VSBE Report, the 2019 template can be obtained by contacting

Nichelle Johnson.

nichelle.johnson1@Maryland.gov

Q&A

Announcements

- The Governor's Office of Small, Minority & Women Business Affairs (GOSBA) will be switching our reports and compliance mailboxes to match our new name.
 - When this occurs, an announcement will be made and you will no longer use the current "GOMA" mailboxes but will instead use the "GOSBA" mailboxes.
- An FAQ will be added to the Small Business Reserve
 Reporting Toolkit to include any targeted questions that
 we received from this training or during the Fiscal Year.
 It will be updated every year.

Upcoming Training

SAVE THE DATE!

- SBR / MBE in person training:
 - June 25, 2020
 - October 6, 2020

- SBR / MBE Virtual training:
 - February 2020



If you have questions after today's training, you may contact me:

Lisa Mitchell Sennaar <u>lisa.sennaar@maryland.gov</u> 410-697-9613

Q&A



THANK YOU!!

https://gomdsmallbiz.maryland.gov/Pages/default.aspx





SURVEY

