

Small Business Reserve (SBR) Liaison Training Packet

Welcome, Small Business Reserve (SBR) Liaison!

We would like to take this time to welcome you as an SBR Program liaison and look forward to working with you! As an SBR liaison, you may be assigned to assist your unit with performing duties to enhance procurement opportunities for certified small businesses (SBR vendors), prepare/forward SBR reports to our office and provide outreach to the small business community. You can utilize this packet as a guide to help you to prepare the SBR Reports, refer to regulations/statutes and obtain other information that is pertinent to your position as an SBR liaison.

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Introduction of SBR Program

In 2004, the state of Maryland created the Small Business Reserve (SBR) Program, providing small businesses with the opportunity to participate as prime contractors by establishing a unique marketplace where small businesses compete against other small businesses instead of larger, more established, companies.

Small business vendors can receive same day certification through eMaryland Marketplace Advantage (eMMA- <https://emma.maryland.gov/>), the state's online vendor platform and bid board. There is no cost to obtain the certification or maintain it through the annual renewal process.

Under state procurement law, the SBR Program directs participating agencies/departments to spend at least 15% of its fiscal year procurement expenditures with qualified small businesses. *(Note that the 15% will increase to 20% as of 10/1/2024, per new legislation- [HB962](#), [SB673](#).)* Once a solicitation has been designated as “SBR,” an award can only be made to a certified small business vendor. (Per COMAR 21.11.01.06(D)(2)(b), *“Only those payments resulting from a procurement designated as a small business reserve procurement may be applied towards the procurement unit’s overall small business reserve payment achievement.”*— Note that those payments resulting from a procurement designated as a small business reserve procurement will change to awards to small businesses under designated & nondesignated small business reserve contracts as of 10/1/2024, per new legislation-- [HB962](#), [SB673](#))

Certification can only be completed online through the vendor registration process on the state's eProcurement platform - eMaryland Marketplace Advantage (eMMA). Note that you can encourage vendors to visit the eMMA website, register for an account (if not already listed in the portal, by selecting the “New Vendor, Register Now” option) and refer to the following Quick Reference Guide (QRG) to apply to the program- [SBR Certification and Recertification \(Vendors\) : Maryland DGS - Office of State Procurement \(OSP\) \(freshdesk.com\)](#).

Note that the aforementioned information pertaining to the SBR Program can be found on our Governor’s Office of Small, Minority and Women’s Business Affairs website at <https://gomdsmallbiz.maryland.gov/Pages/sbr-Program.aspx>.

In addition, note that there are regulations and statutes that pertain to the SBR Program. For more information, you can refer to the Annotated Code of Maryland- State Finance and Procurement and Code of Maryland Regulations:

SBR Program Legislation

State Finance and Procurement Articles 14-501 – 14-505

(<https://mgaleg.maryland.gov/mgawebpage/Laws/Statutes>)

§ [14-501](#). Definitions

§ [14-502](#) ([14-502.1](#)). Percentage of small business procurement contracts

§ [14-503](#). Regulations; compliance

§ [14-504](#). Eligible procurements; publication; awards

§ [14-505](#). Reports

SBR Program Regulations

COMAR 21.11.01.06

Small Business Reserve Program

- A. Applicability
- B. Scope
- C. Exclusion
- D. Expenditures
- E. Solicitation Notice
- F. Ineligible Bids or Proposals
- G. Verification of Certification
- H. Reporting
- I. SBR Liaison Officer

COMAR 21.13.01.03

Reports of the Small Business Reserve Program

COMAR 21.11.01.04

Small Business Eligibility/Certification

SBR Program Legislation Board of Public Works (BPW) Advisory

[SBR Program Legislation BPW Advisory - 2005-1 SBR Program](#)

- **Purpose**
- **Authority**
- **Exclusions**
- **Definitions**
- **Procedures**
- **Qualified Expenditures**
- **Expenditure Plans**
- **Procurement Review Groups**
- **Public Notice**
- **Solicitation Content**
- **Web Site**
- **Certification Requirement**
- **Records and Reporting**

Liaison Responsibilities

According to COMAR 21.11.01.06, the following is stated as it pertains to SBR liaisons:

“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.”

Know that you play a pivotal part in the State Procurement process. You are to assist your unit and the small business community as it pertains to the SBR Program. Your position as an SBR liaison should not to be taken lightly and know that you have a voice within the implementation of the SBR Program as it relates to the procurement process. Be aware that you hold a key in helping to meet/exceed the SBR goals within your unit and connecting small businesses to the procurement opportunities.

Liaison Responsibilities- Outreach to Small Businesses

As an SBR liaison, you should be certain that outreach is provided to the small business community. Providing such outreach to small business vendors could include attending events (hosted by your unit, other state entities and/or organizations), viewing small business databases to locate/encourage participation within the SBR Program (i.e. Maryland Department Of Transportation’s (MDOT) Directory of Certified Firms & Veteran-Owned Small Business Enterprise (VSBE) listing within eMaryland Marketplace Advantage (eMMA)) and sharing information with small businesses that may contact your unit that are interested in procurement opportunities.

Liaison Responsibilities- Procurement Review Group (PRG)/Contract Compliance/Contract Resolution

As an SBR liaison, review of the contract/procurement procedures should be performed to align with the requirements of the set aside goals for the SBR Program. Note that your agency/department should always strive to meet and/or exceed the 15% SBR attainment goal. (Note that the 15% will increase to 20% as of 10/1/2024, per new legislation- [HB962](#), [SB673](#).)

The Procurement Review Group (PRG) handles the review of proposed procurement solicitations/other proposals to determine the appropriate socioeconomic utilization methods

as it relates to the Small Business Reserve (SBR), Veteran-Owned Small Business Enterprise (VSBE) and Minority Business Enterprise (MBE) Programs. Note that there is a *Procurement Review Group- Guidance & Worksheets* document that is available to provide information and steps to those procurement representatives that participate within the PRG. You can familiarize yourself with this document by visiting the following website:

<https://procurement.maryland.gov/procurement-review-group-prg/>.

Fiscal Year 2024

For FY2024, in terms of the Contract Compliance, remember that Certification must be renewed annually. When an SBR Designated contract has been awarded, that certified small business vendor should remain certified throughout the term of the contract. Note that if that vendor is not a certified small business in eMMA at the time of payment, that vendor will not be counted as a certified small business (SBR) vendor/contractor for that payment as it pertains to SBR reporting. As per COMAR 21.11.01.06(D)(2)(b), *“Only those payments resulting from a procurement designated as a small business reserve procurement may be applied towards the procurement unit’s overall small business reserve payment achievement.”*

Fiscal Year 2025

For FY2025, SBR Designated and Nondesignated contract awards to certified small business will be counted towards the 20% goal.

In terms of the Contract Compliance, note that if that vendor is not a participant within the SBR Program during the time of award, that vendor will not be counted as a certified small business (SBR) vendor/contractor for that award as it pertains to SBR reporting. *(Per new legislation- [HB962](#), [SB673](#), as of 10/1/2024.)*

If you should need to direct a vendor to the SBR Certification/Recertification Quick Reference Guide (QRG), you can share the following link: [SBR Certification and Recertification \(Vendors\) : Maryland DGS - Office of State Procurement \(OSP\) \(freshdesk.com\)](#). (Note that it is a self-certifying, same-day certification process for the vendor.)

Also note that within your position as an SBR liaison, you may be contacted to address issues/inquiries that arise with certified small business participants who have been awarded SBR Designated contracts. If they seek your assistance for any SBR contract matter, please provide assistance to them or direct them to a unit representative for guidance. You should speak with your supervisor to obtain the procedures utilized within your unit during such inquiries.

Liaison Responsibilities- Mandated Reports/Deadlines

In your position as an SBR liaison, know that reports are significantly important. These reports include the 1st-3rd Quarterly Reports, Annual Report, Procurement Forecast and Strategic Plan.

Note that the Quarterly Reports are cumulative. In addition, no 4th Quarter Report is due-- instead, the full fiscal year is reported in the Annual Report. The Quarterly Reports are due 30 days from the last day of the 1st, 2nd and 3rd quarters. The data for the Annual Report is to be submitted 90 days after the close of the fiscal year being reported. Note that our Fiscal Year (FY) is July 1st-June 30th.

When completing these reports, SBR liaisons need to refer to the [BPW](#) and Socioeconomic Data Reporting Guidance (located in the SBR Reporting Toolkit and previously known as the GAD List) documents, as these items play an essential role in the reporting process. These documents provide guidance in determining whether a payment or group of payments would be exempt from SBR reporting. Be aware that you can find additional information pertaining to these documents and reports within the [SBR Reporting Toolkit](#), as listed on the GOSBA website.

Another tool that is helpful when handling SBR Reports include the ANSWERS database (<https://net.md.gov/apps/Answers/>). This database can be utilized by Statewide FMIS users and must be accessed through a VPN. When information from your unit is entered into the FMIS system that relates to SBR reporting purchases/payments, SBR liaisons should be able to retrieve reports to tabulate specific information to effectively provide that data to our office. (Note that Non-FMIS units are to submit system-generated reports from their respective financial systems, along with any other system documentation that supports the expenditures being reported.)

When completing the Quarterly/Annual Reports, it is suggested that you take it one step at a time. Do not get overwhelmed. Within the SBR Toolkit (<https://gomdsmallbiz.maryland.gov/Pages/Reporting-Tool-SBR.aspx>), you will find information that contains instructions/templates/guidelines to help you to effectively provide the data from your unit as it pertains to the SBR Program. After reviewing the information provided in the SBR Toolkit, if further assistance is needed, please reach out to an SBR Compliance Manager.

Liaison Responsibilities- Waivers

All eligible procurements expected to exceed \$50,000 should be considered for SBR designation. One of the steps when determining the SBR Designation of a solicitation involves searching for certified small business (SBR) participants/eligible small business vendors that provide the products/services that are being requested. At least three of these small businesses/vendors must be located prior to the designation of an SBR solicitation. If you, as a member of the Procurement Review Group (PRG), are unable to locate such vendors (i.e. by conducting a Google search and utilizing other search engines/databases such as the Veteran-Owned Small Business Enterprise (VSBE) listing in eMMA, MDOT Directory of Certified Firms and Veteran Small Business Certification-- VetCert), an SBR waiver may be the option. Note that you should make certain that you have conducted an effective search to find any current certified small business (SBR) participants/eligible vendors before requesting an SBR Waiver for

the solicitation. SBR Waivers are only required for eligible procurements between \$50,000 and \$500,000 that are not going to be designated as SBR or if they were designated as SBR and the designation is being removed due to lack of competition, i.e., only one vendor bidding. If an eligible procurement is over \$500,000 and it is not being designated as SBR, no waiver is required, simply keep the PRG documents in the file as you normally would, in the event that the procurement is questioned.

Visit the following website to obtain information on the SBR Waiver process (select the Procurement Review Group: "Guidance and Worksheets" link):

<https://procurement.maryland.gov/procurement-review-group-prg/>.

Additional Information

-Be certain to view the SBR Liaison Directory (<https://gomdsmallbiz.maryland.gov/Pages/SBR-Liaison-Directory.aspx>). It is a listing of the contact information of the SBR liaisons within the participating State departments/agencies. If you find that the SBR liaison information is not listed correctly within your unit, reach out to us with the information that should be included at your earliest convenience. Note that the vendors depend on that information to contact the departments/agencies with any inquiries pertaining to SBR Program solicitation/procurement opportunities, contracts and other questions.

-Our office provides Compliance Calls and Liaison Training Sessions for the liaisons/procurement officers/report preparers. In addition, we provide Compliance Bulletins that pertain specifically to you all. You will receive notifications of these items/sessions, just make certain that your information is listed correctly on the SBR Liaison Directory. If you have not provided your contact information to us, be sure to reach out to us as soon as possible.

-We encourage networking and connecting with other units regarding outreach efforts. Feel free to mention your willingness to connect during one of our sessions/calls or contact a fellow SBR liaison/procurement officer.

-Our Ready, Set, GROW! Procurement Connections Workshops/Webinars connect vendors with buyers from several State departments/agencies. If you are interested in participating in any of our Ready, Set, Grow Procurement Connection webinars (<https://gomdsmallbiz.maryland.gov/Pages/Ready-Set-GROW.aspx>), please contact our office.

Note that our Governor's Office of Small, Minority and Women Business Affairs is here to answer questions that you may have. Therefore, feel free to contact us as needed.

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