



Policies and Procedures

Procurement Review Group (PRG)

Background

The PRG is a standing group charged with reviewing solicitations, task orders solicitations, proposed sole-source contracts, and contract renewal options in order to maximize opportunities for Minority Business Enterprise (MBE) and Veteran-owned Small Business Enterprise (VSBE) participation on State procurement contracts. For some agencies, Small Business Reserve (SBR) designations or preferences are also determined at PRG.

For DGS, the PRG resides within the Office of State Procurement (OSP) Policy, Procurement Review and Reporting Bureau (PPRR) Reporting Unit and is led by the Deputy Chief Procurement Officer and DGS OSP MBE Liaison. PRG meetings are held bi-weekly or as needed. Bi-weekly meetings are scheduled on a calendar year basis and published on the Procurement website.

Purpose

Each procurement under the authority of DGS OSP is required to obtain separate PRGs for SBR, MBE and VSBE to determine the SBR designation and MBE and VSBE participation goals.

DGS specific and Statewide contracts' SBR designations and MBE and VSBE participation goals will be researched and prepared by the PPRR Reporting Unit for review at the bi-weekly meetings for final determination of the SBR designation and MBE and VSBE participation goals for each procurement.

Committee Members

The standing Committee Members include the Agency Head or Designee and the DGS OSP MBE Liaison or Manager of the Reporting Unit. The ad hoc members are the Procurement Officer or direct supervisor and the agency/program representative. The standing Committee Members will reach a consensus for the participation goals or designation.

Procedures

1. The Procurement Officer and/or Program Manager/Contract Monitor prepares a request for a PRG for the following procurement actions:
 - a. A new solicitation expected to exceed \$50,000;
 - b. A task order solicitation expected to exceed \$50,000;
 - c. A sole source contract expected to exceed \$100,000;
 - d. A contract modification or renewal option that potentially changes or negatively impacts the MBE and/or VSBE participation; and,
 - e. An Architecture & Engineering work order for \$50,000 or more. *Note: Master contracts for construction do not contain pre-established MBE or VSBE participation goals; these are determined at the work order level.*



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2. DGS OSP delegates contract modifications (for time and money only) and renewal options that will have no impact on the established MBE and/or VSBE participation goals to the agencies.
3. The completed PRG request form is submitted to the DGS.OSP-PRG@maryland.gov email address by 2 PM minimally two Fridays prior to the Tuesday PRG meeting (see PRG schedule for exact dates). Along with the PRG request form, the scope of work (minimally 95% complete), estimated dollar value of the contract, anticipated solicitation release date and initial recommended SBR designation and MBE and VSBE participation goals must be included. Emails will include a subject line containing the requesting program and a brief solicitation description.
4. The Reporting Unit researches SBRs, MBEs, and VSBEs considering core services within the scope of work, current contract goals and compliance to make meaningful recommendations for SBR designation and MBE and VSBE participation goals.
5. The Reporting Unit sends the research results and their analysis as it relates to their recommended SBR designation and MBE and VSBE participation goals to the Procurement Officer and Program Manager/Contract Monitor along with the DGS OSP MBE Liaison, Reporting Unit Manager, PPRR Director and OSP Deputy CPO by the Thursday prior to the Tuesday PRG meeting (see PRG schedule for exact dates).
6. At the PRG meeting, the group reviews the research results and analysis provided, the recommended SBR designation, and MBE and VSBE participation goals for the procurement. Relevant discussion may ensue until such time as a final recommendation is made and voted on by the PRG Committee Members.
7. If a **PRG request needs to be expedited** outside of the scheduled PRG meetings, the expedited request must be approved by the Agency Head Designee (OSP Deputy CPO or Reporting Unit Manager). If the expedited request is approved, the PRG is conducted as a "Walk-Through" with the Reporting Unit completing the analysis and recommendations in step 3 above and meeting one on one with the standing Committee Members to review and approve the analysis and recommendations.
8. The agreed upon PRG SBR designation and MBE and VSBE participation goals are memorialized on the appropriate PRG forms by signatures of the standing Committee Members or other ad hoc members as needed or designated. This approved PRG is valid for up to one year, if the procurement is delayed for any reason.
9. The procurement is then identified as either SBR designated or not and with or without MBE and VSBE participation goals and labeled as such on the key information summary sheet in the solicitation.



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10. Any solicitations with MBE and VSBE participation goals should be reviewed at the Pre-Bid or Pre-Proposal Conferences by the MBE Liaison or, if not available, by the Procurement Officer using a designated script. Any questions raised by potential vendors should be sent to the MBE Liaison for answers to ensure understanding and compliance.
11. MBE and VSBE forms submitted with the bids or proposals shall be reviewed by the Procurement Officer and any concerns, questions or anomalies should be brought to the attention of the DGS OSP MBE Liaison as soon as identified.
12. A Compliance Officer Administrator in the Reporting Unit will be assigned to each contract to monitor MBE and VSBE compliance on a monthly basis and work with the program/contract monitor on any issues with prime contractors making a good faith effort to meet the participation goals or subcontractor performance issues.
13. Agency specific PRGs for procurements above the Agency's delegated authority from OSP are to be conducted by the Agency and submitted to the PPRR Reporting Unit for review and approval at the bi-monthly PRG meetings. These PRGs must be approved prior to publishing the solicitation.

See additional OSP Policies and Procedures for: (1) Procurement Officer Pre-Bid/Proposal Conference MBE and VSBE Participation Goals Script; (2) Procurement Officer Review of MBE and VSBE Participation Goal Bid/Proposal Forms; (3) MBE or VSBE Waiver Forms and Good Faith Effort Review and Approval or Denial; (4) MBE 72-Hour Rule and Minor Irregularities Review; and (5) MBE or VSBE Compliance and Performance Reviews.