



Policies and Procedures

SBR, MBE, & VSBE Reporting Delegation

BACKGROUND

For consistency in annual reporting to the Governor's Office of Small, Minority and Women Business Affairs (GOSBA), depending on the type of procurement, agencies will be able to report and have credit for Small Business Reserve (SBR), Minority Business Enterprise (MBE), and Veteran-owned Small Business Enterprise (VSBE) reporting in some procurements conducted and/or delegated by the Department of General Services (DGS) Office of State Procurement (OSP). This will provide the agencies a more accurate account of their procurement activity. The reporting of all Capital Construction procurements and some Statewide Contracts shall remain with DGS OSP.

POLICY & PROCEDURES

Depending on the category of the procurement, DGS OSP or the Using Agency shall be responsible for the following:

- A. On all Capital Construction, Construction Related Services, Architectural Services, Engineering Services, and Capital Maintenance procurements, DGS OSP shall:
 1. Establish appropriate SBR designation and/or MBE/VSBE participation goals for the solicitation. (*Goals will be consistent with the contractual requirements.*)
 2. Report all contract awards and SBR designations and/or MBE/VSBE participation goals.
 3. Report all expenditures.
 4. Monitor goal achievement and resolve all issues relating to goal compliance.
 5. Review, document, and determine the appropriateness of any waiver requests.
 6. Report waivers on DGS OSP's Annual Waiver Report to the Board of Public Works.

- B. On Statewide Contracts with Single Awards (including by Functional Areas) or Multiple Awards with Round-Robin or Right-of-First-Refusal Work Orders,
 1. DGS OSP shall:
 - a. Establish appropriate SBR designation and/or MBE/VSBE participation goals for the solicitation. (*Goals will be consistent with the contractual requirements.*)
 - b. Report all contract awards and SBR designation and/or MBE/VSBE participation goals at time of award.
 - c. Monitor overall goal achievement and resolve all issues relating to goal compliance for the Statewide Contract.
 - d. Review, document, and determine the appropriateness of any waiver request towards MBE/VSBE participation goals at the time of award for the Statewide Contract.

- e. Report waivers on DGS' Annual Waiver Report to the Board of Public Works.

2. Using Agencies shall:

- a. Report all work orders as awards and SBR designation and/or MBE/VSBE participation goals as determined in the Statewide Contract.
- b. Report all work order payments/expenditures and MBE/VSBE compliance.
- c. Submit report of all work order payments/expenditures and MBE/VSBE compliance to DGS OSP PRG as required for Statewide Contract renewal options, modifications, or contract close out.

C. On Statewide Master Contracts with Secondary Competition Task Orders,

1. DGS OSP shall:

- a. Establish appropriate SBR designation and/or MBE/VSBE participation goals for the solicitation for the Master Contract. *(Goals will be consistent with the contractual requirements.)*
- b. Report all Master Contract awards and SBR designation and/or MBE/VSBE participation goals at time of award.
- c. Monitor overall goal achievement and resolve all issues relating to goal compliance for the Statewide Master Contract.
- d. Review, document, and determine the appropriateness of any waiver request towards MBE/VSBE participation goals at the time of award for the Statewide Master Contract.
- e. Report waivers on DGS' Annual Waiver Report to the Board of Public Works.

2. Using Agencies shall:

- a. Establish appropriate SBR designation and/or MBE/VSBE participation goals and report on the task order placed against the Statewide Master Contract and corresponding expenditures. *(Goals must be consistent with the task order contractual requirements, supported by a determination, and are subject to DGS OSP PRG review and approval.)*
- b. Report all resulting task order awards and SBR designation and/or MBE/VSBE participation.
- c. Report all task order payments/expenditures and MBE/VSBE compliance.
- d. Review, document, and determine the appropriateness of any waiver request towards MBE/VSBE participation goals at the time of award for the task order with DGS OSP PRG assistance.
- e. Report waivers on DGS' Annual Waiver Report to the Board of Public Works.
- f. Submit report of all task order payments/expenditures and MBE/VSBE compliance to DGS OSP PRG at the end of the task order agreement as part of the task order close out and as required for Statewide Master Contract renewal options, modifications, or contract close out.

- D. On all Agency specific procurements that are processed by the agency or DGS OSP under its authority, Using Agencies shall:
1. Recommend appropriate SBR designation and/or MBE/VSBE participation goals for the solicitation. *(Goals must be consistent with the contractual requirements, supported by a determination, and are subject to DGS OSP PRG review and approval.)*
 2. Report all resulting awards and SBR designation and/or MBE/VSBE participation.
 3. Report all purchases and MBE/VSBE compliance.
 4. Monitor goal achievement and resolve all issues relating to goal compliance.
 5. Review, document, and determine the appropriateness of any waiver request towards MBE/VSBE participation goals at the time of award with DGS OSP PRG assistance.
 6. Report waivers on its Annual Waiver Report to the Board of Public Works.

Version Number	Published Date	Reason for Change
1	August 8, 2023	This policy replaces the previous “MBE Reporting Delegation” policy for updates to delegation and clarification of reporting requirements to include SBR, MBE, and VSBE.