



# Policies and Procedures

## PRG Policy

### **Background**

A Procurement Review Group (PRG) is a standing group charged with reviewing all procurements, renewal actions, or work/task orders that require goal setting in order to maximize opportunities for Minority Business Enterprise (MBE), Veteran-owned Small Business Enterprise (VSBE) participation, and Small Business Reserve (SBR) designation for State procurement contracts.

For the Department of General Services, the PRG resides within the Office of State Procurement (OSP) and is led by the Chief Procurement Officer or Designee and the DGS OSP MBE/VSBE/SBR Liaison or Designee. DGS PRG meetings are held bi-weekly, or as needed, and are published on the DGS OSP PRG webpage.

### **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 OSP has established the process below for setting SBR designations and MBE/VSBE participation goals. The purpose of this process is to ensure collaborative goal-setting, thorough research, and regular review to achieve SBR designation and MBE/VSBE participation objectives.

The DGS OSP MBE/VSBE/SBR Liaison is responsible for setting the SBR designations and MBE/VSBE participation goals. Agency Procurement Officers identify subcontractable work and conduct research on contracts for their Agency, including SBR designations, and MBE/VSBE suggested participation goals. DGS Procurement Officers identify subcontractable work and conduct research on DGS-specific and statewide contracts, including SBR designations, and MBE/VSBE suggested participation goals. The Procurement Officer provides scopes of work and subcontracting percentages for MBE and VSBE participation goals, which are verified and validated by the DGS OSP MBE/VSBE/SBR Liaison. Finally, all SBR designations and MBE/VSBE suggestions are reviewed during bi-weekly meetings to determine the final MBE/VSBE/SBR designation/goals for each procurement.

### **Committee Members**

Each Agency is responsible for establishing its own PRG Committee (the Committee). The exact Committee membership will vary based on the procurement. The standing Committee members shall include the agency's chief procurement official, or a senior-level procurement official designated to act in place of the chief procurement official, the agency's liaison for each socioeconomic program (MBE/VSBE/SBR), or Designee. The ad hoc members are the procurement officer or his/her direct supervisor, the agency program representative, and, if

necessary, a legal unit representative. The Committee members will reach an agreement on the participation goals or designation.

### **Initial Procedural Steps**

1. The procurement officer, with input from the program/project manager or contract monitor/manager, prepares the initial SBR designation on the SBR designation part of the PRG worksheet for the following procurement actions between \$50,000 and \$100,000:
  - a. All procurements leading to a contract, including a task order, a work order, or a purchase order solicitation; and
  - b. All proposals to award sole-source contracts.

The procurement officer, with input from program/project manager or contract monitor/manager, prepares the various parts of the PRG worksheet (initial SBR designation, MBE and VSBE suggested participation goals) for a PRG for the following procurement actions that are expected to exceed \$100,000:

- a. All procurements leading to a contract, including a task order, a work order, or a purchase order solicitation; and
- b. All proposals to award sole-source contracts.

- 2A. **Standard PRG Request Process:** The completed PRG worksheets\* are to be submitted to [DGS.OSP-PRG@maryland.gov](mailto:DGS.OSP-PRG@maryland.gov) when the scope of work is 95% complete no later than by 2:00 PM two Fridays prior to the Tuesday PRG meeting (see PRG schedule for exact dates).

Emails shall include the project number and the name of the project in the subject line.

The body of the email should include the following information:

- a. The procurement method, i.e., SP, CSB, CSP, TORFP, PORFP, SS, ICPA;
- b. The requesting agency/program;
- c. A brief solicitation/project description; and
- d. Along with the PRG request form, the email shall contain:
  - i. The scope of work (minimally 95% complete);
  - ii. The estimated dollar value of the contract;
  - iii. The anticipated solicitation release date;
  - iv. The initial SBR designation;
  - v. The initial MBE/VSBE suggested participation goals; and
  - vi. A list of all MBE, VSBE, SBR searches and market research.
- vii. The email should also include the following if applicable:
  1. A MBE Subgoal Worksheet for projects estimated over \$200,000;
  2. A Sole Source Justification, and
  3. A Request for Information (RFI).

*\*Note: The PRG worksheets should be completed up to the research page for each program and initial research results should be provided in the email. The DGS MBE/VSBE/SBR Liaison will conduct additional research to verify and validate the initial SBR designations and initial MBE and VSBE suggested participation goals. These PRG worksheets must be approved by Committee Members prior to publishing the solicitation.*

**\*After Step 2A, go to Step 3 in this document.**

**2B. Expedited PRG Request:** If an expedited PRG request is required, submit the items listed in step 2A, and add “**Expedited**” in the email subject line.

- a. An Expedited PRG Request will be reviewed by DGS OSP within 48 hours of submission. DGS OSP may pose questions to the agency during this period.
- b. The justification for the Expedited PRG Request should be clearly laid out in the email body and include agency or unit head sign-off. **If justification for the Expedited PRG Request is not provided, the request will go through the Standard PRG Request Process.**
- c. Justifications for Expedited PRG Requests include:
  - i. Risk of losing agency funding;
  - ii. Threats to cybersecurity or other security threats that could be created if the request is not expedited; or
  - iii. Other compelling circumstances that require immediate attention.
- d. Once the Expedited PRG Request is approved, it will be added to the next applicable PRG agenda for documentation.

**\*After Step 2B, go to Step 6 in this document.**

### **Standard PRG Review**

3. Once the completed PRG worksheets are submitted to [DGS.OSP-PRG@maryland.gov](mailto:DGS.OSP-PRG@maryland.gov), DGS OSP PRG will verify and validate the content of the PRG worksheets within 72 hours.

#### **For Agency Procurements:**

- a. If DGS OSP PRG agrees with the Agency’s initial SBR designation and MBE and VSBE suggested participation goals, DGS OSP PRG will send approvals to the Agency as the items are reviewed.
- b. If DGS OSP PRG disagrees with the Agency’s initial SBR designation and MBE and VSBE suggested participation goals, DGS OSP PRG will provide alternate recommendations, and if the Agency agrees with the alternate recommendations, DGS OSP PRG will send approvals to the Agency as the items are reviewed.
- c. If the DGS OSP PRG and the Agency are unable to come to an agreement, the item will appear on the next applicable PRG agenda for discussion.

**For DGS procurements:** DGS OSP PRG either accepts the initial SBR designations and initial MBE/VSBE suggested participation goals from the procurement officers, or makes alternate recommendations, based upon the additional DGS OSP PRG research to verify and validate the PRG worksheets.

4. The DGS OSP PRG sends the PRG agenda and their recommended SBR designation and MBE/VSBE participation goals to the PRG standing committee and ad-hoc members by the Thursday prior to the Tuesday PRG meeting (see PRG schedule for exact dates).
5. At each PRG meeting, the recommended SBR designations, and MBE/VSBE participation goals for the procurement are reviewed. Relevant discussion may ensue in order to assist in making a final determination.

### **Solicitation Preparation**

6. The agreed upon PRG SBR designation and MBE/VSBE participation goals are memorialized on the appropriate DGS OSP PRG forms. If the solicitation is delayed for any reason prior to being advertised, the approved PRG recommendation is valid for up to one year.
7. For any competitive procurement solicitation or task order that is expected to result in an award valued over \$25 million, the procurement officer must submit the solicitation or TORFP and the DGS OSP approved PRG documentation to GOSBA for review and final approval prior to solicitation publication, per a 2014 Directive and reconfirmed in an Executive Memorandum dated April 10, 2019.
8. DGS OSP PRG makes the final determination on whether the procurement is identified as either SBR designated or not, and with or without MBE/VSBE participation goals and labeled as such in the relevant areas of the solicitation.

### **Final Procedural Steps**

9. Any solicitations with MBE/VSBE participation goals should be reviewed at the Pre-Bid or Pre-Proposal Conferences by the MBE/VSBE Liaison(s) and/or Designee(s). If the MBE/VSBE Liaison(s) are not available, the goals should be reviewed by the Procurement Officer using a designated script. Any questions raised by potential vendors should be sent to the MBE/VSBE Liaison(s) for answers to ensure understanding and compliance, and then shared with all known potential bidders or offerors on eMMA.
10. The Procurement Officer shall enter the participation goals and subcontractor information into the applicable system of record (ADPICS/eMMA) for the purpose of tracking compliance and reporting.

## **Acronyms**

DGS – Department of General Services

GOSBA – Governor’s Office of Small, Minority and Women Business Affairs

MBE – Minority Business Enterprise

OSP – Office of State Procurement

PRG – Procurement Review Group

SBR – Small Business Reserve

VSBE – Veteran-Owned Small Business Enterprise

## **Related BPW Advisories, Policies, Procedures and Best Practices**

- BPW Advisory 2001-1
- PROCUREMENT REVIEW GROUP: Guidance, Worksheets, and Schedule:  
<https://procurement.maryland.gov/procurement-review-group-prg/>
- MBE or VSBE Waiver Forms and Good Faith Effort Review and Approval or Denial
- MBE 72-Hour Rule and Minor Irregularities Review

Version Number	Published Date	Reason for Change
v7	11/14/2024	additional clarifications