



Broward  
Community  
College

## Procedure Manual

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| <b>Title:</b> Minority/Women Business Enterprise Program | <b>Number:</b><br>A6Hx2-7.16 |
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Broward Community College is committed to increasing its business activities with Minority and Women Business Enterprise (M/WBE) firms and organizations. The Minority/Women Business Enterprise program is a College-wide initiative and requires the cooperation and support of all departments. The Purchasing Department commits to work closely with all College departments to match their procurement requirements with a M/WBE vendor, when possible. Upon request, departments will receive a list of M/WBE vendors.

- The Purchasing Department finalizes vendor selections and/or changes, and may replace a non M/WBE vendor with a M/WBE vendor on department requisitions where the same product or service can be obtained at a comparable price, maintaining high quality products, service and performance.
- The Purchasing Department shall assure that contracting and purchasing procedures are being followed and personnel are acting in accordance with policies, rules and regulations.
- The Purchasing Department will award purchase orders and contracts only to those vendors who are responsive to requests for quotations, bid requests or requests for proposals and are competent to adequately meet the requirements of Broward Community College.

In order to do business with Broward Community College, all vendors must complete the vendor registration process. The vendor application and any supporting documentation must be submitted to the Purchasing Department for processing.

### Definitions

1. A Minority Business Enterprise (MBE) is any small business which is at least Fifty-one (51%) owned by, or in the case of a publicly owned business, at least fifty-one (51%) of the stock of which is owned by citizens or permanent resident aliens of the United States who are:
  - A. African American Persons having origins in any of the Black racial groups of Africa, not of Hispanic origin.
  - B. Hispanic American – Persons of Spanish or Portuguese culture including but not limited to persons with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean Islands, regardless of race.
  - C. Asian American – Persons having origins in the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands (including the Hawaiian Islands).

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| <b>Recommending Officer's Signature</b> | <b>Date</b> | <b>President's Signature</b> | <b>Date</b> |
|   | 6/10/03     |                              | 6/10/03     |



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- D. Native American (including Native Alaskan) – Persons having origins in any of the original peoples of North America.
  
- 2. Woman Business Enterprise (WBE) is any small business which is at least Fifty-one percent (51%) owned by, or in the case of a publicly owned business at least fifty-one percent (51%) of the stock of which is owned by citizens or permanent resident aliens of the United States who are non-minority women.
  
- MBE or WBE ownership interest must be real, substantial and continuing. The management and daily operations of the business must be controlled by such persons, including but not limited to, all business decisions regarding the entity.
  
- 3. M/WBE Applicant – A business entity that requests recognition by Broward Community College as a Minority or Woman Business Enterprise.
  
- 4. M/WBE Certification – The process and necessary documentation required to determine that a vendor is a Minority or Woman Business Enterprise as defined above.
  
- 5. Equity Goals – A percentage, based on the availability of M/WBE companies that reflect Broward Community College’s participation goal for M/WBE’s in the procurement of materials, supplies, equipment, services, construction and professional services by contract or bid.

### Program Structure

The M/WBE Program is assigned to the Director of Purchasing and Material Services for Broward Community College. He/she will ensure minority and women business activities are maximized under the M/WBE Program.

The Minority Purchasing Coordinator reports directly to the Director of Purchasing and Material Services.

- 1. The Minority Purchasing Coordinator is assigned to the M/WBE Program and is responsible for the development, coordination, and monitoring of the M/WBE Program, including, but not limited to the following:
  - a. Recruit M/WBE vendors through established and new networks.
  - b. Provide technical assistance for M/WBE firms;



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- c. Provide information on available business opportunities so that M/WBE firms are provided an equitable opportunity to compete for contracts awarded by the College;
- d. Explain the M/WBE participation requirements to vendors;
- e. Identify potential respondents from the database of M/WBE vendors, and encourage participation in the bid/RFP process;
- f. Provide M/WBE vendor information to individuals and departments at Broward Community College involved in purchasing materials and services, along with information on the College's M/WBE initiatives and goals; and
- g. Prepare performance reports for the Division of Community Colleges, Broward Community College District Administration and the District Board of Trustees.
- h. Monitor M/WBE participation in construction, architectural and engineering contracts, procurement card and general purchases including those guided by the quotation and bid process.

## 2. Practices and Procedures

### a. Technical Assistance

Broward Community College provides to all certified M/WBE firms a variety of technical assistance that could enhance their opportunities for contracting and purchasing with the College. The College considers technical assistance as an assistance given to a certified M/WBE vendor that enhances the vendor's ability to do business with Broward Community College.

- General assistance in making contact with key individuals at Broward Community College to pursue business;
- Assistance with networking opportunities for contacts and purchasing;
- Assistance in preparation of Broward Community College procurement-related documents and/or applications, which are vital to procurement participation; and
- Identification of community resources to assist with business development and management.

### b. Outreach Activities

Broward Community College considers outreach to mean the presence and participation of the Minority Purchasing Coordinator in public forums, community-based organizations, organizations that advocate equal access practices in contracting and procurement activities, and in the traditional trade fairs conducted in the South Florida community.



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Through those entities the College shall invite and encourage M/WBE vendors to register with Broward Community College and become certified through the established certification process.

The College will participate in trade fairs in the South Florida area. Personnel from various departments (i.e., Facilities Management, Purchasing) of the College will also be present.

Additionally, the College will advertise bids and RFPs in newspapers, trade magazines and/or journals of organizations with an expectant M/WBE readership.

### **Contracting and Purchasing Procedures:**

When feasible, bids and RFPs will be structured to include one or more of the established methods of encouraging M/WBE participation in the procurement process. Various methods to encourage minority participation are supported in Chapters 287.057, 287.093 and 287.094 of the Florida Statutes.

Broward Community College may elect to implement any of the following methods for encouraging M/WBE participation to support its equity goal:

- *Reduction of large contracts* – Bids and RFP's may be evaluated prior to release by Facilities Management and/or Purchasing to determine the feasibility of reducing them to smaller bids/RFP's. This will allow growing M/WBE firms the opportunity to obtain contracts of manageable size.
- *Disallow double bonding requirement* – On projects in which the prime contractor's payment and performance bond covers the work of the subcontractors, Broward Community College will not require separate bonding from the subcontractors, and will prohibit prime contractors from requiring separate bonds from subcontractors. Broward Community College may require bonding by the subcontractor if the proposed project is deemed to have exceptional risk.
- *Prompt payment to vendor* – At the request of the vendor, Broward Community College will pay within 15 calendar days of receiving the approved invoice. Additionally, prime contractors are required to pay M/WBE subcontractors within 15 days from the certified date the prime contractor is paid.
- *Payment and performance bond waiver* – According to Florida Statute 255.05(1)(a), a political subdivision at its own discretion, may exempt any person entering into a



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contract which is for \$200,000 or less for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or a public work.

- *RFP scoring criteria* – RFP Scoring matrix includes a maximum of 10 points for respondents who are a Minority/Women Business Enterprise.
- *System sourcing* – System sourcing is a supplier diversity initiative to increase the volume of purchases by non-minority suppliers from M/WBE vendors. Broward Community College will encourage our non-minority suppliers to purchase materials, goods and supplies from certified M/WBE companies listed in our directory. The dollars expended by the non-minority supplier in this effort will be reported to Broward Community College in consideration of the College’s equity goals.
- Any other options as recommended by District Administration.

### 1. Procurement Process

A. General Purchases (Materials, Equipment and Services) are made:

- In accordance with Broward Community College Procedure A6Hx2-7.02 “Bidding, Authority to Purchase, and Contracts Awarded Pursuant to Bids.”
- All Broward Community College procurement cardholders are encouraged to purchase from M/WBE vendors whenever possible, especially if the item can be purchased locally.
- For those purchases not included in the bid/RFP contract process, utilization of M/WBE vendors is required as follows.
  - (1) Purchases up to \$5,000.00 shall be from M/WBE firms when available, and pricing is comparable.
  - (2) Purchases from \$5,001.00 to \$10,000.00 require two quotations – At least one quotation shall be solicited from a M/WBE firm, when available.
  - (3) Purchases from \$10,001.00 to \$24,999.99 require an informal bid of three or more quotations in writing. One or more of the quotations shall be solicited from M/WBE firms, when available.

B. Procurement requiring the bid/RFP contract process (excluding artistic, legal and auditing services per FS 287.057 (5)(f)):

- (1) The Minority Purchasing Coordinator reviews all Bid/RFP requirements. M/WBE firms will be included in the Bid/RFP process, when available.



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- (2) Whenever equally responsive Bids/RFPs have been submitted, the award shall be made according to the following:
  - 1) Broward County M/WBE Firms/Vendors;
  - 2) Broward County vendor;
  - 3) Dade or Palm Beach County M/WBE Firms/Vendors;
  - 4) Dade or Palm Beach County vendor;
  - 5) Any M/WBE vendor located in Florida outside the tri-county area;
  - 6) Florida vendors;
  - 7) Any M/WBE vendor located outside the State of Florida; or
  - 8) Vendors located outside the State of Florida.
- (3) Formal Bid Process:

The Purchasing Department will request formal sealed bids from at least three sources in accordance with Broward Community College Administrative Procedure A6Hx2-7.02.

  - This process will include advertisements listing the date, time and place for the filing and opening of the bid. Solicitation notices will be mailed to available M/WBE firms.
- (4) Request for Proposal Process
  - When it is determined that the Formal Bid process will not allow the College to procure the appropriate material(s) or service(s) required, the College shall issue a Request for Proposal (RFP) as stated in - Broward Community College Administrative Procedure A6Hx2-7.02.
  - Certified M/WBE firms responding to the RFP will receive a maximum of 10 points in the determination of total points awarded to the applicant firm.

### C. Professional Services (including Architects, Engineers and Construction Managers)

When professional services are required, the RFP/RFQ process is utilized as set forth in Broward Community College Administrative Procedure number A6Hx2-7.09 "Acquisition of Professional Services Covered by the Consultants Competitive Negotiation Act."



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Professional services requirements are reviewed by the Minority Purchasing Coordinator for participation of M/WBE firms. Those M/WBE firms will be included in the procurement process for all professional services.

- 1) The College will advertise the project as required by State Requirements for Educational Facilities (SREF) and the associated procurement procedures. This same public announcement will be mailed to the M/WBE firms identified.
- 2) M/WBE participation initiatives specific to the selection process for professional services:
  - a. Architect/Engineering Selection
    - Initial screening criteria include a maximum of 10 points if the applicant firm is a certified Minority/Woman Business Enterprise.
  - b. Construction Management Selection
    - Initial screening criteria include 10 points if the applicant firm is a certified Minority/Woman Business Enterprise.
    - In the interview process, a maximum of 10 points will be given if the firm has a Minority Utilization Plan. The firm must demonstrate its approach in obtaining participation of certified M/WBE firms on the project.

### M/WBE Certification

M/WBE applicants wishing to be considered as a certified M/WBE for Broward Community College may request an application for certification from the Minority Purchasing Coordinator. The completed application and required documentation shall be submitted to one of the certifying agencies of the Tri-County Interlocal Certification Consortium (TICC) for certification determination. A copy of the certification must be submitted to the College Purchasing Department. Broward Community College recognizes the TICC as its certifying entity. The College will also accept certifications from the State of Florida, and the Florida Regional Minority Business Council. Review and evaluation of specific M/WBE certification criteria such as ownership characteristics, managerial and operational control will be the responsibility of the certifying agency.



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### M/WBE Vendor Database

The College's M/WBE vendor database shall be a comprehensive compilation of certified M/WBE firms. The database is available on the College website and is accessible college-wide.

The following M/WBE vendor information will be available in the database:

- a. Company Name
- b. Mailing Address
- c. Telephone Number
- d. Fax Number
- e. Contact Person(s)
- f. Ethnic/Gender Code
- g. Commodity/Service Description

The Minority Purchasing Coordinator will update the database annually/semi-annually. Updates will include currently certified M/WBE firms and deletions of ineligible firms.

### MWBE Program Reports

The Minority Purchasing Coordinator will produce an annual report summarizing the statistical and strategic achievements of the M/WBE Program compared to the College's equity goals. The annual report will be submitted to Broward Community College District Administration and the District Board of Trustees.

The MWBE annual report includes collective data provided to the Minority Purchasing Coordinator. This data is the basis for enhancing accessibility of M/WBE firms to procurement opportunities with the College. The data is also the basis for establishing goals and objectives for the College's M/WBE program.

Facilities Management will submit the Minority/Women Business Enterprise Participation Report for each construction, renovation and repair projects. Reports will be submitted quarterly and will indicate the amount paid to certified M/WBE subcontract firms (and other pertinent information) within the fiscal year period. At the end of each fiscal year, Facilities Management will report the total percentage of contracts awarded to M/WBE firms in the areas of construction, architecture and engineering. At the completion of each project, Facilities Management will report



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whether the prime contractor has met the M/WBE participation goals set forth in his/her contract.

The Purchasing Department, through the Bid/Contract Coordinator, will provide quarterly reports of purchase contracts reflecting the number of bid and RFP notices sent to M/WBE firms; the number of bid and RFP notices received from M/WBE firms; amount of the bid/RFP award; name of the firm awarded the contract; and the ethnic/gender M/WBE type. At the end of each fiscal year, Purchasing will report the total percentage of purchase contracts awarded to MWBE firms.

[Link to Policy A6Hx2-7.16](#)