

Procedure Manual



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I. Supplier Diversity Small Business (SDSB) Program Overall Participation. Broward College has established goals to assist the College in increasing overall SDSB Program participation. The commodity/service classifications that are associated with the goals (i.e. Construction, Professional Services, etc.) are standard classifications developed by the National Institute of Governmental Purchasing (NIGP) to bring efficiency to automated purchasing. The established goals are:

- Construction—34 percent
- Professional Services—7 percent
- Nonprofessional Services—17 percent
- Goods & Supplies—10 percent

The College may evaluate the established goals annually or more frequently. The College will review individual projects to determine whether the established goals are achievable for said project based on the availability of SDSBs which perform commercially useful functions within the industry. Attainment of the goals established in this policy shall in no way be construed as authority to supersede, override, or in any other way not comply with College procurement and contracting or sound business practices.

In order to achieve the established overall SDSB Program participation levels, the College will seek to implement the following:

- SDSB Program Goals** – SDSB Program goals, as determined by the College, will be applied to Construction, and other Professional Services, Non-Professional Services and Goods and Supplies.
- SDSB Program Set-Asides** – The College may establish SDSB Program set-asides in those areas where the Procurement Services department has determined that there are three or more Approved Small Diverse Business (s) (SDB) available to provide goods and services and where most recent annually calculated utilization data shows underutilization of SDBs in an industry category.
- SDSB Program Three Quote Purchases from \$10,000 up to Category Two** – SDSB Program Three Quote Purchase starting at \$10,000.01 up to Category Two (currently \$35,000) as defined in section 287.017(2), Florida Statutes. The requesting department shall obtain three (3) quotes providing the best value for the required commodity or service. However, a statement of work (SOW) must be provided if services are requested. At least three (3) available vendors should be contacted, of which at least two (2) should be SDB vendors listed on the College’s vendor database, if practicable. The award shall go to the lowest priced responsive/responsible vendor who meets the requirements.
- Price Preferences** – The College may establish price preferences on ITBs and RTQs where most recent annually calculated College utilization data shows underutilization of SDBs in an industry category. For the purposes of tracking utilization of SDBs, a copy of the Notice to Proceed must

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be sent to the office of Supplier Relations & Diversity. A price preference of ten percent (10%) of the lowest bid will be utilized for evaluation purposes only.

1. How to Break Tie Bids – When identical prices are received from two or more vendors in response to an Invitation to Bid (ITB) or Request to Quote (RTQ) and all other factors are equal, priority for award shall be given to vendors in the following sequence:
 - a. A business that certifies that it has implemented a drug-free work place program shall be given preference in accordance with the provisions of section 287.087, Florida Statutes;
 - b. A Broward County Certified County Business Enterprise (CBE), Small Business Enterprise (SBE) Vendor, or Disadvantaged Business Enterprise (DBE) Vendor;
 - c. A Palm Beach or Miami-Dade County CBE, SBE, DBE Vendor, or Miami-Dade County Community Small Business Enterprise (CSBE);
 - d. A State of Florida Certified Business Enterprise Vendor;
 - e. A Broward County Vendor, other than a CBE, SBE or DBE Vendor;
 - f. A Palm Beach or Dade County Vendor, other than a CBE, SBE, DBE, CSBE Vendor;
 - g. The Florida Vendor, other than a Certified Business Enterprise Vendor;
 - h. The vendor having received the least amount of direct College work (in dollars paid pursuant to College issued Purchase Orders) over the immediately preceding five-year period;
 - i. If application of the above criteria does not indicate a priority for award, the award will be decided by a coin toss. The coin toss shall be held publicly at the location where the bids were opened; the tied low bid vendors will be invited to be present as witnesses.

E. **Evaluation Criteria** – The College may establish evaluation criteria points equal to 10% of the total evaluation points (See Table A). SDSB Program approved prime contractors and contractors utilizing SDSB Program approved firms will receive points in the solicitation evaluation/selection process (See Table B).

Preference Point System – Table A (see below) represents the number of potential points that could be awarded based on the percentage of evaluation points for each solicitation.

Table A: Example of the Calculation of SDSB Program Criteria Points

Total Evaluation Points	SDSB program Criteria Points (10%)
100	10
120	12
150	15

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SDSB Program Point Percentages - Table B (see below) represents the number of points awarded for each proposed contract based on the percentage of work assigned to Approved SDB subcontractors by prime contractors. SDSB Program Participation percentages reflect the amount of the total contract value assigned to Approved SDSB subcontractors.

Table B: Percentage of SDSB Program Participation Criteria Points based on Proposer’s documentation.

SDSB Program Participation Percentage	% of SDSB Program Criteria Points	SDSB Program Score Points
Approved SDSB Prime Contractor	100%	10
Approved SDSB Sub-contractor	41 - 49%	8
	31-40%	6
	21 - 30%	4
	11 - 20%	2
	10% - 5%	1
Less than 5%	0%	0

II. Supplier Diversity Small Business (SDSB) Program Participation Approval Requirements. This section establishes the requirements for firms desiring to participate in the College’s Supplier Diversity Small Business (SDSB) Program. The College’s eligibility determination process relies on information provided by applicants. The Office of Supplier Relations and Diversity will periodically audit required documentation of select Approved Small Diverse Business (SDB) firms. Any Approved SDB refusing to provide supporting documentation required for an audit will immediately default to non-SDB Approved status. Any vendor that is found to have submitted false information may be debarred in accordance with Policy 6Hx2-6.35, Vendor Rights and Responsibilities.

- A. **Eligibility Requirements.** Applicants for the College’s Supplier Diversity Small Business program must register to do business with Broward College and complete the SDSB’s Program Application which requires proof of Certification as a Small, Minority, Woman, Veteran or Disadvantaged Business Enterprise (SBE, MBE, WBE, VBE, DBE, CBE, CSBE). The College recognizes certifications from several sources including: The State of Florida, School Board of Broward County, the Florida State Minority Supplier Development Council, Women Business Enterprise National Council, Broward County Government, Miami-Dade County Government and Palm Beach County Government. Certifying sources may change; therefore, the College may amend the list of certifying sources to reflect those changes. Additionally, the College may impose size standard criteria as recommended by the Miller3 Consulting, Inc. study.

- B. **Geographic Requirements.** A business enterprise must have a real and substantial business presence (at least one year, and one or more employees) in the Tri-County Region (“Region”), which consists of Broward County, Palm Beach County and Miami-Dade County.

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C. Maximum Revenue Thresholds:

Classification	Annual Gross Sales Average Over 3 Years
Construction	\$10 million
Professional Services	\$5 million
Nonprofessional Services	\$5 million
Goods & Services	\$5 million

III. Removal of Supplier Diversity Small Business (SDSB) Program Approval. If during the period of SDSB Program Approval, the College receives information that the firm no longer qualifies to be approved as an SDB, as prescribed herein, the Director of the Office of Supplier Relations and Diversity shall conduct an investigation and, based on the results of that investigation, recommend that the firm’s SDB Approval be removed. Removal of SDB Approval must be approved by the President, or his designee.

IV. Appeal of Supplier Diversity Small Business (SDSB) Program Approval Decisions.

- A. Applicants denied SDSB Program Participation approval shall be notified, in writing, setting forth the reasons for the College’s determination and informing applicants of their right to appeal the College’s decision.
- B. Any firm that believes it has been wrongly denied SDSB Approval may file an appeal, in writing, to the Director of the Office of Supplier Relations and Diversity within fifteen calendar days of receipt of the notice.
- C. The College may extend time for filing an appeal or waive the time limit in the interest of justice, specifying, in writing, the reason(s) for doing so.
- D. The Director of the Office of Supplier Relations and Diversity shall forward all written appeals to the Associate Vice President for Business Services and Resource Management. The Associate Vice President for Business Services and Resource Management shall establish a review committee to hear all appeals and forward recommendations regarding the appeal to the College President, or his/her designee.
- E. Decisions by the President, or designee, shall be final.
- F. The Director of the Office of Supplier Relations and Diversity will provide written notice to the affected party as to the outcome of the hearing within fifteen business days of the date of final determination.

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V. Additional SDSB Program Success Elements.

- A. **Matchmaking.** Matchmaking is facilitating a process for potential opportunities as stated below between Broward College, Small Diverse Businesses (SDBs), and prime contractors, which encourage the three groups to work closely together on College contracting opportunities. A match occurs when: an SDB receives a contract with the College directly; or an SDB enters into a joint venture with a larger firm and bids; or an SDB subcontractor is included on a prime contract and the prime is awarded a contract.
1. Internal Matchmaking--focuses on matchmaking between the College's procurement staff and potential SDB vendors. These efforts include:
 - i. Utilizing set-asides for purchases less than (65,000) the amount allowed under Category 3, Florida Statute 287.017, to create and grow relationships between procurement staff and SDBs;
 - ii. Conducting College matchmaking sessions between procurement agents and potential vendors, including SDBs. These sessions should be held prior to the release of any competitive sealed bid or request for proposal;
 - iii. Engaging in College networking and marketing sessions; and,
 - iv. Attending trade shows conducted by organizations such as the Small Business Administration or Minority Business Development Agency.
 2. External matchmaking--focuses on matchmaking between College potential prime contractors and potential SDB vendors. These efforts include:
 - i. Identifying opportunities at pre-bid conferences;
 - ii. Engaging in on-site networking and matchmaking sessions between construction managers, College facilities personnel, and potential SDBs; and,
 - iii. Encouraging large College vendors to:
 - a. Create a Broward College-specific supplier diversity program;
 - b. Create SDB distributors; and,
 - c. Inform and assist SDBs in becoming registered in large vendor's supplier diversity programs.
- B. **Mobilization Payment.** Procurement may recommend for any particular project the provision of a five to ten percent mobilization payment (as allowed under Florida Statutes 288.706) for SDBs at the commencement of the project. This advance payment would be deducted from subsequent invoices.
- C. **Prompt Payment.** All payments to SDBs shall comply with the prompt payment provisions outlined in Broward College's Contract for Services Terms and Conditions, Article 1 which states a copy of all invoices (including itemization of dates, hours expended and description of deliverable's) shall be sent to the attention of Broward College's Accounts Payable Department. Invoices maybe submitted via email, facsimile or U.S. Mail. The time at which payment will be

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due from the College will be approximately Thirty (30) days from receipt of an undisputed invoice, acceptance of deliverables and upon satisfaction of the College conditions that are detailed herein.

VIOLATION OF PROCEDURE.

All College employees in violation of this procedure may be subject to disciplinary action, up to and including termination. College prime contractors not in compliance with this procedure shall be subject to Policy/Procedure 6Hx2-6.35, Vendor Rights and Responsibilities.

DEFINITIONS.

Bid – A quotation, proposal, sealed bid, or offer to perform or provide labor materials, supplies, or services to Broward College for a price.

Bidder – Any individual, sole proprietorship, partnership, joint venture, or corporation that submits a bid to Broward College.

Supplier Diversity Small Business (SDSB) Program – Broward College’s small business program was established to provide diverse small businesses with an equal and fair opportunity to share in the College’s contract opportunities, including formal and informal procurement levels, and at both Prime and Subcontracting levels as is stipulated in the requirements indicated in Policy Number 6Hx2-6.36 under the general statement section.

A Broward College Small Diverse Business (SDB) – A firm located in the Tri County area (Broward, Palm Beach, or Miami Dade), certified as a CBE, CSBE, MBE, WBE, SBE, VBE or DBE from a Broward College recognized certification source, and which meets the revenue threshold requirements indicated above in Section II C.

Certification Source – Broward College Certification sources include the State of Florida Office of Supplier Diversity, School Board of Broward County Florida State Minority Supplier Development Council, Women Business Enterprise National Council, Broward County Government, Palm Beach County Government and Miami-Dade County Government, or as amended by the College.

Tri-County – Broward, Palm Beach and Miami-Dade Counties.

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