



# Equal Business Opportunity Program





# BACKGROUND OF EQUAL BUSINESS OPPORTUNITY (EBO) PROGRAM

- The Rockdale County Board of Commissioners (BOC) believes there are significant economic and community benefits to be gained within the County by promoting, encouraging, and utilizing Small Business Enterprises (SBE) and Historically Underutilized Businesses (HUB) in Rockdale County.
- The Rockdale Equal Business Opportunity Program, or “EBO Program”, has been created to promote full and equal procurement opportunities for small, minority and women owned businesses, veterans, and persons with physical and mental disabilities.
- Under the EBO program, the County is developing and implementing a strategic and targeted outreach and inclusion program with clear goals seeking to encourage participation of SBE’s and HUB’s in the County’s contracting process, stimulating local business opportunity and fostering a platform for economic development.

# MAJOR EQUAL BUSINESS OPPORTUNITY (EBO) PROGRAM HIGHLIGHTS

## Major EBO Program Categories

EBO Opportunity Utilization Goal

Minimum Project Value Threshold

Administration & Reporting

Certification Process

Outreach Strategy

## Objectives

No less than 15%

Projects in value greater than \$100,000

Finance Department/EBO Division

Established Third-Party Entities

Strategic Outlook and Inclusion Plan



# What is a Small Business Enterprise (SBE)?

A small business enterprise is defined as a privately owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than a corporation or regular-sized business.

- Defined specifically by:
  - 13 CFR 121.103
  - 13 CFR 121.201
  - 13 FR 121.104 through 121.107



# What is a Historically Underutilized Business (HUB)?

A HUB is a firm that is an independent and continuing enterprise for profit:

- ✓ 51% owned by one or more minority persons or socially and economically disadvantaged individuals or
- ✓ In a corporation, 51% of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals and
- ✓ Managed and daily operations of the company are controlled by one or more of the minority persons or socially and economically disadvantaged individuals



# The term “minority person” is a person who is a citizen/lawful permanent resident of the US who is:

## Minority

- Female
- Black
- Native Indian
- Asian American
- Hispanic

## Socially/Economically Disadvantaged

- Veteran of the Armed Forces
- Physically or Mentally Disabled
- Capable of demonstrating some other form of disadvantage, as articulated in 13 CFR §124.104





# CERTIFICATION OPTIONS

## **ROCKDALE COUNTY WILL ACCEPT THE FOLLOWING:**

- I. Certifications from the State of Georgia, City of Atlanta, or any local, state, or federal agency
- II. Certification from a private party accredited to provide business certifications; or
- III. Self-certification sworn in a notarized statement with accompanying documentation subject to the penalty of perjury



# STRATEGIC OUTREACH AND INCLUSION PLAN

**Prior to solicitation of bids of any project totaling \$100k or more, the EBO Officer must establish good faith efforts to assist SBE and HUB to submit bid or proposal**

Participation outreach plans includes, but is not limited to, the following:

- Attend trade fairs and small business organization meetings
  - Host business workshops/trainings
    - Host pre-bid conferences
      - Advertise





# STRATEGIC OUTREACH AND INCLUSION PLAN

## **10 days prior to Bid opening, EBO Officer must do the following:**

Notify SBE and HUB that have requested notices or indicate an interest in the type of work being bid the following:

- A description of the work for which the bid is solicited
- The date, time, and location where bids are to be submitted
- Name of the individual within the public entity who will be available to answer questions about the project
  - Where bid documents may be reviewed
  - Any special requirements that may exist



# SUBCONTRACTING AND REPORTING EFFORTS

## **Good Faith Efforts of the Contracting Community**

EBO Program requires Prime Contractors conduct good faith efforts to include SBEs or HUBs with their bid proposal.

The following are examples of good faith efforts:

- Contacting SBEs and HUBs that reasonably could have been expected to submit a quote - at least 10 days before the bid or proposal date – State nature and scope of work
- Making the construction plans, specifications and requirements available for review by prospective SBEs and HUBs or providing these documents to them in a timely manner
- Breaking down or combining elements of work into economically feasible units to facilitate participation by SBEs and HUBs
- Working with organizations for HUB that provide assistance in recruitment of SBEs and HUBs



# SUBCONTRACTING AND REPORTING EFFORTS

Continued...

- Aiding to acquire required bonding or insurance or providing alternatives to bonding or insurance for subcontractors
- Negotiating in good faith with interested SBEs and HUBs and not rejecting them as unqualified without sound reasons based on their capabilities
- Providing assistance in need of equipment, loan capital, lines of credit, joint pay agreements, supplies, letters of credit
- Negotiating joint venture and partnership arrangements with SBEs and HUBs to increase opportunities
- Providing quick pay agreements and policies to meet cash-flow demands



# CONTRACT COMPLIANCE REQUIREMENTS

EBO documents will be a part of the Procurement package for bids that qualify and should be submitted with bid package:

## **AFFIDAVIT – SCHEDULE OF INTENDED SUBCONTRACTOR UTILIZATION PLAN (UTILIZATION PLAN)**

- Designed to enhance the utilization of a SBE or HUB by a bidder/proposer, contractor, or vendor
- The bidder/proposer **must** outline a plan of action:
- Encourage and achieve diversity and equality in the available procurement and contracting opportunities with bid/proposal



# CONTRACT COMPLIANCE REQUIREMENTS

## Affidavit – Schedule of Intended Subcontractor Utilization

### ROCKDALE COUNTY GOVERNMENT AFFIDAVIT - SCHEDULE OF INTENDED SUBCONTRACTOR UTILIZATION

This form must be completed and submitted with the bid/proposal. All prime bidders/proposers must submit this form which lists all intended subcontractors/suppliers who will be utilized under the scope of work/services.

Prime Bidder/Proposer Company Name \_\_\_\_\_

ITB/RFP Name & Number: \_\_\_\_\_

1. My firm, as Prime Bidder/Proposer on this scope of work/service(s) is NOT , is  a Historically Underutilized Business or Small Business Enterprise.

Indicate below the portion of work, including, percentage of bid/proposal amount that your firm will carry out directly as the Prime Contractor:  
\$ \_\_\_\_\_ Or \_\_\_\_\_ %

2. This information below must be completed and submitted with the bid/proposal if a joint venture (JV) approach is to be undertaken. Please provide JV breakdown information below and attach a copy of the executed Joint Venture Agreement.

JV Partner(s) information:

Business Name		Business Name	
(a.)		(b.)	
% of JV		% of JV	
HUB or SBE Certified (Y or N)		HUB or SBE Certified (Y or N)	
Certified Agency Date Certified		Certified Agency Date Certified	

3. Lists all Sub-Contractor/suppliers participating on the project and provide a description of the work to be executed.

Total Dollar Value of Certified Subcontractors: (\$)

Total Percentage of Certified Subcontractors: (%)



# CONTRACT COMPLIANCE REQUIREMENTS

## Affidavit – Schedule of Intended Subcontractor Utilization Continued

### AFFIDAVIT - SCHEDULE OF INTENDED SUBCONTRACTOR UTILIZATION (continued)

**CERTIFICATION:** The undersigned certifies that he/she has read, understands, and agrees to be bound by the Bid/Proposer provisions. The undersigned further certifies that he/she is legally authorized by the Bidder/Proposer to make the statement and representation and that said statements and representations are true and correct to the best of his/her knowledge and belief. The undersigned understands and agrees that if any of the statements and representations are made by the Bidder/Proposer knowing them to be false, or if there is a failure of the intentions, objectives and commitments set forth herein, then in any such event the Contractor's acts or failure to act, as the case may be, shall constitute a material breach of the contract, entitling the County to terminate the Contract for default. The right to so terminate shall be in addition to, and in lieu of, any other rights and remedies the County may have for other defaults under the contract.

By submitting this form, it is understood that every firm listed as a subcontractor has been properly notified and will participate.

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Business or Corporate Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: (     ) \_\_\_\_\_

Fax Number: (     ) \_\_\_\_\_

Email Address: \_\_\_\_\_



# CONTRACT COMPLIANCE REQUIREMENTS

## **DETERMINATION OF GOOD FAITH**

The Prime Contractor must demonstrate:

1. Conduct reasonable, good faith efforts to ensure that certified firms have had a full and fair opportunity to compete and win subcontracts on this project
2. The Prime Contractor is required to include all outreach attempts that would demonstrate a “Good Faith Effort” in the solicitation of sub-consultants/subcontractors
3. Documentation of efforts made by the Prime Contractor with regard to this the project should be documented using the Subcontractor Contact Form

Failure to file a required affidavit or documentation that demonstrates that the Contractor made the required good faith effort is grounds for rejection of the bid.



# CONTRACT COMPLIANCE REQUIREMENTS

## Subcontractor Contact Form

ROCKDALE COUNTY GOVERNMENT Subcontractor Contact Form								
Good Faith Effort - Must also include evidence of all good faith efforts that were implemented, including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of Historically Underutilized Businesses or Small Business Enterprises.								
Subcontractor/Supplier	Business Address	Contact Name	Contact Email Address	Contact Phone	Scope of Work Solicited for Project	HUB or SBE Certification Designation	Result of Contact	Date of Contact

Company Name: \_\_\_\_\_

Project # & Title: \_\_\_\_\_

Printed Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title \_\_\_\_\_

**INTERNAL USE ONLY**

Date information verified \_\_\_\_\_

Any Issues \_\_\_\_\_

Verified by \_\_\_\_\_





# CONTRACT COMPLIANCE REQUIREMENTS

## **AFFIDAVIT – CONTRACTOR ONLY USAGE**

- A contractor that performs all the work under a contract with its own workforce may submit an affidavit.
- **UTILIZATION REPORTING (Post Award)**
- The successful bidder/proposer will be required to report **all** payments to subcontractors, sub-consultants, and suppliers (if applicable) by the 15<sup>th</sup> day of the month to the EBO Administrator.



# ADDITIONAL SBE and HUB OPPORTUNITIES

## Think SBE AND HUB for

**Goods and services that your department needs:**

**Services – Up to \$2,499.99 = One Quote**

**\$2,500 to \$14,999 = Three Written Quotes**

**Encourage using a SBE or a HUB that is located on the SBE/HUB database located on the Website and Rockwire**



# SBE and HUB DATABASE



Rockdale County Government

Equal Business Opportunity Program

Small Business Enterprises (SBEs) Historically Underutilized Businesses (HUBs)

Please complete this information if you want your business to be listed on the Rockdale County Government SBEs and HBEs Database, which is located on the Rockdale County Government website under Equal Business Opportunity.

Business Name

Contact Name

Address

City

State

Zip

Phone Number

Contact Email Address

Type of work performed

Certification Type

Certifying Entity



# SBE and HUB DATABASE

## ROCKDALE COUNTY GOVERNMENT DATABASE

### SMALL BUSINESS ENTERPRISES AND HISTORICALLY UNDERUTILIZED BUSINESSES

Business Name	Contact Name	Phone	Address	City	Zip-Code	State	Contact Email Address	Type of work performed	Certification Type	NAICS Code	Certifying Entity
1											
2											
3											
4											
5											
6											



# EBO PROGRAM

## THINGS TO KEEP IN MIND

- Rockdale County's EBO Program does not require or mandate that the County select an unqualified firm or pay more to receive the same services. The EBO program requires that a fair and open process is used so that historically underutilized business have an equal chance of participating.
- Rockdale County's EBO Program is not a raced-based program.
- **Outreach** and **Inclusion** are the fundamental pillars in the success of the proposed program.
- The size, scope, and complexity of each project must be taken into consideration when developing the specific outreach and inclusion plan for a project.
- Compliance with the Equal Business Opportunity (EBO) program is the responsibility of the incentive applicant. You must ensure that the general contractor adheres to the *Good Faith Efforts* outlined in the Outreach & Inclusion Plan.
- The Board of Commissioners maintains future flexibility to amend or change the target goals and objectives to address future community needs.

# EBO Additional Information

**The following information is located on the Finance website page under  
Equal Business Opportunity:**

**EBO Ordinance**

**EBO Policy**

**Contract Compliance Requirements**

**SBE and HUB Database**

**Upcoming events/trainings**

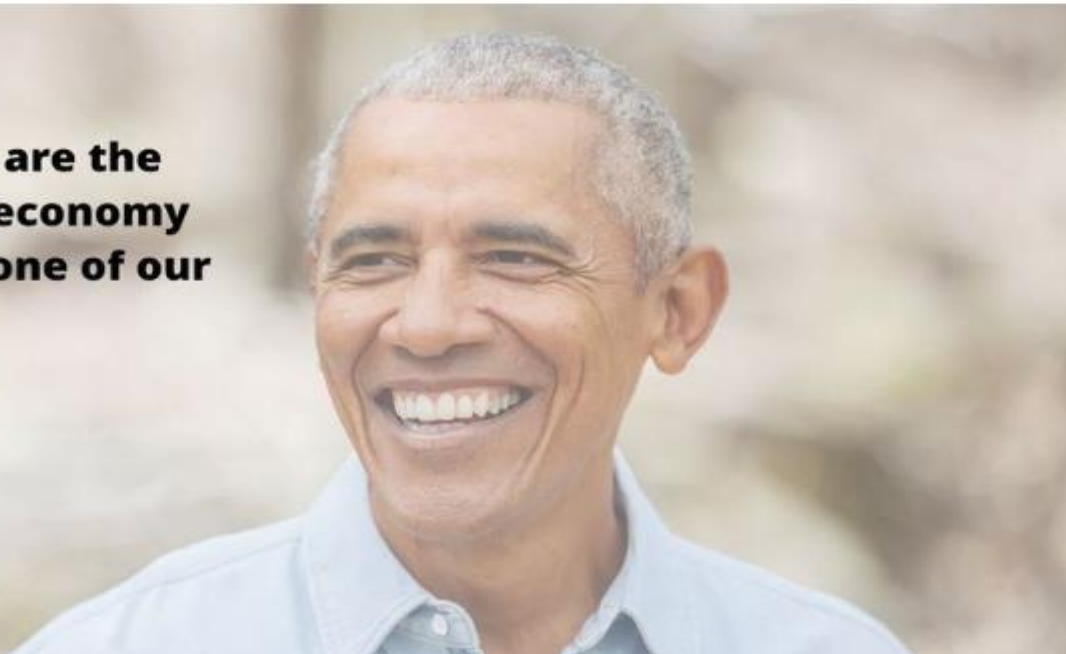
**Did you know.....**

**Access the website by ([www.rockdalecountyga.gov/finance-department](http://www.rockdalecountyga.gov/finance-department))**

# SBEs and HUBs

**Small businesses are the backbone of our economy and the cornerstone of our communities.**

**-Barack Obama**





# QUESTIONS



# CONTACT INFORMATION

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# Thank You

