



Financial Services Audit Committee Communication

Date: May 21, 2021

To: Great Lakes Water Authority Audit Committee

From: Megan Torti, Vendor Outreach Coordinator

Re: Business Inclusion & Diversity Program Update

Background: On November 25, 2020, the GLWA Board of Directors approved an amendment to the Procurement Policy allowing for the formation of a new Business Inclusion & Diversity (B.I.D.) Program within the Financial Services' Procurement Group. The B.I.D. Program Team, which includes internal GLWA Team Members as well as external consultants, executed a Phase I launch of the program on February 1, 2021.

Analysis: As the first B.I.D. Program-qualifying vendor solicitation responses were received by the B.I.D. Program Team in late April and early May 2021, the B.I.D. Program Team undertook the following strategic efforts.

1. Finalized report and recommendations based on research into the Inclusion & Diversity Programs of other national utilities and public sector entities (see attached report).
2. Developed and delivered B.I.D. Program vendor outreach presentation for the Michigan Department of Transportation's "Real Talk Wednesdays" series on May 19, 2021.
3. Reviewed the first B.I.D. Program-qualifying Request for Bid (RFB) responses, including the vendor Diversity Plans. Below are several key highlights from those Diversity Plans.
 - a. Vendors performed targeted outreach to small, minority-owned, and disadvantaged subcontractors, creating communication logs to track responses with new businesses and assembling lists of interested and qualified subcontractors based upon the divisions of work in the contract.
 - b. Vendors identified the strategies by which they sought to maximize opportunities for small, minority-owned, and disadvantaged subcontractors including identifying scopes of work that could be broken down into smaller portions, advertising solicitations on their company websites and other areas, directly inviting businesses to quote, and assisting suppliers and subcontractors in developing quotations. One vendor noted that they requested their affiliated labor unions to encourage women and minority workers be assigned to their projects to ensure that the makeup of project crews is diverse and inclusive as well.

- c. Vendors shared the tools, databases, and Michigan-based vendor certification programs that they used to seek out qualified small and disadvantaged subcontractors for these contracts.
 - d. Vendors included information regarding the diversity and inclusion efforts that they are already doing, including the awards they have received for small and minority-owned supplier development and inclusion as well as the professional associations to which they belong supporting these values.
4. Discussed strategies to proceed with “failed” B.I.D. Diversity Plans as well as modifications to the Procurement Board Report templates.

Additionally, the following tasks remain at the top of our priority list.

- Updating B.I.D. Program forms and documents as we approach the Phase II implementation of the program on July 1, 2021 to reflect lessons learned thus far.
- Developing contract language for B.I.D. Program requirements.
- Evaluating the insurance and bonding requirements for small and disadvantaged businesses enterprises.
- Identifying meaningful reporting and performance measures.

Proposed Action: Receive and file this report.

Business Inclusion and Diversity Program

DRAFT Benchmarking Report

April 7, 2021





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Introduction

The Great Lakes Water Authority (GLWA) developed its Business Inclusion and Diversity Program (B.I.D. Program) over the past year, with a soft launch on February 1, 2021, and a full launch scheduled for July 1, 2021. GLWA partnered with Public Sector Consultants (PSC) to research and benchmark similar business diversity programs in order to understand the current marketplace for procurement diversity efforts, identify industry best practices, and integrate lessons learned, ensuring that GLWA develops and maintains an industry-leading program.

Research Methodology

PSC reviewed 14 business diversity programs in Michigan and other states, working closely with GLWA leadership and staff to identify a list of organizations that merited consideration for review based on their purchasing profile and geographic reach. Multiple organizations within Southeast Michigan were selected, as well as peer utilities across the country, including:

- American Water
- City of Detroit
- Columbus Regional Airport Authority
- DTE Energy
- Huron-Clinton Metroparks Authority
- The Metropolitan Water District of Southern California
- Northeast Ohio Regional Sewer District
- Orange County Government
- Solid Waste Authority of Palm Beach County
- State of Michigan (Michigan Supplier Community)
- Washington State Department of Enterprise Services
- Wayne County
- Wayne County Airport Authority
- Wayne State University

The project team collected publicly available information, such as program descriptions on websites and associated program documentation, to develop profiles for each program. In addition, PSC conducted interviews with program staff from each organization via virtual meetings or phone calls. In several instances where program staff were not responsive to a live interview, PSC sent a list of questions via email. Researchers conducted interviews with staff from ten programs and received responses via email from two others. Only two programs did not respond to inquiries. Appendix A includes a summary of the profiles and Appendix B provides the detailed program profiles.

PSC analyzed the program profiles and interview results to identify key themes that emerged from this research and developed recommendations for GLWA to assist in the B.I.D. Program's ongoing development. Researchers also briefly examined the impact of the Michigan Civil Rights Initiative as it results in constraining key aspects of business diversity programs.

Research Limitations

While general program information was readily available, metrics quantifying purchasing trends and tracking program data were not as accessible. Appendix A includes the material for programs where this information was available or shared during the interviews. While quantifiable data was lacking for some of the programs, PSC was able to develop a clear understanding of the key issues in developing and operating successful business diversity programs. Both the research findings and recommendations highlight key program elements with an eye toward developing GLWA's B.I.D. Program into a model

effort that increases vendor diversity and supports vendor growth and development while simultaneously helping GLWA achieve its operational and financial goals.

Michigan Civil Rights Initiative

In 2006, Michigan voters approved Proposal 2, or the Michigan Civil Rights Initiative. This initiative, and subsequent constitutional amendment, “bans affirmative action programs that give preferential treatment to groups or individuals based on their race, gender, color, ethnicity or national origin for public employment, education, or contracting purposes,” with the exception to those institutions that are required to maintain affirmative action policies in order to receive federal funding (Michigan Civil Rights Commission 2007). This law has impacted how public entities, including GLWA, are able to implement business diversity programs, the type of activities they can conduct, and key performance metrics and goals they can establish for their programs. These limitations are reflected in programs operating in states with similar laws, such as California, Florida, and Washington, that were included in the benchmarking analysis. The results of these limitations are primarily reflected in the limitation or absence of equalization credits, key performance metrics, and goals related to vendor diversity for each organization.

Research Findings

PSC research on other vendor diversity programs yielded several commonalities and differences among the various programs. Some of the differences can be explained by varying organizational goals and legal restrictions, while others are a function of program history and organizational capacity. However, a number of key program components were common to each, serving as foundational elements to developing a robust program. PSC focused its research findings on these key foundational elements:

- Vendor types and certification
- Vendor support
- Equalization credits
- Program goals and performance measurement
- Program complexity
- Staffing

PSC examined these foundational program elements across all profiled programs to understand the variety of ways organizations have approached them. By understanding the different methods, various key findings emerged from each foundational element. Appendix A summarizes key program components.

Vendor Types and Certification

A key element to every business diversity program is determining what diverse vendor types should be included, defining those, and developing an appropriate certification process. While definitions can vary depending on the organization or certifying entity, diverse vendor types are typically categorized by business ownership, with the most common including:

- Minority-owned business enterprises (MBE)
- Women-owned business enterprises (WBE)
- Disadvantaged-business enterprises (DBE)

- Veteran-owned business enterprises (VE)

In addition to the diverse vendor types based on ownership, another common definition is the small-business enterprise (SBE). While many diverse businesses are small, not all small businesses have diverse ownership. Some entities, including GLWA, will also utilize geographic-based criteria, qualifying vendors based on their location within areas of low income and/or high unemployment and/or the businesses employing individuals from those areas.¹ The type of diverse vendor is often driven by organizational priorities and typically aligns with recognition of historically disadvantaged business types, particularly MBEs and WBEs. Regardless of which definitions an organization utilizes for their program, properly certifying vendors to ensure they meet those definitions is a critical component.

An organization can complete certification internally, rely on third-party (external) certifications, or self-certify. The most common methods of certification among the 14 programs studied are internal and third-party certification, with some using other approaches.

Internal Certification	Third-party Certification	Other Process
<ul style="list-style-type: none"> • City of Detroit • State of Michigan (Michigan Supplier Community) • Wayne County 	<ul style="list-style-type: none"> • American Water • Columbus Regional Airport Authority • DTE Energy • The Metropolitan Water District of Southern California • Northeast Ohio Regional Sewer District • Orange County Government • Solid Waste Authority of Palm Beach County • Wayne County Airport Authority • Wayne State University 	<ul style="list-style-type: none"> • Washington State Department of Enterprise Services (self-certification) • Huron-Clinton Metroparks Authority (no certifications, require diversity, equity, and inclusion [DEI] plan)

Internal vendor certification requires adequate staff resources to collect, review, and verify vendor documentation. This approach can be intensive and take substantial staff time but provides full control over the process. Successful internal certification demands a rigorous quality control process and use of a tracking system to manage application submissions, reviews, approvals, and monitoring.

The most common method, and an alternative to internal certification, is relying on third parties, such as the U.S. Small Business Administration and the Michigan Minority Supplier Development Council. Third-party programs do not require the internal staff and resources needed to establish and execute a certification process. When third-party certifications are common among purchasers utilizing the same vendors, this approach benefits vendors, as they can utilize a single certification across multiple organizations, lessening their administrative burden. While reducing this burden considerably, third-party programs still require some oversight and management. Since vendor ownership can and does change over time, ensuring third-party certifications are current is important in minimizing the risk of a certification becoming invalid.

¹ Broader geographic-based criteria, e.g., within an organization's service territory, have been commonly used for purchasing incentives and equalization credits separate from any diversity goals. These are discussed further under equalization credits on page eight.

In addition to internal and third-party certifications, some organizations do rely on self-certification. This allows a vendor to simply indicate whether they meet a given diversity criteria. This is not a common practice due to the potential for fraudulent certification.

Key Findings

- The types of diverse vendors do vary by organization but most frequently include MBE, WBE, SBE, DBEs, and VEs.
- A robust certification process, whether internal or by third-parties, ensures vendors meet diversity criteria.
- Third-party certification offers distinct advantages of saving staff time and potentially lessening the burden on vendors who can utilize commonly accepted certifications with other purchasers.

Vendor Support

One of the most common themes shared in program staff interviews was the need for ongoing vendor outreach, training, and support. Many disadvantaged businesses, particularly smaller ones with limited administrative support, can find the process of navigating purchasing with larger entities a challenge. The addition of vendor diversity requirements can further complicate the purchasing process and potentially discourage vendors from participating. Developing a program with adequate support helps to overcome these barriers and ensure robust vendor participation.

Most of the programs profiled provide some level of support, including vendor outreach, networking, training, and mentoring. Vendor outreach often starts with communication, including social media, newsletters, and/or advertising through trade associations to educate the vendor community about diversity programs. Outreach also includes procurement staff attending or hosting events to connect with vendors. Events can offer informal networking or more structured training, or a combination of both. Networking events allow vendors to meet with procurement staff and their peers, providing a setting to create personal and business relationships. Training can include sessions at trade association events and conferences, as well as onsite training specifically for vendors. Topics typically cover the purchasing process, but sometimes can even include business development topics, such as human resources and finances. Additional support can be provided through mentoring programs where established vendors are paired with less experienced vendors to provide advice and support, while also offering the potential for subcontractor opportunities.

The vendor supports for diversity programs have often grown out of existing vendor support efforts, with one key difference—a strategic and deliberate process to identify, engage, and address the specific needs of diverse vendors. Since many diverse vendors are smaller, it does take extra effort to reach them and build relationships that result in increased bidding and awards. Vendor support activities require the commitment of staff resources but are a key differentiator in business diversity program success.

Key Findings

- Vendor support initiatives are critical to the success of a business diversity program.
- Vendor support may include one or more of the following: vendor outreach and communication, training events, networking, and mentoring.

Equalization Credits

Equalization credits are a method of adjusting bid amounts or scoring criteria by reducing a business's effective bid price or improving their scoring to be more competitive in the selection process. Equalization credits applied to a bidder's price reduce it by some percentage, commonly around 1 to 3 percent, but going as high as 5 to 7 percent for some programs. Additional evaluation points are given to projects where a scoring system is utilized.

An equalization credit method that public organizations regularly use is local purchasing policy. Local purchasing policies provide preferences to businesses located within specific geographic areas, typically an organization's service territory, but sometimes extending to region and/or state geography. This tool is designed to benefit businesses within the local economy. Equalization credits for diverse businesses provide a similar benefit but focus on benefitting diversity.

Of the programs evaluated, 57 percent (eight of 14) offer some form of equalization credit. In Michigan, the credits are mostly directed to DBEs, SBEs, and some for MBEs, WBEs, and VEs. The limitations of Proposal 2, however, create potential issues for extending credits based on race or gender. In other states, offering equalization credits to diverse businesses is more common if affirmative action restrictions are less limiting.

Key Findings

- Purchasing incentives and equalization credits are a common tool utilized to encourage diverse vendor participation.
- In Michigan, incentives and credits are more commonly found for small-business and geographic-based criteria rather than ownership-based diversity criteria due to Proposal 2 limitations.

Program Goals and Performance Measurement

Establishing goals and measuring performance are critical for program success. Goals provide direction and guidance toward a specific target and serve as the basis for measuring progress. In Michigan, Proposal 2 and the restrictions on affirmative action place some constraints on establishing business diversity goals. To avoid this conflict, some organizations have created aspirational goals rather than rigid targets. Organizations outside of Michigan not facing similar restrictions are more likely to have clear diversity goals and associated metrics.

The primary exception to limitations on establishing goals is found under federal DBE programs. Projects involving certain federal agencies, primarily the U.S. Department of Transportation, require establishing DBE programs with clear purchasing goals. For example, airports that receive federal funding, including the two profiled as part of this study (Columbus Regional Airport Authority and Wayne County Airport Authority), have clearly established DBE targets. The state limitations on affirmative action do not supersede the federal DBE requirements.

Whether goals are clear targets or aspirational, many organizations track progress, at least internally. Data collected ranges from the number of diverse vendors certified to the amount of purchasing awarded to them. However, there is great variability among programs in publicly posting this data. Some organizations include this information within financial or annual reports, but very few have public-facing dashboards or other readily available metrics to indicate program progress and outcomes.

Key Findings

- Program goals are limited in Michigan due to Proposal 2 restrictions but are more common in other states.
- DBE programs are a notable exception to program goals due to federal requirements.
- Tracking program progress is important, but so is publicizing performance data to demonstrate commitment and outcomes.

Program Complexity

The programs assessed varied in their respective levels of complexity. Some organizations have straightforward program requirements, where others are more complicated. Given the multiple components of a business diversity program, effective program policies sometimes demand greater complexity. Complexity can be a function of program evolution over time, especially in addressing and correcting problems that arise or expanding programs to broader vendor types. While complexity by itself is not a problem, it can negatively impact vendor participation by requiring them to navigate a burdensome process without support. Simple and straightforward programs are easier for vendors to manage, particularly small businesses with less experience and administrative resources.

Key Findings

- Program complexity does not equate to program success. While a complex program can be successful, keeping the process simple and straightforward will encourage vendor participation and not deter it.

Staffing

Like any other business initiative, business diversity programs require resources to design, operate, and evaluate them. Each of the programs profiled have staff who are responsible for managing their respective business diversity program. Staff are most commonly part of the procurement team and may be solely dedicated to business diversity work or have other responsibilities within the organization. Among the programs identified, staffing for these programs ranged from one to nine people. The approach to staffing for each organization depends on many factors, including program development history, volume of purchasing, program requirements, and organizational objectives. However, the universality of staffing for the programs demonstrates the importance of adequate resources for implementation.

Key Findings

- Every program profiled has staff assigned to their business diversity programs and tailor their staffing based on their specific needs and available resources.
- Dedicated staffing demonstrates program commitment and allows organizations to execute the necessary program requirements.

Program Recommendations

Based on the research findings, PSC developed a set of program recommendations for GLWA as it continues to develop its B.I.D. Program. These recommendations are derived from the key factors contributing to successful programs, as well as the challenges faced by other organizations in creating and implementing their programs. These recommendations are intended to serve as a guide and basis for continuous improvement, but their implementation will have to be weighed against the available resources and broader organizational priorities. Most importantly, GLWA should remain flexible in its approach to improving vendor diversity—continuously learning, adopting, and adapting to ensure program effectiveness.

Vendor Outreach, Support, and Enforcement

At the core of every strong business diversity program is an engaged and supported vendor community. However, this engagement requires a deliberate strategy on the part of each organization to nurture vendor relationships, helping vendors grow in their efforts to be successful businesses, while balancing this support with ensuring vendors adhere to terms and conditions of contracts when agreeing to meeting diversity requirements. PSC recommends GLWA:

- **Provide vendor support through outreach, education, and program flexibility.** Given the importance of vendor outreach in other successful programs, it is critical to undertake ongoing outreach and educational programs. Hosting regular vendor events and participating in external events where vendors will be present are common and effective strategies. Other organizations have events that serve educational purposes, while also providing networking opportunities to meet with procurement staff and other vendors. In addition, continuous solicitation of vendor feedback can be useful in making necessary adjustments to program guidelines and processes over time.
- **Find the appropriate balance between vendor support and contract terms and conditions.** Encouraging and supporting a diverse vendor pool is important, but so is ensuring vendors meet program standards as they execute contracts. Vendors will have to be held accountable for meeting the terms and conditions of their contracts. Developing terms that protect GLWA in its commitment while not discouraging vendor participation will be important. Another key consideration is balancing the roles of staff in vendor support with responsibilities of enforcing terms and conditions.

Peer Networking and Partnerships

GLWA's efforts to understand other programs have been beneficial in launching the B.I.D. Program. Established programs offer important insights into effective strategies and overcoming challenges. For programs located in Southeast Michigan, they also offer valuable insights into the vendor marketplace that GLWA draws upon. Continuing to network with these organizations, as well as peer organizations across the country, will allow GLWA to learn and share these learnings. PSC recommends GLWA:

- **Continue to leverage peer-to-peer networking with national and regional business diversity programs.** Peer-to-peer networking, such as the U.S. Environmental Protection Agency's efforts to improve collaboration of wastewater utilities, provides valuable opportunities to share

lessons learned. In addition, regional networking offers another way to support the local vendor community. A potential barrier to vendors is navigating the different programs and their various requirements. Working with other agencies to coordinate outreach and even explore ways to create common program parameters could ease the burden on vendors.

- **Evaluate partnering with other utilities or large purchasing entities in the region to undertake a disparity study.** Disparity studies provide a detailed analysis of an organization's purchasing history and compare that with the vendor marketplace to quantify the extent to which minority, women, and other disadvantaged vendors have been selected. They provide important context to the availability of different vendor types and help to frame program potential and set performance indicators. A barrier to disparity studies is their cost. For example, the Metropolitan St. Louis Sewer District indicated that the organization conducted a study in 2012 at the cost of just over \$440,000 and is currently conducting an update at the cost of \$353,000 (Shonnah Paredes, pers. comm.). Since these studies are based on a specific geography and are costly, consideration should be given to partnering with other regional utilities to yield some savings. While the vendor purchasing history is unique to each organization, the marketplace assessment can be shared among organizations with similar vendor profiles.

Key Performance Indicators

As discussed in the research findings, most organizations in Michigan typically only establish key performance indicators (KPIs) when related to federally mandated targets associated with DBE programs. While establishing targets is not allowed, tracking and measuring progress over time will allow GLWA to understand its progress in diversifying its vendor base. PSC recommends GLWA:

- **Develop key performance indicators aligned with organizational goals and publicly communicate progress.** Rather than establishing quantified goals at the outset, data from year one of the program should be closely tracked to establish a baseline for ongoing KPIs. Data collection should be thorough and track metrics from vendor engagement activities, bidding statistics, contract awards, and project closeouts. Using ongoing program performance data, aspirational improvement goals can be established on an annual basis or other appropriate time frame that matches organizational strategic priorities. KPIs should fit within other organizational priorities, e.g., keeping rate increases within established policies. It is also important to publish progress to the vendor marketplace, member customers, and the public at large. Communicating this progress will demonstrate GLWA's commitment to the program and allow stakeholders to understand how that commitment is being realized.

Conclusion

Based on research findings, GLWA's B.I.D. Program has a strong foundation that incorporates several of the model practices identified and early efforts to engage vendors in this program's development have been particularly beneficial. Engaging diverse vendors and understanding their unique challenges is a core requirement of any successful business diversity program. As resources allow, GLWA should incorporate the recommendations over time to meet their goals and those of the vendor community. Remaining flexible and patient in program design and execution will be important. As with any new initiative, success is possible provided the organization-wide commitment remains in place.

Appendix A: Summary of Business Diversity Programs

Organization	Program Name	Year Started	Eligible Business Types ²	Equalization Incentives	Staff	Program Activity	Goals
American Water	Supplier Diversity Program	N/A	Small, minority owned, women owned, veteran owned, disabled owned, LGBT owned, HUBZone, and other disadvantaged groups as defined by the U.S. Small Business Administration	None, provides access and assistance with bidding process	Two leadership positions (per website)	N/A	N/A
City of Detroit	Detroit Business Opportunity Program	N/A	Detroit based and minority and women owned	2–5% depending on contract size, additional 1–3% based on type of business	Two	299 certified vendors	N/A
Columbus Regional Airport Authority	Business Diversity Program	2017	DBE, ACDBE	None, provides access and assistance with the bidding process	Five	3.9% of total purchasing in 2020	15% for John Glenn Columbus International Airport and Bolton Field Airport, 17.2% for Rickenbacker International Airport
DTE Energy	Supplier Diversity Initiative	1980s	Minority and women owned	None, provides access, support, and resources to diverse businesses	Four	Exceeded goal in 2020 with 24% of total spending (\$3.4 billion)	20% goal in 2020, 30% goal for 2026

² Definitions for vendor types are found at the end of the summary table.

Organization	Program Name	Year Started	Eligible Business Types ²	Equalization Incentives	Staff	Program Activity	Goals
Huron-Clinton Metroparks Authority (HCMA)	Amendment to purchasing policies	2020	Businesses that have a DEI plan, pay employees a living wage, or local vendor preference	DEI plan 2% and living wage 2% on projects \$2,500 and above—4% combined maximum	One (procurement is decentralized)	Program rollout commenced January 1, 2021	None currently established, HCMA plans to track all activity closely
Metropolitan Water District of Southern California	Business Outreach Program	2002	Small, regional, and disabled-veteran owned	5% scoring preference for professional service contracts, 5% reduction credit for procurement contracts, SBE/DBE subcontractor utilization requirement for construction contracts	Nine (per contacts available on website)	Approximately 8,000 small businesses are registered in the program's database	25% of total spending
Northeast Ohio Regional Sewer District	Business Opportunity Program	2010	Small and minority and women owned	None, provides support and easier access to bidding	Five (per website)	Approximately 400 certified MBE/WBE/SBE firms participating in the program	Annual program goal is 20% of total capital improvement spending
Orange County Government	Business Development Division	N/A	Minority and women owned	50% of weighted participation points are awarded if MBE/WBE subcontract goals or employment workforce goals are met	N/A	N/A	Construction: 25%, professional services: 27%, goods: 10%, services: 24%
Solid Waste Authority of Palm Beach County	Equal Business Opportunity Program	2018	Small and minority and women owned	Over 20 initiatives to support and encourage participation, depending on industry type	Five	Of 1,000 certified businesses, approximately 1/3 are part of the program	Ranges from 12% to 27% depending on industry and business type

Organization	Program Name	Year Started	Eligible Business Types ²	Equalization Incentives	Staff	Program Activity	Goals
State of Michigan (Michigan Supplier Community)	Michigan Supplier Community	2019	SMLB (<500 employees, <\$25 million sales), GDBE, CRO, SDVO, VTRN)	None, provides easier access to bidding	Two, but program is only a small percentage of duties	300 registered vendors, no projects to date	None established
State of Washington	Business Diversity Program	2019	Small and minority, women, and veteran owned	None, encourages inclusion of diverse businesses through series of recommendations	Three	Data collection and reporting processes are currently being implemented	N/A
Wayne County	Business Certification and Diversity Program	2006	CBE, SBE, EBE, JV, MV, TGCE, VE	CBE 2% for projects more than \$200,000; 5% for \$50,000–\$200,000; 7% for up to \$50,000; 2% max for all others	Five, but they have other responsibilities outside of the program	Bidding for new tracking system in 2021	N/A
Wayne County Airport Authority	Disadvantaged Business Program and Small Business Enterprise Program	2006 (SBE Program)	DBE, ACDBE, SBE	SBE 1–2% for contracts more than \$100,000; 1–3% for contracts less than \$100,000; percentage of SBE work must be at least 20% or 30% depending on mix of prime contractor and subcontractor work	Three, focus on both business diversity and contract compliance	Reached SBE goals for the past two years, 18% of more than \$600 million operations and maintenance (O&M) budget	DBE: FY20–FY22 7%; SBE: 18% (O&M budget)
Wayne State University	Supplier Diversity Program	2004, updated in 2020	Minority, women, and physically challenged owned	None, encourages inclusion of diverse businesses in the bidding process and provides training and resources to diverse businesses	Six, this includes the entire procurement team who share responsibilities for the program	In 2019, 9.25% of all spending went to diverse businesses	None established

Business Type Definitions³

Acronym	Business Type	Definition
ACDBE	Airport concession disadvantaged business enterprise	A for-profit concession owned and controlled by individuals who are both socially and economically disadvantaged.
CBE	County-business enterprise	A business with headquarters physically located within Wayne County, or that has been conducting business at a location with a permanent street address in the county on an ongoing basis for not less than one taxable year immediately prior to the application for certification as a CBE and at least 50% of its regular full-time employees are based at the county location to perform the proposed contract. Plus additional requirements.
CRO	Community rehabilitation organization	A nonprofit charitable organization or institution incorporated in Michigan that is operated for the purpose of carrying out a recognized program of employment and training services for people with disabilities.
DBE	Disadvantaged-business enterprise	A for-profit small business owned and controlled by individuals who are both socially and economically disadvantaged per federal code 49 CFR Part 26. ⁴
EBE	Expanding-business enterprise	A business that has average annual gross receipts of \$1 million or less and no more than 15 employees. A business that is an affiliate or subsidiary of an entity that is not eligible for certification as an EBE shall not be certified as an EBE.
GDBE	Geographically disadvantaged-business enterprise	A business that is a certified HUBZone small-business concern for the U.S. Small Business Administration, or has a majority of its employees who maintain a principal residence within a Qualified Opportunity Zone (QOZ), or Michigan-based business with its principal place of business within a QOZ.
JV	Joint venture	A combination of separate businesses, one of which is a CBE and the other an SBE or EBE, which has been created to perform a specific contract, which shares in profits and losses, and which is evidenced by a written agreement that provides, at a minimum, that the SBE or EBE: (1) Is substantially included in all phases of the contract, including, but not limited to, bidding and staffing; (2) provides at least 51% of the total performance, responsibility, and project management of a specific job; and (3) receives at least 51% of the total remuneration from a specific contract.

³ For City of Detroit, see program detail for list of their definitions.

⁴ CFR stands for Code of Federal Regulations.

Acronym	Business Type	Definition
SBE (Wayne County)	Small-business enterprise	<p>A business other than an individual, sole proprietorship or partnership that has been in existence and operating for at least one year prior to the date of application for certification as a small-business concern and is one of the following:</p> <ul style="list-style-type: none"> • A manufacturing business, which, for the three fiscal years preceding the date of application for certification, has provided full-time employment to not more than 500 persons • A general construction business, which, for the three fiscal years preceding the date of application for certification, has average annual gross receipts of not more than \$28 million • A specialty construction business, which, for the three fiscal years preceding the date of application for certification, has average annual gross receipts of not more than \$12 million • A wholesale business which, for the three fiscal years preceding the date of application for certification, has provided full-time employment to not more than 100 persons • A retail business which, for the three fiscal years preceding the date of application for certification, has average gross receipts of not more than \$6 million • A service business, other than professional, which for the three years preceding the date of application for certification, has average annual gross receipts of not more than \$6 million • A professional services business, which for the three fiscal years preceding the date of application for certification, has had average annual gross receipts of not more than \$6 million <p>A business which is an affiliate or subsidiary of an entity that is not eligible for certification as an SBE shall not be certified as an SBE.</p>
SBE (Wayne County Airport Authority)	Small-business enterprise	A business that is independently owned and headquartered within the Air Trade Area (Genesee, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties) and has average annual gross receipts over the most recent three-year period or average number of employees in the last 12 calendar months that do not exceed the U.S. Small Business Administration size standards.
SDVO	Service-disabled veteran owned	A business that is 51% or more owned by one or more persons who served in the active military, naval, or air service and who was discharged or released from service under conditions other than dishonorable, and has a disability incurred or aggravated in the line of duty in the active military, naval, or air service as described in 38 USC 101(16).
SMLB	Small business	A business that has fewer than 500 employees and less than \$25 million revenue.

Acronym	Business Type	Definition
TGCE	Targeted growth community enterprise	A business that (1) has made payment of property taxes on real or personal property within the targeted growth community in the past year on property which is ordinarily needed to perform the proposed contract; (2) has its headquarters physically located within the targeted growth community, or it has been conducting business at a location with a permanent street address in one of the targeted growth communities on an ongoing basis for not less than one taxable year immediately prior to the application for certification as a TGCE; (3) has been dealing for at least one year on a regular commercial basis in the kind of goods or services that are the subject of the bid or in a closely or logically allied product line; (4) is not merely displacing a business that has previously been the low bidder but does not qualify for the TGCE credit, by buying from that business and re-selling to the county at a mark-up within the TGCE credit; (5) provides a commercially viable product or service to a governmental and private-sector clientele; (6) has an adequate number of its regular full-time employees who are based in the targeted growth community location to perform the proposed contract; (7) has satisfied any other requirements established by rules or regulations promulgated to implement this section; and (8) has been evaluated and certified as a TGCE by the Division of Human Relations.
VTRN or VE	Veteran owned	A business that is 51% or more owned by one or more persons who served in the active military, naval, or air service and who was discharged or released from service under conditions other than dishonorable.

Appendix B: Program Profiles

American Water

Program Summary

Overview

American Water is the largest publicly traded water and wastewater utility company in the U.S., providing services to more than 15 million people in 46 states.

Their Supplier Diversity Program was initiated to promote diversity and economic development in communities they serve and create an inclusive procurement process by working with a broad range of diverse suppliers (see Definitions section). American Water has implemented supplier diversity policies to ensure that their employees understand and comply with the goals of the program (American Water n.d.b).

Supplier Diversity Program

Program Description

The Supplier Diversity Program promotes and fosters business opportunities with a broad range of diverse businesses. Once certified and registered, a supplier becomes available to work with sourcing staff, who help the supplier identify procurement opportunities that they are qualified for based on the services needed, and refer them to be included in the request for proposal (RFP) process.

In order to maintain commitment to the program and to support and promote a diverse supplier community, the program consists of diversity inclusion policies, diverse supplier development, awards, recognition, and events. Their policies include:

- Established corporate policies and management support
- Developed Corporate Supplier Diversity Strategic Plan
- Internal and external program communications
- Continuously identifying opportunities for diverse suppliers
- Established minority supplier development process
- Goal setting, tracking, and reporting with an established continuous improvement plan
- Recognizing achievements (American Water n.d.a)

Definitions

The following businesses are considered under the diverse supplier program:

- Minority-owned business
- Women-owned business
- Veteran-owned business
- Service-disabled veteran-owned business
- Disabled-owned business
- LGBT-owned business
- Historically Underutilized Business (HUBZone)
- Small Disadvantaged business (SDB)
- Veteran-owned small business (VOSB)
- Woman-owned small business (WOSB)
- Service-disabled veteran-owned small business (SDVOSB)
- Alaska Native Corporations (ANCs)
- Historically Black colleges and universities (HBCU)
- Minority institutions (MI)
- Any other group that is considered to be disadvantaged by the Small Business Administration

The above businesses must be certified (by a recognized agency), controlled (overall fiscal and legal responsibility), or owned (at least 51 percent) by the group they are claiming (American Water n.d.c).

Certification

To participate as a diverse supplier with American Water, the company must be certified as a women- or minority-owned business by a recognized certifying agency that includes national, governmental, and regional organizations.

All certified diverse supplier vendors must register in American Water's database via their vendor registration portal. Once they are registered, their company is available to participate and bid on various business opportunities (American Water n.d.c).

Reporting

For reporting purposes, suppliers are defined as either prime/tier one or sub/tier two. Tier one suppliers are those that sell directly to American Water. Tier two suppliers are those who are performing work as subcontractors to a prime contract. Contract work that is executed with tier two suppliers are required to submit quarterly spending reports through the Supplier Diversity Portal (American Water n.d.d).

Vendor Training and Support

The program supports diverse supplier development by providing feedback on RFP submissions from potential vendors, offering industry- or company-specific education programs, formal mentoring, providing program review and support, expanding diverse supplier utilization within the company, and encouraging networking and alliances between diverse suppliers (American Water n.d.a).

Staffing

The Supplier Diversity program is led by a senior manager and senior diversity program lead, both at the national level (American Water n.d.a).

City of Detroit

Program Summary

Overview

The City of Detroit’s Civil Rights, Inclusion & Opportunity Department (CRIO) consists of three teams. The Outreach team serves as the primary resource for construction jobs and training opportunities for Detroit residents; the Incentives team ensures that construction projects are inclusive; and the Civil Rights team assures safe, nondiscriminatory environments for city residents, visitors, and employees (City of Detroit n.d.a).

CRIO operates the Detroit Business Opportunity Program (DBOP), which provides qualifying businesses with business opportunities, events, networking, visibility, and equalization credits (City of Detroit n.d.b).

Detroit Business Opportunity Program

Program Description

DBOP was implemented to promote and increase participation of Detroit-based businesses in the Detroit economy through visibility, capacity building, and networking. For certified Detroit-based, minority-owned, and women-owned businesses, this is provided through equalization credits during the solicitation and bidding process (City of Detroit n.d.c).

Depending on the contract size, Detroit-based and Detroit-resident businesses receive equalization credits that range from 1 to 5 percent:

Contract Size	Equalization Credit
Less than or equal to \$10,000	5 percent
\$10,000.01–\$100,000	4 percent
\$100,000.01–\$500,000	3 percent
Greater than \$500,000	2 percent

Businesses that have additional certifications can add the following equalization credits:

Business Type	Additional Equalization Credit
Detroit-headquartered business	3 percent
Detroit small business	1 percent
Detroit-based micro business	2 percent
Joint venture	2 percent
Mentor venture	1 percent

Definitions

The program works with the following business types:

- Detroit-based businesses (DBB)
- Detroit-headquartered businesses (DHB)
- Detroit-resident businesses (DRB)
- Detroit small businesses (DSB)
- Detroit-based micro businesses (DBMB)
- Detroit startups (DSU)
- Minority-owned business enterprises (MDE)
- Women-owned business enterprises (WBE)

To be considered a Detroit business, they must have been operating for at least one taxable year in the city, except those businesses seeking startup certification (City of Detroit n.d.b).

Certification

Businesses can receive certification with CRIO by submitting an application online and selecting which certifications they are applying for. Once an application is submitted, businesses must provide required documentation and go through a site visit so that CRIO may verify the business' existence and operation. Following a verified site visit, a certification fee must be paid in order to receive certification. The entire process is estimated to take 30 to 40 days (City of Detroit n.d.b). The City currently has 299 registered vendors with a goal of 500 more (Amanda Saab, pers. comm.).

Vendor Training and Support

Vendors who are part of DBOP have access to member appreciation events, networking, and capacity-building opportunities (City of Detroit n.d.b). The City is currently providing monthly vendor events with DBOP-specific training as part of the sessions.

Staffing

The City of Detroit has two staff dedicated to the DBOP focused on outreach and certification. Procurement staff handle bidding and related processes (Amanda Saab, pers. comm.).

Columbus Regional Airport Authority

Program Summary

Overview

The Columbus Regional Airport Authority (CRAA) is an independent government entity that is charged with the management and operations of three regional airports and two business segments. Between these entities, the CRAA contributes 58,730 jobs and \$12.9 billion in total economic output (CRAA n.d.a).

Because they receive funding from the U.S. Department of Transportation (USDOT), the CRAA administers a Disadvantaged-business Enterprise (DBE) Program, which promotes and supports contracting opportunities with disadvantaged businesses, including those that are minority and women owned (CRAA n.d.b).

Business Diversity Program

Program Description

The DBE Program helps to ensure nondiscrimination and provide equal opportunity for vendors seeking to do business with the CRAA on federally assisted contracts, which includes DBEs and airport concession disadvantaged business enterprises (ACDBEs). The program includes the following objectives:

- Level the playing field for competitive bids and solicitations for DBEs
- Remove barriers that can negatively impact DBE participation
- Help the development of firms compete successfully outside of the program
- Ensure the program is tailored in accordance with applicable laws
- Confirm that only firms that meet the eligibility criteria are allowed to participate in the program
- Promote working with DBEs in federally assisted contracts and procurement activities
- Provide flexibility when providing opportunities for DBEs (CRAA n.d.b)

Some of these objectives are met in practice by reviewing purchase orders, meeting with all departments on a quarterly basis, monitoring their diverse supplier spending, and providing diverse supplier contact lists that are specific to each department and their line-item spending (Karmin Bailey, pers. comm.).

In addition, the CRAA has implemented a small-business element called the Diversity Business Partner Program to encourage small-business participation in solicitations and bidding. The goal of the small-business program is to reduce obstacles to participation by restructuring contract requirements, including bundling contract requirements (CRAA n.d.c).

Goals

Each airport has developed a three-year DBE goal:

- **John Glenn Columbus International Airport and Bolton Field Airport (2020–2022).** Overall DBE participation goal of 15 percent, with 14 percent as race conscious (i.e., race or gender was a contributing factor in the awarding process) and 1 percent race neutral (i.e., race or gender was not a contributing factor in the awarding process), equating to \$877,466 (CRAA n.d.d)
- **Rickenbacker International Airport (2019–2021).** Overall DBE participation goal of 17.2 percent, with 16.2 percent as race conscious and 1 percent race neutral, equating to \$4,928,642 (CRAA n.d.e).

Definitions

Per federal code, a DBE is defined as a for-profit small business owned by individuals that are considered to be both socially and economically disadvantaged, while an ACDBE is a for-profit concession (i.e., a business located inside of an airport that sells consumer goods and services under an agreement with that airport) owned by individuals that are considered to be both socially and economically disadvantaged (WCAA n.d.).

Certification

Certification of DBEs and ACDBEs is performed by the Ohio Unified Certification Program. In order to receive certification, a business must meet the following requirements:

- Owner must be a member of a socially or economically disadvantaged group
- Business must be owned (at least 51 percent) by one or more individuals who are members of a socially or economically disadvantaged group
- Owners must be in control of the business' management and operations
- An owner's personal net worth cannot exceed \$1,320,000, excluding ownership of the business and equity of their primary residence
- The business must meet the U.S. Small Business Administration's size standard requirements (CRAA n.d.b)

Reporting

The CRAA regularly reports out on the program to the Federal Aviation Administration per federal code. In addition, they also monitor and report payments made to DBE firms, including what is actually paid versus what is committed. The CRAA also conducts contract reviews and monitors work sites to confirm compliance with contracts (CRAA n.d.c).

Staff currently generate annual business diversity reports that share metrics on the DBE/ACDBE programs, such as total dollar amount awarded and percentage of total contracts, as well as contract breakdowns by ethnicity and gender. Reports also include diversity capital and operations spending (Karmin Bailey, pers. comm.).

Vendor Training and Support

As part of the program's objectives and activities, program staff offer additional support and outreach to vendors through bid debriefs and various events. Debriefs provide feedback to vendors who have lost solicitations on the strengths and weaknesses of their bids so that they can submit more competitive bids

in the future. Outreach events and other meet-and-greets allow vendors to meet with staff and share information, which provides important touch points between staff and diverse vendors (Karmin Bailey, pers. comm.).

Staffing

The CRAA established the position of DBE liaison officer, who is responsible for the development, implementation and monitoring of the DBE Program. Per the program report, this position has one direct report and “multiple staff resources from other internal departments to assist in the administration of the program.” (CRAA n.d.c).

Under current operating procedures, there are two staff members focused on business diversity and three that focus on procurement, totaling five staff within the department (Karmin Bailey, pers. comm.).

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DTE Energy

Program Summary

Overview

DTE Energy (DTE) is a Detroit-based energy company that serves 2.2 million customers with electric services and 1.3 million customers with natural gas services in southeastern Michigan. The utility maintains a large portfolio, including energy businesses, renewable natural gas and pipelines, gathering and storage, and marketing and trading (DTE n.d.).

As part of their commitment to diversity, DTE established their Supplier Diversity Initiative within their supply chain management to better utilize the diversity and range of vendors within the community (DTE n.d.). Supplier diversity efforts have been underway at DTE since the 1980s (Karin Cozzi, pers. Comm.)

Supplier Diversity Initiative

Program Description

DTE established the Supplier Diversity Initiative as part of their larger business strategy to help the company and businesses in the community succeed. In doing so, the initiative creates and promotes business opportunities with minority- and women-owned companies along with advocacy, training, mentoring, and development experiences. DTE has also created their Supplier Diversity Advisory Council to strengthen partnerships between the company, diverse suppliers, community leaders, and other stakeholders. Approximately 30 individuals representing suppliers, business leaders, and DTE leadership make up the council and provide advice and resources to ensure diversity goals are being met (DTE n.d., Karin Cozzi, pers. comm.).

Goals

DTE has an annual target of 20 percent of their total procurement with diverse businesses. In 2020, DTE exceeded its goal by achieving 24 percent of its total spending with diverse businesses, approximately over \$800 million of its total \$3.4 billion in annual procurement. DTE is raising its goal to 30 percent in 2030.

Definitions

In order to be certified and participate in the initiative, a business must meet the following criteria:

- Be a minority-owned business enterprise (MBE), which means at least 51 percent of the business is owned, operated and controlled by minority group members.
- Be a women-owned business enterprise (WBE), which means at least 51 percent of the business is owned, operated, and controlled by women (DTE n.d.).

Certification

DTE recognizes certification of MBEs and WBEs from two certifying agencies: the National Minority Supplier Development Council and the Women’s Business Enterprise National Council. Once certified, a business is encouraged to review the “Contact a Buyer” section of DTE’s website or contact the supplier diversity team for information regarding business opportunities (DTE n.d.). DTE currently has 287 certified vendors (Karin Cozzi, pers. comm.).

Vendor Training and Support

DTE hosts outreach events each year with diverse business vendors to share information about the program and potential business opportunities with the company. They host a mentorship program to increase competitive advantage within the company (DTE n.d.). DTE has also paid for out-of-state conference attendance for two suppliers to expose them to other utilities across the county and expand their business opportunities.

Staffing

The supplier diversity team is staffed by four individuals, including three managers and an analyst (DTE n.d.). These four staff members are dedicated solely to the diversity program (Karin Cozzi, pers. comm.).

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Huron-Clinton Metroparks Authority

Program Summary

Overview

The Huron-Clinton Metroparks Authority (Metroparks) is a regional park system that provides recreational and educational opportunities in Livingston, Macomb, Oakland, Washtenaw, and Wayne Counties. It is governed by a seven-member board of commissioners, representing the five member counties and two members selected by the governor to represent the district at large.

In September 2020, the Metroparks amended their purchasing policy to include bid discounts and local vendor preferences to incentivize solicitations and participation from businesses that align with the Metroparks' mission; core values; and diversity, equity, and inclusion (DEI) plan (Huron-Clinton Metroparks n.d.). Unlike most other business diversity programs, the Metroparks' program does not utilize a vendor certification process except for local vendor preference. The program was launched on January 1, 2021.

Purchasing Incentives and Preferences

Program Description

Bid discounts (equalization credits) are awarded to all bids equating to \$2,500 or more that are solicited by businesses that meet one or both of the following criteria:

Criteria	Bid Discount	Required Documentation
DEI plan	2%	Copy of DEI plan <i>and</i> DEI Plan Verification Form verifying that the plan was adopted at least six months prior to the submission
Living wage payment	2%	Evidence of living wage payment to employees of at least \$15 per hour using income taxes, payroll documentation, etc. <i>and</i> Living Wage Verification Form

Bid discounts may be used in combination but cannot exceed 4 percent or \$25,000, whichever is lower. Discounts are applied to the original bid offer, so that offers are evaluated by the Metroparks as if they were 2 (or 4) percent lower than what was actually submitted by the vendor (Huron-Clinton Metropolitan Authority 2020).

Local vendor preference is also considered for purchases of \$2,500 or more in order to promote economic growth and regional job development and to increase participation of underrepresented communities. Per the purchasing policy, a Metroparks-based business must meet all of the following criteria:

- Operate from a building or office with a permanent street address located within the Metroparks service region (Livingston, Macomb, Oakland, Washtenaw, and Wayne Counties) for at least one year prior to the solicitation bid

- Provide the goods and services specified in the solicitation within the service region for at least one year prior to the solicitation bid
- Agree to not sublet 50 percent or more of the dollar value of the contract to subcontractors who do not meet the definition of a Metroparks-based business

Vendors seeking local-vendor status must sign and submit verification before any contract is awarded. If a purchase is between \$2,500 and \$24,999, at least one quote must be solicited from a Metroparks-based business. If a purchase is \$25,000 or more, any Metroparks-based business will be given additional consideration during the evaluation and selection process. Metroparks-based businesses within 5 percent of the winning bid, but no more than \$5,000, are also offered the option to meet the lowest bid price (Huron-Clinton Metropolitan Authority 2020).

Staffing

Huron-Clinton Metroparks has one purchasing staff that oversees the program. Overall purchasing efforts are decentralized across the organization (Heidi Dziak, pers. comm.).

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The Metropolitan Water District of Southern California

Program Summary

Overview

The Metropolitan Water District of Southern California (Metropolitan) is a regional wholesaler that delivers water to almost 19 million people in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties in California. The Metropolitan has a membership of 26 public agencies and is governed by a board of directors consisting of 38 members who represent each of the district's member agencies (The Metropolitan Water District of Southern California n.d.a).

The Metropolitan's Business Outreach Program was developed and implemented in 2002 to promote business and economic development through contracting opportunities with small, regional, and disabled veteran-owned businesses, with a set goal of 25 percent of total annual spending (between \$300–\$500 million) for the organization (John Arena, pers. comm.). In addition, the program encourages collaboration and sharing best practices through outreach activities such as their biannual Connect 2 Met event and their MWD Innovation Program (The Metropolitan Water District of Southern California n.d.b).

Business Outreach Program

Program Description

The Business Outreach Program provides incentives for contracts for small, regional, and disabled veteran-owned businesses, depending on the type of contract. For construction contracts, there is a small and disabled veteran-owned businesses subcontractor utilization requirement for contracts over \$100,000. For professional services contracts, small, regional, and disabled veteran-owned businesses receive a 5 percent scoring preference. For procurement contracts, there is a 5 percent reduction credit for all three business types, with a maximum of a \$25,000 reduction credit (The Metropolitan Water District of Southern California n.d.b).

Goals

Metropolitan's current goals for participation are 18 to 20 percent small-business utilization for professional service contracts and a minimum of 20 percent for their small-business requirement for construction contracts (The Metropolitan Water District of Southern California n.d.b).

Definitions

The Business Outreach Program uses the following definitions:

- Small business: Business that complies with the U.S. Small Business Administration guidelines
- Regional business: Business that has maintained a physical location or address in Metropolitan's service area for at least one year
- Disabled veteran–owned business: Business owned by a disabled veteran that has been certified as such by either the State of California or the federal government (The Metropolitan Water District of Southern California n.d.b)

Certification

Vendors can receive small-business certification through an online application process with the U.S. Small Business Administration or with Metropolitan through their online portal, NETConnect. Disabled veteran–owned businesses must be certified through the State of California Department of General Services or through the federal government's certification process. All businesses must register for an account through NETConnect (The Metropolitan Water District of Southern California n.d.b). There are approximately 8,000 small businesses in the program's database (John Arena, pers. comm.).

Reporting

Metropolitan has a Contract Compliance and Accountability Program (CCAP) that tracks small business enterprise utilization for all professional service contracts and monitors construction contracts greater than \$100,000 for compliance with their small-business subcontractor requirement (The Metropolitan Water District of Southern California n.d.b).

Vendor Training and Support

Metropolitan hosts a biannual networking event, Connect 2 Met, as well as a program called MWD Innovation Program to support vendors.

The Connect 2 Met event brings Metropolitan staff, member agency representatives, partnering agencies, businesses, and other stakeholders together to network and provide educational opportunities to help potential vendor businesses learn how to work with public agencies.

The MWD Innovation Program was created with the goal to help business development and encourage innovation in the market. The program hosts a portfolio of different activities and opportunities, including:

- Technology Feedback Forum
- Water Savings Incentive Program
- Innovative Conservation Program
- Innovative Supplies Funding Program
- H2oTechConnect community

State of Michigan (Michigan Supplier Community)

Program Summary

Overview

The Michigan Department of Technology, Management and Budget (DTMB) provides support to state agencies through services such as building management and maintenance, information technology, contracting and procurement, and budget and financial planning, among others in order to increase efficiencies and optimize services (DTMB n.d.a).

The Michigan Supplier Community (MiSC) was established in 2019 as a way to encourage business opportunities between DTMB and low-income communities and underutilized business areas (DTMB n.d.b).

Michigan Supplier Community

Program Description

The MiSC program is geared toward basic commodity and simple services and allows state agencies to obtain three quotes and purchase directly from vendors up to \$500,000 to increase opportunities for qualifying vendors and simplify the bidding process. This process is intended to significantly streamline the usual bidding process (DTMB n.d.b). Because the program focuses on smaller contracts, the terms and conditions typically associated with larger contracts do not apply, which helps lower the burden of entry into the program and subsequent solicitation process (Will Camp and Craig Terrill, pers. comm.). In addition, MiSC solicitations are not publicly posted on the State's SIGMA Vendor Self Service (VSS) system site. Vendors who are part of the MiSC are not necessarily given purchase preference but may be able to skip the formal bidding process and receive a request for a quote directly from the State (DTMB n.d.c).

To date, the program has approximately 300 qualified vendors registered, most of them are existing vendors who were able to qualify. However, there have not been any purchases made yet through the program, potentially due to the impression that working with the State of Michigan has many barriers. Program staff are aware of this perception and are working to overcome it and they are currently seeking to register about 1,000 vendors for the program (Will Camp and Craig Terrill, pers. comm.).

Goals

The program has yet to develop any key performance indicators. However, Executive Directive 2019-8 requires that 3 percent or more of expenditures from each state fiscal year will be made to certified geographically disadvantaged business enterprises (GDBE) by the 2022–2023 state fiscal year. This goal is already being met (Will Camp and Craig Terrill, pers. comm.).

Definitions

For a vendor to be eligible to participate in the MiSC, they must have their primary place of business in Michigan *and* meet one of the following four criteria:

1. Be a small business with fewer than 500 employees and annual revenues equal to or less than \$25 million.
2. Be a DGBE. As defined by Executive Directive 2019-08, the business must meet one of the following criteria:
 - Be a certified HUBZone small business concern by the U.S. Small Business Administration *or*
 - Have a majority of their employees maintain a principal residence within a Qualified Opportunity Zone (QOZ) *or*
 - Be a Michigan-based business with its principal place of business within a QOZ
3. Be a community rehabilitation organization (CRO)
4. Be a veteran-owned or service-disabled veteran-owned (SDVOB) business

A Michigan-based business is any business that pays taxes to the state (DTMB n.d.b). Additionally, the following are definitions for eligible business types and can be added to a vendor's SIGMA VSS profile:

Business Type	Definition
Michigan principal location	Business has its principal place of business in Michigan.
HUBZone business	Business is HUBZone certified by the U.S. Small Business Administration.
QOZ by principal location	Business has its principal place of business within a QOZ as designated by the U.S. Department of the Treasury in the Federal Register at IRB Notice 2018-48.
QOZ by employee work sites	Business has a majority of their employees working at a location within a QOZ.
QOZ by employee homes	Business has a majority of their employees maintaining a principal residence within a QOZ.
Community rehabilitation organization	Nonprofit charitable organization or institution incorporated in Michigan that is operated for the purpose of carrying out a recognized program of employment and training services for people with disabilities.
Service-disabled veteran owned	Business is 51 percent or more owned by one or more persons who served in the active military, naval, or air service and who was discharged or released from service under conditions other than dishonorable and has a disability incurred or aggravated in the line of duty in the active military, naval, or air service as described in 38 USC 101(16).
Small business	Business has less than 500 employees and less than \$25 million revenue.
Veteran owned	Business is 51 percent or more owned by one or more persons who served in the active military, naval, or air service and who was discharged or released from service under conditions other than dishonorable. (DTMB n.d.b)

Certification

Vendors who meet the above criteria must also have a current SIGMA VSS profile. Their profile will confirm their eligibility status and allows the vendor to be registered for the MiSC. The program is free to join (DTMB n.d.b).

Reporting

The State of Michigan utilizes a contract-monitoring plan to ensure compliance of all contracts. With no contracts to date, they have yet to require any enforcement with program guidelines (Will Camp and Craig Terrill, pers. comm.).

Vendor Training and Support

Vendor support has been focused primarily on efforts to connect with vendors. Outreach occurs through staff attending events as well as via the program's website and social media. Staff have also worked to connect with the vendor community through the Michigan Economic Development Corporation, Small Business Association of Michigan, and Procurement Technical Assistance Centers.

Staffing

Currently, staff time is limited to the communications specialist and the program manager. They collectively spend three to five hours per week on program efforts, but it can increase to several days during vendor outreach efforts.

Northeast Ohio Regional Sewer District

Program Summary

Overview

The Northeast Ohio Regional Sewer District (the Sewer District) provides wastewater treatment and stormwater management to 62 communities and one million residents each year (NEORSD n.d.a).

As the result of a disparity study that examined the experiences of minority- and women-owned firms within the Sewer District's geographic service area, the district established the Business Opportunity Program with the goal of creating greater economic impact in the communities it serves (NEORSD n.d.b).

Business Opportunity Program

Program Description

The Business Opportunity Program promotes procurement opportunities to small businesses and minority- and women-owned businesses to increase jobs and economic growth in the business community. Procurement opportunities are available for several industries, including goods, professional services, construction, and engineering.

The Business Opportunity Program incorporates a number of measures to ensure equal opportunities across all contracts and procurements, including:

- Arranging solicitation times to facilitate participation of interested vendors
- Segmenting contracts to encourage participation from small and minority- and women-owned businesses
- Providing information on procedures, bid preparation, and specific contracting opportunities
- Assisting businesses to overcome barriers, such as bonding and financing
- Holding pre-bid conferences to provide additional information on projects and to encourage the use of all available vendors as subcontractors
- Developing prompt payment procedures for prime and subcontractors
- Reviewing contract requirements to reduce unnecessary barriers
- Restricting the substitution of subcontractors without the Sewer District's prior approval
- Collecting and maintaining information on all vendors bidding on prime contracts and their utilization of subcontracts
- Referring discrimination complaints to the appropriate entities for investigation (NEORSD n.d.e; NEORSD n.d.f)

In addition, businesses that participate in the program are listed in the pool of qualified and available companies to do business with the Sewer District, increasing their chances of gaining prime and subcontracting opportunities (NEORSD n.d.c). For contracts for goods and services valued at less than \$50,000, the Sewer District will consult directly with their registry of small and minority- and women-

owned businesses and contact those who are certified to do the work directly. Other prime contractors and consultants can also use the directory to identify subcontractors when required to meet project-specific diversity goals (NEORSD n.d.d).

The program is overseen by the Office of Contract Compliance (OCC). In order to promote procurement and contracting opportunities and meet designated goals, the OCC is responsible for:

- Recommending policies and procedures for implementation to the Sewer District leadership around small and minority- and women-owned business program administration
- Maintaining outreach and assistance programs
- Establishing and maintaining relationships with agencies and other stakeholders with similar diversity goals and, when applicable, coordinating internal program operations with the other programs
- Establishing procedures for certification and maintaining and publishing a directory of certified firms
- Monitoring and reporting data related to the use of small and minority- and women-owned businesses
- Creating contract goals with other relevant departments
- Responding to inquiries regarding contract solicitations and goals
- Attending initial meetings for projects to inform and explain small and minority- and women-owned business policies and requirements
- Monitoring contractor and other departments' performance in meeting contract goals
- Monitoring progress toward annual aspirational goals
- Investigating complaints (NEORSD n.d.e; NEORSD n.d.f)

Goals

The Sewer District has established annual aspirational goals for the overall utilization of small and minority- and women-owned businesses on prime and subcontracts that are established by an internal committee. The overall annual program goal is 20 percent of total capital improvement spending for the organization. In 2019, this goal was met for both construction and stormwater contracts, amounting to \$26.7 million and \$1.3 million, respectively (Tiffany Jordan, pers. comm.). They also set contract goals on contracts where there are at least three minority-owned businesses, women-owned businesses (or some combination of the two), or small businesses that are certified to perform the work (NEORSD n.d.e; NEORSD n.d.f).

Definitions

Per their published policies and procedures manuals, the Sewer District establishes eligibility for the program based on the following definitions:

- **Local small business:** A business with a functioning office located in the Sewer District geographic and procurement markets and with gross receipts that do not exceed the business size standards set by the Sewer District (NEORSD n.d.f)
- **Minority-owned business enterprise (MBE):** A proprietorship, partnership, corporation, limited liability company, or joint venture that is certified by the Sewer District and is at least 51 percent owned, operated, and controlled by one or more minority individuals (NEORSD n.d.e)

- **Woman-owned business enterprise (WBE):** A proprietorship, partnership, corporation, limited liability company, or joint venture that is certified by the Sewer District and is at least 51 percent owned, operated, and controlled by one or more women (NEORSD n.d.e)
- **Small-business enterprise (SBE):** A proprietorship, partnership, corporation, limited liability company, or joint venture that is certified by the Sewer District and meets the requirements of a local small business (NEORSD n.d.f)

Certification

In order to be certified as a small or minority- or women-owned business, they must be registered as a vendor with the Sewer District through their online supplier portal (NEORSD n.d.b). Once registered, businesses can apply for certification by the Sewer District or, if applicable, may have their third-party certification approved by the Sewer District pending review (NEORSD n.d.e). Roughly 400 small, minority- and women-owned businesses are currently certified through the program (Tiffany Jordan, pers. comms.).

Vendor Training and Support

The Business Opportunity Program conducts several outreach events and trainings in order to better reach potential vendors and support them with accessing the program and through the procurement process. Events include large pre-bid meetings, breakfast exchanges, certification workshops, seminars on how to do business with NEORSD, and webinars, among others (Tiffany Jordan, pers. comms.)

Staffing

The Business Opportunity Program is staffed by five employees (NEORSD n.d.b).

Orange County Government

Program Summary

Overview

The Orange County, Florida, government provides and manages services to the entirety of its residents and operates with a \$4.4 billion budget. The county contains 13 cities, including Orlando, and hosts 75 million visitors every year (Orange County Government n.d.e).

As part of its function, Orange County operates the Business Development Division, which encourages and supports small and diverse businesses in the county (Orange County Government n.d.a).

Business Development Division

Program Description

The Business Development Division was established to promote participation in contracts and other business opportunities for minority- and women-owned businesses (M/WBE) in order to stimulate economic growth for small businesses (Orange County Government n.d.a).

To meet their mission, the division operates two programs/services:

- **Certification:** The business can submit an application to become a certified M/WBE with Orange County government.
- **Contract compliance:** Division staff monitor contract and business activities to ensure the use of M/WBEs. (Orange County Government n.d.a)

In addition, M/WBEs that respond to solicitations receive additional scoring during the evaluation process if they meet certain criteria. Most requests for proposals determine the weight of M/WBE participation, which provides the basis for scoring. Fifty percent of the weighted participation points are awarded if the bid meets the M/WBE subcontract utilization goal or if it meets the employment workforce goal (18 percent minority employment and 6 percent women employment). If a bid meets both of those goals, then they receive 100 percent of the weighted participation points (Orange County Government n.d.c).

Goals

The Business Development Division has set participation goals for M/WBEs based on industry type (Orange County Government n.d.a).

Industry Type	Goal
Construction	25 percent
Professional services	27 percent
Goods	10 percent
Services	24 percent

Definitions

Per county ordinance, the division uses the following definitions to determine eligibility of diverse vendors:

- **Minority-owned business enterprise (MBE):** A firm that is at least 51 percent owned, controlled, and managed by a minority person or group and that has a net worth of less than \$2.3 million at the time of application to be certified
- **Women-owned business enterprise (WBE):** A firm that is at least 51 percent owned, controlled, and managed by women and that has a net worth of less than \$2.3 million at the time of application to be certified (Orange County Government n.d.d)

Certification

Businesses can receive certification through the Business Development Division, which maintains and publishes a comprehensive list of their M/WBE certified vendors (Orange County Government n.d.b).

Vendor Training and Support

The division offers monthly educational workshops that are free to attend and cover a variety of topics, including community partners, certifications, how to do business with the county and contracting opportunities, bonding, insurance, and financial management (Orange County Government n.d.b).

Solid Waste Authority of Palm Beach County

Program Summary

Overview

The Solid Waste Authority of Palm Beach County (SWA) is a governmental agency that provides solid waste management to approximately 1.4 million residents and businesses in Palm Beach County, Florida. SWA was established in 1975 under state law and is governed by the seven county commissioners elected in the county (SWA n.d.).

Following the results of a disparity study conducted in 2017, SWA established the Equal Business Opportunity (EBO) Program, with the intent to remedy the effects of the identified marketplace discrimination (SWA 2020).

Equal Business Opportunity Program

Program Description

The Equal Business Opportunity Program began in 2018 as an official expansion on SWA's pre-existing small-business enterprise (SBE) program to address marketplace discrimination and to promote and encourage contract participation from small and minority- and women-owned businesses (S/M/WBEs). The program is administered and managed by the Equal Business Opportunity Office (EBO Office) within SWA, along with their economic inclusion policy and local business enterprise preferences. Under their authority, the EBO Office monitors diversity and inclusion efforts by:

- Serving as a voting selection panel member on all contract awards where low price is not the only determining factor in the decision-making process
- Reviewing all bid solicitations in advance to identify and eliminate unnecessarily restrictive contract specifications that could negatively impact S/M/WBE participation
- Recommending debundling of large contracts when appropriate to increase S/M/WBE participation (SWA 2020)

The program also created a number of administrative policies, including:

- **Solicitation specification review:** All solicitations must be reviewed by the EBO Office and the director of purchasing before being published to identify and resolve any specifications that could restrict competition or negatively impact participation from S/M/WBEs.
- **Respondent debriefings:** Upon request from an S/M/WBE vendor who responded to a solicitation, the SWA department responsible for issuing the solicitation must provide a debriefing document that includes information on scoring criteria and scores given by the evaluation panel, and when possible, identify where the bid was not as competitive compared to others and why.
- **Debundling:** During the solicitation specification review process, solicitations will also be reviewed to determine whether contract debundling is appropriate to reduce restrictions and burdens on S/M/WBE vendors.

- **SWA staff trainings:** The EBO Office is responsible for providing an annual training to all relevant SWA staff regarding their roles and responsibilities under the EBO Program.
- **Subcontract remedies:** An SWA workgroup will convene to identify and recommend options for addressing working capital needs of S/M/WBEs, such as providing initial start-up mobilization fees and direct payments, among others.
- **Website enhancement strategies:** An SWA workgroup will convene to oversee and implement updates to the SWA website to make it more user-friendly and transparent on past, present, and future contract awards.
- **Uniform lead time for bid submittals:** All solicitations must have a closing date at least 30 days after the solicitation is made public.
- **Establish ad hoc position for EBO ombudsman:** The executive director of SWA will appoint a senior staff member outside of purchasing and contracts to serve as the EBO ombudsman to mediate disputes between S/M/WBEs and contractors, the EBO Office, and other SWA departments.
- **Expedited payment program:** An SWA workgroup will convene to identify and recommend options for expediting invoice payments in ten days or less.
- **Disputed invoices:** SWA must notify a contractor or vendor of any payment issues within five days of receiving the payment request or invoice.
- **Direct owner purchasing program:** SWA directly purchases large dollar amount equipment and supply purchases in order to level the playing field for smaller contractors. (SWA 2020)

In addition to the above policies and practices, SWA and the EBO Office have also implemented a number of affirmative procurement initiatives that can be categorized as race-neutral (i.e., race or gender of business owners is not taken into consideration) or race-conscious (i.e., race or gender of business owners is taken into consideration) and vary based on industry type (SWA 2020).

Industry Type	Race Classification	Initiative
Construction	Neutral	<ul style="list-style-type: none"> • Bond waivers and assistance programs • Direct contracting program for small contracts • SBE prime contract program • SBE subcontracting program • SBE mentor-protégé program
Construction	Conscious	<ul style="list-style-type: none"> • Annual aspirational M/WBE goals • M/WBE subcontracting goals • M/WBE segmented subcontracting goals • M/WBE joint venture incentive • M/WBE mentor-protégé program • M/WBE evaluation preference
Professional services	Neutral	<ul style="list-style-type: none"> • SBE vendor rotation options • Evaluation preferences for new SBE prime bidders • SBE reserve for contracts up to \$5,000 • Required SBE quotations for solicitations up to \$50,000 • SBE evaluation preference for prime bidders • SBE subcontracting goals
Professional services	Conscious	<ul style="list-style-type: none"> • Annual aspirational M/WBE goals • M/WBE evaluation preferences • M/WBE subcontracting goals • M/WBE vendor rotation options

Industry Type	Race Classification	Initiative
Commodities, other services, and trade services	Conscious	<ul style="list-style-type: none"> • Annual aspirational M/WBE goals • M/WBE vendor rotation • M/WBE voluntary/mandatory distributorship development program • M/WBE evaluation preferences • Competitive business development demonstration project • WBE joint venture incentives

SWA also gives a local preference of up to ten points on requests for proposals and requests for qualifications. For other types of bids, if a vendor meets local preference criteria and is within 5 percent of the lowest bidder who does not meet the criteria, the local vendor may have the opportunity to offer a best and final bid along with the lowest bidder. To meet the criteria, a vendor must have been in business for at least one year prior to the solicitation, have its headquarters or branch located in Palm Beach County, be fully incorporated or licensed, and have a valid business tax receipt issued by the Palm Beach County Tax Collector (SWA 2020).

Goals

The SWA board of directors established a minimum mandatory goal of 20 percent SBE participation for all SWA contracts, while the EBO Office has the authority, on a contract-specific basis, to require at least 20 percent of the total value of a prime contract be subcontracted to SBEs.

The EBO Office established nonmandatory percentage goals for M/WBE participation on different types of industry contracts.

Industry Type	Business Type	Goal
Construction	MBE	<ul style="list-style-type: none"> • Prime contract dollars = 27 percent • Subcontract dollars = 24 percent
Construction	WBE	<ul style="list-style-type: none"> • Prime contract dollars = 13 percent • Subcontract dollars = 12 percent
Professional services	MBE	<ul style="list-style-type: none"> • Prime contract dollars = 27 percent • Subcontract dollars = 26 percent
Professional services	WBE	<ul style="list-style-type: none"> • Prime contract dollars = 19 percent • Subcontract dollars = 19 percent
Commodities and other services	MBE	<ul style="list-style-type: none"> • Total cumulative dollars = 17 percent
Commodities and other services	WBE	<ul style="list-style-type: none"> • Total cumulative dollars = 18 percent
Trade services	MBE	<ul style="list-style-type: none"> • Total cumulative dollars = 16 percent
Trade services	WBE	<ul style="list-style-type: none"> • Total cumulative dollars = 20 percent

In addition, the EBO Office has the authority, on a contract-specific basis, require up to 40 percent of the total value of a prime contract be subcontracted to M/WBEs, regardless of the industry type (SWA 2020).

Definitions

SWA and the EBO Office use the following terms and definitions when administering the EBO Program:

- **Independently owned and operated:** A designation for S/M/WBE firms meaning that the ownership of the firm must be direct, independent, and by individuals only; meaning, an S/M/WBE cannot be a subsidiary of another firm that does not satisfy S/M/WBE certification.
- **Minority business enterprise:** A business that is at least 51 percent owned, managed, and controlled by one or more minority group members (e.g., African Americans, Hispanic Americans, Asian-Pacific Americans, and Native Americans); meets the significant business presence requirements; and meets U.S. Small Business Administration small-business size standards.
- **Significant business presence:** A designation and requirement for participating in the EBO Program that a business' street address for their principal office be located within Palm Beach County, or that the business must have a significant business presence for at least one year in Palm Beach County, meaning at least 50 percent of all full-time, part-time, and contract employees live in the county and a substantial portion of their work functions are conducted in the county.
- **Small-business enterprise:** A business that meets the U.S. Small Business Administration small-business size standards and the significant business presence requirements.
- **Women business enterprise:** A business that is at least 51 percent owned, managed, and controlled by one or more nonminority women individuals; meets the significant business presence requirements; and meets U.S. Small Business Administration small-business size standards. (SWA 2020)

Certification

S/M/WBE vendors must be certified as such either through the EBO Office or from another regional certifying agency that has similar definitions and standards in place as SWA. Certification is good for two years. In addition, the EBO Office maintains a Web-based registry of certified vendors that is available to the public (SWA 2020). SWA currently has about 1,000 vendors in their registry, one-third of which are certified as S/M/WBE vendors (Colleen Robbs, pers. comm.)

Reporting

The EBO Office is responsible for monitoring and reporting on program progress and performance and relevant data on a quarterly basis to the SWA board and executive director. In addition, the EBO Office must report annually on contract payments to prime contractors and subcontractors that fall within the program (SWA 2020).

Vendor Training and Support

The EBO Office conducts several large- and small-scale outreach events and trainings in the community every year. One of their larger events includes a business forecast, where the entire agency discusses approved upcoming projects and the needs for those projects, so vendors are aware of future opportunities. They also partner with local agencies to share best practices, work projects, buying options, and other related topics for potential vendors. On a monthly basis, the EBO Office hosts business development trainings with various partners in Palm Beach County (Colleen Robbs, pers. comm.).

Staffing

The EBO office has five full-time employees dedicated to the program (Colleen Robbs, pers. comm.).

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Washington State Department of Enterprise Services

Program Summary

Overview

The Washington State Department of Enterprise Services (DES) provides policy, planning, and oversight to various state agencies and municipal governments that deliver public services in order to improve effectiveness and reduce overall costs of government operations. Services provided through the department include contracting and purchasing, printing and mail, facilities and leasing, risk management, human resources and finance, among others (DES n.d.a).

In order to improve economic opportunities for small and diverse businesses, DES supports a business diversity program that provides procurement and contracting opportunities in goods and services and public works (DES n.d.b).

Business Diversity Program

Program Description

The business diversity program provides procurement and contracting opportunities in two areas: goods and services and public works. Each area has developed a specific plan and road map for implementation to expand participation from minority-, women- and veteran-owned businesses in state contracting opportunities based on recommendations from a statewide disparity study that was conducted in 2019 by the state's Business Diversity Subcabinet (DES n.d.b).

The recommendations provided from the study include:

- Implement a data collection and monitoring system
- Increase access to state contracting information
- Increase outreach to minority- and women-owned businesses
- Increase technical support to minority- and women-owned businesses and other small firms
- Extend solicitation times
- Review contract sizes and scope
- Raise direct-buy limits
- Adopt quick-pay policies
- Review insurance, surety bonding, and experience requirements
- Provide training to State of Washington employees for public works contracts
- Develop and pilot a small-business enterprise bonding and financing program
- Develop and pilot a small-business enterprise target market
- Adopt and pilot a small-business mentor program
- Develop performance measures to monitor success

Tasks have been identified and provided for each recommendation and at this point in time, the public works and goods and services areas have begun implementing some or all of the recommendations at various levels (DES n.d.c).

Project managers at DES also provide support to contractors who need to implement inclusion plans, which are required on public works contracts valued at \$1 million or more (on smaller contract amounts, they are considered voluntary). Inclusion plans provide templates for prime contractors to identify and connect with small, women-owned, minority-owned, and veteran-owned businesses as potential subcontractors on projects (DES n.d.d). While inclusion plans for many contracts are considered voluntary, the form must be submitted as part of the response to a solicitation, even if the contractor is not working with a diverse subcontractor. The desire is that while it is not required for a contractor to contract out work with a diverse business, the inclusion plan encourages them to do so. In addition, the inclusion plans are publicly posted, creating accountability for contractors to commit to working with diverse businesses (Shana Barehand, pers. comm.).

Goals

Within the goods and services area, key performance indicators have been identified and are monitored on a quarterly basis. The public works area has set goals that construction projects over \$1 million and architect/engineer (A/E) agreements over \$350,000 require business diversity inclusion plans (DES n.d.c).

Definitions

The business diversity program encourages business opportunities with small, minority-owned, women-owned, and veteran-owned businesses (DES n.d.b).

Certification

Businesses must register to become a vendor using DES's online vendor registration system. They are then able to identify themselves as a diverse business and seek contracting opportunities (DES n.d.b). However, within the online registration system, it is a self-certification when identifying as a business type, and there is no way to verify their selected status (Shana Barehand, pers. comm.). There are 23 minority-certifying agencies in Washington and one operated by the State, which can make identifying and tracking certified minority-owned businesses difficult. Through the Washington Office of Minority and Women's Business Enterprises (state-operated certifying agency), there are 2,600 certified businesses (Shana Barehand, pers. comm.).

Reporting

Based on a recommendation from the 2019 disparity study, both public works and goods and services areas collect and report data such as purchasing card spending, Amazon spending, and master contracting spending with small and diverse businesses (DES n.d.c). However, identifying metrics and implementing data collection processes and systems has been challenging and is an ongoing task for the program (Shana Barehand, pers. comm.).

Vendor Training and Support

Several of the recommendations from the disparity report refer to vendor training and support opportunities, including additional trainings, workshops, technical assistance, and mentorship programs. However, the only recommendation to be implemented thus far is that the goods and services area now provides technical assistance to small and diverse businesses who request it (DES n.d.c).

Staffing

The program has three dedicated program staff and are hoping to add additional staff in the next year. However, all of DES supports the program (Shana Barehand, pers. comm.).

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Wayne County

Program Summary

Overview

Wayne County Human Relations/Business Inclusion Division is a business-certification agency whose mission is to ensure equal access and opportunities for businesses looking to work with Wayne County while promoting inclusion and diversity. In addition to providing business certifications, the division also serves as an investigative and enforcement unit in fair employment and discrimination complaints for county contractors (Charter County of Wayne Michigan n.d.a).

Business Certification and Diversity Program

Program Description

Wayne County administers several programs to promote vendor diversity, including a county-based designation and other small- and minority-owned business certifications. The program originated in 2006 with equalization credits and has evolved since (Victoria Inniss Edwards, pers. comm.). Businesses that are certified through one of these programs receive bid/proposal price evaluation credits during the County's competitive bidding process as outlined below.

County-based Enterprise (CBE)*	Equalization Allowances:
Up to \$50,000	7%
\$50,000–\$200,000	5%
\$200,001 and above	2%
Other Program Certifications	
Small-business enterprise (SBE)*	2%
Expanding-business enterprise (EBE)*	2%
Joint venture (JV)	2%
Mentor venture (MV)	2%
Targeted growth community enterprise (TGCE)*	2%
Veteran-owned enterprise (VE)	2%

Note: Asterisks denote* programs that require being in business for at least one year.

The County publishes the eligible allowances for each project during the bid process and the maximum total allowance is 11 percent. The SBE and EBE programs are mutually exclusive, as well as the JV and MV programs. In other words, a business can utilize SBE but not also EBE and vice versa and the same for JV and MV (Charter County of Wayne Michigan n.d.a).

In addition to business types that receive equalization credits, the program also tracks:

- Minority-owned business enterprise (MBE)/women-owned business enterprise (WBE) declaration: Tracked for data collection purposes only.
- Fair Employment Practice (FEP) certification: This is a requirement for any contracts over \$50,000 for goods and services and \$100,000 for construction.
- Disadvantaged-business enterprise (DBE): Applies to certain federally funded projects.
- Airport concession disadvantaged business enterprise (ACDBE): Applies to certain airport projects. (Charter County of Wayne Michigan n.d.d; Victoria Inniss Edwards, pers. comm.)

Definitions

The following definitions are from the Wayne County Code of Ordinances, Sec. 120–251, and are used to determine business eligibility for participation in the program.

County-based enterprise shall mean a business is deemed to be a county-based enterprise if it satisfies all of the following criteria:

- (1) It has made payment of property taxes on real or personal property within the past year on property which is ordinarily needed to perform the proposed contract;
- (2) Its headquarters is physically located within Wayne County, or it has been conducting business at a location with a permanent street address in the county on an ongoing basis for not less than one taxable year immediately prior to the application for certification as a CBE;
- (3) It has been dealing for at least one year on a regular commercial basis in the kind of goods or service which is the subject of the bid, or in a closely or logically allied product line;
- (4) It is not merely displacing a business which has previously been the low bidder but does not qualify for the county-based credit, by buying from that business and re-selling to the county at a mark-up within the county-based credit;
- (5) It provides a commercially viable product or service to a governmental and private sector clientele;
- (6) At least 50 percent of its regular full-time employees are based at the County location to perform the proposed contract;
- (7) It has satisfied any other requirements established by rules or regulations promulgated to implement this section; and
- (8) It has been evaluated and certified as a CBE by the division of human relations.

Disadvantaged-business enterprise shall mean a business that meets the requirements of 49 CFR Part 26, as amended, and is certified as a DBE by the county's division of human relations.⁵

Expanding-business enterprise shall mean a business which has average annual gross receipts of \$1,000,000.00 or less and no more than 15 employees. A business which is an affiliate or subsidiary of an entity that is not eligible for certification as [an] EBE shall not be certified as an EBE.

⁵ CFR stands for Code of Federal Regulations.

Joint venture shall mean a certified combination of separate businesses, one of which shall be a CBE and either a SBE or EBE, which has been created to perform a specific contract, which shares in profits and losses, and which is evidenced by a written agreement which provides, at a minimum, that the SBE or EBE:

- (1) Is substantially included in all phases of the contract, including, but not limited to, bidding and staffing;
- (2) Provides at least 51 percent of the total performance, responsibility, and project management of a specific job; and
- (3) Receives at least 51 percent of the total remuneration from a specific contract.

Mentor venture shall mean a certified combination of separate firms, which has been created to perform a specific contract, and is evidenced by a written agreement which provides at minimum that one of the firms is a CBE and either an SBE or EBE and:

- (1) Is substantially included in all phases of the contract, including, but not limited to bidding and staffing.
- (2) Provides at least 30 percent and not more than 50 percent of the total performance, responsibility, and project management of a specific job.
- (3) Receives as least 30 percent and not more than 50 percent of the total remuneration from a specific contract; and
- (4) Shares proportionately in profits and losses.

Small-business enterprise shall mean a business other than an individual, sole proprietorship or partnership which:

- (1) Has been in existence and operating for at least one year prior to the date of application for certification as a small business concern; and
- (2) Is one of the following:
 - a. A manufacturing business, which, for the three fiscal years preceding the date of application for certification, has provided full-time employment to not more than 500 persons; or
 - b. A general construction business, which, for the three fiscal years preceding the date of application for certification, has average annual gross receipts of not more than \$28,000,000.00; or
 - c. A specialty construction business, which, for the three fiscal years preceding the date of application for certification, has average annual gross receipts of not more than \$12,000,000.00; or
 - d. A wholesale business which, for the three fiscal years preceding the date of application for certification, has provided full-time employment to not more than 100 persons; or
 - e. A retail business which, for the three fiscal years preceding the date of application for certification, has average gross receipts of not more than \$6,000,000.00; or

- f. A service business, other than professional, which for the three years preceding the date of application for certification, has average annual gross receipts of not more than \$6,000,000.00; or
- g. A professional services business, which for the three fiscal years preceding the date of application for certification, has had average annual gross receipts of not more than \$6,000,000.00.

A business which is an affiliate or subsidiary of an entity that is not eligible for certification as an SBE shall not be certified as an SBE.

Targeted growth community shall mean a city, village, or township within Wayne County with a per-capita income of less than \$20,000.00 as judged by the United States decennial census. As of the date of this ordinance, the targeted growth communities include Detroit, Ecorse, Hamtramck, Highland Park, Inkster, Melvindale, River Rouge, Romulus, Sumpter Township, and Taylor.

Targeted growth community enterprise shall mean a business deemed to be TGCE if it satisfies all of the following criteria:

- (1) It has made payment of property taxes on real or personal property within the targeted growth community the past year on property which is ordinarily needed to perform the proposed contract;
- (2) Its headquarters is physically located within the targeted growth community, or it has been conducting business at a location with a permanent street address in one of the targeted growth communities on an ongoing basis for not less than one taxable year immediately prior to the application for certification as a TGCE;
- (3) It has been dealing for at least one year on a regular commercial basis in the kind of goods or service which is the subject of the bid, or in a closely or logically allied product line;
- (4) It is not merely displacing a business which has previously been the low bidder but does not qualify for the TGCE credit, by buying from that business and re-selling to the county at a mark-up within the TGCE credit;
- (5) It provides a commercially viable product or service to a governmental and private-sector clientele;
- (6) An adequate number of its regular full-time employees are based at the targeted growth community location to perform the proposed contract;
- (7) It has satisfied any other requirements established by rules or regulations promulgated to implement this section; and

It has been evaluated and certified as a TGCE by the division of human relations.

Certification

The County's Human Relations/Business Inclusion Division is the business-certification entity. Key highlights of the program certification include:

- Businesses cannot receive credits unless they have been certified before the bid-submission deadline.
- Businesses claiming entitlement and establishing eligibility for equalization credits agree to make available necessary records.
- Applications are submitted online and processed through the Procure to Pay system.

- Certification takes six to eight weeks, while recertification is a shorter process and requires fewer documents.
- Initial certification is for three years.
- Certification puts a business automatically on the County’s direct solicitation list. (Charter County of Wayne Michigan n.d.a; Charter County of Wayne Michigan n.d.c)

Vendor Training and Support

Wayne County has established the Success Program, which provides monthly onsite open-certification outreach workshops targeted to small businesses and those interested in doing business with Wayne County. Representatives from the Human Relations Division assist vendors with their certification applications and reviewing the application process. Workshops are held early mornings or evenings to accommodate busy schedules (Charter County of Wayne Michigan n.d.b).

The County also holds Empowerment and Improvement sessions, which provide helpful tips and strategies in growing and strengthening business, such as business development and planning, financial literacy, bonding, healthcare, and a question-and-answer session with a Wayne County expert (Charter County of Wayne Michigan n.d.b).

Businesses utilizing the Success Program are designated a “Success Partner” and provided additional benefits:

- **Business-to-Business Mentoring Program:** This program partners larger businesses with smaller businesses for “Life Lab” learning—the opportunity to share real-world experiences. In addition, the mentoring program creates future opportunities for small businesses to be utilized as subcontractors.
- **Business workshops:** This is a specialized workshop targeting issues common to small and minority-owned businesses. Topics such as applying for loans and other helpful tips are explored.
- **Networking events:** A series of targeted networking events, Partners of Possibility, provide one-on-one time with decision makers. Other municipalities and agencies are invited to participate, expanding opportunities for the SBE members. The networking sessions are divided into commodity/product groups to provide a more focused opportunity (Charter County of Wayne Michigan n.d.b).

Staffing

There are five staff within the Human Relations/Business Inclusion Division. While all staff have responsibilities for the program, they also have other responsibilities related to human relations initiatives (Victoria Inniss Edwards pers. comm.).

Wayne County Airport Authority

Program Summary

Overview

The Wayne County Airport Authority (WCAA) manages and operates Detroit Metropolitan and Willow Run Airports. It is governed by an independent, seven-member board of directors who are appointed by the Wayne County executive, Wayne County Commission, and the governor (WCAA n.d.a).

The WCAA operates two programs to promote more inclusive procurement and contracting opportunities: one that focuses on disadvantaged-business enterprises (DBE) and one that focuses on small-business enterprises (SBE).

Disadvantaged Business Programs

Program Description

Because the WCAA receives federal funding for airport improvement projects, they are mandated to run a DBE program, which also includes airport concession disadvantaged business enterprises (ACDBEs), with the intent to maximize opportunities for vendors to participate in construction and professional services contracts. To comply with the mandates, the WCAA has developed a three-year DBE goal for 2020 to 2022, sets diversity goals during the pre-contract award phase, and monitors contractors' achievements in participation during the post-contract award phase (WCAA n.d.c).

Goals

The WCAA has a three-year overall goal of 7 percent, or \$2,541,000 for DBEs. This goal is based on the WCAA's research of DBEs in the local market area relative to all other businesses. In their methodology, the WCAA used the Michigan Unified Certification Program (MUCP) DBE directory to identify the total number of available DBEs (WCAA n.d.d).

Definitions

Per federal code, a DBE is defined as a for-profit small business owned by individuals that are considered to be both socially and economically disadvantaged, while an ACDBE is a for-profit concession (i.e., a business located inside of an airport that sells consumer goods and services under an agreement with that airport) owned by individuals that are considered to be both socially and economically disadvantaged (WCAA n.d.c).

Certification

Certification for DBE and ACDBE status is obtained through an application process by one of the three MUCP certifying agencies—the Michigan Department of Transportation, Wayne County Human Relations/Business Inclusion, and the Detroit Department of Transportation (WCAA n.d.c).

Reporting

The WCAA monitors participation and achievements and contractors are required to submit monthly reports to the WCAA. For DBEs, this is a one-page, primarily qualitative form, that records descriptions of the work completed in the reporting period. For ACDBEs, the one-page form records total participation dollars and a description of the goods/services provided in the reporting period (WCAA n.d.c).

In addition, the WCAA solicits feedback from the minority, women, and general contractor business groups, community organizations, and other stakeholders regarding the procurement process and goal setting practices (WCAA n.d.d).

Vendor Training and Support

Per the three-year goal report, the WCAA is committed to the following training and support activities:

- Cosponsoring outreach/networking meetings with targeted agencies located within the WCAA's relevant market area
- Conducting public outreach forums targeted to small businesses
- Distributing printed literature describing the WCAA's DBE program
- Distributing information about upcoming WCAA contracting opportunities
- Continuing usage of an electronic vendor registration program, including information regarding direct notification of the WCAA's competitive solicitations
- Distributing best practices information regarding doing business with the WCAA
- Offering small businesses instructions and clarifications on bid specifications, general bidding requirements, and the WCAA's procurement policy and procedures
- Publicizing, in particular to small businesses, opportunities to review and evaluate bids/proposals submitted by successful bidders/proposers for past procurements
- Conducting debriefing sessions with unsuccessful bidders/proposers, when requested, to explain why certain bids/proposals were unsuccessful (WCAA n.d.d)

Small Business Enterprise Program

Program Description

The WCAA Small Business Enterprise Program is an initiative governed by the WCAA Procurement and Contracting Ordinance that aims to increase opportunities with small businesses in Southeast Michigan on non-federally funded contracts. SBE participation in the procurement process is encouraged through percentage goals, equalization credits, and development contracts (WCAA n.d.b). The program was established in 2006 and has evolved over time, including expansion from four to the current ten counties (Peter Hathaway, pers. comm.).

Equalization credits are awarded during the evaluation process to bids, proposals, and quotes that include more than 20 percent SBE participation. The credits are used to determine the lowest bidder or most responsible proposer, as outlined in the following table:

SBE Participation Type	Contract Value	
	Less than or Equal to \$100,000	More than \$100,000
SBE prime contractor self-perform $x \geq 30$ percent	3 percent	2 percent
SBE participation $x \geq 30$ percent (prime contractor and subcontractor combined)	2 percent	1 percent
SBE participation $20 \text{ percent} \leq x < 30 \text{ percent}$ (prime contractor and subcontractor combined)	1 percent	1 percent

Source: WCAA n.d.e

Development contracts are solicited exclusively for SBE responses. In order to be solicited as an SBE development contract, the procurement administrator must determine that three or more SBEs are able to and available to provide the desired goods or services. The contract must be less than \$1 million for non-specialty trade contractors, less than \$500,000 for specialty trade contractors, or less than \$200,000 for all other contracts (WCAA n.d.f).

Definitions

In order to be eligible for SBE certification and participation in the program, a business must:

- Be independently owned and headquartered within the Air Trade Area (Genesee, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties)
- Have average annual gross receipts over the most recent three-year period or average number of employees in the last 12 calendar months that do not exceed the U.S. Small Business Administration size standards based on its classification within the North American Industry Classification System (WCAA n.d.b)

Certification

Vendors who seek to participate in the SBE program must complete an online application process. Online training is available to assist vendors and it is free for vendors to become SBE certified (WCAA n.d.b).

Reporting

The WCAA requires certified SBEs to submit SBE participation progress reports in order to track funds and progress on awarded contracts. The progress report is a one-page form that records a description of the work performed during the reporting period, percentage of work completed to date, and SBE payments. For the past two years, the SBE program has reached its goal of 18 percent of the operations and maintenance budget of approximately \$600 million (WCAA n.d.b).

Staffing

The program is housed with the Business Diversity unit. There are three staff within this office that have responsibility for not only business diversity, but also contract compliance, including the 62 airport concessionaires and dozens of annual construction projects. The program is led by the business diversity manager with support from a peer in contract compliance and an analyst-level position (Peter Hathaway, pers. comm.).

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Wayne State University

Program Summary

Overview

Wayne State University's Procurement and Strategic Sourcing Department is responsible for the purchasing of all goods and services to support academic and research programs, as well as construction and renovation projects, amounting to over \$190 million per year (Wayne State University n.d.a).

Wayne State University's Supplier Diversity program was developed to increase and enhance successful business relationships between the university and minority-, women-, and physically challenged-owned business enterprises (M/W/DBEs) (Wayne State University n.d.b).

Supplier Diversity Program

Program Description

The Supplier Diversity Program encourages the Procurement and Strategic Sourcing department, Facilities Planning and Management department, and all other schools, departments, and divisions to seek out and engage with diverse businesses to maximize their participation in contracting opportunities. The program does not include purchasing goals but instead focuses on a soft approach to their inclusion policies. Coordination and management of the program lies with the director of purchasing and the director of the Office of Equal Opportunity (Wayne State University n.d.b).

The program has established the following initiatives in support of its goal:

- Convene a university-wide committee that assists in promoting and enhancing contracting opportunities with diverse businesses. The committee is co-chaired by the director of procurement and the director of the Office of Equal Opportunity.
- Develop and promote businesses in underrepresented sectors, including seeking out, mentoring, and utilizing diverse businesses.
- Develop and promote the use of underutilized businesses in subcontracting and joint venture purchasing to encourage larger, existing university vendors to work with diverse businesses.
- Educate the larger university community about the program so they can increase their purchasing with diverse businesses.
- Monitor and report annually on all expenditures with diverse businesses.
- Sponsor programs, training and technology classes for diverse businesses so they can enhance their business opportunities and build upon their capabilities.
- Increase the university's involvement in Detroit and its various associations and programs.

While purchases amounting to more than \$25,000 require a competitive bid, purchases below that amount are made through a formal or informal request for quotations. Diverse businesses are included in requests for quotations whenever possible and a contact list of all diverse suppliers is maintained by the Procurement and Strategic Sourcing department (Wayne State University n.d.a).

Goals

Wayne State has established key performance indicators for working with diverse suppliers, which are published on their website. They track university purchase orders for four different types of businesses:

- Diverse businesses
- Detroit-based businesses
- Businesses located in counties in Southeast Michigan
- Michigan-based businesses

In 2019, 90.75 percent of spending went to nondiverse businesses, while 3.36 percent went to minority-owned, 2.65 percent went to women-owned, and 3.24 percent went to other disadvantaged businesses (Wayne State University 2019).

Definitions

The Supplier Diversity Program defines diverse businesses as the following:

- **Minority-owned business enterprise (MBE):** A business that is at least 51 percent owned, operated, and controlled by a minority or group of minority members. If the business is publicly owned, at least 51 percent of the stock is owned by a minority or group of minority members.
- **Women-owned business enterprise (WBE):** A business that is at least 51 percent owned, operated, and controlled by a woman or group of women. If the business is publicly owned, at least 51 percent of the stock is owned by a woman or group of women.
- **Physically challenged–owned business enterprise (DBE):** A business that is at least 51 percent owned, operated, and controlled by one; or more physically-challenged individuals or a subsidiary that is wholly owned by a parent corporation with at least 51 percent of the parent corporation voting stock owned by one or more physically challenged individuals; or a joint venture in which at least 51 percent of the management, control, and earnings are held by one or more physically challenged individuals. A person is physically challenged if they have a physical or mental impairment that considerably limits one or more major life activities. (Wayne State University n.d.b)

Certification

To participate in the Supplier Diversity program, a business must have certification from one of the following agencies:

- National Minority Supplier Development Council
- Michigan Minority Supplier Development Council
- National Association of Women Business Owners
- Women’s Business Enterprise National Council
- Other city, state, or federal certification agencies (Wayne State University n.d.b)

Reporting

The program policy states that all expenditures with diverse businesses should be monitored, reported, and recorded on an annual basis (Wayne State University n.d.b). In addition, the key performance

indicators are published on the university's website and are shared with the board of governors and the Michigan Minority Supplier Development Council and summarized in the Office of Equal Opportunity's annual affirmative action report (Wayne State University n.d.c).

Vendor Training and Support

The procurement team undertakes outreach efforts, primarily attending multiple events throughout the year hosted by groups such as the Michigan Minority Supplier Development Council, Asian Pacific American Chamber of Commerce, National Business League (formerly Michigan Black Chamber of Commerce), Michigan Hispanic Chamber of Commerce, and the Procurement Technical Assistance Centers. Wayne State University has held onsite vendor events and in 2020 they partnered with the Michigan Economic Development Corporation's Pure Michigan Business Connect program to offer a virtual vendor event.

Staffing

The Supplier Diversity Program is managed by the Procurement and Strategic Sourcing Department, currently a team of five buyers and a manager. Program duties, including vendor outreach, are shared among all six staff as part of their overall procurement duties. The team manager belongs to the Council of Supplier Diversity Professions, an organization of procurement staff in Southeast Michigan working to diversify their organizations' procurement efforts (Kenneth Doherty, pers. comm.).

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