

The **Small Business Enterprise Program** provides procurement opportunities to small and local businesses thereby contributing to the economic health and vitality of the region.



Northeast Ohio Regional Sewer District

Small Business Enterprise Program
Euclid Creek Tunnel Project



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SBE Program Objectives

- Race and Gender Neutral
- Legally Enforceable
- Local Benefit
- Cost Effective
- Project-by-Project goals
- Stringent Good Faith Effort Requirements



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SBE Eligibility Standards

- Location
- At least one year in business
- Size
- Ownership



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SBE Eligibility Standards

- **Business Locations**
 - Cuyahoga
 - Lake
 - Lorain
 - Summit



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SBE Eligibility Standards

- **The District's Size Standards – Caps**

(sample, in millions)

- Heavy Construction: \$33.5 M
- Trucking: \$25 M
- Engineering Services: \$10 M
- Architectural Services: \$4 M
- Landscape Services: \$3.5 M
- Steel: \$14 M
- Electrical: \$33.5 M

*Based on a three average www.neorsd.org/sbe



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SBE Eligibility Standards

- **Ownership and Control**

- Firm must be in business for at least one year
- Firm must demonstrate **day-to-day** control
 - Managerial Control – Ability to make independent and unilateral business decision
 - Operational Control - Some experience in the industry



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Applications

- Vendor Registration
 - https://www.neorsd.org/vendor_registration.php
- SBE Application
 - <http://www.neorsd.org/sbe>



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SBE Certification Process

- Certification valid for two years
- Initial certification application
 - All firms must apply at least **seven business days** prior to the opening of the bid to be considered
- Re-certification application
 - Every two years



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SBE Goals

- Project-by-Project goals
- Determined by examining the project from start to finish (30%,60%,90%)
- Availability
 - In order to receive credit towards the SBE goal prime contractor's must select a certified SBE from the NEORS SBE registry



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Certified SBE Bidding as a Prime Contractor

- SBE must utilize additional certified SBEs to meet the SBE project goal



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Requirements of Prime Contractors

- Must complete all required forms
- Must list all certified subs at time of bid
- Prime and subs must sign, date subcontractor participation forms
- Prime must report any subcontractor changes
- Prime must show good faith effort



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Requirements of Prime Contractors

Good Faith Efforts

- Complete **all required** GFE forms
- **Document** all contacts, responses of SBEs
- Demonstrate that **sufficient time** was provided to allow SBEs to respond to solicitations
- Submit **three** documents of solicitations of SBEs
- **Contact** Office of Contract Compliance (OCC) for assistance when experiencing difficulty identifying available SBEs



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Data Sheet 1

SBE Subcontractor Participation Plan
Must be submitted for each subcontractor proposed

Service Contract Supply Contract Construction Contract

Business Name of Prime Bidder _____
Address _____
City _____ State _____ Zip Code _____
Telephone (____) _____ E-Mail _____
Firm Owned by: Majority Minority (specify: _____) Female SBE
Amount to be Subcontracted to SBE: \$ _____ Percent of Total: _____ %

Prime Bidder's Name _____ Title _____
(Type or Print) (Date of Signature)

Prime Bidder's Signature _____ (Date of Signature)

SBE SUBCONTRACTOR TO BE UTILIZED
(Must be certified by the NEORSB, Small Business Division)

Name of SBE Subcontractor _____
Address _____
City _____ State _____ Zip Code _____
Telephone (____) _____
Scope of work provided by subcontractor: _____
SBE Type: MBE WBE DBE MAJORITY SBE
The undersigned agrees to subcontract with the above named bidder for the above service(s) or supply(ies) to be furnished to the NEORSB.

SBE Subcontractor's Name _____ Title _____
(Type or Print) (Date of Signature)

SBE Subcontractor's Signature _____ (Date of Signature)

Subcontractors signature and date

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Data Sheet 2

If applicable, identify all SBE's contacted to participate that declined or were not chosen:

- Name of Subcontractor/Vendor _____ Address _____ Phone _____
Name of Contact _____ Date of Offer to Participate _____ Bid Amount _____ Date Offer Declined _____
Reasons Given for Declining _____
- Name of Subcontractor/Vendor _____ Address _____ Phone _____
Name of Contact _____ Date of Offer to Participate _____ Bid Amount _____ Date Offer Declined _____
Reasons Given for Declining _____
- Name of Subcontractor/Vendor _____ Address _____ Phone _____
Name of Contact _____ Date of Offer to Participate _____ Bid Amount _____ Date Offer Declined _____
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Name of Contact _____ Date of Offer to Participate _____ Bid Amount _____ Date Offer Declined _____
Reasons Given for Declining _____

Declined subcontractors

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Data Sheet 3

3 documents

Contact Office of
Contract Compliance

Demonstrate
sufficient time

Good Faith Efforts Checklist

The following criteria must be established at a minimum in order to demonstrate that a good faith effort has been made.

Has the Bidder completed and timely submitted all District-required Good Faith Effort forms, including any affidavits and SBE utilization plans that the District may require?

Has the Bidder secured documentation of all contacts and responses of SBE (ex. telephone, e-mail, fax, etc.) regarding the solicitation of SBE subcontractors, including names, dates, work scope and reasons for failure to reach an agreement?

Has the Bidder identified portions of the project capable of being performed by SBEs and, where appropriate, break out work items into economically feasible units to facilitate SBE participation?

Has the Bidder provided at least three documents of solicitations of SBEs through reasonable means, such as written notices and advertisements?

Did the Bidder reach out to the District's Office of Contract Compliance for assistance when experiencing difficulty identifying subcontracting opportunities or available SBEs?

The following are additional evidence the Bidder may submit in order to demonstrate that a good faith effort has been made.

Did the Bidder demonstrate that sufficient time was provided to allow SBEs to respond to solicitations?

Did the Bidder demonstrate that it responded in a timely manner to the questions of SBEs regarding the solicitations?

Did the Bidder demonstrate timely and adequate provisions of information to SBEs regarding the plans, specification and requirements of the project?

Did the Bidder establish schedules that encourages participation by SBEs?

Did the Bidder document good faith negotiations with interested SBEs that submitted bids or proposal?

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SBE Monitoring

- Office of Contract Compliance
 - Analyze data from project manager
 - Conduct random home-office visits
 - Monitor payments



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Sanctions

- Prime contractor sanctions
 - Suspension 2 years
 - Withholding payments
 - Cancellation of contracts
 - Permanent debarment for repeat offenders
- Subcontractor debarment (1 year)
 - May re-apply after 1 year



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Search Parameters WWW.NEORSD.ORG/SBE

- **Business Name/DBA Contact**
- **Person** First: Last:
- **City**
- **Zip Code/Post Code**
- **Phone Area**
- **Code Commodity Code**
- **Business Description**
- www.neorsd.org/sbe



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Contact information

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 - Contract Compliance Manager
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