



HOWARD COUNTY EQUAL BUSINESS OPPORTUNITY COMMISSION

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Howard County EBOC

Chair

Nathaniel Alston, Jr.

Date: **August 03, 2017**

Vice Chair

Nancy Briguglio

Ex-Officio

Lonnie Robbins

To: **The Honorable Dr. Calvin Ball**
Howard County Council

Executive Secretary

Dean Hof

Cc: **The Honorable Jon Weinstein, Chairperson, Howard**
County Council

Legal Counsel

Constance Tucker

Allan H. Kittleman, County Executive, Howard County
Government

EBO Coordinator

Mahesh Sabnani

Lonnie Robbins, Chief Administrative Officer, Howard
County Government

Members

Roger Barnes

Barry Curtis

Steven Joss

Margaret Kim

Matthew Lee

Jason Peay

Shahan Rizvi

Tajuddin Sabree

Equal Business Opportunity Commissioners

From: **Nathaniel Alston, Jr., Chair**
Equal Business Opportunity Commission

Subject: **Equal Business Opportunity Commission**
Report in Reference to County Resolution 181-2016

The Honorable Dr. Calvin Ball
Howard County Council
George Howard Building
1st Floor
3430 Courthouse Drive
Ellicott City, MD 21043

Dear Council Member Dr. Ball,

It is the policy of Howard County Government to encourage increased participation by Minority, Women and Disabled Business Enterprises in the procurement of all goods and services through all solicitations by the County. To this effort, the Equal Business Opportunity Commission (EBOC) is an essential partner to the Office of Purchasing in recommending policies and initiatives in order to promote diversity and inclusiveness.

The Commission's ongoing role is to assist the efforts of the County in procuring goods and services from Minority Business Enterprises, Women Business Enterprises and Disabled Business Enterprises pursuant to the County's Equal Business Opportunity (EBO) Program and to ensure that the procurement process is open to all vendors without regard to race, gender, national origin, disability or size of organization. The County's Equal Business Opportunity (EBO) Program is designed to create a more diverse and inclusive business environment.

On December 05, 2016, the County Council of Howard County, Maryland approved County Resolution 181-2016, which tasked the Equal Business Opportunity Commission (EBOC) to make certain studies related to the County's Equal Business Opportunity (EBO) Program and purchasing practices, to study policies and experiences of other jurisdictions with respect to contracting and purchasing and the use of businesses owned by women, minorities, and individuals with disabilities; to recommend to the County Council measures to improve the County's purchasing policies and practices; and generally relating to fostering equal business opportunities for businesses owned by women, minorities, and individuals with disabilities in Howard County.

The EBOC is comprised of ten members. Listed below are the names of the current Commission members:

Nathaniel Alston, Jr. (Chair)

Nancy Briguglio (Vice Chair)

Roger Barnes

Barry Curtis
Steven A. Joss
Margaret Kim
Matthew Lee
Jason Peay
Shahan Rizvi
Tajuddin Sabree

In light of the above referenced Resolution CR181 and a key role of the Commission to create and maintain standards of equity, the main objective of the EBOC has been to review current procurement policies and practices and analyze purchasing and EBO data and reports.

The EBOC offers herein our recommendations which we believe will continue to depict our and the County's commitment to diversity and inclusiveness with respect to the way the County procures goods and services. The basis for our recommendations are derived from reviewing the Equal Business Opportunity (EBO) Program manual, comprehensively reviewing the statistical reports for FY 2016, reviewing EBO Participation to include subcontracting arrangements and direct purchases which included purchase orders and the overall County-wide PDQ card expenditures (the PDQ expenditure breakdown by agency data is not available, therefore the overall PDQ expenditures were reviewed), reviewing purchasing reports provided at the EBOC meetings on a regular basis, our ongoing discussions during these EBOC meetings, an EBOC retreat the Commissioners held in December 2016.

The EBOC also reviewed various data reports on the EBO program, data on similar regional preference programs, which includes information on MWDBE and SLBE programs; their goals, certification criteria, geographic boundaries etc., and some of the most recent disparity studies conducted in surrounding jurisdictions.

Additionally, in reference to CR181, the EBOC held a public hearing on August 02, 2017. The EBOC invited firms certified in the EBO program and various organizations and firms in their databases to include: the Howard County Chamber of Commerce, Howard County Chapter of the NAACP, Howard County Muslim Council, African American Community Roundtable of Howard County, Korean American Community Association, Howard County Commission for Women, Commission on Disability Issues, and the Indian Origin Network of Howard County (IONHoCo).

The following reports from the Office of Purchasing were comprehensively reviewed for the most recent fiscal year (FY 2016):

1. EBO Report - Annual Statistics FY 2016
 - EBO Utilization
 - EBO Participation - 5-year Comparative Summary
 - EBO Certification
 - EBO Waivers
 - EBO Outreach
2. EBO Waivers - FY 2016
3. Report on Formal Purchases - FY 2016
4. Contracts with EBO Firms - June 2016
5. EBO Eligibility Certification Questionnaire
6. EBO Program Outreach Materials

The EBOC believes that these recommendations, when implemented, will continue to impart an inclusive environment in Howard County which will empower minority owned businesses, and especially local Howard county minority owned businesses by increasing their access to contracting opportunities. As Howard County continues to engage increased diversity in its procurement practices, the viability of minority owned businesses will be increasingly more significant to the growth and vitality of the County's economy.

Recommendations:

- The EBOC would like to see more local Howard County firms certified and benefit from the EBO Program.
- Local Howard County EBO firms should get first preference in the EBO program, put strong local preferences for Howard County minority businesses in place.
- Allow EBO prime contractors to count up to 100% of the work they self-perform on contracts with EBO subcontracting goals.
- Increase number of firms obtaining certification and streamline the County's EBO certification process.
- Tighten up eligibility criteria for EBOC certification. Include an Eligibility Questionnaire for questionable applications.
- More scrutiny needs to be done for certifying woman-owned business.
- Authorize EBOC Commissioners reviewing certification applications to directly contact and interview the prospective applicants, if need be, for determining eligibility.

- Authorize EBOC Commissioners reviewing certification applications to request additional information and/or supporting documentation by directly contacting prospective applicants, if need be, for determining eligibility.
- In the spirit of the EBO Certification process; a firm seeking certification must be at least 51% owned, controlled and managed daily by a minority person(s) to include the following categories: African American, Hispanic American, Asian American, Native American or at least 51% owned, controlled and managed daily by a woman. Ala carte combinations to reach the 51% threshold run counter to the EBO program. Require that the 51% be in only any one particular group.
- For firms that are located outside Howard County who are applying for EBO certification, make MDOT certification mandatory.
- Enforce stringent criteria for waivers
- Require prime contractors to submit written documentation on outreach efforts when seeking waivers of the subcontracting goal.
- Continue with outreach to EBO firms.
- Notify minority owned businesses of procurement opportunities.

I would like to extend my appreciation to the County to serve as the EBOC Chair and present these recommendations on behalf of the Commission. I would also like to thank my fellow members on the Commission for their continued insights and collaborations.

Sincerely,

Nathaniel Alston, Jr., EBOC Chair

Attachments:

EBO Report FY 2016

ATTACHMENT

EBO REPORT FY 2016

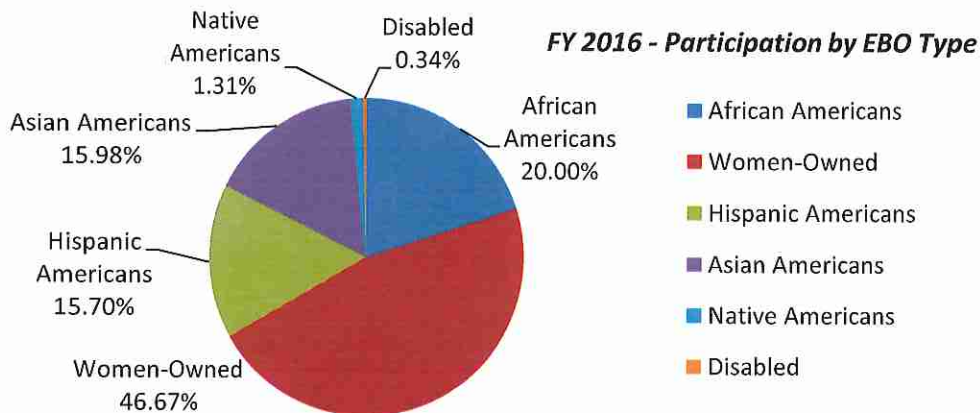
I. EBO UTILIZATION

In fiscal year 2016, the County did \$47,705,689 worth of business with Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs) and Disabled Business Enterprises (DBEs). This includes direct purchases and subcontracting arrangements and represents 24.85% of all purchasing. EBO vendors currently hold 14.33% of the County's requirements contracts that are EBO eligible.

EBO Participation by EBO Type

The table below depicts the total participation by EBO types.

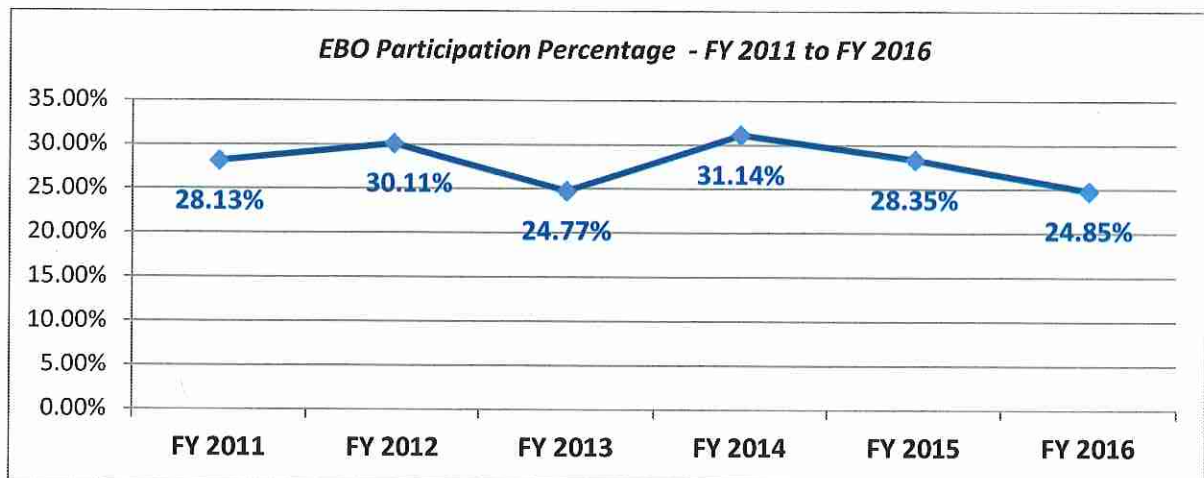
EBO Type	\$	%
<i>African Americans</i>	<i>\$9,541,943.70</i>	<i>20.00%</i>
<i>Asian Americans</i>	<i>\$7,621,776.67</i>	<i>15.98%</i>
<i>Hispanic Americans</i>	<i>\$7,490,582.08</i>	<i>15.70%</i>
<i>Native Americans</i>	<i>\$625,434.21</i>	<i>1.31%</i>
<i>Women-Owned</i>	<i>\$22,264,892.44</i>	<i>46.67%</i>
<i>Disabled</i>	<i>\$161,060.29</i>	<i>0.34%</i>
Total	\$47,705,689.39	100%



**II. EBO PARTICIPATION – COMPARATIVE SUMMARY
FROM FY 2011 THROUGH FY 2016**

EBO TOTAL (PRIME AND SUBCONTRACTING)

FISCAL YEAR	EBO PARTICIPATION	
	EBO \$	EBO %
2011	\$51,266,153	28.13%
2012	\$64,594,389	30.11%
2013	\$47,488,467	24.77%
2014	\$66,579,713	31.14%
2015	\$62,241,830	28.35%
2016	\$47,705,689	24.85%

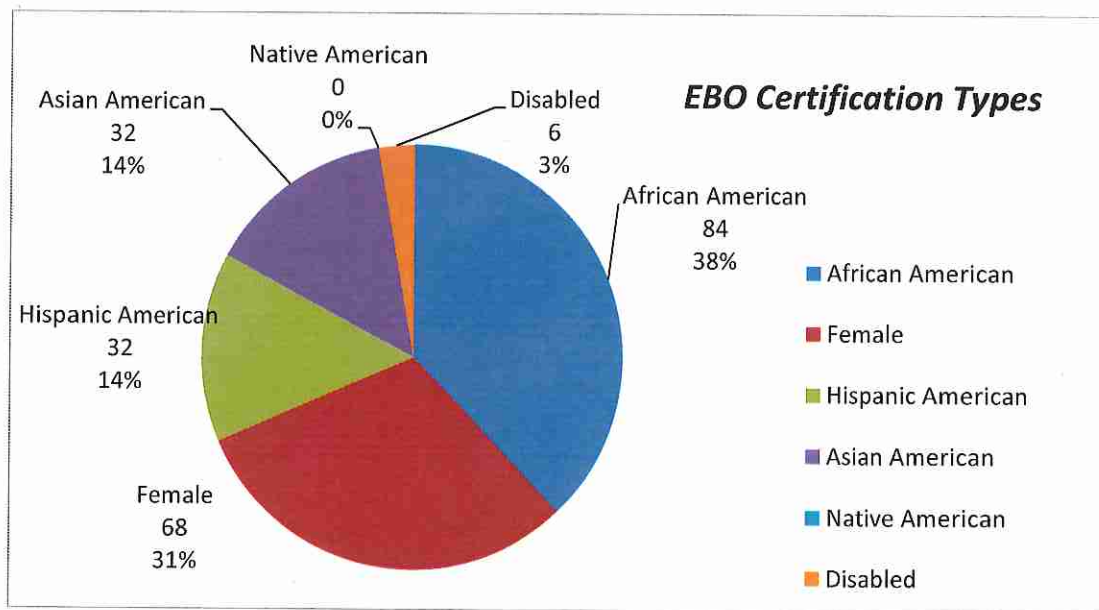


III. EBO CERTIFICATION

The number of companies receiving Howard County EBO certification continued to increase in FY 2016, wherein the Equal Business Opportunity Commission (EBOC) approved a total of 222 certifications.

- 116 of these were new certifications and 106 were Re-certifications.
- 56 firms certified were based in Howard County (25%)

EBO Certifications - By EBO Type

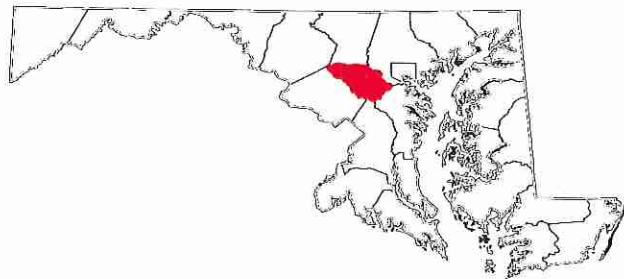


EBO Certifications - By Geographic Location

Howard County, Maryland 25%

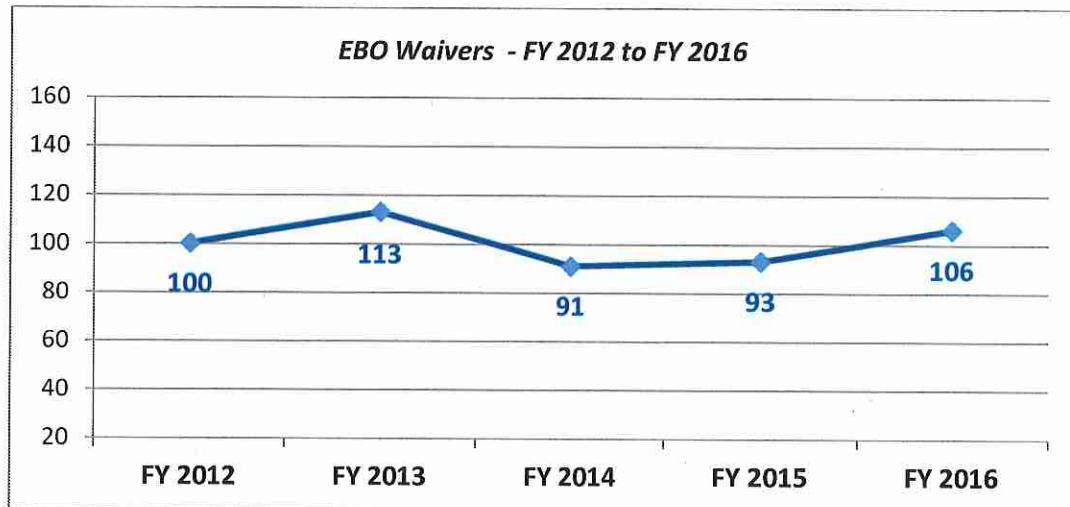
Rest of Maryland 63%

Out of State 12%



IV. EBO WAIVERS FY 2016

- During FY 2016, a total of 106 waivers amounting to \$41,581,599 were granted.
- \$20,764,838 of these were due to Non-Discretionary spending (no opportunities for EBO subcontracting), the balance \$20,816,761 were based on good faith efforts.



V. OUTREACH

Meet the Primes Regional Conference October 2015

Partnered with: Baltimore County & Baltimore Metropolitan Council/Baltimore Regional Cooperative Purchasing Committee (BMC/BRCPC) Regional Minority Outreach Event

Attendance: 341 attendees

The Howard County Office of Purchasing was one of the Regional Sponsors of the 'Baltimore County & Baltimore Metropolitan Council/Baltimore Regional Cooperative Purchasing Committee (BMC/BRCPC) Regional Minority Outreach Event', 'Meet the Primes' held on October 14, 2015 at the MD State Fairgrounds in Timonium, MD from 8:00 am - 12:00 pm.

The goal of this event was to offer Minority Business Enterprises a platform to network with large Prime Contractors and Government Agencies in an effort to foster business relationships and help businesses increase their knowledge of the contracting process.

This year's event was successful with over 102 General Contractors and 28 Government Agencies exhibiting at the event. The event was well attended with around 341 small minority sub-contractors attending the event. In addition to networking opportunities with the exhibitors, attendees also had an opportunity to participate in 'One-to-One Matchmaking Introduction Meetings' that were organized by the Maryland Washington Minority Companies Association (MWMCA).

EBO Certification Workshop December 2015

Partnered with: State of Maryland, Department of Transportation (MDOT), Office of Minority Business Enterprise and the US Small Business Administration (SBA)

Attendance: 45 attendees

The Office of Purchasing hosted a Minority Certification Training Workshop on Wednesday, December 09, 2015 from 1:00 pm to 3:00 pm at the auditorium in the Robinson Nature Center. The County partnered with the State of Maryland, Department of Transportation (MDOT), Office of Minority Business Enterprise and the Small Business Administration (SBA) for this workshop. The workshop featured information on the application process, eligibility standards, and certification benefits for local Howard County EBO, State MBE and Federal SBA 8(a) certification programs. The workshop was well attended with about 45 minority businesses in attendance.

Trade Show Exhibits

Staff also participated in the following outreach events focused on minority business development:

- Supplier Diversity Programs and Practices Overview hosted by the Capital Region Minority Supplier Development Council (CRMDSC) (September 2015)
- 2015 Public School Construction Outreach hosted by Prince George's County Public Schools (October 2015)
- The Blue Book's GC Showcase, Baltimore, MD (October 2015)
- Alliance Baltimore 2015 - 10th Annual Alliance Baltimore Small Business Procurement Fair (October 2015)
- Supplier Diversity Workshop titled "Building Your Corporate Supplier Diversity Program - Using the McKinney Scoring Tool" sponsored by the Capital Region Minority Supplier Development Council (CRMDSC) (March 2016)
- The Blue Book Network Showcase hosted by the Blue Book Building & Construction Network (April 2016)

- 2016 Super Match Maker conference sponsored by the Capital Region Minority Supplier Development Council, (CRMSDC) (April 2016)
- 13th Annual 2016 Spring Breakfast Annual Meeting/Business Showcase Expo hosted by the MWMCA (Maryland Washington Minority Companies Association) (May 2016)
- Ninth Annual Small Business Procurement Conference hosted by the Social Security Administration (SSA) (June 2016)
- Minority Business Vendor Fair Maryland Live! Casino hosted by the Maryland Washington Minority Companies Association (MWMCA) (June 2016)

Advertising & Marketing

EBO Program Advertisements:

- The Office of Purchasing advertised its EBO Program in the 2015 publication of the Governor's Office of Minority Affairs (GOMA) supplement in The Daily Record (September 2015). This resource magazine serves as a guide for how to do business in Maryland as a minority or woman-owned business and has an anticipated distribution amounting to 11,000 copies. In addition to the print publication, the resource guide is also available on the Governor's Office of Minority Affairs website.
- The Office of Purchasing advertised its EBO Program in the Maryland Minority Contractors Association's (MMCA) Annual Souvenir Journal 2015. The Maryland Minority Contractors Association, Inc. is a non-profit organization, composed of minority and women business groups and individuals within the State of Maryland.