

ADVISORY COUNCIL ON EQUAL EMPLOYMENT OPPORTUNITY

The Board of Supervisors referred this matter to the IOC on September 15, 2009. In November 2010, the IOC adopted staff recommendations to raise SBE Program thresholds as outlined below:

(1) Increase certain SBE Program Thresholds as follow:

- Purchasing Transactions – from \$50,000 to \$100,000
- Service Contracts – from \$50,000 to \$100,000
- Construction Contracts – from \$25,000 to \$100,000

(2) Grant a 5% bid preference for SBE bidders on County construction contracts and grant a 5% bid preference to bidders who meet participation goals for SBE subcontractors.

(3) Adopt a pre-award, two-step appeal procedure for all services contracts exceeding \$100,000. Appeals would be first to the Department Head and then to the County Administrator. The procedure would require pre-award notice to service providers of the appeal procedure and the intended contract award.

(4) Establish a policy for review of the SBE Program threshold once every two years.

The above changes require amendment of the SBE and Outreach Program documents. On November 8, 2011, the Board of Supervisors approved the above changes to the SBE Outreach program with an effective date of January 1, 2012. The 2011 IOC considers work on this matter to be complete and recommends termination of this referral.

CONTRA COSTA COUNTY SBE PROGRAM

The Board of Supervisors has set a goal of awarding at least 50% of eligible product and service dollars to small businesses. The Small Business Enterprise (SBE) Program applies to: (1) County-funded construction contracts of \$100,000 or less; (2) purchasing transactions of \$100,000 or less; and (3) professional/personal service contracts of \$100,000 or less.

The objective of the program is to award at least 50% or more of the total eligible dollar base amounts to SBEs. A Small Business Enterprise, as defined by the California Government Code, Section 14837, Chapter 3.5 must be:

- Independently owned and operated business, which is not dominant in its field of operation;
- The principal office of which is located in California, the officers of which are domiciled in California, and which together with affiliates, has 100 or fewer employees;
- And have average annual gross receipts of fifteen million dollars (\$15,000,000) or less over the previous three tax years, or a manufacturer with 100 or fewer employees.

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While the County did not achieve the 50% goal, the County -directed more than \$12.1 million in qualifying transactions to SBE firms during the six-month reporting period, achieving a 43.5% award rate for professional/personal services transactions and a 30.4% award rate for purchasing transactions. No construction contracts were reported in this period.

	SBE PROGRAM	PREFERENCE POINTS	CRITERIA
Alameda County	Small, Local Emerging Business (SLEB)	5% for local	Departmental discretionary spending for items \$25,000 and under is directed towards SLEBS.
		5% for certified businesses	Departmental/Agency Goals for Contracts over \$25,000. Businesses not meeting the definition of a local small or emerging business are required to subcontract a minimum of 20% of the estimated contract amount with a SLEB in order to be eligible for contract award.
			Construction Projects over \$125,000
			Preferred vendor status: The county has a designated database for certified SLEBs and local businesses. These are the businesses that County departments turn to when we need goods and services under \$100k, and construction projects under \$25k.
City & County of SF	No response		
Marin County	Local Preference	5% preference for local companies	Preference can not exceed 15%.
		5% percent bidding preference to contractors who certify that at least fifty percent of the workforce under the service contract will be County residents.	

	SBE PROGRAM	PREFERENCE POINTS	CRITERIA
Santa Clara County	No SBE Program	Local bid preference for formal solicitations	For contracts \$100,000 and above. Contracts less than \$100,000 are not given a local bid preference.
			Currently conducting a disparity study that will identify who was awarded contracts within the last 5 years. This will give them an idea of which communities are underserved and can focus on outreach plans to reach them.
Santa Cruz	No SBE program	None	The County of Santa Cruz does not currently provide special treatment in awarding agreements or Purchase Orders to vendors based on the type of ownership
Solano County	Local Business Enterprise	5% preference points	\$7500 to \$50,000 informal bids Over \$50,000 are formal bids
Sonoma County	No response		

ADVISORY COUNCIL ON EEO SUB-COMMITTEE RECOMMENDATIONS

- Increase local bid preferences from 5% to a higher percentage
- Create a guide for applicants to make it easier to apply for county contracts
- Increase the contract limit for qualifying small businesses to \$200,000 or higher to capture more small businesses
- Analyze the e-outreach program to guarantee maximum coverage
- Include census tract data in the analysis of contracts awarded

Santa Clara County

The County of Santa Clara (“County”) has embarked upon its first comprehensive Disparity Study, led by MGT Consulting Group. The disparity study will evaluate procurement and contracting by the County and will be conducted within California’s legal framework as established by court rulings. It is the County’s intent to collect baseline data identifying any disparities between the availability of diverse business enterprises and the utilization of diverse business enterprises as contractors and subcontractors on County contracts. The County endeavors to determine the factors that lead to any identified disparities including, but not limited to, existing policies, processes, technologies, and programs. The Study will further serve to augment the County’s outreach efforts with strategic approaches to remedy any identified disparities.

This disparity study will include the following:

- 24/7 Email, Voicemail, and Website Comment Form which allows the community to submit their comments, in English, Chinese (Mandarin), Filipino, Korean, Spanish, and Vietnamese regarding their experiences doing business, or attempting to do business, with the County
- Community Engagement Meetings- MGT Consulting Group will host five virtual public engagement meetings to present the Study’s objectives and gather feedback from business owners on their experiences doing business, or attempting to do business, with the County of Santa Clara or their prime vendors.
- Interviews, Surveys, and Direct Input in which businesses in all procurement categories and business owner classifications will be randomly selected and invited to participate in in-depth interviews and business surveys.

Alameda County Small Local Emerging Business (SLEB) Program.

The Small, Local and Emerging Business (SLEB) program is a Board mandated race and gender-neutral program designed to enhance goods and services contracting and procurement opportunities for small, local and emerging businesses within Alameda County. The program's priorities were developed to promote and foster inclusiveness, diversity and economic development; as well as on-going evaluation to assure all businesses including SLEBs are provided equal opportunities in County contracting and procurement activities. The SLEB Program described is for Goods and Services Only. The goals of the program are listed below:

- To develop and promote economic growth or Alameda County
- To foster the growth of small, local & emerging businesses
- The County will ensure the process is inclusive for all residents and be race and gender neutral