



MARYLAND
Department of
Juvenile Services

Successful Youth • Strong Leaders • Safer Communities

POLICY

SUBJECT: Small Business Reserve Program
NUMBER: MGT-631-15
APPLICABLE TO: DJS staff exercising procurement functions
EFFECTIVE: July 15, 2015

APPROVED: _____ /signature on original/
Sam Abed, Secretary

I. POLICY

The Department of Juvenile Service is wholly committed to maintaining, ensuring and enhancing the involvement of small business in its procurement process. It is the policy of DJS to involve businesses which have been certified by the Maryland Department of General Services (“DGS”) as an entity which is eligible to compete in Small Business Reserve (“SBR”) procurements as governed by the State’s SBR Program.

Where feasible, DJS shall structure its solicitation of all goods and services in order to maximize contractual opportunities for SBR firms.

II. AUTHORITY

- A. MD. CODE ANN., HUM. SERVS. § 9-203, -204, -222(b).
- B. MD. CODE ANN., STATE FIN. & PROC. §14-201 to 208.
- C. MD. CODE REGS. 21.11.01.
- D. Maryland Board of Public Works Advisory 2005-1, Small Business Reserve Program.

III. DIRECTIVES/POLICIES RESCINDED

- A. None.

IV. FAILURE TO COMPLY

Failure to comply with the Department’s Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Procedures have been developed and are attached.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy and procedures issued.	



PROCEDURES

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Lynette Holmes, Deputy Secretary

PROCEDURES

Procedures for the Small Business Reserve Program Policy are delineated in the attached Department of Juvenile Services Small Business Reserve Program Procedures.

DIRECTIVES/POLICIES REFERENCED

A. None.



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DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review

SUBJECT: Small Business Reserve Program
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I have received and reviewed a copy (electronic or paper) of the above titled policy.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINTED NAME

DATE

***THE ORIGINAL COPY MUST BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE.
PLEASE RETURN THIS FORM TO THE OFFICE OF HUMAN RESOURCES.***

DEPARTMENT OF JUVENILE SERVICES (DJS) Small Business Reserve Program Procedures

I. Purpose and Scope

The purpose of these procedures is to administer the Department of General Services' (DGS) Small Business Reserve Program (SBR) within the Department of Juvenile Services (DJS or Department). These procedures apply to all divisions of DJS and every procurement solicitation that is reasonably anticipated to result in a contract award of \$15,000 or more.

II. Definitions

The definitions set forth in Md. Code Regs. 21.11.01.01 are hereby incorporated by reference (and reproduced in part below). In the event of a conflict, the appropriate regulation shall prevail.

- A. Board of Public Works or "BPW" means the unit of State government responsible for ensuring the State's fiscal integrity and to which DJS must submit an annual report on the Small Business Reserve Program.
- B. Department of General Services or "DGS" means the unit of state government responsible for certifying business entities for the Small Business Reserve Program.
- C. Direct Solicitation means communication directly to Small Business Reserve firms about the procurement needs of DJS, including sharing information about forthcoming competitive seal bids "CSB", invitation for bids "IFB" and request for proposal "RFP".
- D. Expenditure Plan means DJS's fiscal year expenditures forecast projecting expected procurement expenditures to be awarded or currently under contract and which contains a plan allocating a minimum of 10% directly to Small Business Reserve firms.
- E. Governor's Office of Minority Affairs or "GOMA" means the unit of State government charged with the responsibility of assessing the effectiveness of

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government set-aside programs, including the Small Business Reserve Program and to which DJS must submit certain quarterly/annual reports.

- F. Office of Procurement means a unit within DJS authorized to procure goods and services.
- G. Procurement Review Group “PRG” a group of DJS employees who review solicitations, proposed sole source contracts, contract renewals options and waiver request to determine the appropriateness of recommending an SBR participation goal with or without an MBE participation goal. The group may include the SBR Liaison, Director of Procurement, Project Manager and legal counsel where necessary.
- H. Small Business Reserve “SBR” Certification means a determination by DGS that an entity meets certain requirements, including, size, annual revenue, control and ownership of entity.
- I. Small Business Reserve “SBR” Firm means any legal entity, other than a broker organized to engage in commercial transactions as certified by DGS.
- J. Small Business Reserve “SBR” Liaison means a DJS employee designated by the Secretary responsible for administering the Small Business Reserve Program and to provide guidance on SBR matters.
- K. Solicitation Notice means a public notice of solicitation for bids, offer or expressions of interest, which contains the nature of the procurement, relevant dates, the availability of solicitation documents, if any, and other pertinent information. Solicitation notices must contain the language indicated in § III.C of these procedures.
- L. Statement of Work or S.O.W means a formal document that lists and defines specific elements of work, deliverables and time limits that a vendor will execute in performance of specified work.

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III. SBR Liaison

A. The SBR Liaison is responsible for the following:

1. Developing practices and policies for the effective and efficient administration of the SBR Program;
2. Analyzing the effectiveness of program policies and the impact of proposed policy changes on existing program operations;
3. Recommending an SBR participation goal or designation where feasible on a case-by-case basis with or without applying an MBE participation goal (*per the Department's policy on Minority Business Enterprise*);
4. Participating in pre-proposal and pre-bid meetings to inform vendors of the policies and procedures of the SBR Program;
5. Assisting small business in complying with the procedures for submitting bids and proposals;
6. Simplifying procedures, where practicable to increase the opportunities for small businesses to participate in designated procurements;
7. Tracking and reporting of quarterly/annual SBR awards and payment data;
8. Establishing and maintaining relationships with the small business community by attending external outreach events as well as hosting internal outreach activities for the purpose of raising awareness about the existence of the State's SBR Program and contract opportunities; and
9. Other related activities.

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B. The Office of Procurement will support the SBR Liaison by providing staff for outreach activities and relevant information relating to upcoming procurements opportunities to the extent practicable.

C. All Solicitation Notices must include the language below:

This is a Small Business Reserve procurement for which award will be limited to certified small business vendors. Only businesses that meet the statutory requirements set forth in State Finance and Procurement Article, §§14-501-14-505, Annotate Code of Maryland, and that are certified by the Department of General Services Small Business Reserve Program is eligible for award of a contract.

IV. SBR Goal Assessment

A. For every solicitation in the amount of \$15,000 or more, the SBR Liaison shall assess the scope of work for potential SBR participation and set an initial SBR participation goal recommendation if applicable before the solicitation is advertised.

B. The PRG will meet to consider the initial SBR participation for goal recommendation for solicitations \$100,000 or more and make adjustments as needed. DJS will strive to meet an overall annual SBR participation goal of 10%.

V. Compliance

A. Eligibility/Certification Verification

1. To ensure compliance with SBR Program, the SBR Liaison shall verify that the SBR firm is certified by DGS before award of a contract.

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2. Require SBR firms to submit a signed copy of their DGS Small Business Affidavit along with their signed contract agreement.

B. Compliance Reviews

1. The SBR Liaison shall report to DGS all SBR awards with a contract value of \$1,000,000 or more as each award is made.

X. Close Out and Annual Reporting

- A. The SBR Liaison shall submit annual reports to BPW in accordance with COMAR 21.13.01.03B and BPW Advisory 2005-1.

- B. The SBR Liaison shall submit quarterly and annual reports to GOMA within the required submittal date to include:

1. Expenditure plan;
2. The total number and the dollar value of payments made to SBR firms under contracts designed as SBR, including purchase card payments;
3. The total dollar value of all payments made under procurement contracts;
and
4. Other information required by GOMA.