Maryland
GOVERNOR'S OFFICE
OF SMALL, MINORITY & WOMEN
BUSINESS AFFAIRS

Policies and Procedures

Small Business Reserve (SBR) Program Procurement Designation for Statewide Procurements with Multiple Contract Awards

Authority

As authorized by the State Finance and Procurement Article (SFP) §§ 14-504 – 14-505 and COMAR 21.11.01.06, all procurements by a procurement unit are eligible for designation as Small Business Reserve (SBR) procurements. The SBR Program clarifies that only payments resulting from designated SBR procurement contracts may be applied toward the unit's overall annual SBR payment achievement. Therefore, any award to a certified small business resulting from a procurement that was not designated as an SBR shall not be counted towards the unit's overall annual SBR achievement.

Background

Many Statewide contracts, because of the volume of goods or services procured or the size of the area covered, were not designated as SBR procurements and the resulting multiple contract awards made to certified small businesses and other vendors could not be counted towards the SBR Program. However, it has been determined that if the procurement was clearly separated and designated by either jurisdiction or functional area, it could be a designated SBR procurement and the awards to the certified small businesses for those specific jurisdictions or functional areas would be applied to the unit's annual SBR payment achievement.

Policy

Statewide procurements for goods, supplies, services, maintenance, construction, construction-related services, architectural services, and engineering services that result in multiple awards by jurisdiction or functional areas shall be eligible for designation for the SBR Program as long as the jurisdictions or functional areas are clearly separated, identified, and designated as SBR procurements within the single Statewide procurement solicitation.

Procedures

When an agency is planning a Statewide procurement that will result in multiple contract awards by jurisdiction or functional areas, the procurement officer, in consultation with the agency's SBR Liaison, shall conduct a Procurement Review Group (PRG) meeting to determine if the individual jurisdictions or functional areas should be designated as an SBR procurement.

If it is determined that a specific jurisdiction or functional area can be designated, then those jurisdictions

or functional areas shall be separated, identified, and designated as SBR procurements in the resulting solicitation.

The PRG should consider the other jurisdictions or functional areas within the solicitation for subcontracting opportunities for Minority Business Enterprise (MBE) Program and/or Veteran-Owned Small Business Enterprise (VSBE) Program participation goals.

The solicitation for the Statewide procurement shall be posted on eMaryland Marketplace Advantage (eMMA), the State's eProcurement system, noting the jurisdictions or functional areas that are designated as an SBR procurement.

Only the awards made in the separated, identified, and designated jurisdictions or functional areas may be counted towards the SBR Program. Counting of the awards and payments to the SBR Program will follow SFP §§ 14-504 – 14-505 and COMAR 21.11.01.06.

All other awards in the other jurisdictions or functional areas would not be counted towards the SBR Program, even if an award is made to a certified small business.

Document information

Statewide SBR Procurements (V.11.16.2020)