COMPLIANCE ASSESSMENT REQUIREMENT

IN-DEPTH VIDEO TRAINING

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

Compliance Assessment Requirement: In-Depth Video Training

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

Agenda

- General Overview & Legislation
- Entering data into the PRIMES spreadsheet
- Entering data into the SUBS spreadsheet
- Signing and submitting the COMPLIANCE REPORT spreadsheet
- Review and Submission

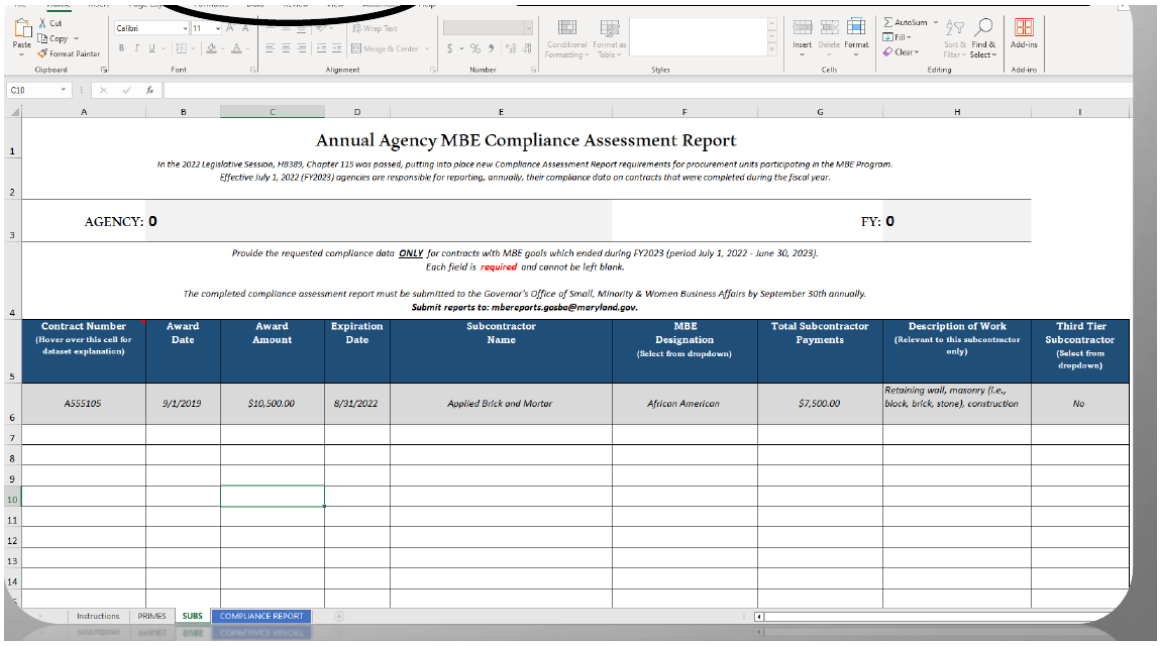
General Overview & Legislation

What Is the Compliance Assessment Requirement?

The Compliance Assessment Requirement excel template captures the compliance data for contracts with MBE goals, which were completed during the FY being reported. Data required includes:

- MBE award data
- Payment data for prime contractor, MBE subcontractors, and non-MBE subcontractors
- Compliance data

Most up to date template is available in the MBE Reporting Toolkit!



Annual Agency MBE Compliance Assessment Report

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AGENCY: 0 FY: 0

*Provide the requested compliance data **ONLY** for contracts with MBE goals which ended during FY2023 (period July 1, 2022 - June 30, 2023). Each field is **required** and cannot be left blank.*

The completed compliance assessment report must be submitted to the Governor's Office of Small, Minority & Women Business Affairs by September 30th annually.
Submit reports to: mbereports.gosba@maryland.gov.

Contract Number (Hover over this cell for dataset explanation)	Award Date	Award Amount	Expiration Date	Subcontractor Name	MBE Designation (Select from dropdown)	Total Subcontractor Payments	Description of Work (Relevant to this subcontractor only)	Third Tier Subcontractor (Select from dropdown)
A555105	9/1/2019	$10,500.00	8/31/2022	Applied Brick and Mortar	African American	$7,500.00	Retaining wall, masonry (i.e., block, brick, stone), construction	No

Instructions | PRIMES | SUBS | COMPLIANCE REPORT

Note: GOSBA reporting templates should not be modified or changed to avoid disrupting the functionality of the template

Where to Locate the Data?

- Detailed backup data is required to complete the annual report

- Visit the MBE Reporting Toolkit, for guidance on how to locate, compile and prepare the necessary backup data



MBE Reporting Toolkit link: https://gomdsmallbiz.maryland.gov/Pages/Reporting-Tool-MBE.aspx

Reporting Legislation: COMAR 21.11.03.17 A(5)

A. Each procurement agency shall make a report annually within 90 days following the close of the fiscal year to the Governor's Office of Small, Minority & Women Business Affairs, the Department of Transportation, and, subject to State Government Article, §2-1257 , Annotated Code of Maryland, to the Joint Committee on Fair Practices and State Personnel Oversight that includes for the preceding fiscal year :

(5) The results of each compliance assessment conducted by the procurement agency under Regulation .13 of this chapter, including for each contract completed during the fiscal year:

(a) The names of each prime contractor and each subcontractor that participated in the contract;

(b) The type of good or service provided by the contract;

(c) The MBE participation goal for the contract;

(d) Whether a waiver was granted for the MBE participation goal;

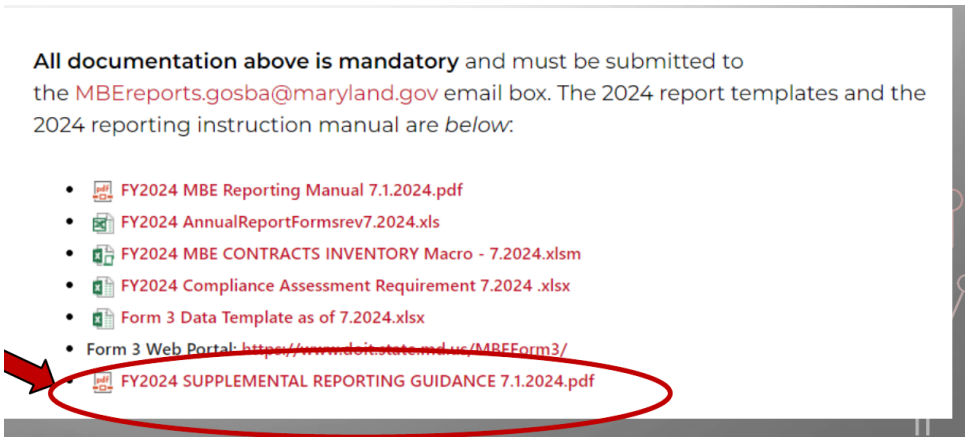
(e) The total dollar value of payments made to each prime contractor and by each prime contractor to each subcontractor during the contract term;

(f) Whether each subcontractor is a certified MBE; and

(g) If applicable, a description of factors that may have contributed to failure to achieve the MBE participation goal for the contract, including documented nonperformance or unavailability of a MBE;

Supplemental Reporting Guidance

- Download the supplemental reporting guidance from the MBE Reporting Toolkit for:
  - Direct excel cell references for each reporting template
  - Data cheat sheet
  - Common errors and omissions
  - Annual MBE Report Submission Checklist



Entering Data into the PRIMES Spreadsheet

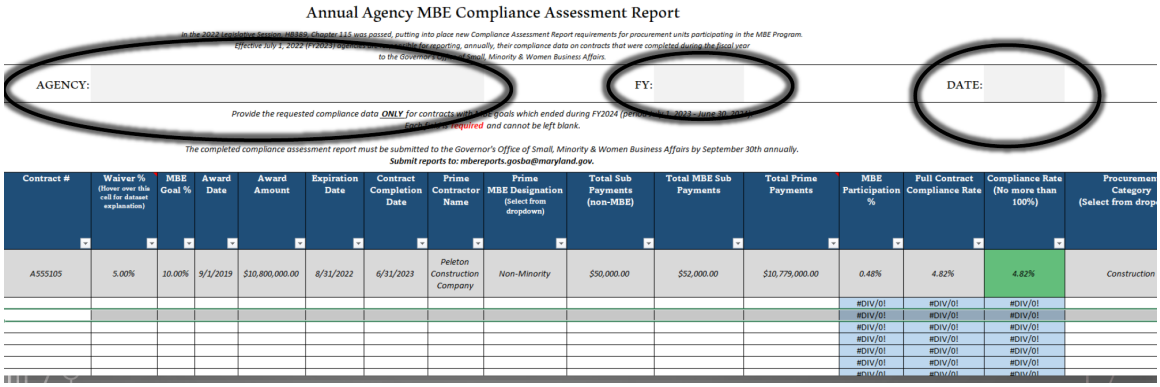
PRIMES Spreadsheet: Inserting Rows

- The PRIMES spreadsheet must be filled in before the SUBS tab is filled in
- If additional rows are required, rows can be manually input
- DO NOT insert rows on row 7 or underneath of the table
- If the insert option is grayed out, the row you have clicked does not allow you to insert rows
- Once the appropriate number of rows have been inserted the formulas within Column L, M & N must be copied into the inserted cells



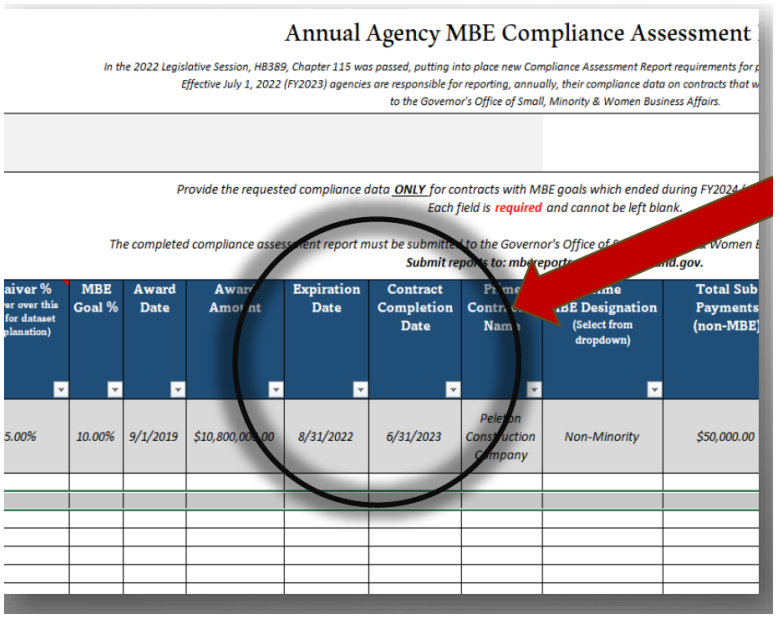
PRIMES Spreadsheet: Agency, FY and Date

- Enter the Agency name, FY being reported for and the date



PRIMES Spreadsheet: Contract Completion Date

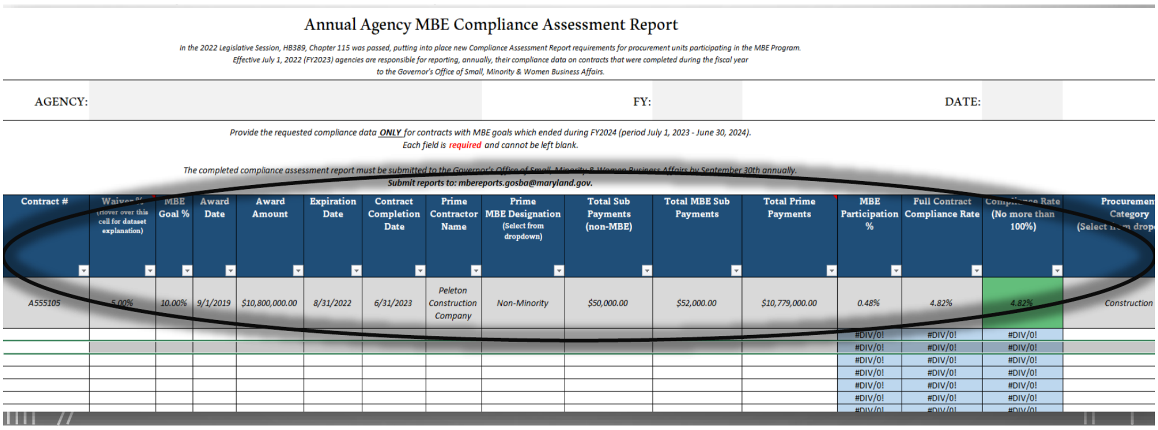
- Expiration date vs. Contract Completion data
- Only contracts that have been **completed** within the FY being reported should be included in the compliance assessment



A contract is considered **complete** when all final payments have been made and contract closeout is final

PRIMES Spreadsheet: Award, Payment and Compliance Data

- Enter the necessary award, payment and compliance data for the remainder of the PRIMES spreadsheet
- Column I & P requires selection from the Dropdown ONLY
- Columns M, N, & O will automatically populate the MBE participation %, Full Contract Compliance rate, and the Compliance Rate



Annual Agency MBE Compliance Assessment Report

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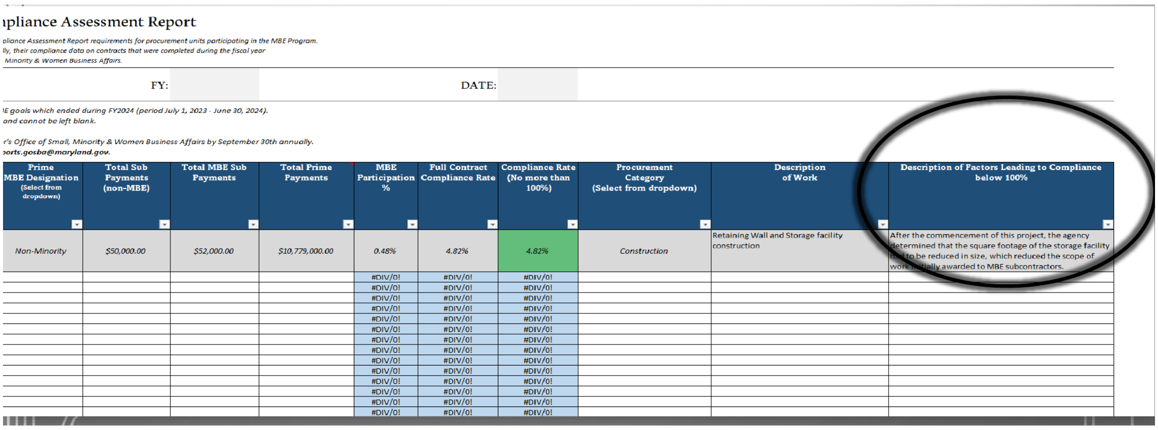
AGENCY: FY: DATE:

Provide the requested compliance data ONLY for contracts with MBE goals which ended during FY2024 (period July 1, 2023 - June 30, 2024). Each field is required and cannot be left blank.

Contract #	Waiver %	MBE Goal %	Award Date	Award Amount	Expiration Date	Contract Completion Date	Prime Contractor Name	Prime MBE Designation (Select from dropdown)	Total Sub Payments (non-MBE)	Total MBE Sub Payments	Total Prime Payments	MBE Participation %	Full Contract Compliance Rate	Compliance Rate (No more than 100%)	Procurement Category (Select from dropdown)
A555105	5.00%	10.00%	9/1/2019	$10,800,000.00	8/31/2022	6/31/2023	Peleton Construction Company	Non-Minority	$50,000.00	$52,000.00	$10,779,000.00	0.48%	4.82%	4.82%	Construction

PRIMES Spreadsheet (Continued): Column R

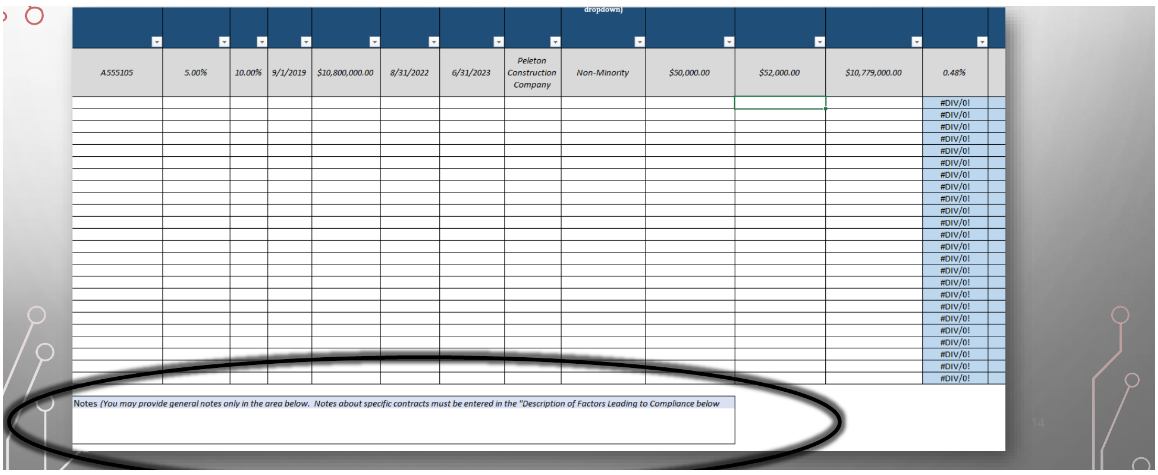
- Column R is required for all contracts that did not meet 100% compliance
  - Procurement units will need to provide a description of the factors that lead to Compliance below 100%



Prime MBE Designation (Select from dropdown)	Total Sub Payments (non-MBE)	Total MBE Sub Payments	Total Prime Payments	MBE Participation %	Full Contract Compliance Rate	Compliance Rate (No more than 100%)	Procurement Category (Select from dropdown)	Description of Work	Description of Factors Leading to Compliance below 100%
Non-Minority	$50,000.00	$52,000.00	$10,779,000.00	0.48%	4.82%	4.82%	Construction	Retaining Wall and Storage facility construction	After the commencement of this project, the agency determined that the square footage of the storage facility ... to be reduced in size, which reduced the scope of work ... awarded to MBE subcontractors.

PRIMES Spreadsheet (Continued): General Notes

- At the bottom of the PRIMES spreadsheet, units may provide general notes, contract specific notes should only be entered in Column R

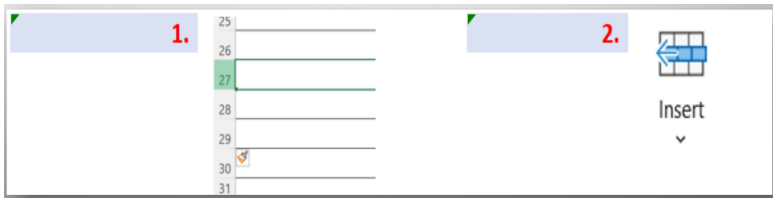


Notes (You may provide general notes only in the area below. Notes about specific contracts must be entered in the "Description of Factors Leading to Compliance below

Entering Data into the SUBS Spreadsheet

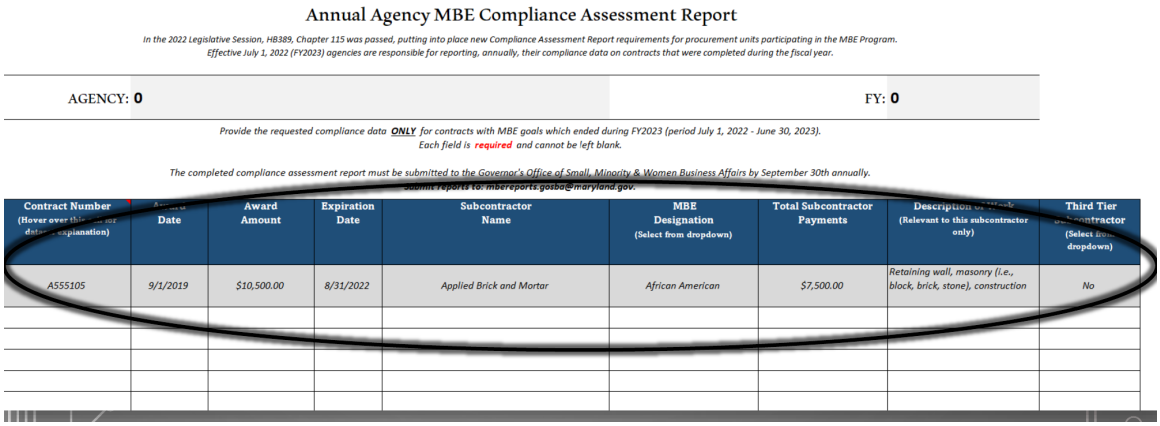
SUBS Spreadsheet: Inserting Rows

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- If the insert option is grayed out, the row you have clicked does not allow you to insert rows
- Once the appropriate number of rows have been inserted data entry can continue



SUBS Spreadsheet: Award, Payment and Compliance Data

- You will enter the necessary award, payment and compliance data for the SUBS spreadsheet
- Column F & I requires selection from the Dropdown ONLY
- Both MBE and non-MBE subcontractor data must be reported within the SUBS spreadsheet



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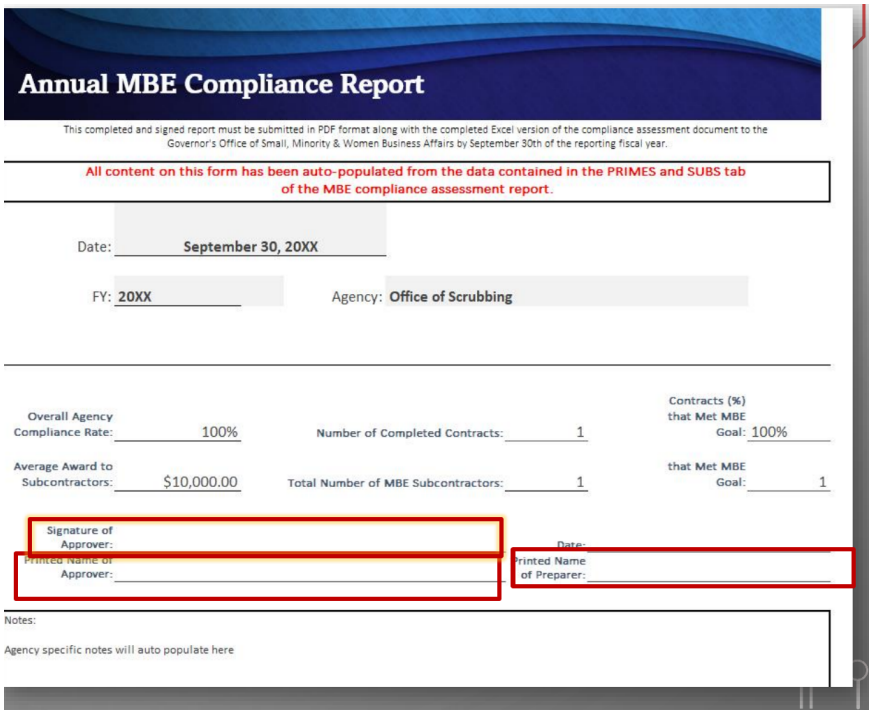
The completed compliance assessment report must be submitted to the Governor's Office of Small, Minority & Women Business Affairs by September 30th annually. Submit reports to: mbereports.gosba@maryland.gov.

Contract Number (Hover over this cell for date explanation)	Award Date	Award Amount	Expiration Date	Subcontractor Name	MBE Designation (Select from dropdown)	Total Subcontractor Payments	Description of Work (Relevant to this subcontractor only)	Third Tier Subcontractor (Select from dropdown)
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Signing and Submitting the Compliance Report Spreadsheet

Compliance Report Spreadsheet

- This tab will auto-populate based on what you have entered in the PRIMES and SUBS tab
- Printed name of the preparer, approver and date must typed into this tab
- Save the compliance report tab as a PDF document and/or print this tab to collect the signature of the approver of this document
    - The compliance report should be approved (signed) by the Agency Head or Designee
- The completed and signed COMPLIANCE REPORT must be submitted in PDF format along with the completed excel version of the compliance assessment report



Annual MBE Compliance Report

This completed and signed report must be submitted in PDF format along with the completed Excel version of the compliance assessment document to the Governor's Office of Small, Minority & Women Business Affairs by September 30th of the reporting fiscal year.

All content on this form has been auto-populated from the data contained in the PRIMES and SUBS tab of the MBE compliance assessment report.

Date: September 30, 20XX

FY: 20XX Agency: Office of Scrubbing

Overall Agency Compliance Rate: 100%

Number of Completed Contracts: 1

Contracts (%) that Met MBE Goal: 100%

Average Award to Subcontractors: $10,000.00

Total Number of MBE Subcontractors: 1

that Met MBE Goal: 1

Signature of Approver:

Printed Name of Approver:

Date:

Printed Name of Preparer:

Notes:

Agency specific notes will auto populate here

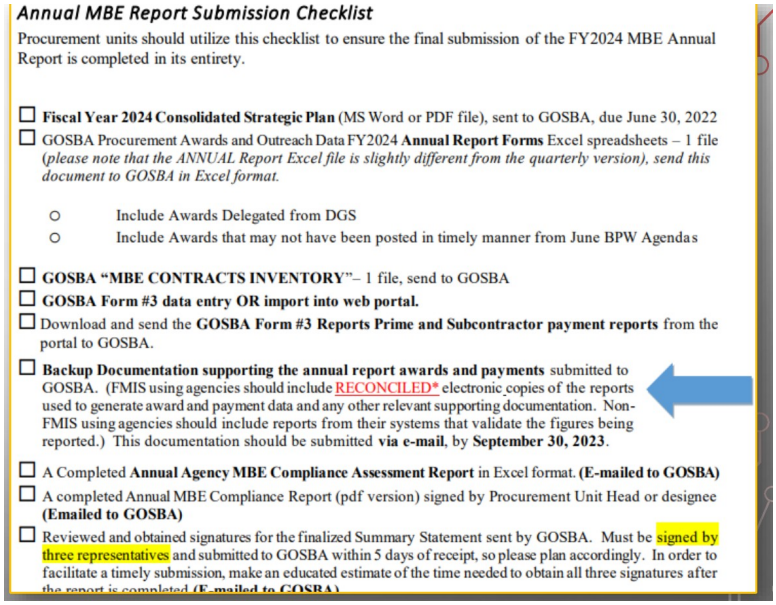
Review and Submission

Review and Submission of Compliance Assessment Data

- Be sure to review the completed Compliance Assessment Requirement template prior to submitting to GOSBA
    - Check for any error messages within the excel template
    - Ensure that all contract compliance data being reported has a 'Contract Completion Date' (Column G of the Primes Spreadsheet) that falls within the FY being reported for
    - Cross reference totals entered in the template to backup data totals to ensure accuracy
    - Make sure all necessary contract specific notes are entered in Column R of the PRIMES spreadsheet
    - Make sure all necessary report specific notes are entered in the PRIMES spreadsheet
    - Report both MBE and non-MBE subcontractor data
    - Final submission of the Compliance Assessment template should be submitted to the: mbereports.gosba@maryland.gov in excel format including the signed PDF of the Compliance Assessment Report Spreadsheet

Annual MBE Report Submission Checklist

Utilize the Annual MBE Report Submission Checklist found within the MBE Reporting Manual to ensure all necessary documentations have been submitted for a COMPLETE MBE Annual Report



Annual MBE Report Submission Checklist

Procurement units should utilize this checklist to ensure the final submission of the FY2024 MBE Annual Report is completed in its entirety.

☐ **Fiscal Year 2024 Consolidated Strategic Plan** (MS Word or PDF file), sent to GOSBA, due June 30, 2022
☐ GOSBA Procurement Awards and Outreach Data FY2024 **Annual Report Forms** Excel spreadsheets – 1 file (*please note that the ANNUAL Report Excel file is slightly different from the quarterly version), send this document to GOSBA in Excel format.*

- Include Awards Delegated from DGS
- Include Awards that may not have been posted in timely manner from June BPW Agendas

☐ **GOSBA "MBE CONTRACTS INVENTORY"**– 1 file, send to GOSBA
☐ **GOSBA Form #3 data entry OR import into web portal.**
☐ Download and send the **GOSBA Form #3 Reports Prime and Subcontractor payment reports** from the portal to GOSBA.
☐ **Backup Documentation supporting the annual report awards and payments** submitted to GOSBA. (FMIS using agencies should include RECONCILED* electronic copies of the reports used to generate award and payment data and any other relevant supporting documentation. Non-FMIS using agencies should include reports from their systems that validate the figures being reported.) This documentation should be submitted **via e-mail**, by **September 30, 2023**.
☐ A Completed **Annual Agency MBE Compliance Assessment Report** in Excel format. **(E-mailed to GOSBA)**
☐ A completed Annual MBE Compliance Report (pdf version) signed by Procurement Unit Head or designee **(Emailed to GOSBA)**
☐ Reviewed and obtained signatures for the finalized Summary Statement sent by GOSBA. Must be signed by three representatives and submitted to GOSBA within 5 days of receipt, so please plan accordingly. In order to facilitate a timely submission, make an educated estimate of the time needed to obtain all three signatures after the report is completed **(E-mailed to GOSBA)**

The checklist shown on the slide reads:

Annual MBE Report Submission Checklist

Procurement units should utilize this checklist to ensure the final submission of the FY2024 MBE Annual Report is completed in its entirety.

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Questions

AS ALWAYS, IF YOU HAVE QUESTIONS AFTER TODAY'S TRAINING, PLEASE CONTACT:

KAREN REYES
MBE COMPLIANCE MANAGER

KAREN.REYES@MARYLAND.GOV

Document information

For Internal Training Purposes Only

Governor’s Office of Small, Minority & Women Business Affairs