



NON-INSTRUCTIONAL SERVICES: Purchasing

Purchases from Minority and Small Business Enterprises

I. Purpose

To implement Board of Education of Baltimore County (Board) Policy 3200 by establishing guidelines for creating competitive opportunities for Minority Business Enterprises (MBE) and Small Business Enterprises (SBE) in its procurement of commodities and services.

II. Responsibility

- A. The Office of Purchasing is responsible for implementing the Board's minority and small business enterprise program.
- B. The Office of Purchasing shall establish procedures that include, but are not limited to, the following:
 - 1. Establishing an annual MBE/SBE participation goal for the purposes of solicitation;
 - 2. Taking steps to recruit MBE/SBE vendors and contractors whenever possible;
 - 3. Ensuring compliance with all applicable state laws and regulations as they relate to MBE/SBE enterprise participation in every contract that include state funding through the public school construction program and with the state interagency committee on public school construction guidelines; and
 - 4. Reserving the right to waive all or part of this MBE/SBE program for a specific contract or purchase where it determines that the application of this program conflicts with the overall mission, objectives and responsibilities of the school system.

III. Guidelines

- A. The Office of Purchasing shall inform all staff who possesses the authority to spend or otherwise commit dollars of the Board of the goals of the Minority Business Enterprise (MBE) and Small Business Enterprise (SBE) program.
 - 1. Account managers should attempt to meet these goals in managing funds on behalf of schools and offices.

2. For the purposes of this Rule, meeting these "goals" shall not be construed as a stipulation for any particular purchase or contract. Contracts involving state-funded dollars shall reflect the MBE participation statutes.
- B. The Office of Purchasing will make a good faith effort to obtain MBE/SBE participation in all contract solicitations whenever possible and otherwise comply with all statutory requirements for MBE/SBE recruitment. These efforts may include, but are not limited to, the following:
1. Advertise in general circulation media, trade association publications and MBE/SBE focus media;
 2. Seek out MBE/SBE firms through trade shows, advocacy groups, published lists and referrals;
 3. Divide contracts, where feasible, into small commodity or service units to accommodate the resource limitations of MBE/SBE vendors, while honoring bid regulations that reflect the most cost-effective measures;
 4. Provide small and minority-owned businesses with adequate information about the specifications and requirements of a contract, the procedures for product approval and/or prequalification as a vendor; and
 5. Use the services of available community, local, state and federal business assistance offices to support recruitment of MBE/SBEs.
- C. Baltimore County Public Schools (BCPS) will establish a MBE/SBE goal for each Board contract and encourage participation by MBE/SBE vendors in order to meet the overall participation goal. To achieve this goal, schools and offices are required to:
1. Use approved contracts for the purchase of goods, equipment or services, including travel, which is funded by BCPS' operating and capital budgets or by government grants; and
 2. Use approved contracts for the purchase of goods or equipment that have a life cycle of at least 36 months.

IV. Reporting

- A. The Office OF Purchasing and the MBE officer will monitor implementation of the MBE/SBE program by issuing an annual report to the Superintendent on the school system's progress toward meeting systemwide MBE/SBE goals.

- B. The Superintendent will provide an annual report to the Board on the participation rates of minority and small business enterprises in all Board contracts.

Legal References: *Annotated Code of Maryland*, Education Article §5-112, *Bids*
Annotated Code of Maryland, State Finance and Procurement Article,
Title 14, Subtitle 3, *Minority Business Participation*
COMAR 21.11.03, *Minority Business Enterprise Policies*

Related Policies: Board of Education Policy 3209, *Purchasing Principles*
Board of Education Policy 3210, *Purchasing Guidelines*
Board of Education Policy 3215, *Contract Execution*

Rule		Superintendent of Schools
Approved:	09/09/97	
Revised:	07/13/99	
Revised:	04/17/12	
Revised:	08/22/17	