



## **CLAYTON COUNTY PUBLIC SCHOOLS**

### **INCLUSIVITY IN PURCHASING**

#### **SMALL LOCAL BUSINESS ENTERPRISE (SLBE) PROGRAM**

It is the policy of Clayton County Public Schools (CCPS) to promote full and open opportunity for all persons and businesses to participate in CCPS procurement. To that effect, the CCPS Board of Education has enacted an Inclusivity in Purchasing Policy. A race, ethnicity and gender neutral Small Local Business Enterprise (SLBE) Program has been developed to promote the growth and development of local small businesses, strengthen the local CCPS economy, contribute to the local tax base and expand employment opportunities for local residents. The SLBE program is designed to ensure that those seeking to participate in solicitations valued at \$50,000 or greater are not precluded or discriminated against based on race, color, religion, national origin, disability, ethnicity, sex or gender. For all qualified solicitations, the program also requires that SLBE Contracting Goals be met, or Good Faith Efforts (GFE) to meet the goals be demonstrated.

<b>SLBE Contracting Goals</b>	
Construction and Construction Management Services	30%
Professional Services	20%
Goods or Services	20%

The SLBE program identifies for-profit Small Local Business Enterprises located and operating within the geographical boundaries of Clayton County, Georgia and for-profit Small Locally Based Businesses located and operating outside of the geographical boundaries of Clayton County, Georgia but within the surrounding Atlanta Metropolitan Statistical Area (MSA) that includes the following counties: Barrow, Bartow, Carroll, Cherokee, Cobb, Coweta, Dekalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Pickens, Rockdale, Spalding, and Walton. To be located means to have a physical presence within the geographical boundaries of Clayton County or them MSA such as an office, warehouse or other business facility but specifically excluding the existence of a post office box without any other presence for at least one (1) year prior to the date of the submission of a bid or proposal. To operate means to be the holder of a current business license issued by the local government within Clayton County or MSA for at least one (1) year prior to submission of a bid or proposal.

Since this is a new program and CCPS is currently establishing a database of certified SLBEs, bidders/proponents may utilize any SLBE(s) certified by one of the official certifying agencies in Clayton County or the MSA listed above to meet SLBE Contracting Goals. SLBEs qualified by the SBA with a current business license from one of the listed counties may also be utilized. Proof of certification and current business license must be submitted with Bidders/Proposers response to any qualified solicitation.

Certified SLBEs located and operating within Clayton County, Georgia that contribute to the local tax base are granted a preference on bids and proposals submitted in response to qualified solicitations.

<b>Preference for SLBEs located and operating within Clayton County (SLBE-CLAYTON)</b>	
Request for Proposals (RFP)	5 Points in Initial Evaluation
Invitations for Bids(IFB)	<p>Opportunity for Bid Match if within 5% of Low Bid:</p> <ol style="list-style-type: none"> <li>1. Must be otherwise responsive and responsible;</li> <li>2. Must be within 5% of overall lowest bid from Non SLBE-CLAYTON bidder; and</li> <li>3. Must match overall lowest bid from Non SLBE-CLAYTON bidder in timeframe prescribed by CCPS</li> </ol>

Without exception all bidders/proponents, including those that are SLBEs, must comply with all SLBE program requirements. Each bidder/proponent, including SLBE bidders/proponents, must submit documentation showing that the required SLBE contracting percentage goal will be performed by a certified SLBE. Please find attached hereto the mandatory forms and requirements for this particular solicitation. The mandatory documents include:

1. SLBE Subcontractor/Supplier Utilization Plan;
2. Letter of Intent describing the work, material, equipment and/or services to be provided by each SLBE and the agreed percentage of participation; and
3. Subcontractor/Supplier Contact List and Documentation of Good Faith Efforts (GFE).

Bidders/Proponents failing to meet the SLBE contracting goal must document contacts and demonstrate GFE on the prescribed form. GFE may include, but are not limited to, the following:

- a) Identifying scope(s) of work which may be available for the inclusion of SLBEs or making efforts to divide work into subcontracting areas wherein SLBEs are likely to be successful;
- b) Assisting potential SLBEs with bonding, insurance or other contracting requirements;
- c) Attending pre-solicitation meetings to meet potential SLBEs;
- d) Reviewing SLBE registry and contacting those that can perform a Commercially Useful Function on a specific project;
- e) Advertisement in a trade publication or journal to target SLBEs for a specific project.
- f) Hosting a virtual or in-person event to solicit SLBEs; and
- g) Outreach to advocacy groups/trade associations where SLBEs might be members.

Failure to achieve SLBE contracting goals or demonstrate GFE shall result in a bid or proposal being deemed non-responsive. Protests of a non-responsive determination must be made in accordance with the protest provisions provided in the solicitation.

Upon award Prime Contractors are required to report SLBE usage with each request for payment but not less than once each month in the form and method to be prescribed by CCPS. To remain compliant, all Prime Contractors must submit proof of payment to all SLBE sub-contractors within seven (7) days of receipt of payment from CCPS. SLBE sub-contractors must submit proof of receipt of payment to CCPS within seven (7) days of receipt of payment

from each Prime contractor in the form and method to be prescribed by CCPS. False statements or representations, or the failure to provide required reporting and documentation shall constitute a material breach of contract entitling CCPS to pursue remedies for default, including termination of contract and debarment from future awards.

SLBE participation shall be counted by calculating the value of the commercially useful function provided. Suppliers shall receive full SLBE participation credit if they regularly manufacture or warehouse materials, supplies or equipment supplied for use; otherwise the maximum amount of participation credited shall be sixty percent (60%).

SLBEs bidders/proponents may meet up to fifty percent (50%) of the SLBE goal when it performs at least fifty percent (50%) of the scope of work.