

OGC-2023-10
Construction/Contract Dispute
Litigation Counsel RFP

BDISBO Goal Setting
Overview/Pre-Proposal
Conference

Issuing Officer –
Jordan Kiessling -
jkiessling@pa.gov

November 7, 2023 11:00 am

Offerors may ask questions during the Session, however responses provided during the Session are **not official** until the question is submitted in writing to the Issuing Officer, Jordan Kiessling at jkiessling@pa.gov.

Pennsylvania Department of General Services



What's the Point?



Diversity Defined

- Diversity is...
 - everything that makes us unique,
 - our cognitive skills and personality traits, and
 - also the things that shape our identity (*e.g. race, age, gender, religion, sexual orientation, cultural background*), etc.



Diversity is the Mix Inclusion is making the mix work. ~Andres Tapia

Baking a
cake

Each
ingredient
has its own
distinct taste
and
quality...



Baking a
cake

Each
ingredient
adds *value*
to
the recipe...



Baking a
cake

Recognizing the
individuality
and the value
of *every* person
is essential to
understanding
the concept of
diversity.



Equity Defined

Equity is the fair treatment, **access**, **opportunity**, and advancement for [all](#) people, while at the same time striving to identify and **eliminate barriers** that have prevented the full participation of *small businesses*.



EQUALITY IS THE
END GOAL.
EQUITY IS THE
MEANS TO GET
THERE.



Equality



Equity

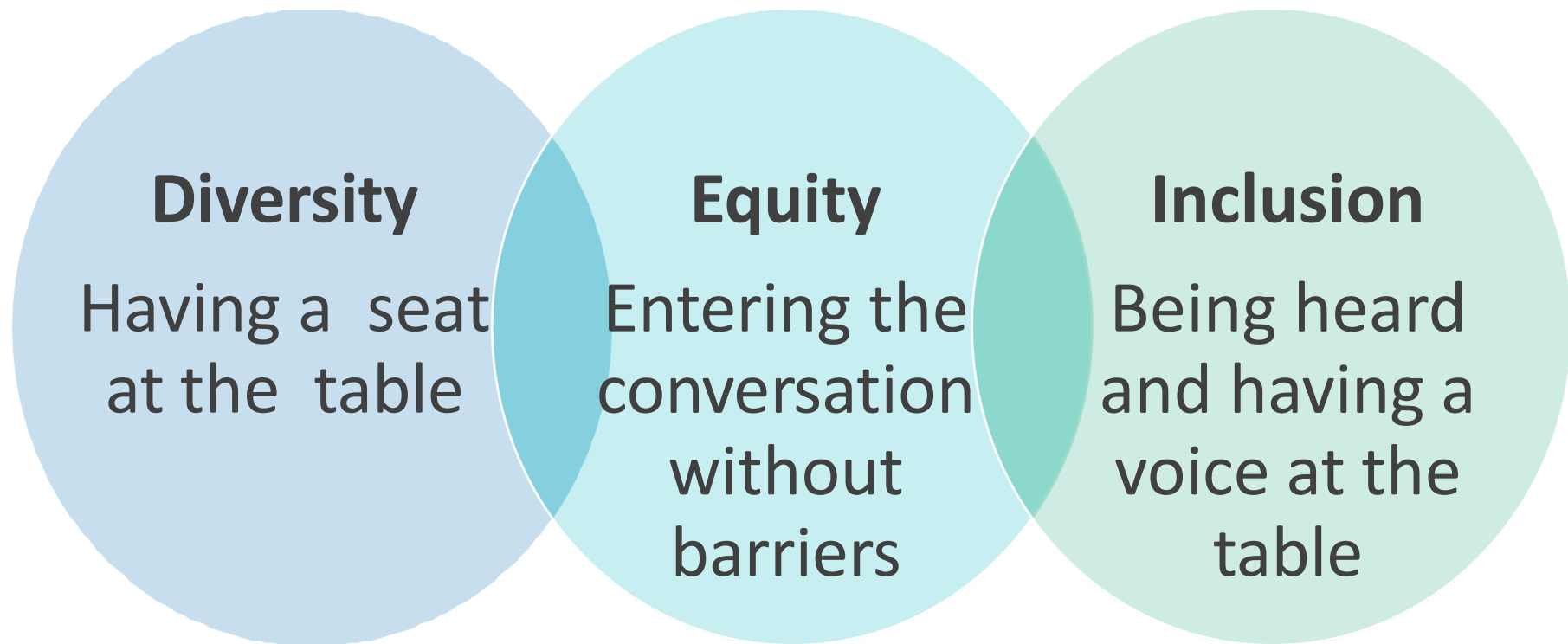
Inclusion Defined

Inclusion is about:

- *Small Businesses* as prime contractors
- *Primes* subcontracting with SB,SDB,VBE vendors
- Engaging with vendors representative of the community



Diversity, Equity, and Inclusion



Small Diverse Business Enterprise (SDB) and Veteran Business Enterprise (VBE) References:

PART I GENERAL INFORMATION

- I-8 New SDB and VBE Goal Information Session
- I-12. Proposals
- I-13. Small Diverse Business and Veteran Business Enterprise Information

PART II PROPOSAL REQUIREMENTS

- II-3. Small Diverse Business Participation Submittal
- II-4. Veteran Business Enterprise Participation Submittal

PART III CRITERIA FOR SELECTION

- III-1. Mandatory Responsiveness Requirements
- III-3. Evaluation

PART IV STATEMENT OF WORK

- IV-5. Contract Requirements—Small Diverse Business and Veteran Business Enterprise Participation

APPENDICES

- Attachment G – Small Diverse Business Participation
- Attachment H– Veteran Business Enterprise Participation

A Bidder/Offeror's failure to meet the SDB participation goal in full and the VBE participation goal in full, or their failure to receive an approved Good Faith Efforts waiver for any unmet portion of either the SDB or VBE participation goal will result in the rejection of the Bid or Proposal as nonresponsive



Solicitation Specific Goals



OGC-2023-10	SDB	VBE
Professional and Para-Professional Legal Services Only	22%	3%

- Available subcontracting opportunities across the entire state for the applicable services,
- Availability of DGS-verified SDB/VBEs to perform commercially useful functions, and
- Historical analysis of similar projects within the last 3 years.

Primes are welcome to exceed the goal!



SDB and VBE Classification

Vendors must self-certify as a Small Business (SB) prior to SDB/VBE validation.

SB Eligibility Requirements

- The business must be a for-profit, United States business.
- The business must be independently owned.
- The business may not be dominant in its field of operation.
- The business may not employ more than 100 full-time equivalent employees.
- The business may not exceed three-year average gross revenues of \$38.5 Million, regardless of business type (effective 11/1/2018).

Small Diverse Business (SDB)

Goal oriented

- Woman Business Enterprise (WBE)
- Service-Disabled Veteran Business Enterprise (SDVBE)
- Minority Business Enterprise (MBE)
- LGBT Business Enterprise (LGBTBE)
- Disability-Owned Business Enterprise (DOBE)

Veteran Business Enterprise (VBE)

Goal oriented

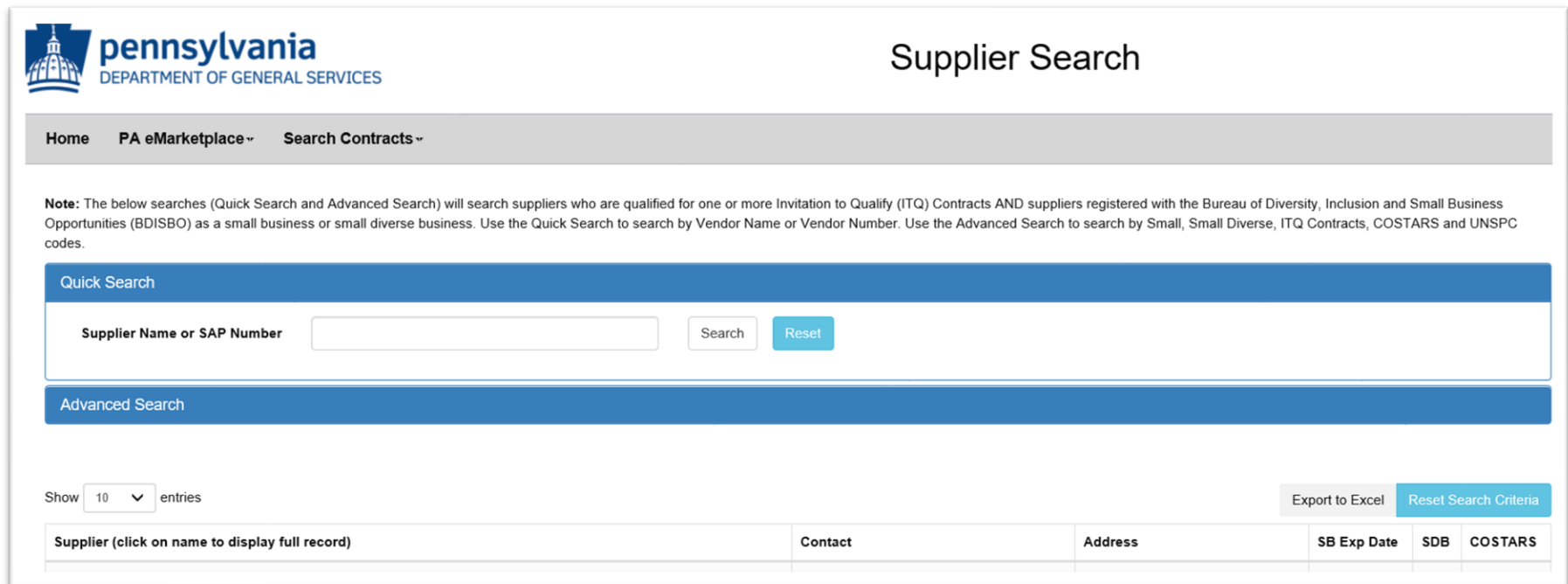
- Veteran Business Enterprise (VBE)
- Service-Disabled Veteran Business Enterprise (SDVBE)

SDBs and VBEs must be certified/valid as of bid close due date and time.



Finding SDBs and VBEs

Utilization Compliance will be closely monitored and enforced



The screenshot shows the 'Supplier Search' page of the Pennsylvania Department of General Services. The header includes the state logo and the department name. A navigation bar contains links for Home, PA eMarketplace, and Search Contracts. A note explains that searches will find suppliers qualified for ITQ contracts and registered with the Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO). The page features two search sections: 'Quick Search' with a text input for 'Supplier Name or SAP Number' and buttons for 'Search' and 'Reset'; and 'Advanced Search'. At the bottom, there is a table with columns for 'Supplier (click on name to display full record)', 'Contact', 'Address', 'SB Exp Date', 'SDB', and 'COSTARS'. Above the table, there are controls for 'Show 10 entries' and buttons for 'Export to Excel' and 'Reset Search Criteria'.

pennsylvania
DEPARTMENT OF GENERAL SERVICES

Supplier Search

[Home](#) [PA eMarketplace](#) [Search Contracts](#)

Note: The below searches (Quick Search and Advanced Search) will search suppliers who are qualified for one or more Invitation to Qualify (ITQ) Contracts AND suppliers registered with the Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) as a small business or small diverse business. Use the Quick Search to search by Vendor Name or Vendor Number. Use the Advanced Search to search by Small, Small Diverse, ITQ Contracts, COSTARS and UNSPC codes.

Quick Search

Supplier Name or SAP Number

Advanced Search

Show entries

Supplier (click on name to display full record)	Contact	Address	SB Exp Date	SDB	COSTARS
---	---------	---------	-------------	-----	---------

<http://www.dgs.internet.state.pa.us/suppliersearch>




Finding SDB/VBE vendors

- <http://www.dgs.internet.state.pa.us/suppliersearch>
- Access Search Guide - <https://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Documents/Finding%20SBs%20and%20SDBs.pdf>
- Supplier Search assistance available from Issuing Officer or Bureau of Diversity Procurement Liaison



Quick Search

**pennsylvania**
DEPARTMENT OF GENERAL SERVICES

Supplier Search

Home PA eMarketplace Search Contracts

Note: The below searches (Quick Search and Advanced Search) will search suppliers who are qualified for one or more Invitation to Qualify (ITQ) Contracts AND suppliers registered with the Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) as a small business or small diverse business. Use the Quick Search to search by Vendor Name or Vendor Number. Use the Advanced Search to search by Small, Small Diverse, ITQ Contracts, COSTARS and UNSPC codes.

Quick Search

Supplier Name or SAP Number

Search

Reset

IMPORTANT: Always click **Reset** prior to a new search to clear parameters from previous searches

Advanced Search

Show 10 entries

Export to Excel Reset Search Criteria

Supplier (click on name to display full record)	Contact	Address	SB Validity Dates	SDB Validity Dates	VBE Validity Dates	COSTARS
21ST CENTURY MEDIA NEWSPAPER LLC	ROBERT BUTKINS sales@nittanyvalley.com					No
22 GROUP, LLC ()	Caroline M. Harper	757 PUBLIC RD	9/23/2019-	9/23/2019-		No

To search or browse ALL Small and Small Diverse Businesses by Name OR 6-digit SAP Number (option also available through Advanced Search)



Advanced Search

Hierarchy	Category Number
Segment	44000000
Family	44120000
Class	44121700
Commodity	44121706

Supplier Classifications

- ☐ Minority Business Enterprise
- ☐ Woman Business Enterprise
- ☐ LGBT Business Enterprise
- ☐ Disabled-Owned Business Enterprise
- ☐ Service-Disabled Veteran Business Enterprise
- ☐ Veteran Business Enterprise
- ☐ Small Business
- ☐ Stocking Supplier
- ☐ Non-Stocking Supplier
- ☐ Select all Classifications
- ☐ Select all Small Diverse Business Classifications

☐ Find only vendors that have all selected classifications
☒ Find only vendors that have at least one selected classification

UNSPSC Description

Enter a brief code description (e.g. Door)

When searching by UNSPSC code, only enter the first 6 digits (UNSPSC Class Level) as the last 2 digits (Commodity Level) are not tracked in this database.
Or, type in any part of a UNSPSC code description to find vendors who have a code that matches. ex: Searching for "landscaping" will find vendors who have selected any code that has "landscaping" anywhere in the description.
For more information visit [UNSPSC > Home](#)

UNSPSC Codes

- ☐ 10000000 - Live Plant and Animal Material and Accessories and Supplies
- ☐ 11000000 - Mineral and Textile and Inedible Plant and Animal Materials
- ☐ 12000000 - Chemicals including Bio Chemicals and Gas Materials
- ☐ 13000000 - Resin and Rosin and Rubber and Foam and Film and Elastomeric Materials
- ☐ 14000000 - Paper Materials and Products
- ☐ 15000000 - Fuels and Fuel Additives and Lubricants and Anti corrosive Materials
- ☐ 20000000 - Mining and Well Drilling Machinery and Accessories
- ☐ 21000000 - Farming and Fishing and Forestry and Wildlife Machinery and Accessories
- ☐ 22000000 - Building and Construction Machinery and Accessories
- ☐ 23000000 - Industrial Manufacturing and Processing Machinery and Accessories
- ☐ 24000000 - Material Handling and Conditioning and Storage Machinery and their Accessories and
- ☐ 25000000 - Commercial and Military and Private Vehicles and their Accessories and Components

☐ Find only vendors that have all selected UNSPSC codes
☒ Find only vendors that have at least one selected UNSPSC code

Select one or more classifications. To pull only SDBs, check "Select all Small Diverse Business Classifications" below. To Include SBs, check "Small Business".

OR

Browse and select one or more codes. Don't know the codes you want? Search for codes at www.UNSPSC.org.

Click arrow to expand Segment for additional codes



UNSPSC Commodity Code Search



Find A Partner

Menu

UNv24.0301 of the UNSPSC Codeset is now available. [Access codesets.](#)

Search the Code

Version 24.0301
Code Number: (2-8
digits)

Code Name:

Welcome

The **United Nations Standard Products and Services Code® (UNSPSC®)**, managed by GS1 US® for the UN Development Programme (UNDP), is an open, global, multi-sector standard for efficient, accurate classification of products and services.

The UNSPSC offers a single global classification system that can be used for:

- Company-wide visibility of spend analysis
- Cost-effective procurement optimization
- Full exploitation of electronic commerce capabilities



UNSPSC Commodity Code Search

Write down
your code
selections



- HOME
- FAQS
- SUBSCRIBE
- LIBRARY
- CODESET-DOWNLOADS
- INITIATIVES
- EDUCATION
- FIND A PARTNER

Version 24.0301

Search Code

Search Title

painting

Search

Code	Title
31211900	Paint applicators and painting accessories
60121001	Paintings
60121225	Watercolor painting mediums
60124101	Multicultural painting products
72151300	Painting and paper hanging services
72151301	Residential painting service
72151302	Commercial painting service
72151303	Industrial painting service
72151304	Aircraft painting service
72151305	Bridge painting service
72151307	Ship painting service
73181104	Painting services
78181501	Vehicle body repair or painting service
78181836	Aircraft fixed wing coating and painting service
86121502	Painting



Advanced Search

Use multiple filters to restrict your search results to exactly what and where you need.

PA Counties

☐ Grant County
☐ Clearfield County
☐ Clinton County
☐ Columbia County
☐ Crawford County
☒ Cumberland County
☒ Dauphin County
☐ Delaware County
☐ Elk County
☐ Erie County
☐ Select all Counties

☐ Find only vendors that s
☒ Find only vendors that s

Supplier Classifications

☒ Minority Business En
☒ Woman Business En
☒ LGBT Business Ente
☒ Disabled-Owned Bu
☒ Service-Disabled Ve
☒ Veteran Business En
☒ Small Business
☐ Stocking Supplier
☐ Non-Stocking Supplier

UNSPSC Codes

☐ 30100000 - Structural components and basic shapes
☐ 30110000 - Concrete and cement and plaster
☐ 30120000 - Roads and landscape
☐ 30130000 - Structural building products
☒ 30140000 - Insulation
☒ 30150000 - Exterior finishing materials
☒ 30151500 - Roofing materials
☒ 30151600 - Roofing accessories
☒ 30151700 - Rain gutters and accessories
☒ 30151800 - Siding and exterior wall materials
☐ 30151900 - Finishing materials and products
☐ 30152000 - Fencing

☐ Find only vendors that have all selected UNSPSC codes
☒ Find only vendors that have at least one selected UNSPSC code

Search

Reset



Search Results

Advanced Search						
Show 25 entries			Export to Excel		Reset Search Criteria	
Supplier (click on name to display full record)	Contact	Address	SB Validity Dates	SDB Validity Dates	VBE Validity Dates	COSTARS
ADVANCED AUDIO VISUAL SALES INC	JOHN GREENE DIRECTOR OF SALES John.Greene@advancedav.com (Phone) 610-719-6194 (Fax) 610-692-8421	208 CARTER DRIVE SUITE 7 WEST CHESTER, PENNSYLVANIA 19382 (Phone) 610-719-6194				No
ADVANCED BUILDING CONTROLS LLC (DBA ADVANCED BUILDING CONTROLS LLC)	Craig Connelly CCONNELLY@ADVANCEDBLDGCONTROLS.COM (Phone) 215-520-9964	PO BOX 303 HOLICONG, PENNSYLVANIA 18928 (Phone) 215-520-9964	2/11/2019-2/28/2021			No
ADVANCED BUILDING PERFORMANCE INC ()	Pei Pei Cavalier PEIPEI@ABPCX.COM (Phone) 301-760-9989	11225 HURDLE HILL DR POTOMAC, MARYLAND 20854 (Phone) 301-760-9989 abpcx.com	12/20/2019-12/20/2021	12/20/2019-12/20/2021		No
ADVANCED CLEANING SOLUTIONS LLC (ADVANCED CLEANING SOLUTIONS LLC)	Nicholas Ward cleanteam@advancedsolutionsPA.com (Phone) 610-597-0012	PO BOX 3223 ALLENTOWN, PENNSYLVANIA 18106	2/27/2018-3/31/2020	2/27/2018-3/31/2020	2/27/2018-3/31/2020	No

Certified Small Businesses

- Advanced Building Controls LLC
- Advanced Building Performance Inc
- Advanced Cleaning Solutions LLC

Small Diverse Businesses

- Advanced Building Performance Inc
- Advanced Cleaning Solutions LLC

Veteran Business Enterprise

- Advanced Cleaning Solutions LLC



Supplier Profile

Name:	ADVANCED CLEANING SOLUTIONS LLC
SAP Number:	511377
Doing Business As:	ADVANCED CLEANING SOLUTIONS LLC
Other Names:	
Keywords:	
Web site:	
SB Validity Dates:	02/27/2018 - 03/31/2020
SDB Validity Dates:	02/27/2018 - 03/31/2020
VBE Validity Dates:	02/27/2018 - 03/31/2020
COSTARS Participant:	No

← SB, SDB & VBE Expiration Dates

Supplier Classifications

- Small Business
- Service-Disabled Veteran Business Enterprise
- Veteran Business Enterprise

← SB, SDB & VBE Classifications

Contact Information

Contacts

Contact Type	Contact Details	Phone
CORPORATE	Email: CLEANTEAM@ADVANCEDSOLUTIONSPA.COM	
SB MAIN	Nicholas Ward Title: Email: cleanteam@advancedsolutionsPA.com	610-597-0012



Search Results

Advanced Search						
Show <input type="text" value="25"/> entries			Export to Excel Reset Search Criteria			
Supplier (click on name to display full record)	Contact	Address	SB Validity Dates	DB Validity Dates	VBE Validity Dates	COSTARS
ADVANCED AUDIO VISUAL SALES INC	JOHN GREENE DIRECTOR OF SALES John.Green@advancedav.com (Phone) 610-719-6194 (Fax) 610-692-8421	208 CARTER DRIVE SUITE 7 WEST CHESTER, PENNSYLVANIA 19382 (Phone) 610-719-6194				No
ADVANCED BUILDING CONTROLS LLC (DBA ADVANCED BUILDING CONTROLS LLC)	Craig Connelly CCONNELLY@ADVANCEDBLDGCONTROLS.COM (Phone) 215-520-9964	PO BOX 303 HOLICONG, PENNSYLVANIA 18928 (Phone) 215-520-9964	2/11/2019-2/28/2021			No
ADVANCED BUILDING PERFORMANCE INC ()	Pei Pei Cavalier PEIPEI@ABPCX.COM (Phone) 301-760-9989	11225 HURDLE HILL DR POTOMAC, MARYLAND 20854 (Phone) 301-760-9989 abpcx.com	12/20/2019-12/20/2021	12/20/2019-12/20/2021		No
ADVANCED CLEANING SOLUTIONS LLC (ADVANCED CLEANING SOLUTIONS LLC)	Nicholas Ward cleanteam@advancedsolutionsPA.com (Phone) 610-597-0012	PO BOX 3223 ALLENTOWN, PENNSYLVANIA 18106	2/27/2018-3/31/2020	2/27/2018-3/31/2020	2/27/2018-3/31/2020	No

Certified Small Businesses

- Advanced Building Controls LLC
- Advanced Building Performance Inc
- Advanced Cleaning Solutions LLC

Small Diverse Businesses

- Advanced Building Performance Inc
- Advanced Cleaning Solutions LLC

Veteran Business Enterprise

- Advanced Cleaning Solutions LLC



Excel Export Results – Supplier Contacts

Excel Export Results includes Vendor ID, Supplier Name, Contact Name, Email, Phone, Fax

	A	B	C	D	E	F	G	H	I	J	K
1	SAP Number	Supplier Name	Contact Name	Name	Title	Email	PhoneAreaCode	PhoneNumber	PhoneEx	FaxAreaCo	FaxNumber
2	104279	CA WEISS SALES LLC	CORPORATE			caweiss@comcast.net					
3	104279	CA WEISS SALES LLC	SB MAIN	KRISTY ZARICHNIAK		kristyz@comcast.net	610	4588864		610	4588875
4	119565	DUFF SUPPLY COMPANY	CORPORATE	ALEX DUFFINE	VP	DFRANK@DUFFCOMPANY.COM	610	2754453	147	610	2796299
5	119565	DUFF SUPPLY COMPANY	REMITTO	BARB COHEN		bcohen@duffco.com	610	2754453	149	610	2756761
6	119565	DUFF SUPPLY COMPANY	SB MAIN	ALEX DUFFINE		aduffine@duffco.com	610	2754453			
7	119565	DUFF SUPPLY COMPANY	SB SECONDARY			info@duffco.com					
8	122594	HOUCK SERVICES INC	CORPORATE			jherrold@houcks.com					
9	122594	HOUCK SERVICES INC	SB MAIN	JARROD HERROLD		jherrold@houcks.com	717	6573302		717	6579805
10	122594	HOUCK SERVICES INC	SB SECONDARY			kgussler@houcks.com					
11	134717	PENN STATE ELECTRIC MECHANICAL	CORPORATE			razmataz33@aol.com					
12	134717	PENN STATE ELECTRIC MECHANICAL	SB MAIN	RAZ SUGARWALA		razmataz33@aol.com	717	2992090		717	2992297
13	134717	PENN STATE ELECTRIC MECHANICAL	SB SECONDARY			ksing6027@yahoo.com					
14	135270	BARBARA J SALES ASSOC INC	CORPORATE			barb@barbarajsles.com					
15	135270	BARBARA J SALES ASSOC INC	SB MAIN	BARBARA SMITH		barb@barbarajsles.com	412	5233398		800	8137122
16	135270	BARBARA J SALES ASSOC INC	SB SECONDARY			willsmith@willjservices.com					
17	137893	IDA YEAGER SALES INC	CORPORATE			idayeagersales@zoominternet.net					
18	137893	IDA YEAGER SALES INC	SB MAIN	IDA LAQUATRAYEAGER		idayeagersales@zoominternet.net	724	4525260		724	4521072
19	144061	CONSTRUCTION TOOL SERVICE INC	CORPORATE			ehuss@constructiontoolservice.com					
20	144061	CONSTRUCTION TOOL SERVICE INC	SB MAIN	BETTY CONNELLY		bconnelly@constructiontoolservice.com	412	6816673		412	6819185
21	144061	CONSTRUCTION TOOL SERVICE INC	SB SECONDARY			bcgoodwork@aol.com					
22	145576	BURKE & MICHAEL INC	CORPORATE			MARYFRANCES@BURKEANDMICHAEL.COM					
23	145576	BURKE & MICHAEL INC	SB MAIN	MARY FRANCES HOGAN		maryfrances@burkeandmichael.com	412	3212301		412	3214582
24	153927	COOPER TRADING INC	CORPORATE			cti@ctipa.com					
25	153927	COOPER TRADING INC	SB MAIN	PETER COOPER		pete@ctipa.com	724	8618830		724	8618832
26	153927	COOPER TRADING INC	SB SECONDARY			debbie@ctipa.com					
27	157009	CONTRACT HARDWARE AND SUPPLY	CORPORATE			cristil@chsupplyinc.com					
28	157009	CONTRACT HARDWARE AND SUPPLY	SB MAIN	BRAD BOTTEICHER		bradb@chsupplyinc.com	814	9412340		814	9412342

Suppliers	Supplier Addresses	Supplier Contacts	Counties	Supplier Classifications	ITQs	ITQ Contracts	UNSPSC Codes
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Supplier Search Training

The training will focus on the basics of the supplier search process including recognizing the UNSPSC Codes Structure, accessing the DGS Supplier Search Database and Searching for Small, Small Diverse and Small Veteran Owned Businesses to gain a better understanding of supplier search results.

The 30-minute sessions will be offered via Teams on-line presentations on the following dates in 2023: **(No RSVP Required)**

Targeted Audience (External): Potential prime contractors that conduct business with the commonwealth who want to learn the basics of finding DGS certified small diverse and veteran owned businesses.

- Thursday, November 16th, 10:00 am – 10:30 am
- Thursday, November 30th, 10:00 am – 10:30 am
- Thursday, December 7th, 10:00 am – 10:30 am

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Meeting ID: 293 754 842 172

Passcode: Uhqm2D

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 267-332-8737](#), [690952530#](#) United States, Philadelphia

Phone Conference ID: 690 952 530#

[Find a local number](#) | [Reset PIN](#)

Recording or transcription of this meeting may not occur without consent of all participants, as required by law, and must adhere to Commonwealth policies. For more information click the legal link.

[Learn More](#) | [Meeting options](#) | [Legal](#)

[BDISBO Events Page](#)



New Forms and Processes

- SDB/VBE Instructions – *SDB-1/VBE-1 **READ***
- SDB/VBE Participation Submittal – *SDB-2/VBE-2*
- SDB/VBE Utilization Schedule – *SDB-3/VBE-3*
- Utilization Schedule – *SDB 3.1/VBE-3.1*
- Guidance for Good Faith Effort (GFE) Waiver – *SDB-4/VBE-4 **READ***
- GFE Waiver – *SDB-5/VBE-5*

Small Diverse Business (SDB) Participation Summary Sheet

Solicitation/Project #: **OGC-2023-10**

Issuing Agency: **Office of General Counsel on behalf of PASSHE**

Name of Procurement/Project: **Construction/Contract Dispute Litigation Counsel RFP**

SDB Participation Goal (for MBE, WBE, LGBTBE, DOBE, and SDVBE): **22%**

Attachments:

SDB-1	Instructions for completing SDB Participation Submittal and SDB Utilization Schedule
SDB-2	SDB Participation Submittal
SDB-3	SDB Utilization Schedule
SDB-3.1	SDB Letter of Commitment
SDB-4	Guidance for Documenting Good Faith Efforts to meet the SDB Participation goal
SDB-5	Good Faith Efforts Documentation to Support Waiver Request of SDB Participation Goal

Veteran Business Enterprise (VBE) Participation Summary Sheet

Solicitation/Project #: **OGC-2023-10**

Issuing Agency: **Office of General Counsel on behalf of PASSHE**

Name of Procurement/Project: **Construction/Contract Dispute Litigation Counsel RFP**

VBE Participation Goal (for VBE and SDVBE): **3%**

Attachments:

VBE-1	Instructions for completing VBE Participation Submittal and VBE Utilization Schedule
VBE-2	VBE Participation Submittal
VBE-3	VBE Utilization Schedule
VBE-3.1	VBE Letter of Commitment
VBE-4	Guidance for Documenting Good Faith Efforts to meet the VBE participation goal
VBE-5	Good Faith Efforts Documentation to Support Waiver Request of VBE Participation Goal

SDB Submittal Instructions – SDB-1

SDB-1 INSTRUCTIONS FOR COMPLETING THE SMALL DIVERSE BUSINESS (SDB) PARTICIPATION SUBMITTAL AND SDB UTILIZATION SCHEDULE.

PLEASE READ BEFORE COMPLETING THESE DOCUMENTS
Bidders/Offerors do not need to return SDB-1 with their SDB Participation Submittal

The following instructions include details for completing the SDB Participation Submittal (SDB-2) which Bidders or Offerors must submit in order to be considered responsive.

The following instructions also include details for completing the SDB Utilization Schedule (SDB-3), which Bidders or Offerors must submit for any portion of the SDB participation goal the Bidder or Offeror commits to meeting.

A Bidder/Offeror's failure to meet the SDB participation goal in full or their failure to receive an approved Good Faith Efforts waiver for any unmet portion of the SDB participation goal will result in the rejection of the Bid or Proposal as nonresponsive.

- I. SDB Participation Goal: The SDB participation goal is set forth in the eMarketplace advertisement and also in the Notice to Bidders. The Bidder/Offeror is encouraged to use a diverse group of subcontractors and suppliers from the SDB classifications to meet the SDB participation goal.
- II. SDB Eligibility:
 1. Finding SDB firms: Offerors can access the directory of **DGS-verified** SDB firms from the DGS Supplier Search directory at: <http://www.dgs.internet.state.pa.us/suppliersearch>.
 2. Only SDBs verified by DGS and as defined herein may be counted for purposes of achieving the SDB participation goal. In order to be counted for purposes of achieving the SDB participation goal, the SDB firm, including an SDB prime, must be DGS-verified for the services, materials or supplies that it has committed to perform on the SDB Utilization Schedule (SDB-3). A firm whose SDB verification is pending or

SDB Submittal – SDB-2

CRITICAL
✓ Check One, and
Only One, Box

SDB-2 SDB PARTICIPATION SUBMITTAL

**CHECK ONE, AND ONLY ONE, BOX. FAILURE TO COMPLY WILL RESULT
IN REJECTION OF YOUR BID/PROPOSAL.**

☐

I agree to meet

☐

I am requesting a partial

☐

I am requesting a full

**participation
goal in full.**

I have completed
and am
submitting with
my bid/proposal
an **SDB
Utilization
Schedule
(SDB-3)**, which
is required in
order to be
considered for
award.

participation goal. After
making good faith outreach
efforts as more fully described
in the **Guidance for
Documenting Good Faith
Efforts to Meet the SDB
Participation Goal**, I am
unable to achieve the total SDB
participation goal for this
solicitation and am requesting a
partial waiver of the SDB
participation goal.
I have completed and am
submitting with my bid/proposal
both of the following, which are
required in order to be
considered for award:

1. **SDB Utilization**

participation goal

After making good faith
outreach efforts as more fully
described in the **Guidance
for Documenting Good
Faith Efforts to Meet the
SDB Participation Goal**, I
am unable to achieve any part
of the SDB participation goal
for this solicitation and am
requesting a full waiver of the
SDB participation goal.

I have completed and am
submitting with my bid/
proposal a **Good Faith
Efforts Waiver Request** for
the complete SDB
participation goal, which is

SDB Utilization Schedule – SDB-3

CRITICAL
✓ Verify SDB
percentage of work

SDB-3 SDB UTILIZATION SCHEDULE

List in the chart below SDBs (including where applicable a prime bidder or offeror is self-performing a portion of the work) that will be used to meet the SDB participation goal (add additional pages if necessary). Submit a **Letter of Commitment (SDB-3-1)** for each SDB subcontractor (add additional Letters of Commitment as necessary).

SDB Name SAP Vendor Number (6-digit number provided by SDB) SDB Verification Number (located on DGS SDB verification)	Type of SDB (check all that apply)	Description of Work to be Performed (Statement of Work/Specification reference)	% Commitment (or % of work to be self-performed by SDB bidder/offeror)	Associated Dollar Value of Commitment
Name: <u>ABC IT Solutions</u> SAP Vendor Number: <u>123456</u> SDB Verification Number: <u>123456-2016-09-SB-M</u>	MBE	IT staffing resources	%	\$
Name: _____ SAP Vendor Number: _____ SDB Verification Number: _____	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		%	
Name: _____ SAP Vendor Number: _____ SDB Verification Number: _____	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		%	
Name: _____ SAP Vendor Number: _____ SDB Verification Number: _____	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		%	
Name: _____ SAP Vendor Number: _____ SDB Verification Number: _____	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		%	
Attach additional sheets if necessary			Total % SDB commitment: 0	Total \$ amount: \$ 0

Letter of Commitment SDB-3.1

CRITICAL
✓ Self-Performance
as SDB Prime.

SDB-3-1 LETTER OF COMMITMENT

This Letter of Commitment serves as confirmation of the commitment by the prime Bidder or Offeror to utilize the Small Diverse Business (SDB) on the below-referenced Solicitation/Project.

Solicitation Number: _____

Solicitation Name: _____

	Bidder/Offeror Information	SDB Information
Name		
Address		
Point of Contact		
Telephone number		
Email address		

Services/Supplies and Time Frame. If Bidder/Offeror is the successful vendor, the SDB shall perform or provide the following services or supplies during the initial term of the prime contract and during any extensions, options or renewal periods of the prime contract exercised by the Commonwealth, as more specifically set forth below:

Services or supplies the SDB will provide: _____

Specific Time Frame the SDB will provide the services or supplies: _____

Percentage Commitment. These services or supplies represent _____ % of the total cost of the Bidder/Offeror's cost submittal for the initial term of the contract. Depending on actual contract usage or volume, it is expected the SDB will receive \$ _____ during the initial contract term.

SDB verified. By signing below, the SDB represents that it meets the SDB requirements set forth in the Solicitation and all required documentation has been provided to the Bidder/Offeror for its SDB submission.

Sincerely,

Acknowledged

Printed name

Printed name

Signature
Bidder/Offeror Point of Contact Name

Signature
SDB Point of Contact Name

* For purposes of monitoring compliance with SDB and VBE commitments, the work performed by a firm that is both an SDB and a VBE will be counted by BDISBO towards fulfilling both the SDB and VBE commitments unless otherwise agreed to by the parties in writing and approved by BDISBO and the Issuing Office.

Only complete
if you are an
SDB/VBE
Planning to
self-perform
to meet
stated goal.

Guidance to Document GFE SDB-4

READ, READ, READ

- The ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the Offeror of the responsibility to make Good Faith Efforts to meet the stated participation goal.
- Prime must complete all components of the GFE paperwork. Details/Evidence are important, proof is required.
- Carefully review SDB and VBE submittal Instructions, specifically Section VI of SDB/VBE-1 which lists pertinent items as Fatal errors.

Good Faith Efforts Packet SDB-5

Good Faith Efforts (GFE) Partial or Full Waiver

- ☐ Identified Items of Work Applicant Made Available to SDBs (Part 1)
- ☐ Identified SDBs and Record of Solicitations (Part 2)
- ☐ SDB Outreach Compliance Statement (Part 3)
- ☐ Additional Information Regarding Rejected SDB Quotes (Part 4)
- ☐ SDB Subcontractor Unavailability Certificate (Part 5)

SDB GFE Documentation – SDB-5

SDB-5

GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF SDB PARTICIPATION GOAL

Project Description:	
Commonwealth Agency Name:	
Solicitation #:	
Solicitation Due Date and Time:	
Bidder/Offeror Company Name:	
Bidder/Offeror Contact Name:	
Bidder/Offeror Contact Email:	
Bidder/Offeror Contact Phone Number:	

Complete all five parts

Part 1 – Identified Items of Work Offeror Made Available to SDBs

Identify those items of work that the Offeror made available to SDBs. This includes, where appropriate, those items the Offeror identified and subdivided into economically feasible units to facilitate the SDB participation. For each item listed, show the anticipated percentage of the total contract amount. It is the Offeror's responsibility to demonstrate that enough work to meet the SDB participation goal was made available to SDBs, and the total percentage of the items of work identified for SDB participation met or exceeded the SDB participation goal set for the procurement.

Identified Items of Work	Was this work listed in the solicitation?	Does Offeror normally self-perform this work?	Was this work made available to SDB Firms? If not, explain why.
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

GFE Waiver – Part 1

Identified Items of Work Offeror Made Available to SDBs

CRITICAL
✓ List all components of work offered for subcontracting.

Part 1 – Identified Items of Work Offeror Made Available to SDBs

Identify all items of work that the Offeror made available to SDBs. This includes, where appropriate, those items the Offeror identified and divided into economically feasible units to facilitate the SDB participation. For each item listed, show the anticipated percentage of the total contract cost. Offeror must demonstrate that enough work to meet the SDB participation goal was made available to SDBs, and the total percentage of the items of work identified for SDB participation met or exceeded the SDB participation goal set for the procurement.

Identified Items of Work	Was this work listed in the solicitation?	Does Offeror normally self-perform this work?	Was this work made available to SDB Firms? If not, explain why.
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

GFE Waiver – Part 2

Identified SDBs and Record of Solicitations

CRITICAL
✓ Specifics and
Details are
important

Part 2 – Identified SDBs and Record of Solicitations

Identify the SDBs solicited to demonstrate interest to perform the Anticipated Scopes of Work made available for SDB participation. Include the name of the SDB solicited, anticipated scopes of work for which the Bidder/Officer solicited interest, date and manner of initial and follow-up, whether the SDB provided a response, and whether the SDB will be used toward meeting the SDB participation goal.

Note: Copies of all written solicitations and documentation of follow-up calls to SDBs must be attached to this form. For each Identified SDB listed below that Bidder/Officer is not using to meet the SDB participation goal, Bidder/Officer should submit an SDB Subcontractor Unavailability Certificate signed by the SDB or a statement from the Bidder/Officer that the SDB refused to sign the SDB Subcontractor Unavailability Certificate.

Name of Identified SDB and Classification	Describe Anticipated Scope of Work Solicited	Initial Solicitation Date & Method	Follow-up Solicitation Date & Method	Details for Follow-up Calls	SDB interested in Anticipated Scope of Work?	Will SDB be Used?	Reason SDB Rejected
SDB Name: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		Date: <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date: <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date and Time of Call: Spoke with: Left Message:	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> Used other SDB <input type="checkbox"/> Used non-SDB <input type="checkbox"/> Self performing
SDB Name: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> LGBTBE <input type="checkbox"/> DOBE <input type="checkbox"/> SDVBE		Date: <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date: <input type="checkbox"/> mail <input type="checkbox"/> email <input type="checkbox"/> fax	Date and Time of Call: Spoke with: Left Message:	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> Used other SDB <input type="checkbox"/> Used non-SDB <input type="checkbox"/> Self performing

Attach additional sheets as necessary.

GFE Waiver – Part 3

SDB Outreach Compliance Statement



SDB-5
GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF
SDB PARTICIPATION GOAL

Part 3 – SDB Outreach Compliance Statement

- 1. List the Identified Items of Work for subcontracting opportunities for the solicitation along with specific work categories:**

- 2. Attach to this form copies of written solicitations (with Bid or Proposal instructions) used to solicit Identified SDBs for these subcontract opportunities.**

- 3. Offeror made the following attempts to contact the Identified SDBs:**

- 4. Bonding Requirements (Please Check One):**

☐

This project does not involve bonding requirements.

☐

Offeror assisted Identified SDBs to fulfill or seek waiver of bonding requirements.
(DESCRIBE EFFORTS):

- 5. Pre-Bid/Proposal Conference or Supplier Forum (Please Check One):**

☐

Offeror did attend the pre-Bid/Proposal conference or Supplier Forum

☐

No pre-Bid/Proposal conference or Supplier Forum was held

☐

Offeror did not attend the pre-Bid/Proposal conference or Supplier Forum

GFE Waiver – Part 4

Additional Information Regarding Rejected SDB Quotes

CRITICAL
✓ Documentation for
Part 2

SDB-5

GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF SDB PARTICIPATION GOAL

Part 4 – Additional Information Regarding Rejected SDBs

This form must be completed if Part 2 indicates that an SDB was rejected because the Bidder/Offeror will use a non-SDB or will self-perform the Anticipated Scopes of Work. List the Anticipated Scopes of Work, indicate whether the work will be performed by a non-SDB or will be self-performed, and if applicable, state the name of the non-SDB firm.

Describe Anticipated Scope of Work not being performed by SDBs	Self-performing or using non-SDB (provide name of non-SDB if applicable)	Reason why SDB was not used for anticipated scope of work along with brief explanation
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other
	<input type="checkbox"/> self-performing <input type="checkbox"/> using Non-SDB Name:	<input type="checkbox"/> price <input type="checkbox"/> capabilities <input type="checkbox"/> other

Attach additional sheets as necessary.

GFE Waiver – Part 5

Subcontractor Unavailability Certificate

CRITICAL
✓ Required for each
vendor listed in Part 1

SDB-5
GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST OF
SDB PARTICIPATION GOAL

Part 5 – SDB Subcontractor Unavailability Certificate

1. It is hereby certified that the firm of _____
(Name of SDB)

located at _____
(Number) (Street)

_____ was offered an opportunity to provide
(City) (State) (Zip)

_____ on Solicitation No. _____
(anticipated scope of work)

by _____
(Name of Prime Contractor's Firm)

2. _____ (SDB), is either unavailable for the work/service or
unable to prepare a proposal for this project for the following reason(s):

Best Practices

Do's

- Read the solicitation and all instructions completely.
- Submit SEPARATE SDB and VBE submittal forms.
- Validate subcontractor SDB/VBE status in DGS Supplier Database.
- Ensure that all appropriate forms are completed and signed correctly.
- Submit questions early per the solicitation requirements.

Don'ts

- Make any assumptions.
- Copy SDB submittal paperwork. Download and complete the VBE submittal separately, titles and accuracy matter.
- Skip any portion of the GFE request documentation.
- Forget to verify subcontractor status as current SDB/VBE in DGS Supplier Database.

Important Notes

NEW Prompt Payment Terms (non- construction) – 7/1/2023

- Bidder/Offeror shall pay SDB/VBEs, after receipt of a proper invoice and all other required documentation from an SDB/VBE, within 10 days after receipt of payment from the Commonwealth.
- Model Form SDB/VBE Subcontractor Agreement (Jaggaer 1.2.3 and 1.3.3) - is provided for informational purposes only. To be completed by award winning vendor only.

REMINDER

**Failure to submit
fully completed SDB
and VBE submittal
packets or GFE
waiver request
documentation will
result in removal of
your bid for award
consideration**

Questions?



BDISBO Contact Info

Bureau of Diversity, Inclusion and Small Business Opportunities

North Office Building
401 North Street, Room 611
Harrisburg, PA 17120-0500
717.783.3119

GS-BDISBO@pa.gov