University Policies and Procedures

08-03.04 - MINORITY BUSINESS ENTERPRISE POLICY

I. Policy Statement:

Towson University (“University”) has established these policies and procedures pursuant to USM policy VIII-3.00, USM Procurement Policies and Procedures, https://www.usmd.edu/regents/bylaws/SectionVIII/VIII300.pdf. The University affords Minority Business Enterprises (MBEs), certified by the Maryland Department of Transportation (MDOT), the opportunity to participate in all contracts, purchases and services. The University’s MBE goal is 29%.

II. Responsible Executive and Office:

Responsible Executive: Vice President for Administration and Finance and Chief Fiscal Officer

Responsible Office: Procurement Department

III. Entities Affected by this Policy: All divisions, colleges, departments and operating units.

IV. Procedures:

A. Minority Business Enterprise Policy

Pursuant to Chapter 515 of the Laws of 1999, institutions of the University System of Maryland shall to the maximum extent practicable comply with the provisions of Title 14, Subtitles 1 (Preferences to Benefit Disadvantaged Individuals) and Subtitle 3 (Minority Business Participation) of the State Finance and Procurement Article of the Annotated Code of Maryland, see USM VIII-3.00, USM Procurement Policies and Procedures.

1. When an MBE goal is established by the University during a procurement process, a bidder or offeror must include with its bid or offer the following affidavits whereby the bidder or offeror acknowledges the certified MBE participation goal, commits to make a good faith effort to achieve the goal, and affirms that MBE subcontractors were treated fairly in the solicitation process:

   a. A completed MBE Utilization and Fair Solicitation Affidavit
b. Outreach Efforts Compliance

c. MBE Participation Schedule

d. Subcontractor Project Participation Statement)

e. In the rare event that the apparent awardee believes a waiver is necessary of the overall MBE goal or of any sub-goal by MBE classification, it may submit a waiver request that complies with COMAR 21.11.03.11 in the place of the MBE Participation Schedule.

f. Any other documentation required by the MBE Liaison to ascertain bidder or offeror responsibility in connection with the certified MBE participation goal.

If a bidder or offeror fails to submit these affidavits, the University may deem the bid or offer non-responsive.

B. Prime MBE and Non-MBE Contractors

Where subcontracting opportunities exist, the University will attempt to achieve the result that a minimum 29% percent of the total dollar value be made either directly or indirectly from MDOT certified MBE firms. Whenever possible, subcontracting goals will be included for procurements over $200,000.

C. Procurement Card Purchases

Purchases made with the Procurement Card are also subject to the University’s MBE goal.

D. Assistance in obtaining/identifying MBE firms

1. Assistance in locating MDOT certified MBE firms may be obtained by contacting:

   a. Towson University Procurement Department MBE Liaison, see MBE Program at http://www.towson.edu/procurement/.

   b. By visiting the Maryland Department of Transportation website at www.mdot.state.md.us.

   c. By visiting the Governor’s Office of Minority Affairs website at https://gomdsmallbiz.maryland.gov/Pages/default.aspx.
Related Policies:

USM policy VIII-3.00, USM Procurement Policies and Procedures

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Approved by: President’s Council