

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE MEETING

June 16, 2015  
3:00 PM  
4<sup>th</sup> Floor Conference Room

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building*

#### CALL TO ORDER

Mr. Washington called the meeting to order at approximately 3:01 PM

#### ADOPTION OF THE AGENDA

Mr. Washington requested to add an item to the agenda entitled "Scope of Service for Consultant".

Mr. Jackson moved, seconded by Mr. Malinowski, to adopt the agenda as amended. The vote in favor was unanimous.

#### SLBE ORDINANCES [FOR INFORMATINOAL PURPOSES ONLY]

The SLBE Ordinances were accepted as information.

#### QUICK PAY

Ms. Tanner stated she communicated with agencies identified by Franklin Lee with quick pay programs to identify the benefits and drawbacks the agencies may have incurred by adding the quick pay process. None expressed any major concerns, negative effects or increased workloads. Most agencies issue electronic payment to their prime subcontractors and do not distribute paper checks. Payment was remitted within 14-16 days after completion.

Mr. Livingston inquired what kind of procedure and system will need to be put in place if Richland County wants to go forward with a quick pay program.

Ms. Tanner stated that would be the next phase. She has been unable to identify any agency that had a model that is similar to what Richland County is looking to do. Therefore, someone would need to develop a process or procedure to put it in place. Internal departments would be involved with developing the process (i.e. Finance, Transportation, etc.).



#### Council Members Present

Kelvin E. Washington, Sr., Chair  
District Ten

Bill Malinowski  
District One

Paul Livingston  
District Four

Norman Jackson  
District Eleven

#### Others Present:

Torrey Rush  
Tony McDonald  
Michelle Onley  
Rob Perry  
Gloria Tanner  
Chad Fosnight  
Kristin Hutto  
Kim Roberts  
Roxanne Ancheta  
Cheryl Patrick  
Daniel Driggers  
Brenda Parnell

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Mr. Washington inquired if the software the County is utilizing is similar to the software these other agencies are using or does the County need to implement additional modules.

Ms. Patrick stated there are several modules that still have not been implemented; therefore, they do not have the capability at this point.

### **SLBE PROGRAM GOAL SETTING COMMITTEE**

Ms. Tanner stated a committee was established. The members of the committee are the Director of Procurement, Director of Transportation and the management of the OSBO Department. The process of how the goals will be developed was discussed and agreed to by those three (3) individuals. The only facet that needs to be completed is the good faith effort process.

Mr. Jackson expressed concern that Ms. Tanner, the consultant, was a part of the goal setting committee and not a Richland County employee.

Mr. Washington stated in the ordinance there are different industry categories, will the Procurement Director, OSBO Director and Transportation Director be overseeing all of the industries?

Ms. Tanner stated each project is structured with typical trades that make up a particular project. The committee will identify what the trades are and take the information and identify the available firms in the database that provide those services.

Ms. Patrick stated that projects that involve other County departments (i.e. Capital Projects) will be involved in the oversight of those projects.

### **MENTOR PROTÉGÉ PROGRAM AND A MONITORING ADVISORY COUNCIL TO WORK WITH THE SLBE AND OSBO OFFICE**

Ms. Tanner stated the preliminary work has been initiated to develop the Mentor Protégé Program. The program should not be initiated until about 6 months into the SLBE program to allow time to increase the number of certified firms willing to participate.

The process to match firms involves:

- Identify the processes
- Mentor and Protégé identify the requirements
- Protégés schedule meetings with potential mentors

At this time, there are not enough protégés firms available. Also, it is unknown how many construction firms there are that would be willing to mentor the protégés.

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Ms. Tanner stated as an incentive the City of Columbia provides extra points for firms that have mentor protégé programs. Other solicitations require firms to proceed with a team or they are unable to compete for the project.

### **SHELTERED MARKETS**

Ms. Tanner stated this process will allow an increase of SLBE firms into the program that otherwise might not have been able to participate.

Certain projects the Project Development Team has put out for solicitation have language and terms and conditions attached that references how the sheltered projects will work. Those particular projects will be awarded 100% to the SLBE firms.

Ms. Tanner stated they have been working with the Project Development Team to identify what types of projects would be considered sheltered market projects.

- County Road Surfacing Projects
- Sidewalk Projects
- Dirt Roads
- Bikeways

The first sheltered market project will be the sidewalk projects. The project will be able to proceed as soon as the permits are received.

### **RFP BID SCORING FOR LOCAL BUSINESSES**

Ms. Patrick stated the RFP process does not lend itself to preferences; however, there is a way around this. According to the research conducted, the City of Greenville does not give a preference, but give 5 points if it is a SLBE or local business.

Ms. Patrick suggested adding this into the ordinance when it is revised.

Mr. Washington would like the local firms to be awarded a larger percentage and/or points when evaluated.

Ms. Patrick stated the RFP awards points, whereas the invitation for bid awards a percentage. This actually is a good thing because you cannot add percentages to something that is subjective at evaluation.

Mr. Washington requested a matrix of how the evaluations are conducted.

Ms. Patrick stated the 5% local vendor preference was approved in late December. The County's 5% local vendor preference does not apply to anything under \$10,000, does not apply to a single line item if it is over \$25,000 or an aggregate of \$200,000.

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The 5% local vendor preference does not apply to the Penny Projects because of the dollar thresholds.

Mr. Livingston moved, seconded by Mr. Malinowski, to review the threshold for the local vendor preferences and bring back a recommendation to the committee. The vote in favor was unanimous.

Ms. Patrick stated she will also bring back recommendations regarding the RFP points at that time.

**MOTION: IN ATTENDING A MEETING WITH SMALL LOCAL BUSINESSES, QUESTIONS CAME UP ABOUT THE COUNTY ORDINANCE ALLOWING FRANCHISE BUSINESSES PARTICIPATING IN THE COUNTY'S SLBE PROGRAM. MOTION TO CHANGE THE SLBE ORDINANCE NOT TO ALLOW FRANCHISE BUSINESSES TO QUALIFY AS SLBE [WASHINGTON]**

Mr. Malinowski stated it was his understanding that this was already in place.

Ms. Patrick stated the ordinance does not specifically state the word "franchise", but the restrictions in the ordinance establish mechanisms to prevent franchises from participating.

Ms. Patrick supports amending the ordinance to exclude franchise businesses from participating in the SLBE program.

Ms. Tanner stated the reason franchise should not be allowed to participate in the SLBE program is the agreement between the franchiser and franchisee is too controlling. Therefore, the franchise is not an independent company.

Mr. Malinowski moved, seconded by Mr. Washington, to amend the SLBE ordinance to not allow franchise business to qualify as a SLBE. The vote in favor was unanimous.

### **SCOPE OF SERVICE FOR CONSULTANT**

*The committee went into Executive Session at approximately 3:39 PM and came out at approximately 3:54 PM*

### **ADJOURNMENT**

The meeting adjourned at approximately 3:54PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council