



**TED STRICKLAND**  
GOVERNOR  
STATE OF OHIO

## **Executive Order 2008 – 13S**

### **Increasing Participation in the Minority Business Enterprise and Encouraging Diversity, Growth and Equity Programs**

1. **Administration of Ohio's Minority Business Enterprise and Encouraging Diversity Growth and Equity Programs.** The State is committed to improving the number of minority-owned companies that do business with the State of Ohio by facilitating and improving access to government contracts for services. The State believes that facilitating this access is not only the right thing to do, but will foster an environment in which all Ohio businesses have access to enter and compete fairly in the procurement process. Ohio law has recognized the value of an equally-accessible procurement process by requiring the Ohio Department of Administrative Services (ODAS), through its Equal Opportunity Division (EOD), to be responsible for supporting the development of minority-owned, as well as socially and economically disadvantaged businesses by providing guidance and information to executive agencies, board, and commissions (collectively "State Agencies") regarding the Minority Business Enterprise (MBE) and Encouraging Diversity Growth and Equity (EDGE) Programs.
2. **Implementation of Strategies to Increase Participation in MBE and EDGE Programs.** In order to ensure that the State is in compliance with the law regarding the inclusion of minority-owned, and socially and economically disadvantaged businesses in Ohio's procurement process, I hereby order all State Agencies to implement and adhere to the following measures in order to improve the effectiveness of the MBE and EDGE Programs:
  - a. By July 25, 2008, State Agencies will appoint an EEO Officer who will be responsible for monitoring compliance with Ohio law

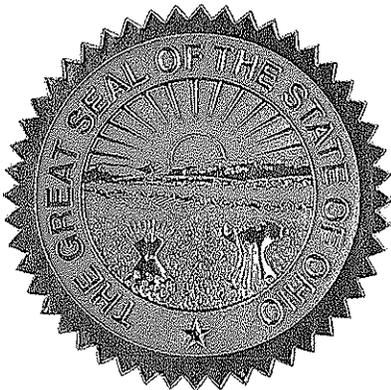
regarding the MBE and EDGE Programs and for reporting compliance or non-compliance for their respective agencies to EOD. The EEO Officer will also be responsible for:

- i. analyzing spending on goods, services, and construction projects for the EEO Officer's respective State Agency and determining missed opportunities for the inclusion of certified MBE and EDGE vendors;
  - ii. analyzing the State Agencies' spending with EDGE vendors, as well as EDGE vendor availability by regions of the State so that ODAS may determine the appropriate EDGE goal for each contract;
  - iii. reporting MBE or EDGE enrollment for all contracts issued by each State Agency to EOD;
  - iv. implementing a scorecard system, that will be developed by EOD, which tracks each State Agency's MBE and EDGE Program expenditures;
  - v. implementing the outreach and training plan, that will be developed by EOD, to ensure State Agencies' compliance with MBE and EDGE Program requirements;
  - vi. attending semiannual training conducted by EOD on MBE and EDGE Program requirements;
  - vii. participating in an annual compliance review conducted by EOD and implementing recommendations made by EOD as a result of the review process.
- b. By August 25, 2008, State Agencies will ensure that all contracts for the purchase of goods and services contain language that:
- i. prohibits contractors and subcontractors from engaging in discriminatory employment practices;
  - ii. certifies that contractors and subcontractors are in compliance with all applicable federal and state laws, as well as rules and regulations governing fair labor and employment practices;
  - iii. encourages contractors and subcontractors to purchase goods and services from certified MBE and EDGE vendors.

- c. State Agencies should not issue EDGE waivers without undertaking the following process:
    - i. having all EDGE waivers reviewed by the State Agency's designated Procurement Officer, in collaboration with its EEO Officer, who will certify that each EDGE waiver issued by the State Agency is compliant with criteria for granting an EDGE waiver;
    - ii. submitting quarterly reports to EOD that lists each EDGE waiver granted by the agency;
    - iii. permitting EOD to complete its review of each State Agency's quarterly reports and to conduct period audits of each State Agency's administration of the EDGE waiver process.
  - d. Where EOD determines that a State Agency has not properly administered the issuance of EDGE waivers, subsequent EDGE waivers should not be issued by an Agency without the authorization and approval of EOD. However, EOD may release a State Agency from the approval process once EOD has determined that an Agency has the ability to consistently administer the waiver process.
3. **Annual Report Regarding Progress in MBE and EDGE Initiatives.** Beginning October 1, 2008 and every October 1 thereafter, the Deputy Director of EOD shall submit a written report to me, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives describing the State Agencies' progress in advancing the MBE and EDGE Programs, as well as any initiatives that are implemented to increase the number of certified MBE and EDGE vendors doing business with the State.

4. I signed this Executive Order on June 25, 2008 in Columbus, Ohio and it will not expire unless it is rescinded.

  
Ted Strickland, Governor



ATTEST:

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Jennifer Brunner, Secretary of State