



How to Become a Certified MBE and
Conduct Business with the State of Ohio

RECRUITMENT GUIDE





MISSIONS

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

Equal Opportunity Division

The mission of the Equal Opportunity Division (EOD) is to serve, support and find solutions for Ohioans by ensuring equal opportunity to and fair treatment in government contracting and state employment. EOD strives to achieve its mission by implementing and enforcing the state's affirmative action and equal employment opportunity policies, and implementing and monitoring the state's procurement preference programs for minority-owned, women-owned, and socially and economically disadvantaged businesses.

Business Certification Unit

The mission of the EOD Business Certification Unit is to ensure equal opportunity to government contracting. The unit strives to achieve its mission by maximizing contracting opportunities through certification of minority-owned, women-owned, and socially and economically disadvantaged businesses. The unit's responsibilities include implementing the Minority Business Enterprise (MBE) program. Those responsibilities include:

- Certifying businesses for the MBE program;
- Maintaining a searchable database of certified businesses;
- Monitoring businesses' compliance with certification requirements;
- Implementing program rules and conducting training; and
- Assisting state agencies with the selection of contracts for inclusion in the program.

Statutory and Regulatory Authority

The enabling statutes for the MBE program are Sections 123.151 and 125.081 of the Ohio Revised Code. The rules that govern the program are found in Chapter 123:2-15 of the Ohio Administrative Code.



For information about MBE certification:

Ohio Department of Administrative Services
Equal Opportunity Division
Business Certification Unit
4200 Surface Road
Columbus, Ohio 43228

Phone: 614-466-8380

Fax: 614-728-5628

Email: das.bcu@das.ohio.gov

Website: mbe.ohio.gov





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MINORITY BUSINESS ENTERPRISE PROGRAM

The State of Ohio's Minority Business Enterprise (MBE) program establishes a 15 percent set-aside procurement goal for state agencies, boards and commissions in awarding contracts to certified MBE businesses. The MBE program is designed to assist minority businesses in obtaining state government contracts for goods and services. The MBE program does not apply to construction, architecture or engineering contracts.

The State of Ohio developed the MBE program because it recognized the need to encourage, nurture and support the growth of minority businesses to foster their development and increase the number of qualified competitors in the marketplace.

MBE Eligibility

- A business must be owned and controlled by a U.S. citizen(s) who is a resident(s) of Ohio and a member(s) of one or more of the following minority groups: Blacks or African Americans, American Indians, Hispanics or Latinos, and Asians.
- The **business** must:
 - o have been in business for at least one year prior to applying for certification; and
 - o be at least 51 percent minority-owned; and
- The **business owner(s)** must:
 - o possess requisite knowledge of the business and industry in which he or she is applying;
 - o have day-to-day control over the business, exercising final authority over all aspects of daily operations, including but not limited to, operations, financial and business management, human resources and policy decisions; and
 - o possess all licenses and permits required by law to perform the scope of work within classifications requested.

Benefits of MBE Certification

Certified MBE program participants are eligible for contract assistance, financial and bonding assistance, and technical assistance.

- *Eligibility for Set-Aside Contracts*
 - o Certified businesses are listed in a searchable database.
 - o Certified businesses have the opportunity to compete for 15 percent of state agencies' spending budgets in a sheltered bidding process.
- *Financial Assistance* – Exclusive access to certain loan and bond programs through the Minority Business Assistance Centers.
For more information, see Pages 18 and 19.
- *Technical Assistance* – Access assistance from the Small Business Development Centers and the Procurement Technical Assistance Centers.
For more information, see Page 21.

MBE Certification Application Process

- The applicant must complete a Unified Application through the Ohio Business Gateway and provide supporting documentation as required. A list of the supporting documents can be found online at mbe.ohio.gov. Only complete applications with all required supporting documentation will be reviewed.

Applicant businesses are subject to on-site review by state compliance officers.

Upon application approval, the business receives an MBE certification by email. Reviews take an average of 60 business days or less from the time a completed application is submitted.

- For certain applications an expedited process reduces the application review time. To qualify for expedited processing, the applicant must (a) submit the application through a regional Minority Business Assistance Center or Procurement Technical Assistance Center, which are operated by the Ohio Development Services Agency (see Pages 18 to 21); and (b) have a pending contract award that requires an MBE certification or be a candidate for and in need of financing or bonding where an MBE certification is a requirement.
- In addition to the requirement for MBE certification, any MBE-certified business bidding on a contract awarded by any state agency must meet all applicable pre-qualification requirements.

Steps to Certification

- Visit Ohio Business Gateway.
- Log in using username and password.

- Select “Start a Service.”
- Select “Equal Opportunity Division.”
- Select “Unified Application” and complete the form.
- Complete the confirmation and checkout process.
- Submit supporting documentation as required to das.bcu@das.ohio.gov.

Recertification

- Certification into the MBE program can last up to two years. For a business to be recertified, the applicant must demonstrate to the Equal Opportunity Division that the business owner and the business continue to qualify for certification.

To be eligible for recertification, a business must apply for recertification prior to the current expiration date of its certification.

- o If there are no changes to the ownership or business structure of the company (e.g., changes to articles of incorporation, bylaws, partnership agreement, stockholders, board of directors, etc.) the applicant must complete an online Recertification Affidavit through the Ohio Business Gateway and provide last year’s business federal tax returns. Only complete applications, which must include tax returns, will be reviewed.



- o If changes have occurred to the ownership or business structure of the company, or if the expiration date of the current certification has lapsed, the applicant must complete an online Unified Application through the Ohio Business Gateway and provide supporting documentation based on business structure.
- If the applicant successfully demonstrates that both the business owner and the business continue to qualify for certification, the Equal Opportunity Division will recertify the business for up to two years. The applicant will be notified by email of the certification approval and be provided with information about how to download a new certificate.

Recertifications may be subject to on-site review by state compliance officers. Reviews take an average of five days.

Steps for Recertification

- Visit Ohio Business Gateway.
- Log in using existing username and password.
- Select “Start a Service.”
- Select “Equal Opportunity Division.”
- Select “Recertification Affidavit” and complete the form.
- Complete the confirmation and checkout process.
- Submit last year’s federal tax returns to das.bcu@das.ohio.gov.

Professional Certification Process

The purpose of the pilot professional certification process (which will continue through Fiscal Year 2017) is to reduce the time to certify the following professionals:

- Accountants
- Anesthesiologists and Nurse Anesthetists
- Architects
- Attorneys
- Chemical Dependency Therapists

- Chiropractors
- Counselors, Social Workers and Marriage and Family Therapists
- Dentists
- Engineers
- Midwives
- Nurses and Nurse Practitioners
- Occupational and Physical Therapists
- Optometrists
- Pharmacists
- Physicians and Physician Assistants
- Psychologists and Psychiatrists
- Speech-Language Pathologists and Audiologists
- Teachers
- Veterinarians

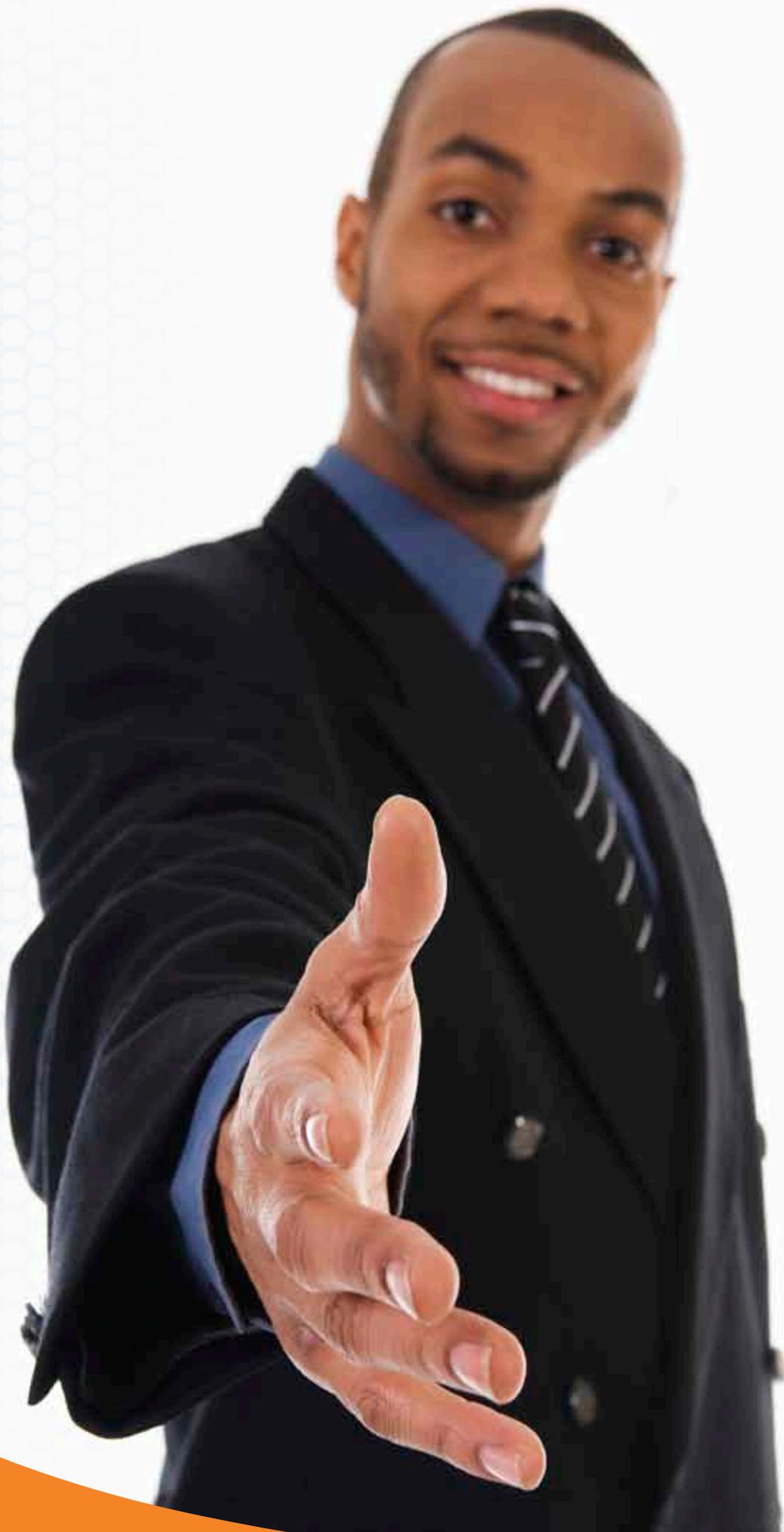
Steps for Professional Certification

An applicant must (a) complete an online Unified Application through the Ohio Business Gateway; (b) provide a copy of state-issued professional licensure or certification, and (c) provide an affidavit verifying professional certification eligibility, which can be found online at mbe.ohio.gov, and email the completed documents to das.bcu@das.ohio.gov.

Applications submitted as a part of the professional certification process are subject to an on-site review, including a review of additional documentation upon request, by state compliance officers.

Upon approval of the application, the company will receive its certification by email. Reviews take an average of 19 days.





Cross Certification

The Cross Certification process reduces application review time to an average of approximately five business days after submission of required supporting documents. To qualify for cross certification, the applicant must submit a Cross Certification application through the Ohio Business Gateway and a copy of the current certification issued by one of the entities listed below.

In addition to being certified by one of the entities below, the business owner(s) and the business must meet all requirements listed in Chapter 123:2-15 of the Ohio Administrative Code and may be subject to an on-site inspection.

- City of Canton MBE Program
- City of Cincinnati Business Enterprise Program
- City of Columbus MBE Certification and Verification Program
- City of Dayton Procurement Enhancement Program (PEP) (minority business enterprise portion of the PEP program only)
- City of Toledo MBE Program
- Ohio Turnpike Commission MBE/FBE Program
- Ohio Minority Supplier Development Council

Steps for Cross Certification

- Visit Ohio Business Gateway.
- Log in using existing username and password.
- Select “Start a Service.”
- Select “Equal Opportunity Division.”
- Select “Cross Certification Application” and complete the form.
- Complete the confirmation and checkout process.
- Submit current certificate to das.bcu@das.ohio.gov.

Joint Ventures

A joint venture is a commercial collaboration in which two or more separate businesses — one of whom must be certified through the MBE program — legally join

together for the purpose of obtaining a specific contract or undertaking a specific transaction, while at the same time remaining independent.

Generally each member of a joint venture shares the risks of, has an interest in, and contributes assets to, the joint venture. Joint ventures can be formed in order to submit bids or proposals for a contract in any applicable procurement category (i.e., professional services, goods and services, or information technology services). An MBE-certified business cannot participate in a joint venture who submits bids or proposals for construction, architecture or engineering projects.

Eligibility

To have the proposed joint venture certified into the MBE program, an MBE-certified business must control 51 percent of the joint venture, including management decisions and policy. The venture must commercially benefit both the MBE-certified and non-certified businesses, and the owners of the MBE-certified business must have an interest in the capital, assets, and profits and losses of the joint venture at least proportionate to their capital investment in the venture, but not less than 51 percent.

Steps for Certifying a Joint Venture

To obtain MBE certification of a joint venture, the applicant must complete an online Unified Application through the Ohio Business Gateway. In addition, the applicant must submit a copy of the Joint Venture Agreement to das.bcu@das.ohio.gov. Among other requirements, the Joint Venture Agreement must include the following:

- Name of project and contract number, if known;
- Location, bid date and type of project;
- Description of job to be performed by joint venture partners;
- Percentage of the project to be subcontracted and of actual work being conducted by the subcontractor; and
- Approximate contract start and completion dates.

Upon approval of the application, the company will receive its certification by email.

NOW THAT I'M CERTIFIED, HOW DO I ... ?

Market to State Agencies:

- Identify agencies that utilize your goods/services by reviewing the Fiscal Year MBE Projection Plans. Visit mbe.ohio.gov. Click on "Certified Business Toolkit."
- Create a one-page capability statement document.

Your document should include:

- o Capability statement
- o Company overview
- o Core products/services/competencies
- o Key personnel
- o Differentiators – What sets you apart from competition?
- o Past performance – Previous customers, jobs, projects
- o Company information – Correct UNSPSC/NAICS codes, DUNS number, EIN, certifications, website, accepted credit cards
- o Contact information – phone, e-mail
- Contact state agency procurement officers and MBE/EDGE officers to inform them of your company's capabilities.
 - o For agency procurement officers, go to procure/ohio.gov, click on "Contacts," then "Agency Contacts" and "Agency Procurement Officers."
 - o For MBE/EDGE officers, go to mbe.ohio.gov, click on the "Certified Business Toolkit."
 - o Follow up with procurement officers.
 - o Market your certifications.
- Attend state agency outreach events, trainings and workshops.
- Consider teaming with another business either to form a Joint Venture or as a subcontractor.
- Network with other businesses within your industry.

- Contact small business resources for assistance, including those offered by the Ohio Development Services Agency. (See Pages 18 to 21.)
- Keep a positive attitude. Doing business with government agencies takes time.

Use Agency Procurement Plans:

State agencies are required to create projection plans containing expected expenditures for that fiscal year. These expenditures include set-aside expenditures as well as open market expenditures for each quarter during the fiscal year.

- *Open market competition* – Purchases open to any business for unrestricted competition, both minority and non-minority.
- *Set-aside expenditure* – A "Set Aside Expenditure" is defined as a purchase selected for restricted competition only among MBE-certified businesses.
- The state fiscal year differs from the calendar year. The fiscal year begins July 1 and ends June 30. Below are the breakdowns of each quarter during the fiscal year.

1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
July 1 – Sept. 30	Oct. 1 – Dec. 31	Jan. 1 – March 31	April 1 - June 30

- Each projection plan contains the following six sections:

Section I. Agency Information contains contact information for individuals at the agency, including the MBE/EDGE officer, agency procurement officer and chief fiscal officer. The MBE/EDGE officer and agency procurement officer will be able to assist you most in regards to the projection plan and the projected set-aside expenditures for the fiscal year.

Section II. Ohio Department of Administrative Services (DAS) Contracts includes DAS projected contracts. These are contracts that a state agency sends to DAS to bid on their behalf. These contracts are unique in that the amount of each contract exceeds \$50,000. The information in this section includes the commodity or service sought, account code, contract description, projected contract value and if the agency has requested DAS to bid the contract as a set-aside or not.

Section III. Agency Contracts includes contracts that the agency plans to award using its own direct procurement authority. This section includes the commodity or service sought, account code, contract description, if the contract is new or being

renewed, the projected total contract value, the projected set-aside total contract value and the quarter that the agency expects the contract to be awarded.

Section IV. Agency Purchases includes all of the projected expenditures for a fiscal year. This section includes the purchase type, account code, description of the contract, projected total expenditures, projected quarterly expenditures and whether a projected expenditure is a set-aside or open market expenditure.

Section V. Plan Analysis includes a plan analysis of the agency's projected expenditures for the year. Listed is the total amount of projected purchases, total projected MBE set-aside purchases and the percentage the agency is projected to achieve in set-aside expenditures.



Change Codes/Scope of Business:

- Submit supporting documentation to show that you have demonstrated capability and/or experience within those classifications for at least one year. Send electronically on letterhead to either 614-728-5628 (fax) or das.bcu@das.ohio.gov (email).
- Provide the following documentation: signed contract and/or purchase order with corresponding invoice, for each code requested. Write on each the requested commodity code.
- If a state or federal license is required to sell the product or perform the service, provide a current copy of the required license held by the certified owner.
- Information will be needed to verify the questions below:
 - Does the company maintain an in-house inventory of stock? If yes, how many days of inventory are maintained (e.g., three, six, nine, 12 months, etc.)?
 - Where is the inventory stored?
 - Who are your supplier(s) for the requested code?
 - Does the company possess the required licenses for these products and/or services?

- If equipment is required to provide these codes, is the equipment leased, rented or owned?
- Do you deal in bulk items?
- Is the company a manufacturers' representative?
- Does the company have lines of credit established with the manufacturer/supplier?
- What should your new nature of business state?

Update Contact Information:

Submit in writing on company letterhead to the Equal Opportunity Division. Send electronically to either 614-728-5628 (fax) or das.bcu@das.ohio.gov (email).

For more information about the MBE program:

Ohio Department of Administrative Services
Equal Opportunity Division
Business Certification Unit
4200 Surface Road
Columbus, Ohio 43228

Phone: 614-466-8380

Fax: 614-728-5628

Email: das.bcu@das.ohio.gov

Website: mbe.ohio.gov



Helpful items on mbe.ohio.gov website

- Download your certificate
- Quick Links
- Certified Business Toolkit



DOING BUSINESS WITH THE STATE

To Seek Business with the State:

- Register to automatically receive bid opportunity notifications with the State of Ohio procurement website at procure.ohio.gov. Under the “for Suppliers” tab, go to “Selling to the State” and then “Registration.”
- Monitor procure.ohio.gov to locate bid opportunities. Under the “for Suppliers” tab, go to “Selling to the State” and then “Bid Opportunities.”
- Familiarize yourself with other sections of procure.ohio.gov. Extensive information is available to develop a good understanding of procurement procedures.
- Obtain from the Ohio Office of Budget and Management’s Ohio Shared Services a “New Vendor” form located at ohiosharedservices.ohio.gov.
- Submit completed form via email to supplier@ohio.gov or fax to 614-485-1052.
- Assure that an Affirmative Action Program Verification form is on file with the Equal Opportunity Division of the Ohio Department of Administrative Services (DAS). All contractors doing business with the state are required to have a written affirmative action program, approved by the DAS Equal Opportunity Division, for the employment and effective utilization of economically disadvantaged persons. A company has an option to adopt the State of Ohio’s equal employment opportunity policy statement and affirmative action program as part of the application. To obtain a certificate and/or learn more about the Affirmative Action Program Verification form, visit das.ohio.gov/eod/cc.
- Market your business to state agencies by locating state agency procurement officers on procure.ohio.gov. Under the “Contacts” tab, go to “Agency Contacts” and then “Procurement Officers.”



- Be aware of recertification requirements. Only responses received from MBE-certified businesses qualify for MBE set-aside solicitation opportunities. See the recertification instructions on Pages 7 and 8 to maintain certification.
- Reminder, Ohio Development Services Agency's Procurement Technical Assistance Centers (PTAC) are available to assist with the completion of bid packets. See Page 21 for information.

Procurement Methods

- **Invitation to Bid (ITB)** – evaluated and awarded to the responsive and responsible bidder offering the lowest price.
- **Request for Proposal (RFP)** – evaluated according to criteria outlined in the RFP. The award is made to the offeror whose proposal is most advantageous to the state.
 - Request For Proposal (RFP) – describes how many copies of both the “Technical Proposal” and “Cost Proposal” portions must be submitted. Offerors must submit Cost Proposals in separate, sealed envelopes marked as “Cost Proposal.” Evaluation is based on criteria listed within the RFP document. Award is made to the offeror whose proposal is determined to be most advantageous to the state.
 - If you have questions regarding the requirements outlined in the ITB or RFP, you can submit questions by following the instructions in the “Inquiries” section of the document.
- **State Term Schedule/Master Maintenance Agreement** – Similarly situated/most favored pricing (negotiated) offered by a manufacturer or integrator to the state and its political subdivisions at the request of a sponsoring public entity.
- **Reverse Auction** – An Internet-based auction process where buyers announce their need for a product or service, and suppliers bid to fulfill that need. Unlike a typical auction, prices in a reverse auction decrease as the bidding process continues.
- Bidders and RFP offerors must include the appropriate insurance form with policy limits and additional statements as required in the Terms and Conditions and/or Supplemental Terms.
- Bids and proposals must be sealed and received prior to the advertised open date and time. Bids and proposals may be submitted via mail, courier or hand-delivered. Late bids and late proposals will not be considered.
- Evaluation of bids and proposals may take several weeks. No communication is permitted during the evaluation period.

Responding to Invitation to Bid or Request for Proposal Documents

- Carefully read the entire bid or request document along with links to instructions and forms.
 - Invitation to Bid (ITB) – describes how the bid will be evaluated/awarded. Bidders should respond on the provided Pricing Page, in the format requested.
 - ❑ Complete paper bid document.
 - ❑ Sign in blue ink.

For more information about State of Ohio procurement:

Ohio Department of Administrative Services
 General Services Division
 Office of Procurement Services
 4200 Surface Road
 Columbus, Ohio 43228

Phone: 614-466-5090

Fax: 614-485-1056

Email: das.statepurchasing@das.ohio.gov

Website: procure.ohio.gov

BUSINESS DEVELOPMENT

OHIO DEVELOPMENT SERVICES AGENCY Minority Business Development Division

The Ohio Development Services Agency's (ODSA) Minority Business Development Division supports the growth and sustainability of small, minority and disadvantaged businesses in Ohio. Supporting these businesses means providing them with technical and professional assistance, access to capital and bonding, and connection to business opportunities through the Minority Business Assistance Centers. The division leverages these resources to support achievement of the state's 15 percent Minority Business Enterprise (MBE) set-aside goal which is overseen by the Ohio Department of Administrative Services.

The division works with entrepreneurs and emerging business enterprises to help them achieve scale and market success. The overarching goal is to help small, minority and disadvantaged businesses contribute to job creation and economic growth in Ohio.

Minority Business Assistance Centers

Minority Business Assistance Centers (MBAC) provide business development services to existing businesses, start-ups, certified MBEs, certified Encouraging Diversity, Growth and Equity (EDGE) businesses and socially and economically disadvantaged businesses. Minority Business Assistance Centers are staffed with certified business counselors that assist minority entrepreneurs to cultivate their growth and sustainability.

The MBACs provide the following services:

- Accounting assistance
- Business management counseling
- Assistance in completing federal, state and local certification applications
- Contract procurement assistance
- Estimating/bidding assistance
- Identifying local resources
- Loan packaging assistance
- Marketing plan development
- Referrals to financial assistance programs

Financial Assistance

The division administers the following loan and bond programs:

Minority Direct Loan Program – provides funding from \$45,000 to \$450,000 for eligible purchases such as land, building, machinery or equipment at rates as low as 3 percent interest.

- The Direct Loan can finance up to 75 percent of eligible project costs.
- A minimum equity injection of 10 percent is required by the borrower. A private lender might be required.
- The term of the Direct Loan cannot exceed 10 years for equipment and 15 years for real estate.
- Shared first or second mortgage positions with a participating financial institution.
- The Direct Loan has a job creation/retention ratio requirement of \$35,000 per job created or retained.
- The Minority Development Financing Advisory Board votes whether to recommend loan applications for approval when it meets the fourth Tuesday of each month. Applications recommended for approval are then forwarded to the State Controlling Board for approval.

- After the State Controlling Board approves, there is a \$300 application fee and a 1.5 percent commitment fee.

Minority Business Bonding Program – provides bid/guaranty and performance bonds to certified MBEs to help increase contracting opportunities with private, local, state and federal entities.

- Bonds are administered under a maximum bonding line of \$1 million.
- Bonding lines expire after 12 months and can be renewed.
- There is a 2 percent premium for each bond requested under the approved line.
- There is no job retention/creation ratio requirement.
- There is no application fee.
- Working capital line of credit required for at least 20 percent of the requested amount.
- The Minority Development Financing Advisory Board votes whether to recommend bonding lines for approval when it meets the fourth Tuesday of each month. Applications recommended for approval are then forwarded to the State Controlling Board for approval.
- The typical turnaround time is 45 to 60 days from application to final approval.

State Small Business Credit Initiative’s Collateral Enhancement Program (CEP) – provides lending institutions with cash collateral deposits to use as additional collateral support for loans made to eligible small businesses.

State Small Business Credit Initiative’s Ohio Capital Access Program (OCAP) – provides funding up to \$350,000 for land, building, machinery or equipment or up to \$250,000 to fund working capital needs such as inventory or payroll.

For information about financing programs, contact:

Ohio Development Services Agency
Minority Business Development Division
77 S. High St., 28th Floor
Columbus, Ohio 43215

Phone: 800-848-1300 or 614-752-4833

Fax: 614-466-4172

Website: minority.development.ohio.gov





OHIO DEVELOPMENT SERVICES AGENCY

Business Services Division

The Ohio Development Services Agency's (ODSA) Business Services Division works to support Ohio's businesses, large and small, as they maneuver in the global economy. Whether a company is established in the state and looking to expand, a technology company ready to move from the lab to commercialization, or an entrepreneur establishing a new small retail business, ODSA has resources to assist these businesses as they grow.

For companies looking to relocate or expand in Ohio, ODSA works with JobsOhio to offer businesses comprehensive packages of financial and technical assistance resources for job creation and retention.

Small Business Development Centers

The Small Business Development Centers provide technical assistance to small businesses and aspiring entrepreneurs. The centers are made up of a collaboration of U.S. Small Business Administration (SBA) federal funds, state and local governments, and private-sector resources.

- The centers provide no-cost, confidential, in-depth, one-on-one counseling for businesses that will or currently employ fewer than 500 employees.
- Additional services include training, e-counseling, quality-based assessments, technical assistance, loan packaging guidance, and information on federal, state and local regulations and programs.

For information about Small Business Development Centers, contact:

Ohio Development Services Agency
Office of Business Assistance
77 S. High St., 28th Floor
Columbus, Ohio 43215

Phone: 800-848-1300 or 614-466-2711

Email: sbdcreports@development.ohio.gov

Website: business.development.ohio.gov

Procurement Technical Assistance Centers

The Procurement Technical Assistance Centers help Ohio businesses seeking to compete for federal, state and local government contracts. The program is part of a nationwide network of Procurement Technical Assistance Centers created by the U.S. Department of Defense. In Ohio, the Ohio Development Services Agency hosts the program with support from community-based organizations serving local businesses.

Services include bid preparation assistance, bid-matching services, military specifications, one-on-one training, product and procurement histories, and help with information resources and trade events where Ohio firms can meet government buyers. These services are provided at no cost to businesses.

For information about Procurement Technical Assistance Centers, contact:

Ohio Development Services Agency
Office of Business Assistance
77 S. High St., 28th Floor
Columbus, Ohio 43215

Phone: 614-644-1637

Fax: 614-466-4172

Email: ohioptac@development.ohio.gov

Website: business.development.ohio.gov

