

DAS Proposed Rules for Veteran Friendly Business Procurement Program: Public Comments Received

Inquiry	Date	Response (if applicable)	Commenter
<p>I am employed by US Label & Ribbon Gp dba US Materials Gp, an Ohio-based, certified Service-disabled, Veteran-owned, Small Business. I was sent a link (http://das.ohio.gov/ProposedRules.aspx) for the proposed addition of the Veteran Friendly Business Procurement Program to the DAS procedures, by Lisa Barne, in Erik Yassenoff's office. This was in response to an inquiry I made, looking for Ohio's the guidelines and application to its program(s) which benefit veteran-owned businesses. I wanted to make sure we were registered, as I would like to bid on a couple of upcoming offerings. When she responded with this link, I was surprised to learn that nothing was in place already, as most of the other states I have registered with, do. I am, however, glad that there is something in the works. It is my hope that it is implemented expeditiously.</p> <p>It was conveyed to me that the State is looking for input. As a sales representative, who sells primarily to various government entities, and has registered with multiple states, I would like to make you aware of something I ran into with the State of Indiana. According to their statutes, the only way for a veteran-owned business to be recognized as a veteran-owned business, and receive the benefits of the Indiana Veteran Business Enterprise (IVBE), is to basically be an Indiana company. There is no other recognition of this socio-economic goal status in the procurement process, if you do not meet the qualifications below.</p> <p>State of Indiana IVBE Application Eligibility</p> <p>The state certification requires the company be at least 51% owned by a Veteran, who must have control over the management and day to day operations and meet one of the following:</p> <ul style="list-style-type: none"> • Pays the majority of its payroll (in dollar volume) to residents of Indiana; • Employs Indiana residents as a majority of its employees; • Makes a significant capital investment in Indiana; or • Has its headquarters in the State of Indiana. <p>I see that the word "Ohio" is not in the name of the new process being implemented. Will companies outside of Ohio receive benefits of this program? More specifically, will Indiana, with its restrictions in their veteran program, receive the same benefits as an Ohio-based company, in Ohio's Veteran Friendly Business Procurement Program? Will companies outside of Ohio be required to have a "Significant Ohio economic presence" in order to be eligible for this program? The reason I ask is that under the Draft Administrative Rules 123:5-1-01, Definitions, "Border State" is included. It states that: "Border state" means any state that is contiguous to Ohio and that does not impose a restriction greater than Ohio imposes pursuant to sections 125.09 and 125.11 of the Revised Code on persons located in Ohio selling products or services to agencies of that state." This, of course, includes Indiana.</p> <p>When filling out paperwork last week, for being considered as a subcontractor under a company competing for a bid in Indiana, I was required to submit a number of forms and certifications. The bid required the subcontractor being a veteran-owned small business, which we are, in order to receive extra points in the bidding process. I was required to register our company with the Secretary of State in Indiana (for a fee), provide a Certificate of Good Standing from the State of Ohio (another fee), along with other documents. In the end, I was told I was not eligible to be included on the bid that required "Veteran-owned Status" because we did not fit into one of the above IVBE categories. This was a significant imposition for our company from the State.</p>	<p align="center">10/25/16</p>	<p>Thank you for taking the time to review Ohio's proposed rules implementing the Veteran Friendly Business Enterprise program. You are correct that the Department of Administrative Services is not intending to limit the preference to Ohio-based veteran friendly businesses. The definition of "border state" is in Ohio Administrative Code 123:5-1-01 (as it currently exists) because it refers to a preference provided to Ohio-sourced products pursuant to Ohio Revised Code 125.09 and 125.11 and does not apply to veteran friendly business enterprises.</p>	<p>Laura Senel US Materials Group... a certified Service-Disabled, Veteran-Owned, Small Business www.USLRGP.com lсенel@uslrgp.com GSA GS-02F-0009S 800.813.4827</p>