

**Resolution FY24-02**

**Resolution to Amend the District’s Master Procurement Code and Establishing Broward Health’s Economic and Small Business Development Initiative**

**WHEREAS**, North Broward Hospital District (the “District”) is a special taxing district of the State of Florida, and is authorized and empowered to maintain hospitals and supportive facilities for the care and treatment of the people of said District;

**WHEREAS**, Section 24 of the Charter of the District (the “Charter”) authorizes the District’s Board of Commissioners (“Board”) by resolution to establish procedures governing the purchase of supplies, equipment, materials, and construction services;

**WHEREAS**, the Board, on October 30, 2019, approved Resolution FY20-07: Resolution Creating a New Procurement Code and Establishing Emergency Waivers, which ratified the District’s new Master Procurement Code and its accompanying Procurement Policies (collectively, the “Procurement Code”) and established the framework for the District to follow when procuring such goods and services;

**WHEREAS**, best practices and recent changes to state and federal law necessitate revisions to the Procurement Code and the District’s Economic and Small Business Development Initiative;

**WHEREAS**, the Board wishes to amend those provisions in the Procurement Code to continue its commitment to economic growth and support of local businesses and the District’s operations; and

**WHEREAS**, unless context otherwise requires, capitalized terms used but not defined herein have the meanings ascribed to such terms in the Amended and Restated Bylaws of the North Broward Hospital District and its accompanying Codified Resolutions of the Board of Commissioners of the North Broward Hospital District.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the North Broward Hospital District, that:

1. The Procurement Code is hereby amended as provided below. Words ~~stricken~~ are deletions; words underlined are additions.
2. Section II.A. of the Procurement Code is hereby amended by deleting the definitions of “~~Diverse Vendor~~” and “~~Diverse Vendor Enhancements~~” in their entirety and creating the definitions of “Small Business Enhancements” and “Small Business Vendor” to be placed in alphabetical order in the definition table to read as follows:

“Small Business Enhancements” means strategies designed by Broward Health which are intended to increase Procurement opportunities with Small Business Vendors, in accordance with the Procurement Policy Table.

“Small Business Vendor” means a Vendor recognized and certified as meeting the requirements of one (1) or more of the Small Business categories of Broward Health’s Economic and Small Business Development Initiative.

3. Section II.B. of the Procurement Code is hereby amended to read as follows:

<b>TERM</b>	<b>NAME/TITLE</b>
<del>OSD-OESBD</del>	Office of <del>Supplier Diversity</del> <u>Economic and Small Business Development</u>

4. Section VII.B. of the Procurement Code is hereby amended to read as follows:

B. **Procurement Steering Committee (PSC).** PSC performs pre-purchase analysis when (a) requests for Procurements of Contracts exceed Threshold Category 3, or (b) in the event of multiple Contracts for one single Project, requests whereby the aggregate cost of the Contracts for a single Project exceeds Threshold Category 4. For the purposes of this Section, a “Project” shall be defined as a large or major undertaking, especially one involving considerable money, personnel, and/or equipment (e.g., construction, renovations, improvements to real or personal property, etc.).

PSC’s pre-purchase analysis includes, but is not limited to, focusing on and ensuring that Broward Health employees and departments are properly adhering to this Code and its Formal Bid requirements, and compliance with maximum ~~diverse vendor~~ Small Business Vendor participation as assigned by the ~~OSD~~ OESBD and approved by PSC.

5. Section VII.B.1. of the Procurement Code is hereby amended by deleting “~~OSD representative~~” in the Membership of the Procurement Steering Committee and replacing it with “OESBD representative.”

6. Section VII.B.2. of the Procurement Code is hereby amended to read as follows:

2. PSC Committee Meetings.

- e. Because the CPO is the ultimate authority regarding the decisions of PSC, in the event PSC cannot meet—because of an inability to establish a quorum or otherwise—or the CPO decides it is within Broward Health’s best interests, the CPO may make any decisions regarding Procurement methods and/or ~~diverse vendor~~ Small Business ~~enhancements~~ Enhancements in the absence of a gathering of the PSC and without any input from the PSC. To the extent the CPO makes any such decisions in the absence of input from PSC, the CPO must properly document such decisions within the applicable arrangement in Broward Health’s electronic contracting database.
- f. The CFO may, in his or her sole discretion, overrule in whole or part any final decision of the CPO regarding Procurements and/or ~~diverse vendor~~ Small Business ~~enhancements~~ Enhancements. The CFO may also make any decisions regarding Procurement methods and/or ~~diverse vendor~~ Small Business ~~enhancements~~ Enhancements in the absence of a gathering of the PSC and without any input from the PSC. To the extent the CFO makes any such decisions in the absence of input from PSC, the CFO must properly document such decisions within the applicable arrangement in Broward Health’s electronic contracting database.
- g. In the absence of the CPO, the CFO may temporarily delegate the authority of Chairperson of the PSC to another responsible individual.
- h. Minutes shall be taken for all PSC meetings. Following the preparation of draft minutes, such draft minutes shall be distributed to PSC’s committee members via e-mail. All minutes shall be reflective of recommendations of PSC, decisions of the CPO, actions affected and

approved, and will include any post-PSC action items such as ~~Supplier Diversity~~ Small Business Enhancements or any pending portions of the regular monthly meeting. All minutes shall be formerly approved at the following PSC meeting.

7. Section VII.B.3. of the Procurement Code is hereby amended to read as follows:

3. ~~PSC's and CPO's Role in Procurement~~. PSC shall be tasked with reviewing and recommending, and the CPO for deciding and approving, proper Procurement methods (collectively, "PSC's Roles"). The following list contains PSC's Roles:

d. ~~Supplier Diversity~~ Small Business Vendor Opportunities - Reviewing and approving ~~Supplier Diversity~~ Small Business Enhancements made by the ~~OSD~~ OESBD.

8. Section XI. of the Procurement Code is hereby amended to read as follows:

**XI. SUPPLIER DIVERSITY IN PROCUREMENT BROWARD HEALTH'S ECONOMIC AND SMALL BUSINESS DEVELOPMENT INITIATIVE**

Broward Health reaffirms its commitment to the economic growth and well-being of businesses in South Florida. Accordingly, Broward Health's is committed to Economic and Small Business Development Initiative encourages and supports the participation of diverse vendors local and small businesses in the Broward Health's Procurements, of supplies, equipment, services, and Contracts for general business purposes and will To that end, Broward Health shall adhere to the ~~OSD~~ Economic and Small Business Development Initiative procedures ~~documented~~ outlined in the Procurement Policy Table.

9. Changes to Procurement Policy, GA-001-151, Procurement Policy Table, are adopted as detailed in the tracked-changed version of the Procurement Policy attached hereto and incorporated herein as Exhibit A.

10. Changes to Procurement Policy, GA-001-045, Supplier Diversity, are adopted as detailed in the tracked-changed version of the Procurement Policy attached hereto and incorporated herein as Exhibit B.

11. Changes to Procurement Policy, GA-001-153, Vendor Access – Registration & Orientation, are adopted as detailed in the tracked-changed version of the Procurement Policy attached hereto and incorporated herein as Exhibit C.

12. This Resolution shall become effective immediately upon adoption.

13. This Resolution hereby supersedes, amends, replaces and repeals any conflicting resolution or conflicting policy previously adopted by the Board.

**DULY ADOPTED** this \_\_\_\_ day of August, 2023.

Time Adopted \_\_\_\_\_ PM

# **Exhibit A**

## **Policy # GA-001-151: Procurement Policy Table**

### **I. Purpose**

This Procurement Policy Table establishes and contains the listing of all established Board Procurement ~~policies~~ Policies (“Procurement Policies”) with supplemental procedures pertaining to the Procurement of goods and services at Broward Health and the procedures to be used when acquiring certain supplies, equipment, materials, and services (~~“Procurement Policies”~~) that are not subject to or exempt from the Master Procurement Code, GA-001-150 (the “Code”).

### **II. Definitions**

To the extent the words and acronyms ~~defined~~ in this Policy are defined in the Master Procurement Code (the “Code”), then such words shall have the meanings set forth in the Code regardless of whether they are capitalized, unless:

- (a) The context in which they are used clearly requires a different meaning; or
- (b) A different definition is prescribed for a particular section of this Policy.

Words not defined shall be given their common and ordinary meaning unless the context in which they are used requires otherwise. When the context requires, the gender of all words includes the masculine, feminine, and neuter, the number of all words includes the singular and plural, and the tense of all verbs and participles includes past, present, and future.

### **III. Policy**

Notwithstanding any specific exclusions to the Code, the Board has established several policies and procedures complementary to the Code that pertain to the Procurement of supplies, materials, and services to ensure an open, transparent, and fair Procurement process. To that end, any and all Procurement Policies referenced in this Policy are hereby incorporated by reference as if full set forth herein and are also incorporated by reference into the Code as if fully set forth therein. To the extent the Code or any Procurement Policy references this Procurement Policy Table, such reference includes a reference to the applicable Procurement Policy listed in the Procurement Policy Table below. All such Procurement Policies are Board policies and may only be modified upon Board approval and any such modifications of these Procurement Policies absent Board approval are void ab initio. Broward Health’s Chief Procurement Officer (“CPO”) may promulgate and establish internal policies and standard operating procedures (collectively, “SOPs”) that the CPO deems necessary to implement the Code and that establish other procedures pertaining to the Procurement of goods and services regardless of whether the Procurement of such goods and services are covered under the Code or whether they are excluded from the Code; provided, however, in no event may any SOPs contain provisions that conflict with the provisions of the Code or any of these Procurement Policies. Broward Health’s officers, employees, agents, and personnel, in addition to reviewing and complying with the Code and any Procurement Policies, are also responsible for reviewing and complying with all relevant SOPs.

Broward Health’s officers, employees, agents, and personnel are responsible for reviewing and complying with all applicable Procurement Policies and for raising any issues of applicability or interpretation with the CPO as appropriate. In the event of a conflict between the Code and any Procurement Policy referenced below herein, the Procurement Policy shall control, unless otherwise explicitly stated in the such Procurement Policy or the Code.

#### IV. Procurement Policy Table

LOCATION	SUBJECT	POLICY NUMBER
GA Policies and Procedures Manual	Procurement of Professional Construction Services, Electrical Work, and Construction-Related Design Services	GA-001-086
GA Policies and Procedures Manual	Purchasing and Procurement of Federal Awards from HHS	GA-001-001
GA Policies and Procedures Manual	Review, Approval, and Administration of Contracts	GA-001-020
GA Policies and Procedures Manual	Selection and Approval of Professional Consulting Services	GA-001-140
GA Policies and Procedures Manual	<del>Supplier Diversity</del> <u>Broward Health's Economic and Small Business Development Initiative</u>	GA-001-045
GA Policies and Procedures Manual	Threshold Categories of the Procurement Code	GA-001-152
GA Policies and Procedures Manual	Vendor Access — Registration & Orientation	GA-001-153

#### ~~V. Related Policies~~

~~GA-001-150, Master Procurement Code~~

#### VI. Interpretation and Administration

Administration and Interpretation of this ~~policy~~ Policy is the responsibility of the Chief Procurement Officer.

# Exhibit B

## Policy # GA-001-045: ~~Supplier Diversity~~ Broward Health's Economic and Small Business Development Initiative

### I. Purpose

The Board of Commissioners of North Broward Hospital District (the "Board") is committed to increasing and encouraging the participation of local and small business enterprises in the procurement of goods and services for the North Broward Hospital District d/b/a Broward Health ("Broward Health"). Participation of such local and small business enterprises in Broward Health's procurements results in the economic well-being and growth of South Florida and enhances the competitive bidding processes of Broward Health. To that end, the Board has established the Office of Economic and Small Business Development ("OESBD") as a division of Supply Chain Services to administer the provisions of Broward Health's Economic and Small Business Development Initiative. It is the mission of the ~~Office of Supplier Diversity (OSD)~~OESBD to provide accessibility to all ~~Diverse Vendors~~local and small business enterprises seeking inclusion in the procurement opportunities ~~with at~~ Broward Health (~~BROWARD HEALTH~~). The vision of ~~OSD-OESBD~~ is to be the leader in ~~diverse supply chain management~~bolstering the economic growth and support of local and small businesses.

### II. Definitions

The words and acronyms ~~defined~~ in this Policy shall have the meanings set forth below or such meanings set forth in the Master Procurement Code (the "Code") regardless of whether they are capitalized, unless:

- (a) The context in which they are used clearly requires a different meaning; or
- (b) A different definition is prescribed for a particular section of this Policy.

Words not defined in this Policy shall be given their common and ordinary meaning unless the context in which they are used requires otherwise. When the context requires, the gender of all words includes the masculine, feminine, and neuter, and the number of all words includes the singular and plural.

For purposes of this Policy, the below terms shall have the following meanings associated with them:

~~**Broward Health:** the North Broward Hospital District d/b/a Broward Health, a political subdivision of the State of Florida.~~

~~**Second Tier Direct:** spend with Broward Health's diverse vendors which are working directly with a prime vendor/contractor on a Broward Health contract / project (i.e. such as a sub-contractor or supplier of the contract/project)~~

~~**Second Tier In-Direct:** spend with small, minority and women owned businesses that support a prime vendor/contractor's overall business strategy, but do not directly support Broward Health's contract/project (i.e. such as a diverse vendor providing office supplies or accounting services)~~

~~**"Broward Health Certification Partner":** means governmental agencies and non-governmental national and local organizations approved and recognized by Broward Health's SD policy~~the OESBD for ~~SBE/MBE/WBE certification~~certifying vendors meeting the criteria of one (1) or more categories of certification under Broward Health's Economic and Small Business Development Initiative recognition.

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“Broward Health’s Economic and Small Business Development Initiative” means the program established by the Board of Commissioners of North Broward Hospital District to encourage economic growth and foster Small Business Vendor participation in Broward Health’s Procurements.

~~Certified Diverse Vendor (CDV): vendors approved as a SBE/MBE/WBE with one of Broward Health’s approved certification partners. ONLY Certified Diverse Vendors are eligible to participate in Broward Health’s Supplier Diversity Program enhancements.~~

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~~Commercial Useful Function: to own, operate and maintain a licensed establishment in which commodities are bought and regularly sold to the general public in the usual course of doing business or an establishment which professional services are offered to the general public in the usual course of doing business.~~

~~Diverse Vendor (DV): any Broward Health Certified or Verified Small, Minority or Woman Business Enterprise (SBE/MBE/WBE).~~

~~Front: a business concern that falsely claims to be owned and controlled by minority persons or women or a business concern that provides fraudulent or incorrect information regarding the size of the firm.~~

“Florida Businesses” means those businesses having a principal place of business in the State of Florida and which are eligible for Small Business Enhancements pursuant to § 287.084, Fla. Stat.

~~“Good—Good-Faith Effort”: means the process of documenting a a prime Vendor’s/consultant/contractor’s efforts of solicitation and utilization of certified diverse Small Business vendors Vendors during the bid Bid process and/or on a project or Contract with CDV Small Business Vendor subcontracting requirements. (i.e. Prime Vendor/Contractor/Consultant, must contact BROWARD HEALTH’s Office of Supplier Diversity for assistance).~~

~~Minority Business Enterprise (MBE): any for profit legal entity which is organized to perform a commercial useful function and which is at least 51% owned, managed, and operated by minority person(s), as defined by an approved Broward Health Certification Partner.~~

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~~Non-Certified Diverse Vendor: any vendor that does not currently hold a CDV eligibility letter from Broward Health.~~

~~Non-Diverse Vendor: any vendor that has not been designated as a certified or verified Diverse Vendor with Broward Health.~~

~~Participation: any activity involving Diverse Vendors that results in dollars awarded to SBE/MBE/WBEs.~~

~~Procurement Divisions: Contracts Administration (CA) and Supply Chain Services (SCS).~~

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“Local Business Enterprises” means those vendors and businesses certified by Broward Health or a Broward Health Certification Partner as meeting the requirements of a small business with its principal place of business in Miami-Dade, Broward, and Palm Beach Counties.

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~~Small Business Enterprise (SBE): firms certified as a local, state, or National/Federal SBE by one of Broward Health’s approved Certification partners for Small Business status.~~

~~SBE/MBE/WBE Certification: the process and necessary documentation required to determine whether a vendor is a small, minority or women business enterprise, as defined by an approved Broward Health Certification Partner.~~

“Supplier Small Business Diversity Enhancements”; means strategies designed by Broward Health which are intended to increase procurement opportunities with Certified Diverse Small Business Vendors.

“Small Business Vendors” means those vendors recognized and certified by Broward Health or a Broward Health Certification Partner as meeting the requirements of one (1) or more of the Small Business categories of Broward Health’s Economic and Small Business Development Initiative.

Vendor Development: the practice of providing specific and directed technical assistance to Broward Health’s Certified Diverse Vendors that enhances their capability to do business with Broward Health.

Verified Diverse Vendor (VDV): vendors identified via the vendor registration process, by self-declaring size, minority or woman owned business status via completing the verified diverse vendor affidavit. Vendors seeking VDV status as a small business must provide proof of SBE certification by a Federal, State or Local governmental agency, not listed as a Broward Health approved certification partner. Vendors that register as a small business in the Federal Government – System for Award Management (SAM), must provide a copy of the firm’s SAM registration profile; noting the confirmed size standard by the SBA, DUNS number, and SAM Registration Expiration date.

VRS: Broward Health’s online “vendor managed” Vendor Registration System (VRS). The system is the resource pool for all vendors to include CDVs and VDV’s.

Woman Owned Business Enterprise (WBE): any for profit legal entity, which is organized to perform a commercial useful function, and which is at least 51% owned, managed and operated by one or more women, as defined by an approved Broward Health Certification Partner.

Note: SBE, MBE and WBE certification status is determined by Broward Health’s Approved Certification Partners.

### III. Policy

In an effort to foster and further Broward Health’s commitment to encouraging the economic growth and development of local and small businesses, Broward Health’s Office of Economic and Small Business Development shall look for opportunities to encourage and increase the participation of Small Business Vendors in Broward Health’s procurement of goods and services.

### IV. Procedure

A. SUPPLIER DIVERSITY STRUCTURE Office of Economic and Small Business Development. The Board hereby establishes the Office of Economic and Small Business Development as a division of Supply Chain Services to administer the provisions of Broward Health’s Economic and Small Business Development Initiative. The Chief Procurement Officer shall be responsible for the oversight and administration of the OESBD. OSD is aligned with Broward Health’s Procurement Division, incorporating Diverse Vendor Development/Advocacy & Diverse Supply Chain Management and reports directly to the Vice President of Supply Chain Services/Chief Procurement Officer.

1. Supplier Diversity Functional Areas: OESBD’s Roles and Functions:

The Office of Economic and Small Business Development shall perform the following roles and functions:

a. Overseeing Broward Health’s procurements and processes to ensure that adequate opportunities are available for Small Business Vendor participation;

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- b. Establishing policies and procedures based on best practices that serve to improve business opportunities for Small Business Vendors;
- c. Determining additional categories of Small Business Vendors, establishing criteria for current and new categories of Small Business Vendors (such as criteria for qualifying as a Local Business Enterprise), and creating standards and rules for Small Business Vendor Certification which foster and encourage the Economic and Small Business Development Initiative;
- d. Determining whether a vendor's efforts of solicitation and utilization of Small Business Vendors constituted a Good-Faith Effort for purposes of complying with the Small Business Vendor utilization requirements established for a particular project or contract;
- e. Ensuring compliance with competitive solicitation and contractual requirements for Small Business Vendor participation;
- f. Adopting guidelines to further Small Business Vendor participation and that encourage the use of Small Business Vendors in the provision of goods and services for Broward Health;
- g. Monitoring the degree to which Broward Health procures services, commodities, and construction from Small Business Vendors;
- h. Receiving and disseminating information relative to procurement opportunities, availability of Small Business Vendors, and technical assistance;
- i. Advising Broward Health's facilities, departments, and divisions on methods and techniques for achieving procurement objectives for Small Business Vendor participation;
- j. Verifying the veracity of a Small Business Vendor's representations and claims that it holds the status of a Small Business Vendor;
- k. Investigating complaints against Small Business Vendors or contractors alleged to violate any provision, policy, or the objectives of Broward Health's Economic and Small Business Development Initiative or the requirements of Small Business Vendor utilization and participation in projects or contracts;
- l. Encouraging businesses and vendors who would qualify as Small Business Vendors to obtain status and certification as a Small Business Vendor;
- m. Serving as an advocate for the use of Small Business Vendors in Broward Health's Procurements;
- n. Developing policies, practices, and procedures governing the implementation of the requirements of this Policy and creating standards and requirements for and applicable to Small Business Enhancements;
- o. Communicating and updating, from time to time, the Procurement Steering Committee and the Board of Commissioners of the North Broward Hospital District of Small Business Vendor participation in Broward Health's Procurements; and
- p. Any other duties, responsibilities, and functions assigned or developed by the Chief Procurement Officer to further the mission, vision, and goals of Broward Health's Economic and Small Business Development Initiative.

2. OESBD Initiatives for Small Business Vendor Participation;

In addition to the roles and functions of OESBD, OESBD shall also foster and encourage Small Business Vendor participation by engaging in the following initiatives:

- a. Outreach:- Broward Health reaffirms its commitment to equal access procurement via its outreach efforts. Such efforts include Internal initiatives such as the Annual Supplier Diversity EXPO and Key Contact Matchmaking (Staff and Broward Health Prime Vendors/Contractors). In addition, External Outreach Initiatives include Vendor Advocacy and Matchmaking; Research & Development (Best Practices); and SD Promotion & Marketing (i.e. the presence and participation of Supplier Diversity and Procurement Staff in public forums, EXPOs, organizations and publications that advocate diversity within procurement). Also, Certification Outreach, serving on certification committees of Broward Health's approved certification partners (including governmental and non-governmental agencies) to ensure the integrity of the certification process. OESBD shall engage in outreach efforts to encourage, foster, and further participation by Small Business Vendors, such as an Annual Small Business Vendor Expo and other initiatives established by OESBD from time to time. Other outreach initiatives may include promotion, marketing, the establishment of a mentor-protégé program, and serving on certification committees of Broward Health's Certification Partners.
- b. Vendor Development Development:- OESBD shall assist vendors and businesses wishing to become Small Business Vendors and who meet such criteria with obtaining certification as a Small Business Vendor which may include certification by Broward Health or providing a referral to and technical assistance with navigating the process of certification with a Broward Health Certification Partner. Broward Health is committed to conducting business with diverse vendors and ensuring those wanting to do business with Broward Health are ready, willing and able to provide quality products/services at a competitive price. Broward Health's Vendor Development Initiatives include: the application of Supplier Diversity Enhancements, Second Tier Matchmaking, and Technical Assistance (TA). OSD provides in-house procurement TA and business development TA via referral to Broward Health's Supplier Diversity Resource Partners.
- c. Compliance Via its compliance initiatives, OSD ensures systems, procedures, processes, and individuals conform to the policies, regulations and contractual agreements governing Certified Diverse Vendor participation.
  - i. Contract Compliance ensures all segments of the procurement process are complied with; tracking all phases of the process from the assignment of the Supplier Diversity Enhancement RFP/RFQ language to contract completion, verifying assigned certified diverse vendor participation levels have been met, and communicating any noncompliance to the project/contract manager. ONLY CDV spend will meet the contract requirement for diverse vendor participation.

Should the Prime Vendor/Contractor fail to meet the established Supplier Diversity Participation/Enhancement, as identified in the RFP and/or Contract process, a waiver may be requested via the OSD and approved by the Procurement Steering Committee ("PSC"). OSD will document the Prime Vendor/Contractor's "good faith efforts" and present to the PSC for approval.

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~~ii. Certification and Verification Compliance ensures that all segments of the certification and verification process is complied with, that those vendors in the Diverse Vendor Resource Pool are “what they say they are,” and the spend and participation levels of the Diverse Vendors (certified and verified) are recorded accurately via current Data Management reporting tools.~~

~~The verified vendor status is intended to be a “temporary” status, as it is Broward Health’s goal to have all Small, Minority and Women owned businesses certified as such. Verified vendors are NOT eligible to participate in Broward Health’s SD Program enhancements. ONLY Broward Health Certified Diverse Vendors are eligible to participate. The Verified Diverse Vendor process ensures Broward Health accounts for all Diverse Vendor participation accurately.~~

~~B. ADMINISTRATIVE PROCEDURES~~ Procedures for Enhancing Small Business Vendor Participation

~~1. Procurement Process: The Procurement Process is governed by Broward Health’s Procurement Code, which provides direction and guidance for the internal operations of the procurement of supplies, equipment, and services. The following are the procurement acquisition categories as defined by the Procurement Code:<sup>1</sup> Broward Health’s Office of Economic and Small Business Development shall review Procurements to determine whether such Procurements are eligible for Small Business Enhancements. To the extent Small Business Enhancements are assigned to a particular Procurement, only Small Business Vendors are eligible to participate in such Small Business Enhancements.~~

~~1) Micro, Small, and Medium Purchases: Micro Purchases, Small Purchases, and Medium Purchases (all as defined in the Code); may be subject to Small Business Enhancements as determined by OESBD and PSC in the best interests of Broward Health, ~~or Commitments up to and including Threshold Category 1;~~~~

~~2) Small Purchases or Commitments exceeding Threshold Category 1 and up to and including Threshold Category 2;~~

~~3) Medium Purchases or Commitments exceeding Threshold Category 2 and up to and including Threshold Category 3; and~~

~~2.4) Large/Formal Purchases: Large/Formal Purchases (as defined in the Code) shall be subject to Small Business Enhancements unless the OESBD and/or PSC determines that such Small Business Enhancements are not in the best interests of Broward Health, ~~or Commitments exceeding Threshold Category 3.<sup>2</sup>~~~~

~~3. Group Purchasing Organization Purchases: Group Purchasing Organization Purchases may be subject to Small Business Enhancements as determined by OESBD and PSC in the best interests of Broward Health.~~

~~4. Approved Small Business Vendors: A list of approved categories of Small Business Vendors shall be maintained by the OESBD. The OESBD shall update or modify such list~~

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<sup>1</sup>Note(s) — Capitalized terms used but not defined herein have meanings assigned to them in the Procurement Code.

<sup>2</sup>Note(s) — All references herein to “informal” purchases, commitments, or quotations refer to Micro, Small, and Medium Purchases or Commitments as defined in the Procurement Code. All references herein to “formal” purchases, commitments, or quotations refers to Large Purchases or Commitments as defined in the Procurement Code.

of approved Small Business Vendors from time to time in the best interests of Broward Health and based on best practices.

~~Broward Health has designed methods, which are intended to increase certified Diverse Vendor participation in the procurement process. For procurement requests falling within the Micro, Small, or Medium Purchase category, as defined within the Procurement Code, an informal quotation process and vendor selection process is used in accordance with Broward Health's Procurement Code to ensure the equitable inclusion of Certified Diverse Vendors (CDV). Informal quotations processed via VRS will be subject to the standard 5% Quote Price Tolerance ("QPT") (i.e., if a CDV is within 5% of the lowest quote, the CDV will be automatically selected by VRS and awarded upon final review.) Also, informal quotations not processed via VRS may be subject to the standard 5% QPT.~~

~~For formal procurement requests (i.e., procurement requests falling within the Large Purchases category, as defined within the Procurement Code), which are presented at the PSC and deemed available for CDV participation, OSD will assign a Supplier Diversity (SD) Enhancement to be approved at PSC in collaboration with the procurement divisions and the project/contract manager. The SD Enhancement is designed to encourage greater participation by Broward Health's Certified Diverse Vendors in the procurement process. Formal procurement requests/Large Purchases not submitted or not timely submitted (i.e., walk-on requests) to PSC shall be reviewed by the OSD for Certified Diverse Vendor participation prior to release for public bid and approved electronically in accordance with PSC procedures.~~

~~Vendors registered in Broward Health's VRS will receive notification of procurement opportunities within their specified product/service code(s), according to Broward Health Procurement Code.~~

25. ~~Supplier Diversity Small Business Enhancements: The OSD OESBD, in collaboration with the Procurement Divisions and/or the Project/Contract Custodian/Manager, when feasible, will shall develop, design, and otherwise structure potential Broward Health's procurement requests eligible Procurements utilizing one (1) or more of the following Supplier Diversity Small Business Enhancements in order to encourage and maximize Certified Diverse Small Business Vendor participation. Any recommended Small Business Enhancements of OESBD shall be presented to PSC for review and approval. Once the Supplier Diversity Small Business Enhancements has have been approved by PSC, it such Small Business Enhancements shall be incorporated into the procurement Procurement request/document solicitation and the final into any applicable awarded contract Contract. ONLY Certified Diverse Vendors are eligible to participate in these SD Enhancements:~~
- ~~a. Reduction of Large Contracts;~~
  - ~~b. Payment and Performance Bond Waiver;~~
  - ~~c. Prohibit Double Bonding Requirement;~~
  - ~~d. Prompt Payment Mandate;~~
  - ~~e. Quote Price Tolerance (QPT) Initiative;~~
  - ~~f. Request for Proposal (RFP) Scoring Criteria;~~
  - ~~g. Subcontracting Initiative;~~

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- ~~h. Targeted Marketing; and~~
- ~~i. Any other options approved by the PSC.~~

~~These enhancements are more fully described as follows:~~

- ~~a. Reduction of Large Contracts Procurements. Procurement Requests may be evaluated prior to release by the PSC to determine the feasibility of reducing them. If feasible, Procurements may be reduced, modified, or separated in any form or format to create Contracts of manageable size for the purpose of aimed at providing greater opportunity opportunities for Certified Diverse Small Business Vendors and to encourage Diverse Small Business Vendor Participation and inclusion of Certified Diverse Vendors to obtain contracts of manageable size. Any reduction of such Procurements may only be for the purposes of improving opportunities for Diverse Small Business Vendor Participation and may not be used for the purposes of bypassing or evading the provisions of the Code pertaining to the Formal Bid Process. If the PSC determines that the Procurement Request can be broken down into smaller components, then it may direct the appropriate staff to develop the Procurement Request in a particular manner and size. The methodology used for subdividing the Procurement Requests can be tailored to the unique factors present in each situation. Various options are available including:~~

- ~~i. The full quantity of a given purchased item, service or project on a Procurement Request may be placed on a separate Procurement Request.~~
- ~~ii. A partial quantity of a given item, service or project on a Procurement Request may be placed on a separate Procurement Request.~~
- ~~iii. The term of a contract may be shortened.~~
- ~~iv. Work to be performed may be grouped according to geographic location and placed on a separate Procurement Request.~~
- ~~v. Unrelated areas of work to be performed or portions of work not requiring completion by a single bidder may be placed on separate Procurement Requests.~~

~~Supply Chain Services shall assure that any incremental cost associated with subdividing a Procurement Request is documented and made known to the PSC prior to making its determination.~~

- ~~b. Waiving Payment and Performance Bond Bonds Waiver. Because bonding requirements in the construction Construction and architectural Professional Design Services fields projects may present obstacles to Diverse Small Business Vendors Vendor Participation. OSD OESBD desiring to participate in Broward Health's procurement process due to their inability to meet the standards of the surety companies may recommend, in accordance with § 255.05(1)(d), Fla. Stat., that projects equal to or less than Two Hundred Thousand Dollars (\$200,000.00) do not contain a requirement for payment and/or performance bonds in an effort to boost Diverse Small Business Vendor Participation. This waiver may not be used for projects that are exceptionally risky, and waiver of payment and/or performance bonds shall not eliminate any applicable requirements for bid bonds or other surety. Under Florida Statute 255.05, a political subdivision at its own discretion may exempt any person entering into a contract which is for \$200,000 or less for the~~

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~~construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or a public work.~~

~~Broward Health's bond waiver initiative shall operate as follows:~~

- ~~i. Broward Health's bond waiver initiative will apply to contracts involving Certified Diverse Vendors up to \$200,000 except those projects, which the PSC deems to have exceptional risk, and therefore would require bonding.~~
- ~~ii. Waiver of the performance bond may not eliminate the requirement for a bid bond. A cashier's check will be accepted in lieu of the bid bond. This requirement should be reviewed on a case-by-case basis, and a waiver of this requirement has to be approved by the PSC.~~
- ~~iii. Bidding on projects eligible for the bond waiver initiative should not be limited to local businesses. However, preference shall be given to local vendors in the manner indicated in Administrative Procedures.~~

~~Companies participating in the bond waiver initiative must successfully complete one (1) project before receiving another award under this initiative. Otherwise, companies shall not be limited to any set number of projects on an annual basis.~~

- c. Prohibition of Double Bonding Requirement. Because double bonding may be cost-prohibitive and discourage Small Business Vendor participation, for projects where the prime contractor's payment and performance bond covers the work of the subcontractors, the OESBD may, with the exception of exceptionally risky projects, recommend that separate bonding from subcontractors not be required, and recommend conditions prohibiting prime contractors from requiring separate bond from subcontractors.

- ~~i. PSC may require that on projects in which the prime contractor's payment and performance bond covers the work of the subcontractors, that Broward Health not require separate bonding from the subcontractors and prohibit prime contractors from requiring separate bonds from subcontractors.~~
- ~~ii. Double bonding requirements are often cost prohibitive and discourage the participation and utilization of Diverse Vendors in construction projects.~~
- ~~iii. Bonding by the subcontractor may be required if the PSC deems the proposed project to have exceptional risk and therefore will require bonding.~~

- d. Prompt Payment Mandate. Upon the written request of the certified Diverse Vendor to the OSD, Broward Health will pay the vendor within fifteen (15) days from the date received in Broward Health's Accounts Payable Department or the project/contract payment administration department. In addition, prime contractors are required to pay Diverse Vendor/Subcontractors within fifteen (15) days from the date the prime contractor is paid. This mandate is an effort to lessen the financial burden of Diverse Vendors and assist these vendors in participating in the procurement process. Subcontracting Initiative. The OESBD may recommend that projects contain subcontracting participation requirements for utilizing a certain percentage of Certified Diverse Small Business Vendors as subcontractors. The OESBD shall establish a procedure for determining the proper percentage of subcontractor Diverse Small Business Vendor participation that should be applied to a particular project. To the extent a project contains such a subcontracting

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requirement, the awarded vendor's Contract shall include language ensuring the use of subcontractors, and the Contract may include a provision for liquidated damages.

- e. Quote Price Tolerance ("QPT") Initiative. —The OESBD may recommend that a predetermined QPT will be applied to the Informal (Micro/Small/Medium Purchases as defined in the Procurement Code) and Formal (Large Purchases as defined in the Procurement Code) procurement process. Procurement solicitations. When a QPT is applied to a solicitation, a Responsible and Responsive Bidder that is a Certified Diverse Small Business Vendor will have its Bid considered as being a certain percentage lower than the actual Bid amount. As such, a Certified Diverse Small Business Vendor may be awarded a Contract even when its Bid is not the lowest bid because the predetermined QPT applied "tolerates" the increased Bid price and serves to consider the Certified Diverse Small Business Vendor's Bid as being a certain percentage lower, thus making it the "lowest" Bid. To the extent a QPT is applied to a solicitation, it may not exceed five percent (5%) or a maximum price of Twenty-Five Thousand Dollars (\$25,000.00), whichever is lower (unless a higher or lower amount is required under Florida law). The OESBD shall establish a procedure for determining the proper QPT that should be applied to a particular project. Informal procurement requests will be subject to the standard 5% QPT and processed in accordance with the Procurement Code. Informal quotations processed via VRS will be subject to the standard 5% Quote Price Tolerance (i.e. if a CDV is within 5% of the lowest quote, the CDV will be automatically selected by VRS and awarded upon final review.) Additionally, informal quotations not processed via VRS may be subject to the standard 5% QPT.

Under the formal procurement process, this initiative provides Broward Health with the opportunity to include a predetermined price tolerance by OSD and approved at the PSC for Certified Diverse Vendors. For purposes of illustration and assuming the QPT criteria was contained in the original Request for Quote (RFQ) specifications, a CDV who quotes a price that is higher than the lowest priced (Non-CDV) respondent, and within the defined tolerance level could be awarded the contract. The RFQ should clearly state that the quote is subject to the QPT Initiative and that, if the quote of a CDV is within the prescribed price tolerance level, the award of the RFQ is to the CDV. The maximum QPT that will be applied to any RFQ is 5% with a dollar value cap of \$25,000. Also consideration will be given to the value of the RFQ and historical Diverse Vendor Participation in the specific product/service code.

- f. RFP Scoring Criteria and Evaluation Points. — The scoring matrix for Broward Health's formal procurement requests (Large Purchases) will include, when feasible, a The OESBD may recommend that particular scoring criteria and evaluation points be applied scoring factor determined by the Office of Supplier Diversity and approved at the PSC to competitive solicitations to automatically award points to Bids submitted by Certified Diverse Small Business Vendors. To the extent that automatic evaluation points for Certified Diverse Small Business Vendors are approved to be allocated to a particular solicitation, a maximum of up to twenty (20) automatic evaluation points may be applied to a Certified Diverse Small Business Vendor's score unless a smaller or bigger amount is required under Florida law. The Certified Diverse Vendor scoring portion of the RFP will be evaluated by the OSD. The original scoring evaluation form(s) will be forwarded to Supply Chain Bid

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~~Office for filing with RFP documentation. This CDV scoring criteria will apply to respondents who are Broward Health Certified Diverse Vendors or Non-Certified Diverse Vendors with documented solicitation and utilization of Diverse Vendors with its proposal at the time of submission. The RFP scoring range, applied to any procurement request, will be a minimum of 5 evaluation points to a maximum of 20 evaluation points. The OESBD shall establish a procedure for determining the proper scoring criteria and evaluation points for Certified Diverse Small Business Vendors that should be applied to a particular project. The scoring factor will be determined by the current number of Broward Health Diverse Vendors in the specific product/service code divided by the Total number of Broward Health Registered vendors within the same product/service code. Then, that scoring factor percentage is applied via the matrix below:~~

~~RFP Scoring Criteria Application Matrix:~~

- ~~▶ 0.5 to 5%.....apply 5 evaluation points to the RFP~~
- ~~▶ 5.1% to 10%.....apply 10 evaluation points to the RFP~~
- ~~▶ 10.1% to 15%.....apply 15 evaluation points to the RFP~~
- ~~▶ 15.1% to 20%.....apply 20 evaluation points to the RFP~~

~~The RFP evaluation points may be adjusted up or down based on the following considerations:~~

- ~~▶ Historical Diverse Vendor Participation in the specific product/service category~~
- ~~▶ The number of product and/or service/trade areas for which subcontracting/2<sup>nd</sup> tier is feasible;~~
- ~~▶ The value of the project/contract, and~~
- ~~▶ Collaboration with the project/contract custodian/manager and/or procurement division(s)~~

- g. ~~Additional Small Business Enhancements. The OESBD Officer may recommend any combination of the above Small Business Enhancements or other Small Business Enhancements not prescribed herein, provided such Enhancements are consistent with state and federal law and the Code. Subcontracting Initiative. Broward Health shall apply subcontracting participation for Broward Health Certified Diverse Vendors for formal procurement requests (i.e., Large Purchases), when feasible in accordance with the Procurement Code. Diverse Vendor subcontracting is the mandatory usage of Broward Health certified Diverse Vendors to perform a predetermined percentage of the total work required under contract. Such contracts shall include a clause stipulating penalties for failure to meet the predetermined percentages. The predetermined subcontracting percentage is determined by the Office of Supplier Diversity and approved at the PSC.~~

~~This enhancement requires Broward Health non-Certified Diverse Vendors/Prime Contractors/Consultants to comply with the assigned CDV subcontracting participation. The subcontracting participation will be determined by the current number of Broward Health Diverse Vendors in the specific product/service code divided by the Total number of Broward Health registered vendors within the same product/service code. That percentage is then applied via the matrix below.~~

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6. Special Preference to Florida Businesses in Competitive Solicitations: In accordance with § 287.084, Fla. Stat., when Florida law or the Code requires competitive solicitations for purchases of personal property and the lowest responsible and responsive Bid, proposal, or reply is by a vendor whose principal place of business is in a state or political subdivision thereof which grants a preference for the purchase of such personal property to a person whose principal place of business is in such state, then a preference shall be awarded to the lowest responsible and responsive vendor having a principal place of business within Florida, which preference is equal to the preference granted by the state or political subdivision thereof in which the lowest responsible and responsive vendor has its principal place of business. In a competitive solicitation in which the lowest bid is submitted by a vendor whose principal place of business is located outside the state and that state does not grant a preference in competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business in Florida shall be 5%. All bids by vendors with a principal place of business outside of Florida must accompany any written bid, proposal, or reply documents with a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal places of business are in that foreign state in the letting of any or all public contracts.

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7. Good-Faith Efforts: To the extent an awarded vendor does not or cannot meet a Small Business Vendor requirement applied to a solicitation (such as the use of a predetermined percentage of Small Business Vendor subcontractors) or otherwise requests a waiver of a particular Small Business Vendor utilization requirement, the OESBD shall review and determine whether the awarded vendor's efforts of solicitation and utilization of Small Business Vendors constituted a Good-Faith Effort for purposes of complying with the Small Business Vendor requirements established for a particular project or Contract. Following the OESBD's analysis, the OESBD shall present its findings and a recommended course of action to PSC for review, at which time PSC shall review the findings of the OESBD and its recommended course of action. PSC may adopt the OESBD's recommended course of action or determine a different course of action is more appropriate.

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Subcontracting Application Matrix:

- ▶ 0.5 to 10%.....apply 10% subcontracting participation
- ▶ 10.1% to 15%.....apply 15% subcontracting participation
- ▶ Greater than 15.1%.....apply 20% subcontracting participation

The CDV subcontracting participation may be adjusted up or down based on the following considerations:

- ▶ Historical Diverse Vendor Participation in the specific product/service category
- ▶ The number of product and/or service/trade areas for which subcontracting/2<sup>nd</sup> tier is feasible,
- ▶ The value of the project/contract, and
- ▶ Collaboration with the project/contract custodian/manager and/or procurement division(s)

~~h. Targeted Marketing This is an initiative to provide Diverse Vendors with an opportunity to compete for Broward Health procurement requests based on company size.~~

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~~i. Any other options approved by the Procurement Steering Committee.~~

~~38. Priorities for Award: Whenever From time to time, vendors may receive equal scores for submitted Bids pursuant to a competitive solicitation. To the extent this occurs—whether between a Small Business and non-Certified Diverse Small Business Vendor or two (2) Certified Diverse Small Business Vendors—equally responsive Procurement Requests have been submitted, preference for the award shall be given to vendors in the following sequence:~~

- ~~a. Broward County or Broward Health Certified Diverse Small Business Vendors headquartered or principally located in Broward County;~~
- ~~b. Non-Small Business Certified Diverse Vendors headquartered or principally located in Broward County; Broward County vendor;~~
- ~~c. Small Business Certified Diverse Vendors headquartered or principally located in Miami-Dade County or Palm Beach County; Broward Health Certified Diverse Vendor;~~
- ~~d. Non-Small Business Certified Diverse Vendors headquartered or principally located in Miami-Dade County or Palm Beach County; Miami-Dade or Palm Beach County vendor;~~
- ~~e. Any Broward Health Small Business Certified Diverse Vendor headquartered or principally located located in the State of Florida, but outside the tri-county area of Broward County, Miami-Dade County, and Palm Beach County;~~
- ~~f. Non-Small Business Certified Diverse Vendors headquartered or principally located in the State of Florida, but outside of Broward County, Miami-Dade County, and Palm Beach County; Florida vendors; or and~~
- ~~g. Small Business Certified Diverse Vendors headquartered or principally located outside of the State of Florida; Any Broward Health Certified Diverse Vendor located outside the State of Florida.~~

~~4. Applicability of Diverse Vendor Participation with Group Purchasing Organization Prime Vendors and General Consultants/Contractors:~~

~~9. Prompt Payment Mandate: All Vendors, including Small Business Certified Diverse Vendors, that have written Contracts with Broward Health are entitled to prompt payment pursuant to the provisions of Florida's Local Government Prompt Payment Act, § 218.70, Fla. Stat., et seq.~~

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~~Broward Health does a significant amount of business through group purchasing organizations. These contractual arrangements allow Broward Health to receive quality goods and services at a competitive price. Similarly, Broward Health utilizes general contractors/consultants when a new facility is to be constructed or there is a major addition to an existing one. This arrangement provides benefits to Broward Health in terms of accessing their construction expertise and in obtaining favorable pricing arrangements with subcontractors.~~

~~Supplier Diversity Enhancements may apply to group purchasing prime vendors and general consultants/contractors. Broward Health will communicate its Diverse Vendor participation~~

~~commitment to these prime vendors and general consultants and contractors, and will encourage them to utilize diverse vendors/subcontractors to the maximum level feasible.~~

~~The Office of Supplier Diversity will serve as a resource to the group purchasing organizations –prime vendors and general consultants/contractors to assist in identifying Diverse Vendors that may be utilized.~~

~~Prime vendors and general consultants/contractors will be required to provide Diverse Vendor Utilization Reports (UR) to the OSD indicating products/services provided, the total subcontract value, and the payments to date.~~

~~Additional information may be requested by the OSD to allow proper assessment of the efforts of the prime vendors or general consultants/contractors in meeting the letter and intent of Broward Health's Supplier Diversity policy.~~

- ~~5. Certification and Verification Process: It is the goal of Broward Health to have all vendors that meet the SBE/MBE/WBE certification criteria of one of Broward Health's approved certification partners to become certified as such. As, the verification process for verified diverse vendors is intended to be a "temporary status:~~

- ~~a. Certified Diverse Vendor Process. Broward Health accepts various local, state, federal, and non-government national SBE, MBE, and WBE Certifications. All vendors wishing to be recognized as Broward Health Certified Diverse Vendors (CDVs) must register in VRS and upload a current (valid more than 60 days of expiration) SBE/MBE/WBE certification certificate/document issued by one of Broward Health's approved certification partners. A current list of Broward Health's approved Certification Partners can be obtained via the Vendor Registration web page or by contacting Supply Chain Office of Supplier Diversity. Also, the updated list will be available in VRS via the Supplier Diversity Screen's Certification Partner drop down button, during the online registration process.~~

~~Once vendor registration is complete and a current SBE/MBE/WBE certification certificate/document uploaded (within 60 days of registering as a vendor), OSD will validate diverse vendor status within 10 business days and an email notification will be sent via VRS.~~

~~VRS is a "vendor managed" system; therefore, the vendor is responsible for updating vendor information to include current SBE/MBE/WBE certification certificate/document. Any changes occurring in ownership and/or managerial/operational control of the firm, the vendor must notify the approving certification partner, immediately. Expired Diverse Vendor status notifications will be sent out via VRS, in accordance with the validated SBE/MBE/WBE certificate/document in VRS.~~

~~An online Broward Health Certified Diverse Vendor directory will be accessible for Prime Vendors and Contractors to utilize as a resource tool to identify Certified Diverse Vendors by product / services codes.~~

- ~~b. Verified Diverse Vendor Process. Those diverse vendors that do not have a current SBE/MBE/WBE certification certificate/document from one of Broward Health's approved Certification Partners or choose not to be certified as a SBE/MBE/WBE with one of Broward Health's approved certification partners are encouraged to complete the Verified Diverse Vendor (VDV) affidavit. The VDV affidavit affirms the company owner's minority ancestral origin or legal gender or the company's SBE~~

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~~status. This process is conducted via the vendor registration process, whereby the vendor self-declares via a notarized Verified Diverse Vendor Affidavit that the firm is 51% owned, operated and managed by minorities and/or women or is certified as a SBE or has self-declared SBE status with a Federal, State or Local governmental agency, not listed as an approved Broward Health certification partner. Vendors that register as a small business in the Federal Government System for Award Management (SAM), must provide a copy of the firm's SAM registration profile; noting the confirmed size standard by the SBA, DUNS number, and SAM Registration Expiration date.~~

~~The VDV affidavit must be uploaded into VRS with 60 days after completing vendor registration. OSD will then validate VDV status and email notification will be sent within 10 business days, via VRS.~~

~~Verified Diverse Vendors are NOT eligible to participate in the Supplier Diversity Program Enhancements. The verified diverse vendor process ensures Broward Health accounts for all diverse vendor spend accurately and is intended to be a temporary status, until the diverse vendor is able to provide a current SBE/MBE/WBE certification certificate/document from one of the approved Broward Health certification partners.~~

**610. Data Management:**

- a. ~~Vendor Registration System (VRS) Diverse Small Business Vendor Database- Diverse Vendor Resource Pool. Broward Health Supply Chain Services will shall maintain a comprehensive database of registered and Diverse and certified and non-certified Small Business Vendors (certified & verified) to serve as a vendor resource pool. Such database may be housed in Broward Health's Vendor Registration System, or another system selected by the Chief Procurement Officer. The OESBD may establish procedures applicable within this database to verify and validate the validity of a Small Business Vendor's certification as well as notification to Small Business Vendors of opportunities for Small Business Vendor Participation. The database will be available for access by all procuring divisions. Prime Vendors and Consultants/Contractors will be able to access Certified Diverse Vendor via the VRS - Certified Diverse Vendor Directory. Broward Health will have uniformed product/service (P/S) codes. The vendor will select P/S codes during the online vendor registration process. Also, the vendor will elect whether or not they would like to be considered a Diverse Vendor with Broward Health. All Diverse Vendors (certified or verified) will be validated in VRS by OSD. Notification of procurement opportunities will be communicated via VRS.~~
- b. ~~Statistical Reporting. The OSD-OESBD is responsible for shall maintaining Diverse Vendor procurement statistical data on certified and non-certified Diverse Vendor Small Business Vendor Participation. This data provides the basis for enhancing the accessibility of Diverse Vendors to procurement opportunities with Broward Health. Also, the data provides the basis for achieving the objectives of Broward Health's Supplier Diversity Program and self benchmarking performance. The data shall be utilized by OESBD for analyzing -Small Business Vendor participation and making any changes or improvements to Broward Health's Economic and Small Business Development Initiative. This data shall be used to communicate to and update, -from time to time, the Procurement Steering Committee and the Board of Commissioners~~

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of the North Broward Hospital District regarding Small Business Vendor participation in Broward Health's Procurements.

~~An End of Fiscal Year ("EOY") Diverse Vendor Participation Report will be included in the Board of Commissioners Finance Committee Meeting Agenda (Book), as an informational report. The EOY report will also be made available via the Procurement Portal on the intranet.~~

~~Broward Health is committed to the maximum level of diverse vendor participation. Broward Health will continue to benchmark self performance against the established baseline performance of prior years' Diverse Vendor achievements. The annual diverse vendor performance may be presented to the Board of Commissioners with any adjustments to the rate of spend for approval, as needed.~~

~~7. Retention of Supplier Diversity Records: Supplier Diversity records will be retained for 3 fiscal years in accordance with the Florida Department of State General Records Schedule for State and Local Government Agencies GS1 - SL Item #169 Minority Business Records effective February 19, 2015. Supplier Diversity records include:~~

- ~~a. Supplier Diversity Committee (SDC) minutes will be retained for 3 fiscal years, this does not include the former Minority Business Enterprise Committee (MBEC) minutes, which are maintained in accordance with Board Committee minutes.~~
- ~~b. Diverse Vendor Files (Certification and Verification) dispose 3 fiscal years after Expiration.~~
- ~~c. Contract Compliance Files dispose 3 fiscal years after contract/project has closed.~~
- ~~d. Diverse Vendor Participation Procurement Statistical Reports (electronic copies may still be available for historical trend reporting) dispose 3 fiscal years after the reporting period ends.~~
- ~~e. Outreach and Operational files dispose 3 fiscal years after completion/expiration.~~

~~**IV. Related Policies**~~

~~GA-001-150, Master Procurement Code~~

~~GA-001-151, Procurement Policy Table~~

**V. Interpretation and Administration**

Administration and Interpretation of this policy is the responsibility of the Chief Procurement Officer.

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# **Exhibit C**

## **Policy # GA-001-153: Vendor Access - Registration & Orientation**

### **I. Purpose**

This Policy establishes the procedures to be used in the Vendor Registration process.

### **II. Definitions**

The words and acronyms ~~defined~~ in this Policy shall have the meanings set forth below or such meanings set forth in the Master Procurement Code (the "Code") regardless of whether they are capitalized, unless:

- (a) The context in which they are used clearly requires a different meaning; or
- (b) A different definition is prescribed for a particular section of this Policy.

Words not defined in this Policy shall be given their common and ordinary meaning unless the context in which they are used requires otherwise. When the context requires, the gender of all words includes the masculine, feminine, and neuter, and the number of all words includes the singular and plural.

For purposes of this Policy, the below terms shall have the following meaning associated with ~~them~~:

**"Vendor Registration Application"** means Broward Health's vendor registration application form available on Broward Health's website that must be completed by all business vendors ~~wishing to conduct business with Broward Health prior to Broward Health engaging in business operations with such vendors~~ participate in any of Broward Health's competitive solicitations.

**"Vendor Registration System"** means ~~the~~ Broward Health's electronic ~~system database~~ where vendors and prospective vendors are required to register as a condition precedent to ~~providing goods or services to Broward Health or any other wholly owned entity and/or DBAs of the District~~ participating in Broward Health's competitive solicitations.

### **III. Policy**

Broward Health requires all vendors wishing to ~~conduct business with Broward Health or any other wholly owned entities and/or DBAs of the District~~ participate in Broward Health's competitive solicitations to register their business entities by completing a Vendor Registration Application available ~~online on Broward Health's website at www.browardhealth.org. Vendors must complete the Broward Health Vendor Registration application to participate in business transactions and to be included in Broward Health's competitive solicitation process. It is the v~~ Vendor's responsibility are responsible for ~~te updating and information and~~ keeping their information current.

### **IV. Procedure**

- (1) **New Registration.**

- (a) Vendors shall register in the Vendor Registration System by completing all sections of the Vendor Registration Application. Vendors requiring assistance in completing the registration may contact Broward Health's Vendor Relations Department, at (954) 473-7289. The contact information for the Vendor Relations Department may be found at [vendor.browardhealth.org](http://vendor.browardhealth.org).
- (b) ~~All hospitals, departments, divisions, and employees of the District who, when procuring goods and/or services, have selected a particular vendor must direct the vendor to Broward Health's website or Vendor Relations so the vendor can complete the Vendor Registration Application. The Chief Procurement Officer may establish additional categories of vendors (other than vendors wishing to participate in competitive solicitations) that are required to register in the Vendor Registration System. The Chief Procurement Officer may also determine on an individual basis that an individual vendor be excepted from registration or establish a continued-basis category of vendors exempt from registration.~~
- (c) ~~The Office of Supplier Diversity shall also refer all diverse vendors to Broward Health's website to complete the Vendor Registration Application. Diverse Vendors will upload their Minority Business Enterprise (MBE), Woman Business Enterprise (WBE), or Small Business Enterprise (SBE) certification documents into the Vendor Registration System.~~
- (2) **Benefits of the Vendor Registration Program.** ~~Although a requirement prior to conducting business with Broward Health, r~~Registration in the Vendor Registration System provides several benefits to prospective and current vendors such as:
- (a) Registered vendors may, ~~in Broward Health's sole discretion,~~ be contacted for quotations for purchases of goods and services according to Broward Health's Master Procurement Code based upon the product code(s) selected during the vendor's registration process;
- (b) Registered vendors may also receive notification of Formal Bids (e.g., RFQs~~Requests for Quotations,~~ RFPs~~Requests for Proposals,~~ and other competitive solicitations) ~~and as well as RFIs~~Requests for Information; ~~whenever Broward Health deems it appropriate. It is the sole responsibility of the vendor to monitor public announcements regarding Solicitations~~solicitations, ensure that its contact information is accurate, and ~~to contact the Vendor Relations department if its contact information changes.~~
- (c) Registered vendors ~~will may,~~ where reasonably requested and deemed helpful by Broward Health, ~~be allowed to request,~~ and be permitted to schedule if deemed in the best interests of Broward Health, ~~an schedule~~ appointments with department directors, cost center managers, or ~~other designated personnel~~interested officers or employees of Broward Health to conduct ongoing business-; and
- (d) Registered vendors ~~will may~~ be allowed to participate in the product standardization process for Solicitations~~solicitations~~ where ~~reasonably requested and~~ deemed appropriate by and determined to be in the best interests of Broward Health.
- (3) **Vendor Orientation Process.** Broward Health generally conducts quarterly vendor orientation sessions. The Vendors are encouraged to attend. The orientation sessions ~~should~~

provides ~~attendees current and prospective vendors~~ with detailed information on how to conduct business with Broward Health and how to participate in competitive solicitations. The dates for all vendor orientation sessions will be listed and available online at [www.browardhealth.org](http://www.browardhealth.org).

## V. Exceptions

This Policy and the requirement of registration in the Vendor Registration System is not and shall not be made applicable to:

- (1) Any state, federal, or tribal government and/or public entity including, but not limited to, any state, federal, or tribal branch, department, division, bureau, commission, authority, board, local government, special district, political subdivision, public school, community college, or state or government university;
- (2) Any organizations exempt from taxation under the Internal Revenue Code, 26 U.S.C. § 501, and that are providing monetary compensation or in-kind contributions to Broward Health through a research or other charitable grant;
- (3) Organizations or entities that Broward Health submits ~~bidBids~~ in response to ~~requests Requests~~ for ~~proposals Proposals~~ or other competitive solicitations; and
- (4) Any other individuals or entities who the Chief Procurement Officer, or his or her designee, decides should be exempt from such registration ~~for good cause~~.

~~In the event any of these exceptions are applicable to a given entity, organization, individual, or situation, the circumstances and/or exempting status must be properly documented within the applicable arrangement in Broward Health's electronic contracting system.~~

## VI. ~~Related Policies~~

~~GA-001-150, Master Procurement Code~~

~~GA-001-151, Procurement Policy Table~~

## VII. Interpretation and Administration

Administration and Interpretation of this policy is the responsibility of the Chief Procurement Officer.