

SPARTANBURG COUNTY SCHOOL DISTRICT FIVE

MINORITY BUSINESS ENTERPRISE PLAN 2023-2024

1. INTRODUCTION

The South Carolina Consolidated Procurement Code requires that all State Agencies or Agencies that have adopted a procurement code that is substantially similar to the State code formulate a Minority Business Enterprise Utilization Plan (MBE Plan). The MBE Plan is designed to ensure that minority businesses are offered the opportunity to fully participate in the overall procurement process of the agency.

2. POLICY STATEMENT

The Board of Trustees of Spartanburg School District Five intends to ensure that those businesses owned and operated by minorities are afforded the opportunity to participate fully in the overall procurement process of the District. The Board of Trustees, therefore, will support procedures that will result in awarding contracts and subcontracts to minority business firms in order to enhance minority capital ownership, overall District and State economic development, and reduce dependency of the part of minorities.

3. DEFINITIONS

The definitions utilized in the Plan are contained in Section 11-35-5010, Code of Laws of South Carolina (1976), as amended.

- A. As determined by the South Carolina Governor's Office of Small and Minority Business Assistance, a minority person is a United States citizen who is economically and socially disadvantaged.
 - a. Socially disadvantaged individuals are those individuals who have been subject to racial or ethnic prejudice or cultural bias because of their identification as members of a certain group, without regard to their individual qualities. Such groups include, but are not limited to Black Americans, Hispanic Americans, Native Americans (including American Indians, Eskimos, Aleuts and Native Hawaiians), Asian Pacific Americans, Asians and Women, regardless of race or origin.
 - b. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.

- B. A socially and economically disadvantaged small business is any small business concern which:
 - a. is at least fifty one percent (51%) owned by one or more citizens of the United States who are determined to be socially and economically disadvantaged.
 - b. in the case of a concern which is a corporation, fifty one percent (51%) of all classes of voting stock of such corporation must be owned by an individual determined to be socially and economically disadvantaged.
 - c. in the case of a concern which is a partnership, fifty one percent (51%) of the partnership interest must be owned by an individual or individuals determined to be socially and economically disadvantaged and whose management and daily business operations are controlled by individuals determined to be socially and economically disadvantaged. Such individuals must be involved in the daily management and operations of the business.

4. MBE LIAISON OFFICER

The District Five Procurement Officer, or designee, shall be the MBE Liaison Officer for the District. The MBE Liaison Officer will report directly to the Chief Financial Officer.

5. DUTIES OF THE MBE LIAISON OFFICER

- Maintain all records and reports as required
- Develop, manage and implement the MBE program

- Disseminate information on available business opportunities so that MBE's are provided an equal opportunity to bid on services, supplies and construction

6. ASSISTANCE TO SMALL AND MINORITY BUSINESSES

A. Subcontracting

Spartanburg School District Five, through its contract documents, will encourage contractors to utilize MBE subcontractors on their projects.

B. Division of Projects

When necessary, projects can be divided into smaller tasks so as to increase participation opportunities for MBEs. This will be accomplished by working with the end-user(s), OSMBA and MBE firms.

C. Progress Payments

The Director of Procurement, in cooperation with the Director of Finance, may make special provisions for progress payments and letters of credit, as deemed reasonable to assist minority businesses to carry out the terms of a contract pursuant to regulations which may be promulgated by the Board.

D. Letter of Contract Award

When a minority business firm certified by the Department of Revenue receives a contract with the District, the Director of Procurement shall furnish a letter, upon request, stating the dollar value and duration of, and other information about the contract, which may be used by the minority firm in negotiating lines of credit with lending institutions.

E. Subcontracting to other Districts

Should the District find it beneficial to subcontract the scope of service to another District, Spartanburg School District Five will collaborate with the other District(s) in establishing an MBE Plan.

7. MBE GOALS

In order to foster effective broad-based competition for public procurement within the free enterprise system, it is the goal of Spartanburg School District Five to ensure the fair and equitable treatment of all persons who deal with the procurement system of the District. Minority businesses will be solicited for participation in the overall procurement process. The District will strive to spend a minimum of ten (10%) of total controllable procurements with MBE firms.

Controllable dollars are purchases that the district has discretion in the selection of the vendor. Examples of non-controllable procurements are: Utilities, Debt Services, Payments to government/school districts, employee benefits/insurance, vendors under contract for the year, sole source acquisitions, etc.

8. FISCAL YEAR REPORTING

The District shall report semi-annually in writing to the Board of Trustees concerning the number and dollar value of contracts awarded to minority businesses during the preceding fiscal year.