



Town of Hilton Head Island
**FINANCE & ADMINISTRATIVE
COMMITTEE MEETING**
Tuesday, January 17, 2023, 10:00 AM
AGENDA

The Finance and Administrative Committee meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be viewed on the [Town's Public Meetings Facebook Page](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

1. **Call to Order**
2. **FOIA Compliance:** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Approval of the Minutes**
 - a. Special Meeting – October 10, 2022
 - b. Regular Meeting – October 18, 2022
5. **Appearance by Citizens:** Citizens who wish to address the Committee may do so by contacting the Town Clerk at 843.341.4701, no later than 4:30 p.m., Monday, January 16, 2023. Citizens may also submit written comments on the agenda item via the [Open Town Hall Portal](#).
6. **New Business**
 - a. Consideration of Proposed Amendments to Provisions of Title 11, Chapter 1 of the Municipal Code for the Town of Hilton Head Island to Provide for a Small and Minority-Owned Business Enterprise Utilization Program and a Corresponding Good Faith Effort Program
 - b. Consideration of Proposed Finance and Administrative Committee Meeting Dates for Calendar Year 2023
7. **Adjournment**

Please note, a quorum of Town Council may result if four (4) or more of their members attend this meeting



Town of Hilton Head Island
**FINANCE & ADMINISTRATIVE
COMMITTEE SPECIAL MEETING**
Monday, October 10, 2022, 2:00 PM
MINUTES

Present from the Committee: Tom Lennox, *Chairman*, Alex Brown, Bill Harkins, Glenn Stanford, *Members*

Present from Town Staff: Josh Gruber, *Deputy Town Manager*, John Troyer, *Finance Director*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Chairman Lennox called the meeting to order at 2:00 p.m.

2. FOIA Compliance

Ms. Wiedmeyer affirmed compliance with FOIA.

3. Roll Call

Attendance was confirmed by way of roll call.

4. New Business

- a. Consideration of Proposed Ordinance 2022-18 to Amend the Town of Hilton Head Island Budget for Fiscal Year Ending June 30, 2023; to Provide for the Budget Appropriations of the Prior Year Budget Roll Forwards, Certain Other Appropriations, and Commitments, the Expenditures of Certain Funds, and to Allocate these Funds

John Troyer, Finance Director, delivered a presentation to the Committee requesting a proposed budget amendment to the Fiscal Year 2022-2023 budget for carry forwards to realign the budget to match organization changes, projects that the timeline crossed June 30th, and purchases that did not make it by June 30th due to supply chain issues. The Committee discussed the recommendation, asking questions of Mr. Troyer.

Mr. Stanford moved to forward a recommendation to full Town Council to consider the budget amendments for Fiscal Year ending June 30, 2023. Mr. Harkins seconded. With no further discussion, the motion carried 4-0.

5. Adjournment

With no further action, the meeting adjourned at 2:46 p.m.

Approved: January 17, 2023



Town of Hilton Head Island
**FINANCE & ADMINISTRATIVE
COMMITTEE SPECIAL MEETING**
Tuesday, October 18, 2022, 10:00 AM
MINUTES

Present from the Committee: Tom Lennox, *Chairman*, Alex Brown, Bill Harkins, Glenn Stanford, *Members*

Present from Town Staff: Josh Gruber, *Deputy Town Manager*, John Troyer, *Finance Director*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Chairman Lennox called the meeting to order at 2:00 p.m.

2. FOIA Compliance

Ms. Wiedmeyer affirmed compliance with FOIA.

3. Roll Call

Attendance was confirmed by way of roll call.

4. Approval of the Minutes

- a. Regular Meeting – September 20, 2022

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried 4-0

5. New Business

- a. Consideration of a Resolution of the Town of Hilton Head Island Approving the Use of the "Good Neighbor" Funds from the American Rescue Plan Act for Beaufort County Toward the Town's Participation in the Regional Housing Trust Fund and as Seed Funding for the Town's New Community Development Corporation in Accordance with Federal Guidelines

John Troyer, Finance Director, reviewed the materials related to the Good Neighbor funds from the American Rescue Plan Act. He answered questions posed to him from the Committee.

Mr. Stanford moved to forward a recommendation to full Town Council to consider the proposed use of funds for the Good Neighbor Funds from the American Rescue Plan Act. Mr. Harkins seconded. With no further discussion, the motion carried 4-0.

- b. Presentation of the Hilton Head Island Visitor and Convention Bureau Annual Audit - Independent Accountant's Report on Applying Agreed-Upon Procedures

Ray Deal with the Hilton Head Island-Bluffton Chamber of Commerce delivered an independent audit report for the DMO to the Committee. He answered questions posed to him from the Committee.

c. Town of Hilton Head Island Financial Update

Mr. Troyer delivered a presentation to the Committee, reviewing the current financial status of the Town. He answered questions posed to him by the Committee.

6. Adjournment

With no further action, the meeting adjourned at 11:06 a.m.

Approved: January 17, 2023

DRAFT



TOWN OF HILTON HEAD ISLAND

Finance & Administrative Committee

TO: Finance & Administrative Committee Members
FROM: Rich Groth, Procurement Officer
VIA: John Troyer, Finance Director
CC: Marc Orlando, Town Manager,
Joshua Gruber, Deputy Town Manager
DATE: January 4, 2023
SUBJECT: Consideration of Proposed Amendments to Provisions of Title 11, Chapter 1, of the Municipal Code for the Town of Hilton Head Island to Provide for a Small and Minority-Owned Business Enterprise Utilization Program and a Corresponding Good Faith Effort Program

RECOMMENDATION:

Staff recommends that the Finance and Administrative Committee consider supporting amendments to the Town's procurement code that would incorporate a proposed Small and Minority-Owned Business Enterprise ("SMBE") Utilization Plan and a corresponding Good Faith Effort Program. Adoption of these amendments would bring the Town's procurement code in line with best industry practices that have been identified in other peer communities and achieve increased SMBE participation within Town procurements.

BACKGROUND:

The Town's Procurement Division conducted an extensive survey of other governmental entities across South Carolina seeking input into the best industry practices and programs relative to small and minority-owned business participation in governmental procurement activities. Sources for these best industry practices included, but were not limited to: Charleston County, the City of Charleston, the City of Beaufort, Beaufort County, the Town of Bluffton, and the Town of Mount Pleasant, the South Carolina Division of Small and Minority Business Contracting, the South Carolina Association of Governmental Purchasing Officials, the National Institute of Governmental Purchasing, and the Hilton Head Island – Bluffton Chamber of Commerce. Additional input was also sought from organizations that directly assist and promote SMBEs in the public procurement sector at both the state and national level. As a result of this survey, staff has identified several programs and best practices that are being effectively utilized in other communities to increase SMBE participation.

Using the input gathered from these various sources, staff has prepared the attached Utilization Plan and a corresponding Good Faith Effort Program that are being presented to the Finance & Administrative Committee for consideration. If approved by the

Committee, Town Staff will proceed with drafting the relevant Ordinance amending the Town's Procurement Code to incorporate these proposed program elements for consideration by the Town Council.

Key elements of the Utilization Plan are:

- Enhanced proactive solicitation of SMBEs utilizing available listings maintained by the Town, other governmental entities, and the HHI– Bluffton Chamber of Commerce;
- Requiring mandatory contractor participation in the Good Faith Effort Program for construction projects, documenting their efforts to partner with SMBEs for inclusion in their bid submittals;
- Identifying and promoting the use of SMBEs by Town staff for small purchases made at the departmental level; and
- Compilation and annual reporting to the Town Manager of SMBE utilization data for transparency and accountability purposes.

SUMMARY:

In order to ensure that SMBEs within the Hilton Head Island community are afforded every opportunity to participate in the Town's procurement process, staff is recommending consideration of a Proposed Small and Minority-Owned Business Enterprise Utilization Plan and a corresponding Good Faith Effort Program.

ATTACHMENTS:

1. SMBE Utilization Plan
2. SMBE Good Faith Effort Program

ATTACHMENT 1

**Town of Hilton Head Island
Proposed Utilization Plan for Procurement Inclusivity for
Small & Minority-Owned Businesses**

Plan for the utilization of Small Business Enterprises (SBEs) and Minority Business Enterprises (MBEs).

- (a) Town Council finds and declares it to be in furtherance of sound procurement practices that all business entities be accorded a real and equitable opportunity to participate in Town procurements. Town Council further finds that it is in the best interests of the Town and its residents that a program be developed to ensure that small businesses and businesses owned and controlled by minorities have a real opportunity to compete for Town procurements to provide for a balanced and healthy economy and to foster open and competitive procurement within the Town.
- (b) There is hereby established a plan for the utilization of Small Business Enterprises (SBEs) and Minority Business Enterprises (MBEs) (collectively SMBEs), which plan shall be administered by the Procurement Officer or by such other individual(s) as the Town Manager may, from time to time, appoint. It shall be the responsibility of the Procurement Officer to formulate and publish the necessary rules, guidelines and to implement this plan so as to ensure that the benefits of this plan inure to SMBEs, provided however, that such rules and regulations shall be submitted to Town Council for approval. The Procurement Officer shall also be charged with compiling, updating and distributing a directory of available SMBEs for use by Town personnel in achieving the goals of this plan, and further, shall formulate and publish guidelines to be utilized by the Town in assessing whether a procurement qualifies as a SMBE procurement. Further, the Procurement Officer shall compile data regarding the level of participation in Town procurements by SMBEs and present them to Council upon request for analysis of the program.
- (c) As utilized herein, the following terms shall have the meaning as designated, to wit:
 - (1) *Controllable dollars* means funds other than those budgeted for salaries of employees, fringe benefits, utility expenses, rents, taxes and any items which may be procured only from special identified sources.
 - (2) *Construction* means the process of building, altering, repairing, improving or demolishing any public structure, building or roadway, or any other improvement of any kind to any public real property. Construction does not include the routine operation, repair or maintenance of existing structures, buildings or real property or any such routine work undertaken by Town employees on public property.
 - (3) *A minority business enterprise (MBE)* shall mean a business enterprise that is verified by the Procurement Officer, or by such other individual(s) as the Town Manager may, from time to time, appoint, to have a valid MBE certification from any federal, state or local governmental entity.
 - (4) An *emergency purchase* is a procurement undertaken from a sole source where circumstances require an immediate procurement to protect the physical well-being of the public or of any Town employee, or where the appropriate and efficient functioning of government is threatened without such purchase.
 - (5) *Procurement* means buying, purchasing, renting, leasing or otherwise acquiring any supplies, services or construction.
 - (6) *Services* means furnishing of labor, time or effort by one who is not under the regular employ of the Town. This term includes "professional services," but does not include employment agreements or collective bargaining agreements.
 - (7) *Minority individual* is presumed to include, which presumption may be rebutted, a citizen of the United States (or lawfully admitted permanent residents) who is a Black African American, Hispanic American, Native American, Asian American, or Indian American; provided however, that the Town may, on a

ATTACHMENT 1

**Town of Hilton Head Island
Proposed Utilization Plan for Procurement Inclusivity for
Small & Minority-Owned Businesses**

- case-by-case basis, determine that an individual who is not a member of any of the aforementioned groups is a minority.
- (8) *Supplies* means property including, but not limited to, equipment, materials, printing, and the like, but excluding land or a permanent interest in land.
- (9) A *small business enterprise (SBE)* shall mean a business enterprise that is verified by the Procurement Officer, or by such other individual(s) as the Town Manager may, from time to time, appoint, to have a valid SBE certification from any federal, state or local governmental entity.
- (d) (1) In any procurements sought through public advertisement, the Procurement Officer shall proactively solicit SMBEs utilizing known and available listings of certified SBEs and certified MBEs maintained by the Town, and/or any federal, state or local governmental entity.
- (2) In construction procurements sought through public advertisement, offerors shall be required to complete and submit the documentation required by the Town's SMBE Good Faith Effort Program, whereby the offeror shall either: (a) attest that they will be 100% self-performing, or (b) if utilizing subcontractors, provide the necessary documentation summarizing the offeror's good faith efforts to include SMBEs in their bid/proposal.
- (3) In all other procurements, except emergency procurements, it shall be the responsibility of the Procurement Officer to make affirmative efforts to ensure that SMBEs are provided an equal opportunity to compete for, or participate in Town procurements. On an annual basis, the Procurement Officer, other than for emergency procurements, shall submit to the Town Manager (or his/her designee) the following information:
- a. The total number of procurements awarded;
 - b. The total monetary value of procurements awarded;
 - c. The type of procurements awarded;
 - d. The total monetary amount of the procurements awarded to SMBEs;
 - e. The percentage of total combined Town procurements awarded to SMBEs.
- (e) The Town Manager shall report to Town Council annually, the percentage of total combined Town procurements awarded to SBEs and MBEs and a description of the procurement categories represented thereby. Such reports shall be utilized to assist Town Council in evaluating the effectiveness of its attempts to ensure that all businesses have an opportunity to participate in the Town's procurement program and in establishing reasonable and realistic goals for the program.
- (f) Nothing herein shall be construed as having established any set-aside for any group for any procurement or as having bound the Town or any department thereof to accept any procurement offer not in its best interests.

Town of Hilton Head Island Good Faith Effort Program for Small and Minority Business Participation



**PLEASE REVIEW THIS SECTION CAREFULLY,
PAYING PARTICULAR ATTENTION TO “PRE-AWARD
DOCUMENTS” DUE WITH THE BID/PROPOSAL, .
THE “GOOD FAITH EFFORTS CHECKLIST”,
AND EXHIBITS 1-3.**

**FAILURE TO FOLLOW THE PROGRAM REQUIREMENTS
AND/OR FURNISH THE REQUESTED DOCUMENTS MAY
RESULT IN THE REJECTION OF YOUR BID/PROPOSAL.**

ATTACHMENT 2

Small and Minority Business Participation Program Documents Overview*

PRE AWARD DOCUMENTS		
<i>Item/Form</i>		<i>Submission Requirements</i>
1	Program Overview	n/a
2	Self-Performance Affidavit Indicates intention to perform work and/or provide services with own current workforce.	Due with bid/proposal only if self-performing 100%.
If Not 100% Self-Performing, Items 3-8 Below Must Be Completed and Submitted With Your Bid or Proposal		n/a
3	Good Faith Efforts Checklist Indicates the actions undertook to recruit and solicit small and minority businesses for this project.	Due with bid/proposal.
4	Good Faith Agencies Distribution List Indicates agencies that should receive notice of solicitation to small and minority businesses for this project.	Copy of notice sent to good faith agencies due with bid/proposal.
5	Outreach Written Notice Example Sample of notice to be sent to small and minority businesses soliciting their participation for this project.	Copy of notice sent to small and minority businesses due with bid/proposal.
6	Non-Discrimination Statement – Exhibit 1 Certification that this project is open to all businesses and persons and that no business or person shall be excluded from participating in the Town of Hilton Head Island procurement process.	Due with bid/proposal.
7	Outreach Documentation Log – Exhibit 2 Documents solicitation efforts to obtain small and minority business participation for this project.	Due with bid/proposal.
8	Proposed Utilization Plan – Exhibit 3 Listing of the small and minority businesses that will participate on this project and their proposed contract dollar amounts.	Due with bid/proposal.
POST AWARD DOCUMENTS		
<i>Item/Form</i>		<i>Submission Requirements</i>
9	Compliance Efforts This document indicates the actions required of the offeror to earnestly carry out the small and minority business utilization plan and document payments thereof.	n/a
10	Monthly Compliance Status Report – Exhibit 4 Certifies monthly usage and payments to small and minority businesses.	Due monthly after work commences throughout the life of the contract.

* **NOTE:** Projects involving Federal funds may have Disadvantaged Business Enterprise (DBE) participation goals and requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation (USDOT), or other Federal requirements prescribed by the U.S. Department of Agriculture (USDA) or U.S. Department of Housing and Urban Development (HUD). Contractors submitting bids on such projects will also have to meet any outlined DBE Program requirements listed in the bid documents and submit items, including but not limited to, the following: (1) Certification of Contractor to Comply with DBE Requirements; (2) DBE Letter of Intent and Affirmation; (3) DBE Contract Totals and Percentage; and (4) Bidder's List Questionnaire. For a current list of South Carolina DBE firms, please visit www.scdot.org and go to "Doing Business with SCDOT", then see "Office of Business Development and Special Programs" and click on "DBE Directory". Likewise, any USDA and/or HUD requirements must be met in addition to Town of Hilton Head Island's requirements.

PROGRAM OVERVIEW

Introduction

The Town of Hilton Head Island (Town) recognizes that the South Carolina General Assembly, in South Carolina Code of Laws Section 11-35- 5210*, has declared that businesses owned and operated by minority persons have been historically restricted from full participation in our free enterprise system to a degree disproportionate to other businesses; and that it is in the state's best interest to assist minority-owned businesses to develop fully as a part of the state's policies and programs which are designed to promote balanced economic and community growth throughout the state. Therefore, the Town wishes to ensure that those businesses owned and operated by minorities are afforded the opportunity to fully participate in its overall procurement process for goods and services. Further, the Town seeks to ensure that small businesses are likewise afforded the same participation opportunity as minority businesses. Consequently, attention of all bidders and proposers is called to contract conditions contained herein pertaining to the Town's "**Small and Minority Business Participation Program**".

Definitions

Small Business means a for-profit concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on government contracts, and qualified as a small business under the criteria and size standards in the Code of Federal Regulations, Title 13, Part 121, as amended. The Town refers to these businesses as **Small Business Enterprises** or "**SBEs**".

Minority Business means a concern at least fifty-one percent (51%) owned by a person determined to be socially and economically disadvantaged. *Socially disadvantaged* means those persons 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, women and other minorities to be designated by the Town Council. *Economically disadvantaged* means those socially disadvantaged persons 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 that are not socially disadvantaged. The Town refers to minority businesses as **Minority Business Enterprises** or "**MBEs**".

Small and Minority Business Enterprises will be abbreviated as "SMBEs".

Provisions

The successful bidder or proposer, hereafter referred to as "Contractor", is required to (1) make specific **Pre-Award "Good Faith Efforts"** to recruit SMBEs and (2) **Post-Award "Compliance Efforts"** of its labors to utilize SMBEs, unless self-performing one hundred percent (100%) of the contract work. Falsification of any pre-award or post-award documents will be considered a serious breach of public trust and funds.

* SOUTH CAROLINA CODE OF LAWS, CHAPTER 35 "SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SUBARTICLE 1 "ASSISTANCE TO MINORITY BUSINESSES"

ATTACHMENT 2

SELF PERFORMANCE AFFIDAVIT

If self-performing 100% sign below and return this page with your bid/proposal.

I hereby certify my company's intent to perform one hundred percent (100%) of the work required for:

Project Name: _____

Bid/Proposal Number: _____

By signing this affidavit, I further certify that my company has the capability to perform and will perform all elements of the work on the project referenced above with my company's employees.

I further agree to provide additional information or documentation requested by the Town of Hilton Head Island in support of the above statement.

If a need to subcontract all and/or some of my company's work on this project arises, I will notify the Town of Hilton Head Island Procurement Office in writing within three (3) business days.

Name of Company

Authorized Representative Name

Signature

Title

Date

State of _____ County of _____

Subscribed and sworn to before me this _____ day of _____ 20__

Notary Public _____ My Commission Expires: _____

ATTACHMENT 2

GOOD FAITH EFFORTS CHECKLIST (PRE AWARD)

Pre-award efforts include the following “good faith efforts” for Contractors intending to use subcontractors, or the bid/proposal may be rejected.

If using subcontractors, return this page (and required supporting documents) with your bid/proposal.

- Divide and/or combine scope of work packages into economically feasible units, **if possible**.
- You can find directories of SDBEs by going to the following websites:
<http://dbw.scdot.org/dbesearch/DirectoryQuery.aspx>
<https://osmba.sc.gov/directory.html>
- Send a written notice **at least ten (10) business days prior** to the bid/response due date of your intent to submit a bid/response, and express interest in receiving quotes thereof to (1) potential SDBEs **and** (2) “good faith agencies”:
 - ✓ The written notice should contain the Contractor’s name and contact information; project name; project number; scope of work/bid packages available for subcontracting; information on availability of plans and specifications; and the Contractor’s company policy regarding insurance, bonding, and financial requirements, if any.
- Submit with the bid/proposal, copies of the written notice sent specifically to SDBEs, along with the fax transmittal confirmation slips (if sent by fax), copies of the e-mails (if e-mailed), and/or copies of metered or stamped envelopes (if sent by mail).
- Submit with the bid/proposal, copies of the written notice sent specifically to the “good faith agencies”, along with the fax transmittal confirmation slips (if sent by fax), copies of the e-mails (if e-mailed), and/or copies of metered or stamped envelopes (if sent by mail).
- Complete and submit Exhibits 1-3 with all requested supporting documentation (where applicable):
 - ✓ Exhibit 1: Non-Discrimination Statement
 - ✓ Exhibit 2: Outreach Documentation Log
 - ✓ Exhibit 3: Proposed Utilization Plan

The undersigned acknowledges making a good faith effort to comply with the above areas checked:

Name of Company

Authorized Representative Name

Signature

Title

Date

Send written notice at least ten (10) business days prior to the bid/response due date to all the agencies listed below and do the following: (1) indicate your company's intent to submit a bid/response and (2) request their assistance in the recruitment of small and minority businesses. You may mail OR e-mail the notice.

Submit notice copy with the bid/proposal. copies of the written notices sent to these agencies.

- Beaufort County Black Chamber of Commerce**
Attention: Mr. Larry Holman, President
711 Bladen Street
Beaufort, SC 29902
EMAIL: president@bcbcc.org

- Beaufort Regional Chamber of Commerce**
Attention: Ms. Susan Fogelman, Director of Membership
Post Office Box 910
Beaufort, SC 29901
EMAIL: Susan@BeaufortChamber.org

- Hilton Head Island-Bluffton Chamber of Commerce**
Attention: Ms. Michelle Pivik, Director of Membership
Post Office Box 5647
Hilton Head Island, SC 29938
EMAIL: michelle@hiltonheadisland.org

- SCDOT Disadvantaged Business Enterprise Program**
Attention: Mr. Greg Davis
955 Park Street
Columbia, SC 29201
EMAIL: davisg@scdot.org

- Small Business Administration**
Attention: Ms. Angela Brewer
1835 Assembly Street, Suite 1425
Columbia, SC 29201
EMAIL: angela.brewer@sba.gov

OUTREACH WRITTEN NOTICE EXAMPLE

Send written notice at least ten (10) business days prior to the bid/response due date to potential small and minority businesses and provide notice of the following: (1) intent to submit a bid/response and (2) interest in receiving quotes from small and minority businesses.

You may mail OR e-mail the notice.

Submit all notices with the bid/proposal. copies of the written notices sent to these agencies.

No Name Company
Post Office Box 1234
Any Town, US
(123) 555-7777 Telephone
(123) 555-8888 Fax

Example

Date

Subcontractor Company Name
Subcontractor Mailing Address
Subcontractor City, State, Zip

Dear Subcontractor Company Name:

No Name Company is pursuing work with the Town of Hilton Head Island, South Carolina and intends to submit a bid/proposal for Town IFB/RFP # 000-00000.

We have the following opportunities for subcontracting on this project:

- Describe Bid Package 1
Describe Bid Package 2
Describe Bid Package 3
Etc...

Plans and specifications are available at our office and at _____ and _____.

It is the policy of No Name Company that _____ (state policy concerning W-4, insurance, credit lines, and assistance in obtaining bonds, etc.)

The IFB/RFP closing date is _____ at 3:00 pm and therefore, we must receive your quote/proposal into our office no later than _____ pm.

If you have any questions, please contact Mr. /Ms. _____ at our company.

We look forward to hearing from you.

Sincerely,

Title
No Name Company

Sign below and return this page with your bid/proposal.

ATTACHMENT 2

**EXHIBIT 1
Non-Discrimination Statement**

The bidder/proposer certifies that:

- 1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin, or gender in connection with any IFB/RFP submitted to the Town of Hilton Head Island or the performance of any contract resulting thereof;
- 2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contract or otherwise interested in contracting with this Company for Town of Hilton Head Island contracts, including those companies owned and controlled by socio-economic and racial minorities;
- 3) In connection herewith, we acknowledge and warrant that this Company has been made aware of, understands and agrees to take affirmative action to provide such companies with the maximum practicable opportunities to do business with this Company;
- 4) That this promise of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption throughout the life of the referenced contract with the Town of Hilton Head Island;
- 5) That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made a part of and incorporated by reference into any contract or portion thereof which this Company may hereafter obtain and;
- 6) That the failure of this Company to satisfactorily discharge any off the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the Town of Hilton Head Island to declare the contract in default and to exercise any and all applicable rights and remedies including, but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

Name of Company

Authorized Representative Name

Signature

Title

Date

Return this page with your bid/proposal

ATTACHMENT 2

**EXHIBIT 2
Outreach Documentation Log**

Bidder/Proposer Name: _____

IFB/RFP No.: _____

IFB/RFP Date: _____

Project Name: _____

LIST INFORMATION FOR THE S/MBEs YOU CONTACTED FOR INTEREST AND POTENTIAL PARTICIPATION
(Use additional sheets if necessary and mark "Exhibit 2 Attachment")

Name of SMBE	Firm Type	Address	Telephone Number	Trade/Commodity	Letter Sent (Y/N)	Response (No Response / Will Quote / Will Not Quote)	Result (If Submitting Quote)

The undersigned proposes to enter into a formal agreement with the SMBEs identified herein for work, schedule and value listed in this schedule conditioned upon execution of a contract with the Town of Hilton Head Island.

Name: _____ Signature: _____ Title: _____

Return this page with your bid/proposal

ATTACHMENT 2

**EXHIBIT 3
Proposed Utilization Plan**

Bidder/Proposer Name: _____

IFB/RFP No.: _____

IFB/RFP Date: _____

Project Name: _____

LIST INFORMATION FOR THE SMBEs YOU INTEND TO UTILIZE
(Use additional sheets if necessary and mark "Exhibit 3 Attachment")

Name of SMBE	Firm Type	Address	Telephone Number	Point of Contact	Trade/Commodity	Contract / PO Amount

Total Anticipated Small Business Enterprise Participation Dollar Value: \$ _____

Total Anticipated Minority Business Enterprise Participation Dollar Value: \$ _____

The undersigned proposes to enter into a formal agreement with the SMBEs identified herein for work, schedule and value listed in this schedule conditioned upon execution of a contract with the Town of Hilton Head Island.

Name: _____ Signature: _____ Title: _____

COMPLIANCE EFFORTS (POST AWARD)

The successful Contractor is required to fulfill any Small and Minority Business Enterprise (SMBE) commitments made in conjunction with the “Pre-Award Good Faith Efforts”, unless good cause is demonstrated for any failure to fulfill such commitment.

If the Contractor intends to make any substitutions for any reasons, the Town of Hilton Head Island Procurement Office must be notified in writing within ten (10) business days for discussion and approval. No Contractor shall enter into an agreement with any SMBE that would in any manner limit the SMBE from selling or acting as a subcontractor to any other party.

The Town of Hilton Head Island shall have the right to inspect the Contractor’s records related to activity and expenditures to SMBE utilized on its projects, to include related contracts/purchase orders and payment records, such as cancelled check copies. Further, designated Town of Hilton Head Island personnel are permitted access to all work sites. Contractors and their staff should take measures to cooperate fully with all Town of Hilton Head Island staff, including, but not limited to the Procurement Officer.

“Post-Award Compliance Efforts” require the Contractor to not only provide monthly reports regarding activity and expenditures to SMBE, but also to maintain related records throughout the life of the project regarding its efforts to comply with the Small and Minority Business Participation Program. The “Monthly Compliance Status Report” must be submitted to the Procurement Office until the project ends, by the fifth (15th) day, reflecting the activity of the previous month.

All questions regarding “Post-Award Compliance Efforts” should be directed to the Procurement Office via e-mail at richg@hiltonheadislandsc.gov or (843) 341-4711.

EXHIBIT 4



MONTHLY COMPLIANCE STATUS REPORT

Small and Minority Business Participation

Completed reports must be submitted by mail or email as follows:
 Town of Hilton Head Island
 Procurement Office
 One Town Center Court
 Hilton Head Island, SC 29928
 E-Mail: richg@hiltonheadislandsc.gov

Prime Contractor Name: _____

Project Name: Monthly Final

Type of Report: _____

Report Number: _____

For the Period Of: _____

Until the project ends, the Prime Contractor shall submit monthly reports to the Procurement Office by the 15th of each month, reflecting activity of the previous month.

Original Prime Contract Amount:
Change Orders to Date:
Current Prime Contract Amount:

Name of S/MBE	Firm Type	Quote Amount	Date of Contract/PO	Dollar Amount of Actual Contract/PO	Dollar Amount Paid This Month	Check Number	Dollar Amount Paid to Date

SBE Expenditure to Date: _____

MBE Expenditure to Date: _____

SMBE Total Expenditure to Date: _____

I certify that contracts/purchase orders have been executed with the above firms, amounts listed are accurate, and payments were made in accordance with contractual obligations. Cancelled checks to S/MBEs working on this project and/or supporting documentation for the information presented in this report will be made available to Town of Hilton Head Island officials upon written request.

Name: _____ Title: _____

Signature: _____ Date: _____



Town of Hilton Head Island
Finance & Administrative Committee
Meeting Dates
Calendar Year 2023

Regular meetings of the Finance & Administrative Committee shall be held on the third Tuesday of each month at 10:00 a.m. in the Benjamin M. Racusin Council Chambers.

February 21	August 15
March 21	September 19
April 18	October 17
May 16	November 21
June 20	December 19
July 18	