



Annual Inclusion Contracting Procurement Report

Office of Diversity and Inclusion

FY 2020

Michael A. Patton, MNA-Diversity, Compliance &
Inclusion Officer



CITY OF SOUTH BEND
OFFICE OF DIVERSITY & INCLUSION

Inclusive Procurement Program Annual Diversity Purchasing report F.Y. 2020 Index

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CITY OF SOUTH BEND OFFICE OF DIVERSITY & INCLUSION

Executive Summary

At the beginning of 2020, South Bend's economy started with low unemployment rates, increased production, and a robust labor market. It was projected to have a prosperous year, but COVID-19 hit our community and devastated our local economy.

The Pandemic caught everyone by surprise, and the local economy took a severe blow in April 2020. Our local business community has drawn negative impacts due to the Pandemic. The hospitality industry, restaurants, and retail were most seriously affected. Manufacturing was severely affected, but they have been able to bounce back. The Pandemic has affected the healthcare industry in many ways. In some hospitals, this has led to delays in non-urgent surgeries. Some elective or nonemergency surgeries may be postponed without a scheduled date. There is also fear, anxiety, and potential risk factors associated with surgical procedures. Therefore, Health Facilities have canceled medical procedures.

Home improvement and construction appear to be doing well because people have been actively involved in working on home projects while working from home. Small businesses have been hit with only 30-45 days of cash flow, which has caused some local companies to close.

Mayor James Mueller confronted the unprecedented public health pandemic by teaming up with Dr. Mark Fox, St. Joseph County Deputy Health Officer, to resolve public health concerns created by the Pandemic. The community was faced with new safety precaution measures, including mask covers, social distancing, and frequent hand washing. Governor Eric Holcomb issued a stay-at-home order requiring non-essential employees to work remotely. The Governor also issued a five-stage plan hoping that the State of Indiana would recover by July 4. The State did not officially reopen and reach stage five until September 26 as the statewide mask order remains indefinitely.

Our local Minority Women Business Enterprise (MWBE) and Minority Business Enterprise (MBE) community were deeply impacted due to the Pandemic. Some businesses could not recover from the lack of resources, social distancing restrictions, and stay home Executive Order by Governor Holcomb. The City of South Bend recognized the economic struggles of residents and the business community by providing resources that would help those impacted by the COVID-19 Pandemic. Those resources included rent & utility support, community health support, food, and Small Business Support.



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The Office of Diversity & Inclusion is in its tenth year and has made tremendous strides while dealing with COVID-19 and our current crisis's challenges. The Office of Diversity & Inclusion shifted as a department to address the needs of small businesses/MWBE's who found themselves in trouble due to our economy coming to a screeching halt. Our office has provided tools and information to companies within our community through webinars and funding opportunities.

The death of Ahmaud Arbery, George Floyd, and several other wrongful killings of black people created a spark that led to worldwide protests to address systematic racism inequities, disproportionate health issues, employment, and housing.

The Office of Diversity & Inclusion has acknowledged the impacts of the COVID-19 Pandemic and the increased effects of race and racism in society. We have taken steps to address structural racism by orchestrating a virtual team meeting to create dialogue within the City of South Bend among Directors, Supervisors, and city employees to address race and unconscious bias within the workforce. We also invited Angela R. Logan-BA, MBOL, Ph.D. Associate Teaching Professor of Management and Organization in the Mendoza College of Business at the University of Notre Dame, Eric Love- Director of Staff Diversity and Inclusion at the University of Notre Dame and Dr. Robert Einterz-St. Joseph County Public Health Department Officer to our Virtual Neighborhood Business Labs to address the following topics, "Building Resiliency," "Conversations on Race," "Racism declared a Public Health Crisis," respectfully. Our efforts have been targeted and intentional around supporting our community.



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2020 OVERALL ANNUAL SPEND AND PARTICIPATION RESULTS

Total Overall Annual Spend Amount	Total # of Payments	Total MBE Annual Spend	Total MBE Annual %	Total WBE Annual Spend	Total WBE Annual %	Total MWBE Annual Spend	Total MWBE Annual %	OVERALL ANNUAL SPEND
\$ 111,432,724	39,797	\$793,590	0.71%	\$3,399,346	3.05%	\$4,192,936	3.75%	

Total Annual Spend Amount	Total # of Transactions	Total MBE Annual Spend	Total MBE Annual %	Total WBE Annual Spend	Total WBE Annual %	Total MWBE Annual Spend	Total MWBE Annual %	PROCUREMENT OF GOODS AND SERVICES
\$77,279,328	38,690	\$680,520	.88%	\$1,828,162	2.3%	\$2,508,682	2.29%	

Total Annual Spend Amount	Total # of Contracts	Total MBE Annual Spend	Total Annual MBE %	Total Annual Spend WBE	Total Annual WBE %	Total MWBE Annual Spend	Total MWBE Annual %	BPW CONSTRUCTION
\$34,153,396	58	\$113,070	.33%	\$1,571,184	4.6%	\$1,684,254	4.9%	

*Total Number include prime contractors only

Total Vendors	Total Certified MBE's	Total Uncertified MBE's	Total MBE's	Total Certified WBE's	Total Uncertified WBE's	TOTAL VENDOR COUNT
8,363	No tracking data	No tracking data	87	No tracking data	No tracking data	
	No goal setting	No goal setting measure	1.0%	No Goal Set	No Goals Set	

Source: 2020 ALL Vendor Disbursement Department -Naviline, Dynamics 365 for Finance and Operation (DFO)



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Board of Public Works Q1 Spend 2020

Vendor	Vendor City	Vendor State	Contract Amount	MWBE
MARTELL ELECTRIC	South Bend	IN	\$ 1,436,482.34	No
LARSON DANIELSON CONSTR	LaPorte	IN	\$ 1,174,021.86	No
ARCADIS US INC	South Bend	IN	\$ 383,220.38	No
DC BYERS COMPANY	Grand Rapids	MI	\$ 275,358.19	No
HIGH CONCRETE GROUP LLC	Springboro	OH	\$ 212,562.00	No
INDIANA EARTH	South Bend	IN	\$ 183,846.25	No
BOB FRAME PLUMBING & HE	South Bend	IN	\$ 182,029.61	No
NIEZGODSKI PLUMBING INC	South Bend	IN	\$ 177,869.56	No
BROWN & BROWN GENERAL C	Elkhart	IN	\$ 164,318.46	Yes
GIBSON LEWIS LLC	South Bend	IN	\$ 156,420.07	No
BOWEN ENGINEERING CORP	South Bend	IN	\$ 155,108.40	No
NORTHERN INDIANA CONSTR	South Bend	IN	\$ 143,394.81	No
ZIOLKOWSKI CONSTRUCTION	South Bend	IN	\$ 119,505.56	No
MIDLAND ENGINEERING CO	South Bend	IN	\$ 108,039.11	No
ANCON CONSTRUCTION INC	South Bend	IN	\$ 106,853.39	No
MAJORITY BUILDERS INC	South Bend	IN	\$ 96,179.55	No
WALSH & KELLY INC	South Bend	IN	\$ 80,354.09	No
JONES PETRIE RAFINSKI	South Bend	IN	\$ 74,642.19	No
BLACK & VEATCH CORPORAT	South Bend	IN	\$ 72,781.00	No
RIETH RILEY CONSTRUCTIO	South Bend	IN	\$ 64,516.43	No
LOCHMUELLER GROUP INC	South Bend	IN	\$ 64,209.55	No
MICHIANA CONTRACTING IN	South Bend	IN	\$ 45,520.53	No
ABONMARCHE CONSULTANTS	South Bend	IN	\$ 39,887.85	No
SELGE CONSTRUCTION CO I	South Bend	IN	\$ 26,815.00	No
K&K EARTH MOVING INC	Elkhart	IN	\$ 19,693.00	No
HOMEWORKS CONSTRUCTION	South Bend	IN	\$ 13,550.00	No
TRI M CONSTRUCTION	South Bend	IN	\$ 11,840.00	No
DA DODD INC	Rolling Prairie	IN	\$ 8,614.80	Yes
HRP CONSTRUCTION INC	South Bend	IN	\$ 6,962.95	No
DUDECK ROOFING & SHEET	South Bend	IN	\$ 3,523.51	No
LAWSON-FISHER ASSOCIATE	South Bend	IN	\$ 1,437.39	No
WARDLOW CONSTRUCTION	South Bend	IN	\$ 750.00	No

Grand Total

\$ 5,610,307.83 MWBE Total: \$172,933.26



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Board of Public Works Q2 Spend 2020

Vendor	Vendor City	Vendor State	Contract Amount	MWBE
HIGH CONCRETE GROUP LLC	Springboro	OH	\$ 901,193.99	No
WALSH & KELLY INC	South Bend	IN	\$ 713,733.71	No
BOWEN ENGINEERING CORP	South Bend	IN	\$ 611,721.86	No
HRP CONSTRUCTION INC	South Bend	IN	\$ 595,452.90	No
RIETH RILEY CONSTRUCTIO	South Bend	IN	\$ 340,208.56	No
GIBSON LEWIS LLC	South Bend	IN	\$ 287,164.55	No
HORTON EMERGENCY VEHICL	South Bend	IN	\$ 263,610.00	No
NORTHERN INDIANA CONSTR	South Bend	IN	\$ 236,662.15	No
MAJORITY BUILDERS INC	South Bend	IN	\$ 215,171.05	No
MARTELL ELECTRIC	South Bend	IN	\$ 159,017.36	No
LARSON DANIELSON CONSTR	South Bend	IN	\$ 148,173.33	No
BROWN & BROWN GENERAL C	Elkhart	IN	\$ 143,899.20	Yes
BOB FRAME PLUMBING & HE	South Bend	IN	\$ 129,014.75	No
DUDECK ROOFING & SHEET	South Bend	IN	\$ 126,649.55	Yes
NIEZGODSKI PLUMBING INC	South Bend	IN	\$ 99,660.97	No
LOCHMUELLER GROUP INC	South Bend	IN	\$ 99,587.81	No
ARCADIS US INC	South Bend	IN	\$ 94,320.73	No
DA DODD INC	Rolling Prairie	IN	\$ 57,626.34	Yes
LAWSON-FISHER ASSOCIATE	South Bend	IN	\$ 51,069.44	No
BLACK & VEATCH CORPORAT	South Bend	IN	\$ 34,971.00	No
JONES PETRIE RAFINSKI	South Bend	IN	\$ 23,076.49	No
DC BYERS COMPANY	South Bend	IN	\$ 14,941.60	No
SLATILE ROOFING & SHEET	South Bend	IN	\$ 14,142.50	Yes
ABONMARCHE CONSULTANTS	South Bend	IN	\$ 13,150.00	No
K&K EARTH MOVING INC	Elkhart	IN	\$ 9,610.00	No
TRI M CONSTRUCTION	South Bend	IN	\$ 7,880.00	No
INDIANA EARTH	South Bend	IN	\$ 2,055.00	No
Grand Total			\$ 5,393,764.84	MWBE Total: \$342,317.59



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Board of Public Works Q3 Spend 2020

Vendor	Vendor City	Vendor State	Contract Amount	MWBE
WALSH & KELLY INC	South Bend	IN	\$ 3,547,937.13	No
MARTELL ELECTRIC	South Bend	IN	\$ 1,273,918.71	No
RIETH RILEY CONSTRUCTIO	South Bend	IN	\$ 1,020,093.64	No
HIGH CONCRETE GROUP LLC	South Bend	IN	\$ 856,934.56	No
MAJORITY BUILDERS INC	South Bend	IN	\$ 601,712.34	No
BOWEN ENGINEERING CORP	South Bend	IN	\$ 470,648.05	No
GIBSON LEWIS LLC	South Bend	IN	\$ 427,369.43	No
BOB FRAME PLUMBING & HE	South Bend	IN	\$ 421,726.00	No
NORTHERN INDIANA CONSTR	South Bend	IN	\$ 353,418.68	No
HRP CONSTRUCTION INC	South Bend	IN	\$ 352,545.71	No
ARCADIS US INC	South Bend	IN	\$ 318,553.09	No
NIEZGODSKI PLUMBING INC	South Bend	IN	\$ 313,400.63	No
SLATILE ROOFING & SHEET	South Bend	IN	\$ 273,913.81	Yes
INDIANA EARTH	South Bend	IN	\$ 273,562.69	No
BROWN & BROWN GENERAL C	South Bend	IN	\$ 234,259.34	Yes
LAWSON-FISHER ASSOCIATE	South Bend	IN	\$ 194,583.00	No
BLACK & VEATCH CORPORAT	South Bend	IN	\$ 163,783.00	No
DC BYERS COMPANY	South Bend	IN	\$ 141,975.44	No
LOCHMUELLER GROUP INC	South Bend	IN	\$ 140,939.67	No
ABONMARCHE CONSULTANTS	South Bend	IN	\$ 89,241.50	No
CITY OF ELKHART	Elkhart	IN	\$ 80,000.00	No
K&K EARTH MOVING INC	South Bend	IN	\$ 51,941.68	No
SELGE CONSTRUCTION CO I	South Bend	IN	\$ 44,830.85	No
DA DODD INC	Rolling Praire	IN	\$ 39,412.29	Yes
JONES PETRIE RAFINSKI	South Bend	IN	\$ 30,415.00	No
LARSON DANIELSON CONSTR	South Bend	IN	\$ 24,450.91	No
ALLIANCE ARCHITECTS INC	South Bend	IN	\$ 22,831.00	No
KIL ARCHITECTURE PLANN	South Bend	IN	\$ 22,149.81	No
TRI-M CONSTRUCTION, INC.	South Bend	IN	\$ 19,716.00	No
EPOCH ARCHITECTURE & PL	South Bend	IN	\$ 12,980.16	No
Shakesphere Lighting Design LLC	Bloomington	IN	\$ 12,187.50	No
Ciorba Group, Inc	Chicago	IL	\$ 3,627.25	No
DUDECK ROOFING & SHEET	South Bend	IN	\$ 3,168.50	Yes
AMERICAN STRUCTUREPOINT	South Bend	IN	\$ 2,680.00	No
WBK ENGINEERING LLC	St. Charles	IL	\$ 1,574.00	No
AIS CONSTRUCTION EQUIPMENT	Grand Rapids	MI	\$ 489.28	No
TROYER GROUP INC	South Bend	IN	\$ 119.25	No
Alpine Construction	South Bend	IN	\$ 70.45	No
Grand Total			\$ 11,843,160.35	MWBE Total: \$550,753.94



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Board of Public Works Spend Q4 2020

Vendor	Vendor City	Vendor State	Contract Amount	MBE/MWBE
HIGH CONCRETE GROUP LLC	Springboror	OH	\$ 2,603,276.61	N
RIETH RILEY CONSTRUCTIO	South Bend	IN	\$ 2,544,707.07	N
WALSH & KELLY INC	South Bend	IN	\$ 1,053,846.36	N
MAJORITY BUILDERS INC	South Bend	IN	\$ 669,679.52	N
MARTELL ELECTRIC	South Bend	IN	\$ 668,009.48	N
PREMIUM CONCRETE SERVICE	South Bend	IN	\$406,809.45	Yes
SELGE CONSTRUCTION CO I	South Bend	IN	\$ 403,013.75	N
GIBSON LEWIS LLC	South Bend	IN	\$ 369,415.40	N
HRP CONSTRUCTION INC	South Bend	IN	\$ 351,781.80	N
HARDINGS INC	Lowell	IN	\$ 323,876.00	N
BOB FRAME PLUMBING & HE	South Bend	IN	\$ 194,564.11	N
INDIANA EARTH	South Bend	IN	\$ 190,042.28	N
ARCADIS US INC	South Bend	IN	\$ 174,149.17	N
NIEZGODSKI PLUMBING INC	South Bend	IN	\$ 165,125.16	N
DC BYERS COMPANY	Grand Rapids	MI	\$ 146,110.00	N
SLATILE ROOFING & SHEET	South Bend	IN	\$145,692.63	Yes
LAWSON-FISHER ASSOCIATE	South Bend	IN	\$ 141,518.22	N
John Boettcher Sewer & Exc. Contractor	Mishawaka	IN	\$ 91,594.04	N
LOCHMUELLER GROUP INC	South Bend	IN	\$ 72,328.46	N
MIDLAND ENGINEERING CO	South Bend	IN	\$ 71,100.00	N
ABONMARCHE CONSULTANTS	South Bend	IN	\$ 63,533.65	N
LARSON DANIELSON CONSTR	South Bend	IN	\$ 56,079.53	N
JONES PETRIE RAFINSKI	South Bend	IN	\$ 55,754.25	N
BLACK & VEATCH CORPORAT	Indianapolis	IN	\$ 39,370.00	N
ROADBOTICS LLC	Pittsburgh	PA	\$ 39,280.00	N
BOWEN ENGINEERING CORP	Indianapolis	IN	\$ 34,115.69	N
RITSCHARD BROS INC	South Bend	IN	\$28,500	Yes
DUDECK ROOFING & SHEET	South Bend	IN	\$24,557.50	Yes
AMERICAN STRUCTURE POINT	South Bend	IN	\$ 23,145.60	N
PREMIER ONE CONSTRUCTION	South Bend	IN	\$ 21,500.00	N
CUSTOM FENCE COMPANY	South Bend	IN	\$ 21,237.11	N
K&K EARTH MOVING INC	Elkhart	IN	\$ 19,646.55	N
ZIOLKOWSKI CONSTRUCTION	South Bend	IN	\$ 16,760.85	N
TRI-M CONSTRUCTION, INC.	South Bend	IN	\$ 14,477.00	N
INDIANA DEPT OF TRANSPOR	Indianapolis	IN	\$ 13,920.77	N
PEMBERTON DAVIS ELECTRICAL	Mishawaka	IN	\$ 7,371.71	N
KIL ARCHITECTURE PLANN	South Bend	IN	\$ 7,053.51	N
ALLIANCE ARCHITECTS INC	South Bend	IN	\$ 6,815.45	N
BSR ROOFMASTERS	South Bend	IN	\$ 6,770.00	N
KOONTZ WAGNER CONSTRUCTION SERVIC	South Bend	OM	\$ 5,079.52	N
Shakespeare Lighting Design LLC	Bloomington	IN	\$ 3,240.68	N
BROWN & BROWN GENERAL	South Bend	IN	\$1,750.00	Yes
WBK ENGINEERING LLC	Battle Creek	MI	\$ 1,195.75	N
AEP	South Bend	IN	\$ 530.38	N
EPOCH ARCHITECTURE & PL	South Bend	IN	\$ 450.84	N
AIS CONSTRUCTION EQUIPMENT	Grand Rapids	MI	\$ (30.35)	N

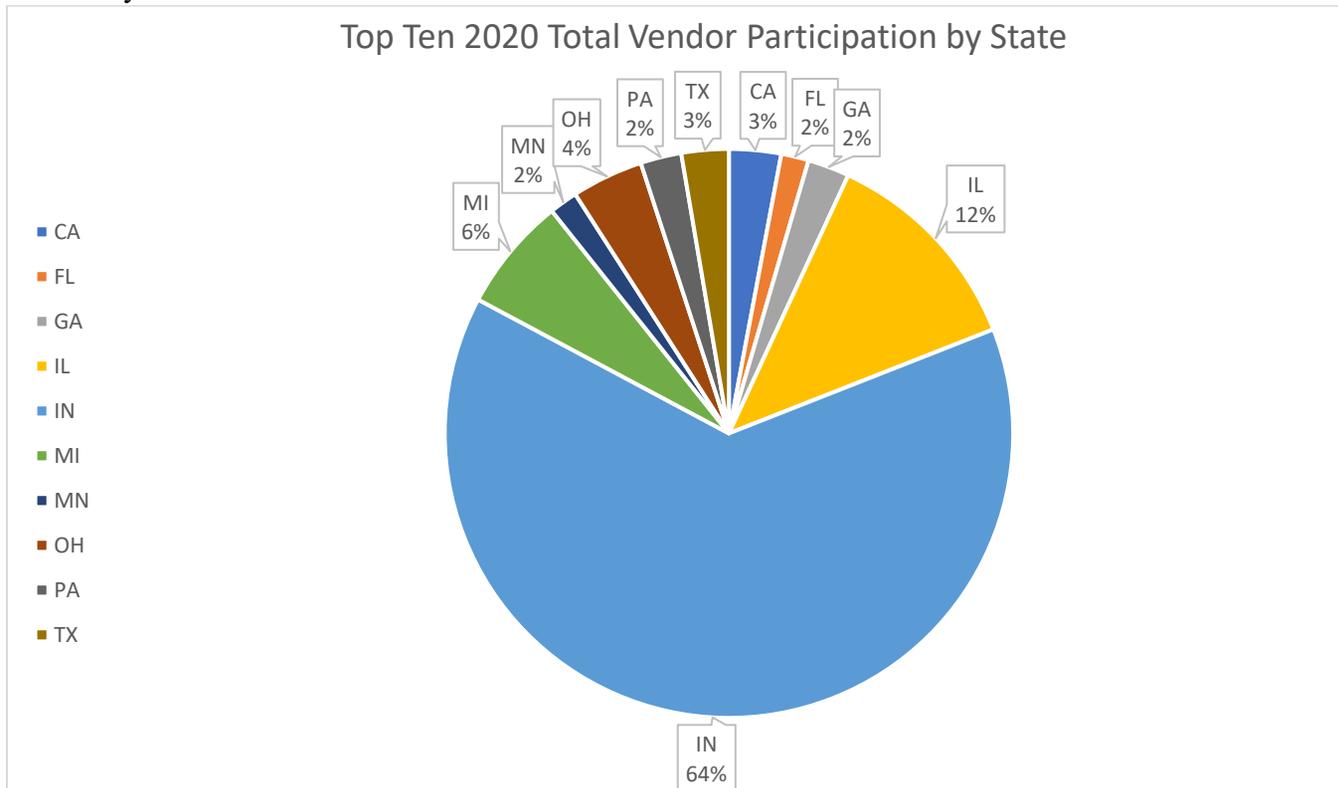
Grand Total

\$ 11,306,162.50 MWBE Total: \$607,309.58



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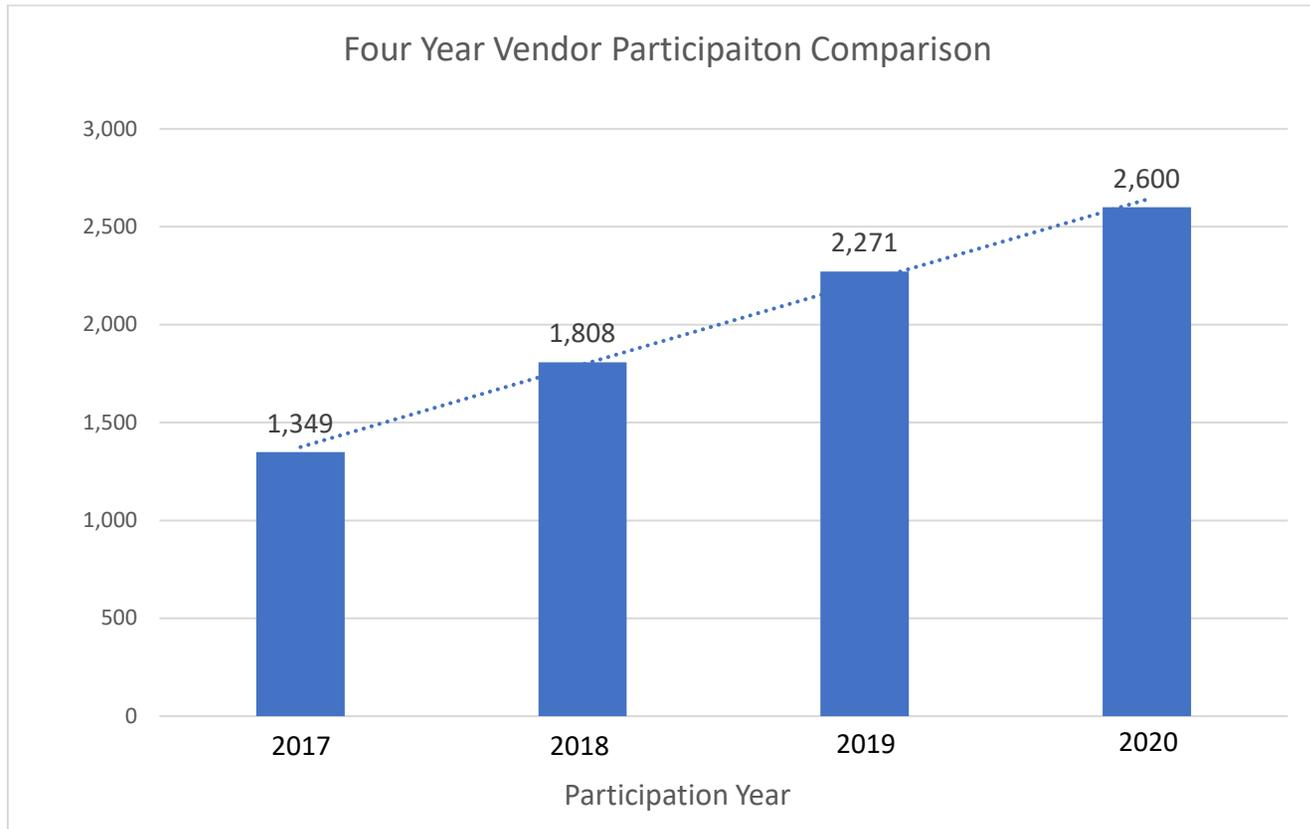
The City of South Bend utilized a total of 2600 vendors in the fiscal year 2020. Most of the vendors, 64%, are located within Indiana state limits. Regional vendors from Illinois, Michigan, and Ohio, 22%, with the remaining 14% coming from a nationwide pool of vendors stretching from California, Georgia, Texas to Pennsylvania.



Source: Naviline and Dynamics 365 for Finance and Operations (DFO) January 2021



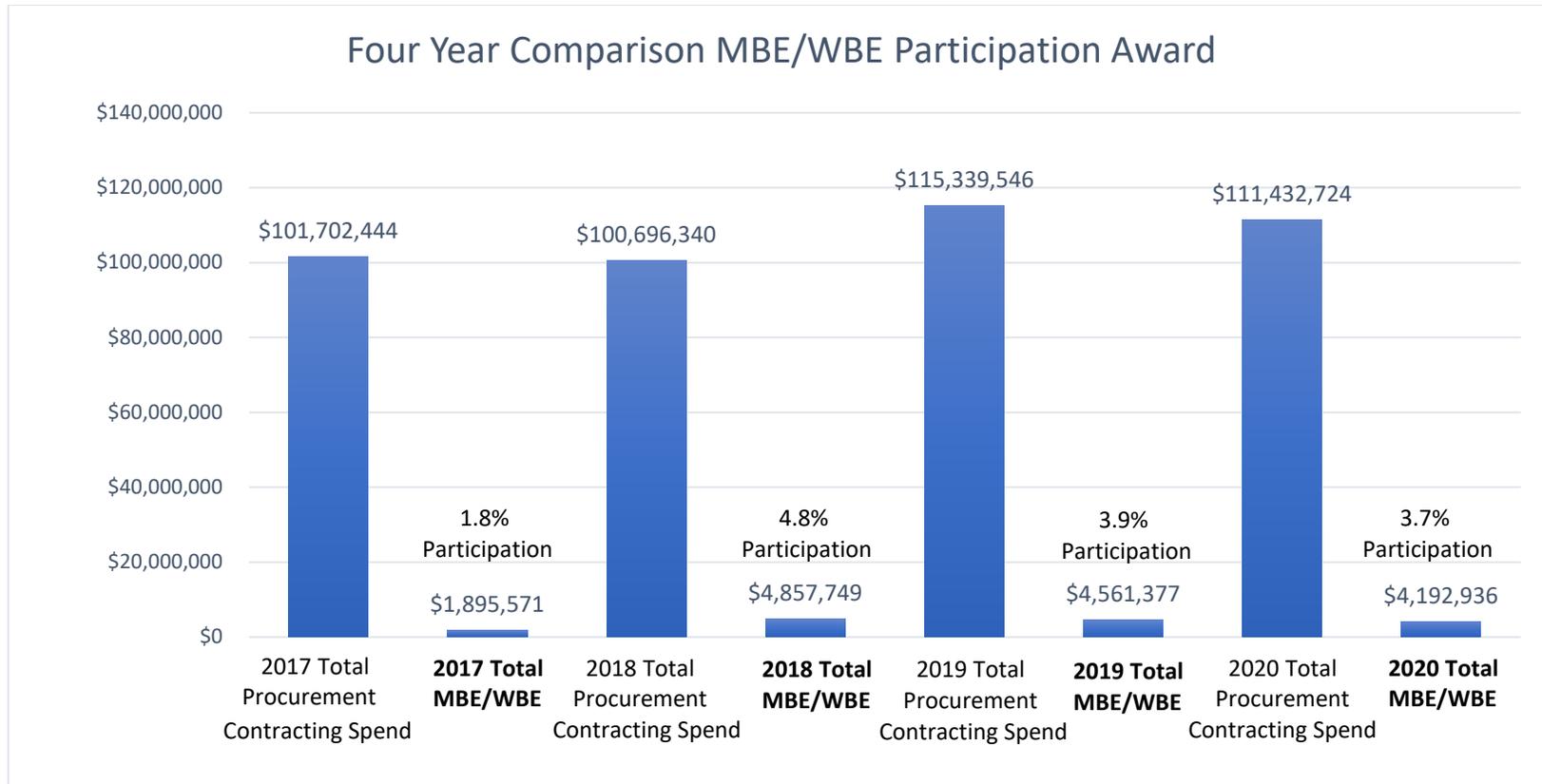
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Source: Naviline and Dynamics 365 for Finance and Operations (DFO) January 2021



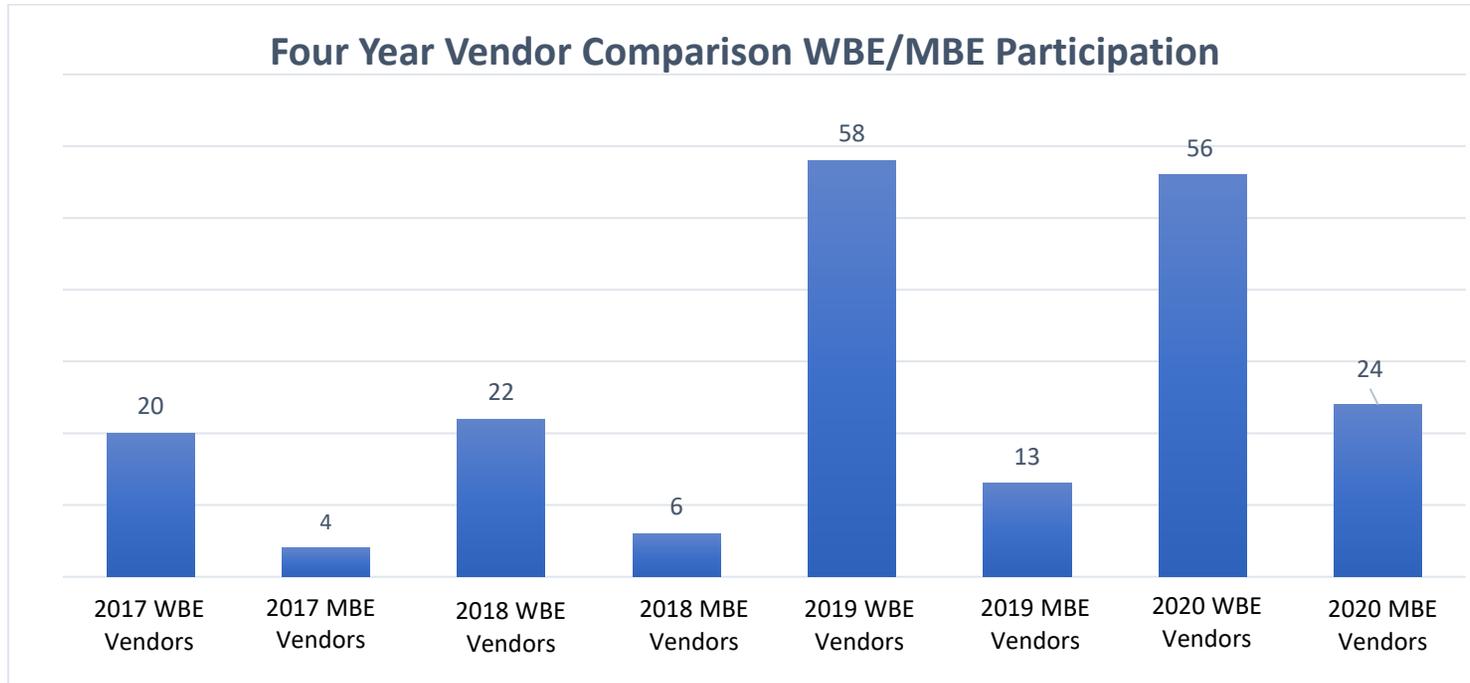
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Source: Naviline and Dynamics 365 for Finance and Operations (DFO) January 2021



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Source: Naviline and Dynamics 365 for Finance and Operations (DFO) January 2021

The City of South Bend utilized a combined total of 24 WBE/MBE vendors for 2017. 2018 increase of 4 and a total of 28. 2019 demonstrated another increase of 43 and 71 combined total. 2020 had an increase of nine and a total of 80 WBE/MBE vendors.



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Source: Naviline and Dynamics 365 for Finance and Operations (DFO)



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Economic Forecast 2020

The COVID-19 pandemic crisis had a substantial impact on all aspects of our lives. Governor Holcomb announced a statewide Executive Order to shut down the State of Indiana in March and eased restrictions beginning in late May. The average unemployment rate soared to 9.7% in April 2020, delivering a severe blow to our local economy.

South Bend ranks as the fourth largest City in the State. A population of 101,000 - 61% of the population is white or Caucasian, 26% is Black or African American, Hispanic, or Latino is 13% (U.S. Census Bureau 7/2019). The average weekly income is \$896 and below the national average of \$1,188. The top three major business sectors are Education and Health Care Services, Transportation, Utilities, and Manufacturing. The South Bend-Mishawaka area lost over 28,000 jobs in April, and these are the most significant one-month employment declines in the history of South Bend. The local economy had come to a standstill, and some businesses did not recover. The Office of Diversity & Inclusion will provide access to tools and resources to address unemployment needs and strengthen our local economy.

Consumers and businesses are more conscious about customer safety and utilizing safety precautions by allowing employees to work remotely. We will see fewer business activities in leisure and hospitality, personal services, and manufacturing in the 1st and 2nd quarters of 2021. "Given the disproportionate representation of black workers in front-line occupations where they face a greater risk of exposure to COVID-19. It is not surprising that illness and deaths are disproportionately found among black workers and their families"-Valerie Wilson-Director of the Economic Policy Institute's Program on Race, Ethnicity, and Economy.

Source: US BLS Current Employment Statistics

Source: IBR/Business Review Source:

U.S. Census Bureau



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Strategy:

The Office of Diversity & Inclusion will provide equitable and fair opportunities, access to tools and resources that foster inclusive workplaces, workforces, communities, and city procurement opportunities. We deliver inclusive policy infrastructure and public-private program partnerships that expand access to talent pools, enforce fair and equitable employment, public accommodations, education practices, and assist in fostering vibrant and inclusive city economies. The Office of Diversity & Inclusion remains focused on preserving Minority-Owned, Women-Owned, Local, and Small Businesses located in the City of South Bend during the Coronavirus Pandemic. During the 2020 calendar, the three (3) significant support areas were integral in the assistance provided by business groups: learning, funding, and COVID-pivots. Due to the unanticipated impact of COVID, many of the initiatives mentioned within the 2020 strategy will require additional effort to reach maturity in the 2021 programmatic cycle.

COVID-PIVOTS:

The Office of Diversity & Inclusion has hosted 13 Virtual Neighborhood Business Labs series to help inform existing businesses and cultivate new small business enterprises. Minority businesses, both small and large, have faced unprecedented challenges in 2020. Throughout the shutdown, the Diversity & Inclusion staff has been working with multiple city departments to ensure the City of South Bend procurement process is compliant and becomes more equitable for all residents. In addition to the Virtual Business Labs, business owners were also counseled on dealing with stress by offering resources and certification opportunities with the Indiana Department of Transportation (INDOT), Indiana Department of Administration (IDOA) City Indianapolis. One of our guests Ernie Rivas- a US Marine veteran, provided a great example of pivoting from transportation shuttle service to making safety masks mandated by the State.



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FUNDING:

While information and opportunity are critical factors in business stability in a pandemic, businesses expressly owned and operated by Minority Business Enterprises (MBE) and Women Business Enterprise (WBE) often work with some of the tightest margins and smallest revenue streams. To address the impact of COVID-19, The Office of Diversity & Inclusion immediately sought opportunities to increase inclusivity in each area; the City of South Bend provided funding to local businesses. Without proper financial support, the formal and informal community sustaining businesses would dissolve overnight. The Office of Diversity & Inclusion team members engaged in numerous policy, programmatic, and strategic discussions throughout 2020 to ensure funding choices were challenged and pivoted to support South Bend. The Office of Diversity & Inclusion has developed sustainable resources to assist small businesses in recovering from financial hardship.

The Federal Paycheck Protection Program (PPP) offered *forgivable* loan dollars to businesses nationwide to preserve the American business infrastructure. During the first round, these funds were approved to support all American businesses; however, large-scale corporations were the primary beneficiary of the funding, while small-scale businesses received little to no support. The first round of the PPP loan program ran from April 3 to August 8; as published by the *Associated Press* in August 2020, minority business owners, many of them just "hanging on" financially, had their applications and inquiries pushed back to the final few weeks of the Program.

The Office of Diversity & Inclusion supported the City of South Bend Emergency Assistance Fair (EAF) that awarded grants totaling \$600,000 to a pair of Community Development Financial Institutions (CDFI's) to provide small loans affected by COVID-19. There were breakout sessions with financial institutions about potential loans, contracts, and application information. The financial institutions participating were 1st Source Bank, Accion Bank, Bankable, Brightpoint, Centier Bank, Notre Dame Federal Credit Union, and Woodforest National Bank.

The Office of Diversity & Inclusion also provided direct engagement to support the application process and communication with business owners applying for the City of South Bend Small Business Resiliency Grant. The Program made available 60 grants from a total of \$300,000 in money received through the Federal CARES Act. As a result of the Office of Diversity & Inclusion, \$100,000 was awarded to Minority and Women-Owned Businesses.



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The Office of Diversity & Inclusion created The Small Business Assistance Suite to provide wrap-around services in legal counseling, accounting, bookkeeping, business coaching, and financial coaching. The goal is to strengthen the small business eco-system through investment in the professional service community, formal economic participation, and increasing utilization of small local minority and women-owned businesses.

The City of South Bend received a \$7.7 Million State of Indiana Grants to increase municipal lending access through the City of South Bend Revolving Loan Fund (RLF). The funding will help grow the regional economy, implement strategies to grow the manufacturing sector, support workforce growth development, and help the local economy recover. The Department of Community Investment will administer the new loan program to small businesses impacted by COVID-19.

FUTURE LEARNING

Learning opportunities or filling the information gap is a top priority for every Diversity & Inclusion team. Both city employees and local business owners must begin to understand where opportunities exist so that the City of South Bend can become regionally, statewide, and nationally competitive.

The Office of Diversity & Inclusion provides training and business community networking opportunities through Facebook and Microsoft Teams for viewers to access remotely. The Diversity & Inclusion Team has contacted approximately 3,000 statewide certified vendors to register with the City of South Bend and promote inclusion for future construction, goods, and service contracts. The goal is to offer the growing population of business owners and City departments a direct communication line for future procurement needs.

Through Race and Gender Conscious measures, certified Minority and Women Business Enterprises (MWBE) can help bridge the income, participation, and information gap to diversify the City of South Bend Labor Force. Given the legacy of discrimination and well-documented isolation of minority/women firms within the construction industry, these firms are the most likely to offer an organizational culture that will retain the workforce.



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For this reason, the expansion of MWBE contracting opportunities will not only address equitable development and community wealth-building goals but will also reduce labor force challenges within the construction industry. Strengthening accountability mechanisms will ensure policy goals are met; this includes assigning a percentage goal for each applicable City of South Bend project, per the *narrowly tailored* inclusion criteria put forth by the United States Supreme Court. This percentage represents the City of South Bend's firm commitment regarding inclusive economic practices for all residents' benefit.

To achieve the above-stated outcomes, The City of South Bend has established partnerships with the Indiana Department of Administration (IDOA), South Bend/Elkhart Regional Partnership, Latino American Chamber of Commerce, University of Notre Dame: South Bend Entrepreneurship and Adversity Program, North Central Indiana Small Business Center at Indiana University South Bend, the SPARK Program at Saint Mary's College, Indiana Small Business Administration (SBA), and the North Central Indiana Business Conference for Minority and Woman-Owned Small Businesses which provides local and regional business owners exposure to best practices, networking with procurement leadership from major organizations, and financial resources for business stabilization and scaling.

The City of South Bend must ensure that procurement policies are enforced and effectively implemented. The Office of Diversity & Inclusion will also increase the utilization of race and gender-neutral measures: engage with community organizations to understand local demand, promote business networking, and increase the opportunity for prime contractors to reach their MWBE utilization. Challenges have existed on both the demand and supply side of the MWBE industry.

Leveraging City procurement and contracting alongside anchor institutions like The University of Notre Dame, Beacon Healthcare Systems, South Bend Community School Corporation, AM General, procurement and contracting to intentionally support MWBE's located within the City's geographic marketplace, especially those situated within The South Bend Opportunity Zones, and HUB zones by using a Community Benefits Agreement designed to purposefully close the racial wealth gap for all City of South Bend residents. South Bend will explore opportunities to identify other certifying agencies within our geographic marketplace whose vetting requirements meet or exceed IDOA requirements. This vetting process increases our list of viable MWBE firms for local, regional, and national invitations to bid, quote, or otherwise contract for procurement opportunities with the City of South Bend.



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Definitions:

Agency means the City's "Purchasing Agency" as established in Ordinance No. 8956-98, which through its named agents has all powers and duties under Ind. Code 5-22, including purchasing for the City and adopting rules and policies for the City's purchases consistent with Indiana law.

Annual city goal means the overall target for MWBE utilization in City contracts (prime contracts and subcontracts combined) as defined by the calculation method used in the City's most recent MWBE Disparity Study. It should be the basis for consideration of overall annual spending targets for City funds. This target can be the City's goal for its overall spending with certified firms across all industry categories.

Award means contracts approved by the Board of Public Works for award to a vendor in accordance with The City of South Bend purchasing the policy.

Bidder means any person, partnership, corporation, limited liability company, association, or Joint Venture seeking to be awarded a City contract.

City-means the City of South Bend, Indiana.

City's Geographical Marketplace means all of Indiana plus Berrien County, Michigan.

Contract means any contract over \$50,000 that is awarded by the City, through any of its agents, boards or commissions for work, labor, services, supplies, equipment, professional services, goods, construction, or construction-related activities, and materials or any combination of the foregoing; the term specifically includes but shall not be limited to, any purchase or lease of materials pursuant to I.C. 36-1-9.5, any public work project authorized pursuant to I.C. 36-1-12-4, or contract in which public bids are not required by law.

Contract goal means a calculation prepared by the Contract Compliance Coordinator with Program Administrator approval that includes all the following factors: the detailed cost estimate of the work to be performed, or goods purchased; the City's marketplace as defined in this Section, and the availability of MWBEs/DBEs and non-MWBEs/DBEs in the City's marketplace determined on a contract-by-contract basis.



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A Contracting agency means the City department, agency, board, or commission, having the power to award a City contract.

Contractor means any person, partnership, corporation, limited liability company, association, or Joint Venture that has been awarded a City contract.

Disadvantaged Business Enterprise (DBE) means for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis. DBEs must receive DBE certification from the relevant State- generally through the state Uniform Certification Program (UCP). To be regarded as economically disadvantaged, an individual must have a personal net worth that does not exceed \$1.32 million. To be seen as a small business, a firm must meet SBA size criteria AND have average annual gross receipts not to exceed \$23.98 million. Size limits for the airport concessions DBE program are higher.

Discriminatory practice means the exclusion of a person or persons from equal business opportunity because of age, race, sex, religion, color, national origin, ancestry, disability, sexual orientation, or gender identity.

Doing business means engaging in for-profit activities in the scope of the expertise of the firm and having a physical location from which to do so.

Emergency contract means a contract that is awarded on an emergency basis due to a threat of harm to a person or property or threat of disruption of governmental services.

Emerging business means a firm in a line of business formed around a new product or idea that is in the early stages of development and or a disadvantaged business that has been formed to meet local market demand. An emerging industry typically consists of just a few companies and is often centered around a new technology or new industry in the City's established geographic and target marketplace.



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Goal-Eligible Contract refers to a contract that can be divided in a way that would allow a subcontractor to perform a commercially useful function AND that contains work represented by at least one of the NAICS codes listed in Table 4-9 ("Unweighted Availability") in the 2019 City of South Bend Disparity Study. This Table 4-9 is reproduced as Attachment A to the Program Plan and will be updated quarterly with new availability estimates. Goal-Eligible Contracts must be bid through the Board of Public Works.

Goal waiver means the acceptance of the lowest responsive and responsible bidder, despite an inability to meet the established contract goals, as a result of the bidder's demonstration of good faith efforts to achieve the contract goals.

Good faith efforts mean actions undertaken by a contractor to achieve a contract goal, which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the Program's goals.

Inclusive Procurement and Contracting Board means the board established by City of South Bend Ordinance No. 10693-19.

Joint venture means an association of two or more persons, or any combination of types of business enterprises and persons numbering two or more, proposing to perform a single for-profit business enterprise, in which each joint venture partner contributes property, capital, efforts, skill, and knowledge, and in which the MWBE is responsible for a distinct, clearly defined portion of the work of the Contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture is equal to its ownership interest. Joint ventures must have an agreement in writing specifying the terms and conditions of the relationships between the partners and their relationship and responsibility to the Contract.

Local business means a small business located within the City's Target Marketplace, where at least 30% of firm employees live within the City's Target Marketplace geographic boundaries.

Mayor means the Mayor of the City of South Bend, Indiana.

Minority individual means a person who is a United States citizen and is a member of any of the following:

a) "Black Americans," which includes persons having origins in any of the Black racial groups of Africa, such as African-American, Sub-Saharan African, and Afro-Caribbean;



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- b) "Hispanic and Latino Americans," which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
- c) "Native Americans," which includes persons who are enrolled members of a federally or state-recognized Indian tribe, Alaska Natives, or Native Hawaiians;
- d) "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), Republic of the Northern Marianas Islands, Samoa, Macao, Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong;
- e) "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;

Minority-Owned Business Enterprise (MBE) means a sole proprietorship, partnership, corporation, limited liability company, Joint Venture, or any other business or professional entity:

- a) Which is at least 51% owned by one or more minority individuals, or in the case of a publicly owned business, at least 51% of all classes of the stock of which is owned by one or more minority individuals.
- b) Whose management, policies, major decisions, and daily business operations are independently managed and controlled by one or more such more minority individuals; and
- c) For which minority individuals have an interest in the capital, assets, and profits and losses of the business proportionate to the percentage of ownership.



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Program Administrator- means the person designated by and reporting directly to the Mayor to support the City's inclusion, diversity, equity, and access goals. At the passing of this ordinance, the appointee shall be the Diversity Compliance and Inclusion Officer, the title of whom is subject to future change. The appointee shall work with the City's Inclusive Procurement and Contracting Board, Legal Department, and contracting agencies to assist in making recommendations, overseeing, implementing, and enforce Ordinance Chapter 14.5

Small business means a small business defined by the U.S. Small Business Administration size standard relevant to a firm's primary category of work.

Small Local Emerging Business Enterprise (SLEBE) means a Small Local Emerging Business Enterprise recognized as such by the City for purposes of this ordinance.

Subcontractor means any person is entering a contract with a contractor to directly furnish services or supplies toward the agreement.

Utilization Plan means the list of Minority and Women Business Enterprises that the bidder commits will be utilized to meet the contract goals, the scopes of the work, and the dollar values or the percentages of the work to be performed.

Woman/Women means a person or persons who are United States citizens of the female gender.

Woman-Owned Business Enterprise (WBE) means a Small Local Business Enterprise, including a sole proprietorship, partnership, corporation, limited liability company, Joint Venture, or any other business or professional entity:

- a) Which is at least 51% owned by one or more Women, or in the case of a publicly owned business, at least 51% of all classes of the stock of which is owned by one or more Women;
- b) Whose management, policies, major decisions, and daily business operations are independently managed and controlled by one or more such Women; and
- c) For which women have an interest in the capital, assets, and profits and losses of the business proportionate to the percentage of ownership.



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APPENDIX

Summary of Procurement Process

1. Procurement Forecast Template – The purpose of this template is for planning purposes; help identify procurement opportunities and reporting alignment with available projections of future contracting opportunities. Improve the quality of integration supply and increase MBE/MWBE participation with The City of South Bend.

Please visit our website: <https://southbendin.gov/doing-business/> for a variety of resources, including vendor registration, submit a city contract bid, apply for a business license, and other helpful resources.

(*) Anne Fuchs-has transitioned into a new role as Clerk of the Board of Public Works and taking over the responsibilities of Linda M. Martin as of January 2021.

