



CITY OF
Tulsa
A New Kind of Energy™

SMALL BUSINESS ENTERPRISE (SBE) PROGRAM

Mission Statement:

The City of Tulsa is committed to supporting a competitive and diverse business environment in the Tulsa Metropolitan Statistical Area by promoting the growth and success of local small businesses.

Policy Statement

It is the policy of the City of Tulsa to ensure non-discrimination on the basis of race, religion, color, creed, national origin, sex, disability or age in the award and performance of its contracts. The City of Tulsa Small Business Enterprise (SBE) Program is designed to create an environment in which small businesses have the opportunity to participate in the contracting of contract goods and services financed with local, state and/or federal funds. The SBE Program is available to small businesses meeting program criteria without regard to whether the business owner or principals are part of any protected class under Title 5 Tulsa Revised Ordinance.

Purpose

The City of Tulsa SBE Program is a race and gender-neutral program consistent with the requirements of Title 5, Section 100 of the Tulsa Revised Ordinances (Ordinance No. 23160), which states it is the policy of the City of Tulsa to encourage the utilization of small business enterprises by persons who contract with the City, and to not grant preferential treatment to, or discriminate against, any individual or group who contracts with the City on the basis of race, color, sex, ethnicity, or national origin, and to encourage the employment of residents of the City and the Metropolitan Statistical Area ("MSA") in public improvement contracts.

Program Goals

The City of Tulsa Small Business Enterprise (SBE) Program is designed to directly support the development and growth of small enterprises, to promote opportunities for those businesses to bid with the City of Tulsa and develop successful partnerships with general contractors in support of bona-fide SBE businesses. Additionally, the City of Tulsa SBE Program includes supplemental components such as education and outreach to increase the development of managerial skills, communication skills, as well as other progressive tools to assist with the growth of participating SBE businesses.

Eligibility

Any small business established for profit, and which meets the program standards outlined herein, is eligible to participate in the City of Tulsa Small Business Enterprise (SBE) Program.

Benefit of Participation

The City of Tulsa overall, aspirational goal for total small business utilization is six to ten percent (6% - 10%). The Mayor's Office for Human Rights will be responsible for administration and maintenance of the SBE Program. The department will coordinate and provide educational, partnering, and networking opportunities designed to help the small business entrepreneur owner become successful in increasing growth and development of his or her business.

SBE Standards

After reading the contents of this document, a business meeting *all standards* herein is encouraged to complete and submit the attached forms (the same forms are also available from the <http://www.cityoftulsa.org>), in order to be considered as a qualifying SBE participant.

The businesses applying must certify that they comply with the following requirements. False statements could result in applicable civil and criminal penalties being imposed on the business, and/or its owners or principals. These penalties may include but are not limited to the business being suspended from doing business with the City of Tulsa for one year.

Qualifying Standards as a City of Tulsa SBE Program Participant

1. **Size:** The business shall have adequate workforce to meet contract performance requirements with an average gross receipts or sales (over the previous three years or for the life of the business) of goods/ services/supplies of less than 3 million dollars or construction of less than 5 million dollars.

2. **Independence:** The business must be for-profit which is independently owned and maintain a physical address in the Tulsa Metropolitan Statistical Area (Tulsa, Osage, Rogers, Pawnee, Wagoner, Creek and Okmulgee Counties). The business shall have one or more of its staff based at such location that performs a commercially useful function.

Small Business Enterprise (SBE) shall mean an independently owned, operated and controlled business which is not dominant in its field of operation and is a provider of supplies, services or construction. Eligibility will be determined based on completed **“Project/Work Experience Form”**. Managing multiple SBE businesses under one parent company (i.e. “spin off” companies) with shared management, personnel, facilities, equipment, financial or other resources, for the purpose of qualifying is prohibited in the program.

3. **Integrity:** The City of Tulsa SBE Program will consider whether a business has exhibited a pattern of conduct indicating its involvement in attempts to evade or subvert the intent or requirements of the SBE program. Examples include but are not limited to:

- a. A business that would otherwise be deemed ineligible establishes other businesses for the distinct purpose of meeting the size requirement and participating in the SBE Program.
- b. An SBE business consistently bids and is awarded contracts but does not have access to equipment or resources necessary to perform the work.

4. **Capacity:** The business owner or employees must have the training/expertise and ability to perform the work independently relative to its field of operation, and has a license or certificate issued in their name where required.

5. **Ownership:** The owner or owners shall be U.S. citizens or lawful permanent, residents of the United States.

Application Instructions

To apply as an SBE with the City of Tulsa, please complete the entire application and affidavit.

Step 1: The owner in a sole proprietorship, or the majority owner in a corporation, limited liability company or partnership, must sign the Affidavit included as part of the SBE Application.

Step 2: See “SBE Program Checklist on page 6 and provide all supporting documents.

Step 3: Retain a copy of the completed application with all documentation submitted to the Mayor’s Office for Human Rights for your records.

Step 4: Deliver completed application with all supporting documents to:

Mail: City of Tulsa – Mayor’s Office for Human Rights – 175 East 2nd Street, Suite 675
– Tulsa, OK 74103.

Email: HumanRightsDepartment@cityoftuls.org

Deliver: City of Tulsa – City Clerk’s Office (Main Entrance) – 175 East 2nd Street, Tulsa.

Processing Time

If the application is properly completed and all supporting documents have been submitted, processing may be completed within 30 days. Applications are processed by date of receipt on a first-in, first-out basis. Applications that are not notarized and do not bear the signature of the owner(s), will not be accepted. Incomplete applications will be destroyed after 30 days.

Notification of Changes and Application Updates

If the information provided in the application should change, you must provide written notice to the Mayor’s Office for Human Rights within fifteen (15) days of the change. You may be required to complete a new application. Failure to properly comply with this requirement and/or fully cooperate and/or communicate with the Mayor’s Office for Human Rights on any SBE related matter or program may lead to a loss of SBE program membership status.

It is the responsibility of the business to make sure its information remains current. Prior to expiration of membership status, the SBE should retrieve the application from the City Clerk’s Office to maintain current contact the Mayor’s Office for Human Rights for updated materials or download a new application from www.cityoftulsa.org.

Other

Businesses that are found ineligible for participation, or have otherwise been suspended from participation, may re-apply after the disqualifying condition(s) cease to exist. The Mayor’s Office for Human Rights will evaluate the eligibility of a business on the basis of present circumstances.

Appeals

Businesses will be notified by email of the reasons their application was denied within 30 days of submitting their application. The business may, within ten (10) business days from the receipt of the denial letter, file a written request to the Director of the Mayor's Office for Human Rights to reconsider the decision to deny its application. The Director will inform the business owner of their decision within ten (10) business days of receipt of the appeal. Upon notification of the business by the Director, the business may, within five (5) business days, request the matter be forwarded to an ad hoc appeal committee composed of three (3) members from the Human Rights Commission. The business appealing the denial shall provide the committee with a written statement of the reasons for appeal. The committee shall determine whether the request will be heard. If the committee elects to hold a hearing, it shall be held within sixty (60) calendar days from the date that the business filed its initial request. By a majority vote, the committee may uphold or reverse the determination of the Director. The decision by the committee will be final. If the business fails to request a hearing before the committee, within the time frame set herein the application denial shall be final.

Bid Awards and/or Contracts

The Mayor's Office for Human Rights does not guarantee any contracts after the application process has been completed. Bid awards are governed by the applicable City ordinance.

Cooperation

All participants in the City of Tulsa SBE program, including but not limited to SBE businesses and SBE applicants, and any individual who complains to the City about ineligibility of an SBE shall cooperate fully and promptly with the City of Tulsa Mayor's Office for Human Rights in application reviews, compliance reviews, investigations, and other requests for information. Failure to comply or cooperate with any parts of the ongoing application process is grounds for removal as a qualifying City of Tulsa SBE participant.

Small Business Enterprise (SBE) Program Checklist

To qualify as a participant in the City of Tulsa's SBE Program:

- ❖ Owners must be U.S. citizens or lawfully admitted permanent residents of the U. S.
 - ❖ Owners and individuals with an interest in the business must not be currently an officer or employee of the City of Tulsa.
 - ❖ Business must be for profit, independent, and currently a functioning business maintaining a local business presence in the Tulsa Metropolitan Statistical Area (MSA): Tulsa, Creek, Okmulgee, Rogers, Wagoner, Osage or Pawnee counties.
 - ❖ Business owner and/or his employee must have the training/expertise to perform the work, and where required, has an issued license or certificate.
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In order to begin processing the application, copies of ALL supporting documents as they apply to you and your firm must be attached.

All Applicants Must Provide:

- Provide work experience Business Resume or Capability Statement for all owners, officers and anyone listed on the application.
- Completed and signed copy of Request for **Transcript of Business Tax Return** (Form 4506-T due annually).
- Signed and dated Personal Financial Statement for all owners with 20% or more financial interest in applicant firm.
- Provide a list of current licenses/permits held by any owner and/or employee and attach a copy of the license.
- Provide copy of Certification from the Secretary of State of Oklahoma.
- Provide a list of major contracts/projects (goods and services) completed by your firm in the past year.
- Proof of Citizenship: Common documents that establish U.S. citizenship or lawfully admitted permanent residents are:
 - **Birth Certificate**, issued by a U.S. State (if the person was born in the United States), or by the U.S. Department of State (if the person was born abroad to U.S. citizen parents who registered the child's birth and U.S. Citizenship with the U.S. Embassy or consulate);
 - **U.S. Passport**, issued by the U.S. Department of State;
 - **Certificate of Citizenship**, issued to a person born outside the United States who derived or acquired U.S. citizenship through a U.S. citizen parent; or
 - **Naturalization Certificate**, issued to a person who became a U.S. citizen after 18 years of age through the naturalization process.

Certain projects will require bonding. Please ensure you meet all qualifications. All applicants must provide a signed and notarized affidavit. Failure to respond to questions could result in the denial of your firm's SBE application. Please black-out any Social Security numbers from all documents before submitting to the City of Tulsa. The Mayor's Office for Human Rights does not guarantee contracts or membership approval. **Incomplete applications will be destroyed after 30 days.**