

**OFFICE OF THE MAYOR
TULSA, OKLAHOMA
EXECUTIVE ORDER NO. 2018-01**

**ESTABLISHING THE CITY OF TULSA SMALL BUSINESS
ENTERPRISE (SBE) PROGRAM AND ESTABLISHING THE SBE
OVERSIGHT COMMITTEE**

WHEREAS, the City of Tulsa is committed to supporting a competitive and diverse business environment in the Tulsa area by promoting the growth and success of local small businesses; and

WHEREAS, the City of Tulsa seeks to create an environment in which small businesses have an opportunity to participate in the provision of goods and services supported by public funds, without regard to whether the business owners or principals are part of any protected class under Title 5 of the Tulsa Revised Ordinances; and

NOW THEREFORE, by virtue of the authority vested in me as the Mayor of the City of Tulsa, it is hereby ordered that:

Section 1. Purpose – The purpose of this Executive Order is to establish and implement the City of Tulsa Small Business Enterprise (SBE) Program. The 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).

Section 2. Program Goals and Scope – The SBE Program is designed to support the development and growth of small enterprises, by promoting opportunities for those businesses to provide goods and services to the City of Tulsa, and by helping them develop successful partnerships with larger enterprises and general contractors.

Section 3. Eligibility – Any small business located in the Tulsa Metropolitan Statistical Area (Tulsa, Osage, Rogers, Pawnee, Wagoner, Creek and Okmulgee Counties), and interested in providing goods or services to the City, may participate in outreach, educational, and networking opportunities promoted or provided through the SBE Program.

With regard to the Utilization Goal described in Section 4, eligibility will be defined by the following program standards:

- A. ***Size and Capacity:*** An SBE will have an adequate workforce to meet contract performance requirements, with average gross receipts or sales over the previous three years, or for the life of the business, of less than three million dollars (less than five million dollars for construction). An SBE will not be dominant in its field of operation, but its owner(s) and

employees will have the training, expertise, and ability to perform the work required, and must have all necessary licenses and certificates issued in their names.

- B. **Independence:** An SBE will be independently owned, operated, and controlled at a physical address in the Tulsa Metropolitan Statistical Area. The business will have one or more of its staff based at such location, performing a commercially useful function. An eligible participant will not manage multiple SBEs under one parent company, with shared management, personnel, facilities, equipment, or financial or other resources.
- C. **Reciprocity:** The SBE Program will grant reciprocity of membership to certified Oklahoma Department of Transportation DBEs which are located in the Tulsa Metropolitan Statistical Area.

Section 4. Utilization Goal – The City of Tulsa will pursue an initial overall goal for SBE utilization of ten percent (10%) of all agreements and contracts with the private sector for services, goods, supplies, and construction activities. The overall goal for SBE utilization shall be reviewed and may be adjusted by the SBE Oversight Committee annually.

Section 5. Responsible City Departments –

- A. **Outreach and Education:** The Mayor’s Office of Economic Development and the Mayor’s Office for Human Rights, in conjunction with the Economic Development Commission, the Tulsa Regional Chamber, and other community partners, shall develop, provide, and promote small business outreach, education, professional development, and networking opportunities. These departments shall work closely with the Communications and Information Technology departments to create and maintain a unified web portal for small business engagement and development, integrated with or accessible from the City of Tulsa’s web site.
- B. **SBE Utilization:** The Mayor’s Office for Human Rights shall administer and track SBE utilization, working directly with contracting departments, and shall provide quarterly reports regarding SBE utilization, recruitment, and programming to the SBE Oversight Committee. Contracting departments will provide timely and consistent utilization data to the Mayor’s Office for Human Rights.
- C. **SBE Oversight Committee:** The SBE Oversight Committee shall consist of the following individuals or their designees: the Mayor, the Chief of Economic Development, the Director of the Mayor’s Office for Human Rights, the Director of Engineering Services, the City’s Purchasing Agent, one (1) SBE program participant, and one (1) representative from either the Association of General Contractors or Associated Builders & Contractors.

The SBE Oversight Committee shall meet at least quarterly and shall receive quarterly reports from the Mayor's Office for Human Rights regarding SBE utilization, recruitment, and programming. Additionally, the Committee shall review the overall goal for SBE utilization annually, and may recommend adjustment of this goal to the Mayor. The Committee shall conduct a review and renewal process for all SBE participants on an annual basis. The SBE Oversight Committee shall also review and recommend to the Mayor policies and operating procedures for the effective implementation and growth of the SBE program.

Section 6. Reservations and disclaimers –

- A. Nothing in this Order shall be construed to create a private right of action to enforce any provision of this Order. Failure to comply with any provision of this Order shall not result in any liability to the City of Tulsa, a municipal corporation.

Section 7. Effective Date. This Order shall take effect beginning with City of Tulsa business opportunities advertised on or after January 15, 2018.

Dated this 10th day of January, 2018.


G.T. Bynum, Mayor

ATTEST:

Deputy
City Clerk





APPROVED AS TO FORM AND LEGALITY:


City Attorney

Asst.