

# Small Diverse Business Participation Survey

ACT 13 OF 2012 FY 2020-21

TOM WOLF, GOVERNOR

CURT TOPPER, SECRETARY OF GENERAL SERVICES

# Background

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This Annual Report for period of April 1, 2020 - March 31, 2021 (Fiscal Year 2020-21) is presented to the State Government Committees of the General Assembly to provide information about the utilization of Small Diverse Businesses (SDBs) in contracting opportunities afforded by unconventional natural gas producers (Producers) as required by Section 2316 of Act 13 of 2012, 58 Pa.C.S. § 2316.

Act 13 of 2012 requires the Pennsylvania Department of General Services (DGS) to survey all Producers, and report on Producers' efforts to provide maximum practicable contracting opportunities to SDBs, including DGS-verified minority, woman, veteran, and service-disabled-veteran-owned business enterprises. The results of the survey are to be compiled and reported annually.

Act 13 requires Producers to maintain policies prohibiting discrimination in employment and contracting based on gender, race, creed, or color; to use DGS's internet database to identify SDBs contracting opportunities; and to respond to the DGS annual survey within 90 days of receipt.

On January 28, 2022, DGS's Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) distributed the survey to Producers identified through the Pennsylvania Department of Environmental Protection's (DEP) Oil and Gas Well Production report (publicly accessible at <https://www.depgreenport.state.pa.us/ReportExtracts/OG/OilGasWellProdReport>) as subject to the requirements of Act 13. BDISBO identified seventy-two Producers active during the reporting period. In collaboration with the Marcellus Shale Coalition (MSC), a trade association which focuses on unconventional shale development from the Marcellus and Utica ventures, it was concluded that thirteen of the Producers either merged with, were bought out by, or were otherwise combined with other unconventional gas Producers tagged for survey distribution, and another six (five likely and one definitively) are conventional gas Producers. Conventional gas Producers are not subject to Act 13 requirements.

The Marcellus Shale Survey was conducted Microsoft Office Forms, an online cloud-based survey application. To encourage a higher survey response rate, BDISBO sent additional email reminders following the initial distribution while the MSC contacted member Producers directly. BDISBO also emailed PDF versions to Producers upon request and provided technical assistance on completing the survey as needed. The survey was designed for ease of mobile, tablet, and desktop accessibility.

A copy of the survey is attached as Exhibit A. Producers were required to respond based on their activities during the period between April 1, 2020, and March 31, 2021.

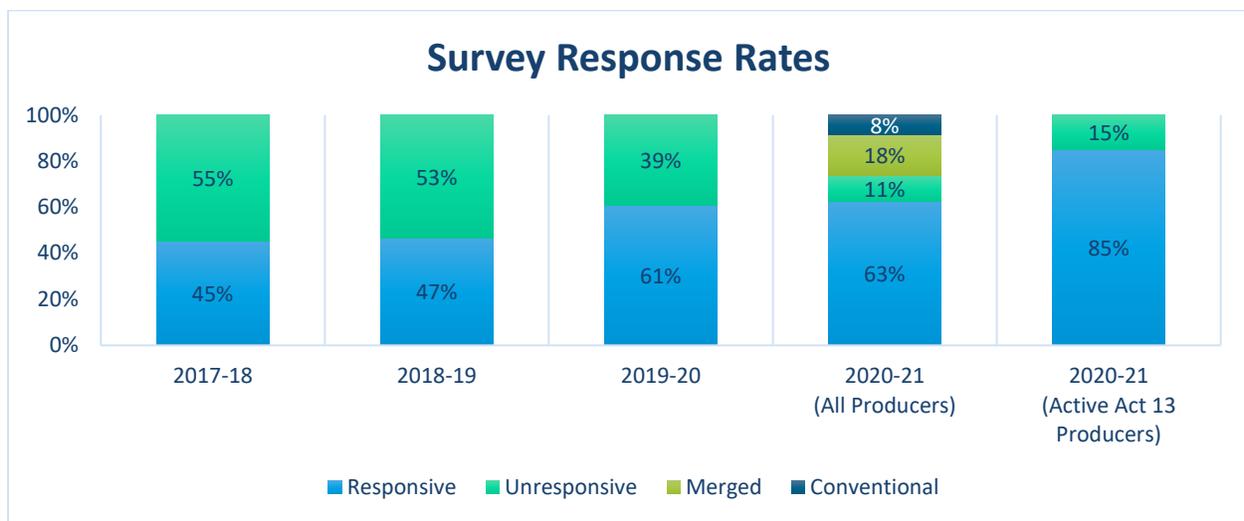
**Note:** Percentages in this report are rounded to nearest one (1) percent.

# Findings & Results

## Overall Survey Responsiveness

The determination of survey responsiveness underwent a change for Fiscal Year 2020-21. Prior to this year, Producers were counted as either responsive or non-responsive regardless of mitigating factors such as mergers, buyouts, unconventional status, and more. Beginning this year, BDISBO began collecting data to establish the reason for non-responsiveness. The result can be seen in the chart below.

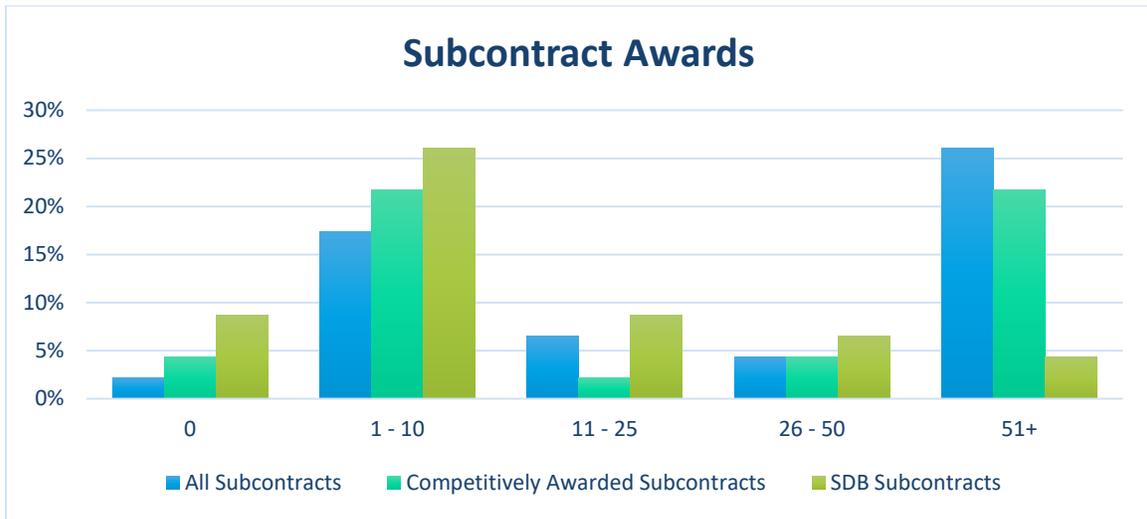
The FY 2020-21 responsive rate remained comparatively stable when contrasted to FY 2019-20, increasing only slightly to 63%. However, when accounting for other factors – Producers that merged with or sold their assets to other Producers, conventional gas Producers improperly included in the DEP Oil and Gas Well Production report who are not subject to Act 13 or 2012, and Producers with unique OGO Numbers (distinct oil and/or gas well operator identifiers) that are actually divisions of the same entity – the non-responsive rate falls dramatically from 39% to 11% overall. When the erroneous records are disregarded entirely so that only active unconventional Producers are considered, the responsive rate increases to 85%.



## Subcontracting Awards

For this survey period, 55% of responding Producers reported awarding one or more subcontracts for services or supplies related to natural gas extraction, 50% reported awarding one or more subcontracts on a competitive basis, and 46% reported awarding one or more subcontracts to SDBs. These figures represent general increase from the FY 2019-20 survey period during which 55% of responding producers reported awarding subcontracts, 45% reported awarding subcontracts on a competitive basis, and 36% reported awarding subcontracts to DGS verified SDBs.

The chart below illustrates the distribution percentage of reported awards by total subcontract awards, SDB subcontract awards, and competitive subcontract awards for FY 2020-21. As can be seen, although a greater number of Producers reported awarding contracts to SDBs compared to the previous fiscal year, SDBs received comparatively fewer contracts when compared to all contracts awarded by Producers. To place it in perspective, 35% of Producers reported awarding 0 – 10 contracts overall and 46% reported awarded 51 or more. When SDBs are taken into consideration, 62% of Producers reported awarding 0-10 contracts and 8% reported awarding 51 or more.



Producers reported making a total of \$326.5 Million payments to SDBs over the reporting period. Producers further broke down 36% of total reported SDB payments by individual subcontractors. This is summarized in Table 1 below where Producers reported, by designation, that they awarded 331 subcontracts to specific SDBs resulting in \$117.1 million in payments during the survey period. However, there is no mechanism or authorization in place for BDISBO to substantiate the number of subcontracts and dollars paid to SDBs.

As captured in Table 2, BDISBO was able to corroborate the certification status of SDBs as defined by Act 13 of 2012 on 20 Producer-awarded contracts that resulted in \$5.4 Million paid to DGS verified SDBs during the reporting period. Almost \$24.9 Million resulting from 32 subcontracts was paid to DGS self-certified Small Businesses (SBs) which are part of the Commonwealth’s race and gender-neutral program but not part of community designated by Act 13 of 2012. SB self-certification is a prerequisite for verification as an SDB by the Commonwealth of Pennsylvania.

Payments made to DGS verified SDBs recognized within Act 13 of 2012 are 2% ( $\$326,530,024.65 / \$5,431,655.91$ ) of what Producers communicated as being spent on SDBs during the reporting period. When the DGS self-certified SBs are included, the figure rises to 9%.

It is possible that many of the subcontractors not verified by DGS as SDB may meet the requirements to be considered SDB but have not completed DGS’s self-certification and verification process. Although problematic, it also presents DGS with the opportunity to engage and assist these subcontractors to complete the certification and verification process.

See Exhibit B in the appendix for a breakdown of the services/supplies provided.

PAYMENTS TO SDBs

**Total Producer Reported Payments to SDBs  
\$326,530,024.65**

**Table 1 – Producer Reported SDBs**

**Table 2 – DGS Verified SDBs**

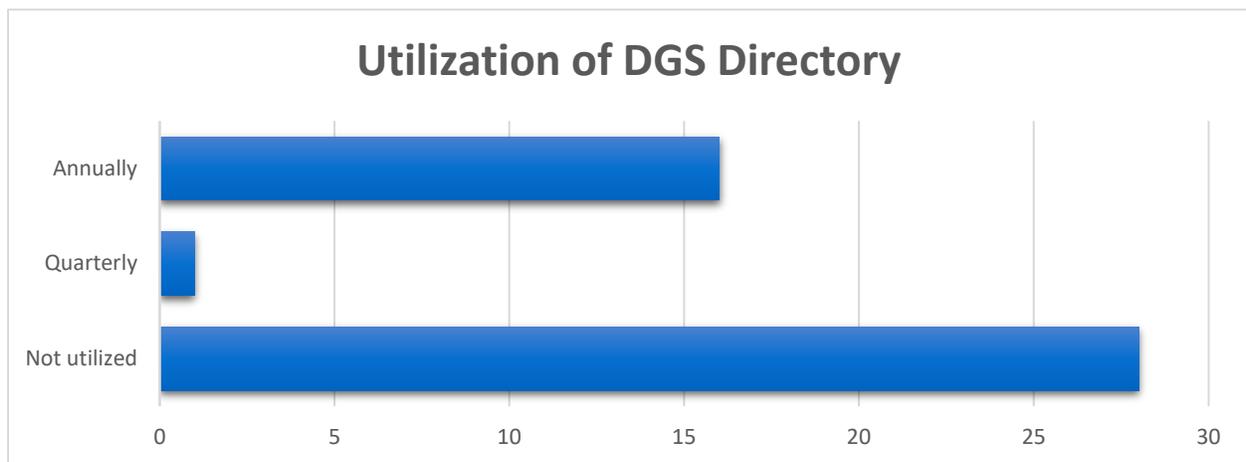
Producer Reported Subcontractors <sup>1</sup>	Awarded Contracts	Amount Paid	%	DGS Verified Subcontractors	Awarded Contracts	Amount Paid	%
MBE	38	\$15,911,404.00	5%	MBE	2	\$194,560.31	0%
WBE	122	\$36,049,207.08	11%	WBE	14	\$2,049,202.07	1%
MWBE	2	\$526,757.51	0%	VBE/SDVBE	4	\$3,187,893.53	1%
VBE	26	\$12,358,851.90	4%	SB <sup>2</sup>	32	\$24,866,380.99	8%
SDB	9	\$18,179,453.30	6%				
SB <sup>2</sup>	105	\$20,695,253.23	6%				
Designation Unknown <sup>2</sup>	29	\$13,411,517.00	4%				
<b>TOTAL</b>	<b>331</b>	<b>\$117,132,444.02</b>	<b>36%</b>	<b>TOTAL</b>	<b>52</b>	<b>\$32,541,799.28</b>	<b>9%</b>
<b>Act 13 SDBs TOTAL</b>	<b>197</b>	<b>\$83,025,673.79</b>	<b>25%</b>	<b>Act 13 SDBs TOTAL</b>	<b>20</b>	<b>\$5,431,655.91</b>	<b>2%</b>

<sup>1</sup>Individual SDBs may be awarded subcontracts by multiple producers reporting disparate SDB designations resulting in individual SDBs being tallied more than once across multiple designations.

<sup>2</sup>Not identified as a small diverse business by Act 13 of 2012.

## Producer Outreach Efforts

Pursuant to Section 2316(b)(2) of the Act, Producers are required to use DGS’s searchable online directory, the Supplier Search, to identify DGS verified SDBs. Of the Producers that responded to the survey, 28, or 62%, indicated that they did not utilize the Supplier Search, while 38% used the database within the reporting period, a slight improvement to the 34% that reported utilizing the database during the prior year. Again, the Act does not provide a mechanism or give BDISBO authorization to enforce Producers to respond to surveys or to comply with the efforts.

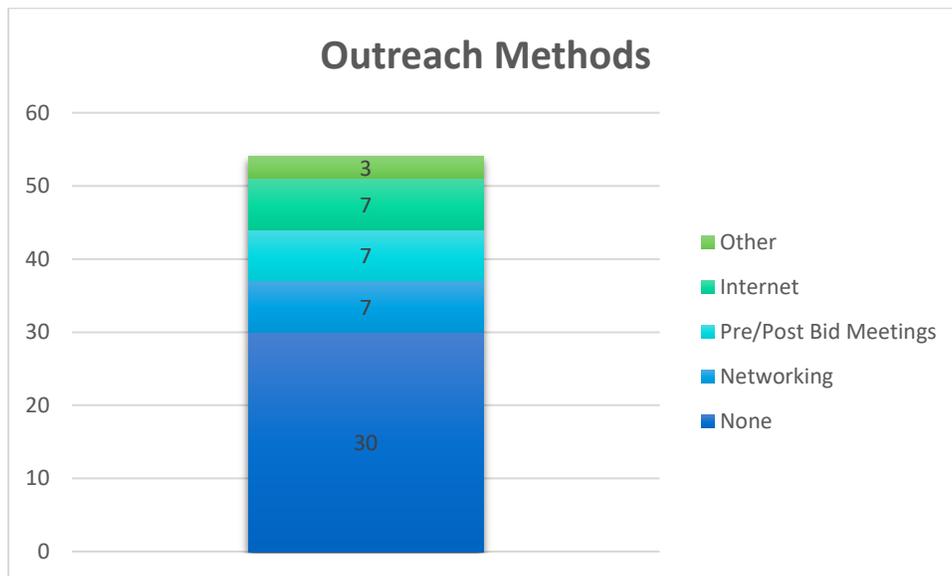


Producers' reasons for their infrequent utilization of the online searchable directory can be summarized as follows:

- Prefer to work with contractors with whom have established history
- Maintain an internal listing of vetted subcontractors
- Use other resources or selection criteria
- Supplier Search was utilized but not limited to DGS verified SDBs<sup>1</sup>
- No additional subcontractors required
- Didn't know about database

Producers advanced use of other outreach tools to contact potential SDBs. In general, they attend networking events and pre- and post-bid meetings likely to be attended by SDBs, and they posted bid opportunities online. Some have established relationships industry groups, other third-party certifiers, or SDBs with whom they've previously worked. Others utilized various supplier registries, associates, or word of mouth to locate qualified subcontractors. One Producer, Chesapeake Energy Corporation, has established an internal supplier diversity program to increase the number of diverse suppliers utilized by the company, including minority, woman, disabled, LGBTQ+, and veteran-owned businesses, within the geographic operating location.

There are no mechanisms in place for BDSIBO to verify outreach efforts.



## How can we help?

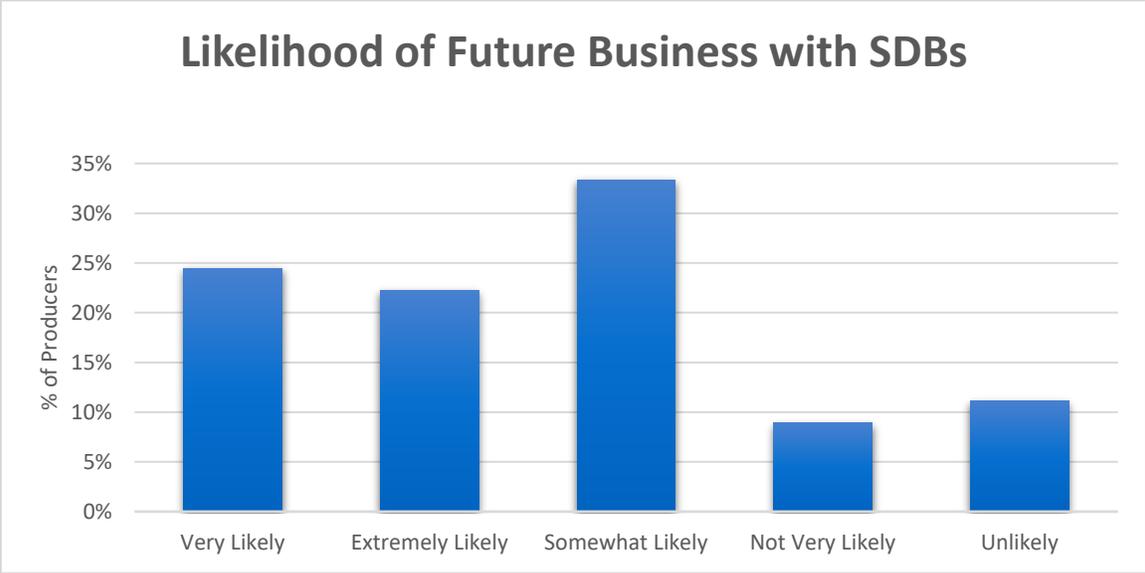
To better understand our Producers as they strive to comply with Act 13 and its mandate to provide maximum practicable contracting opportunities to small diverse businesses, BDISBO included additional questions in the Marcellus Shale Survey. See, Exhibit A (page 8).

BDISBO's analysis of the data received from the survey shows that:

- 65% of Producers reported *Always* or *Often* having written subcontract agreements. The number increased to 76% when Producers utilized SDBs, on par with the level reported last year.
- 54% of Producers indicated they *Always* or *Often* included an estimated dollar value that they agreed to pay to their subcontractors which increased to 62% when Producers utilized SDBs.

<sup>1</sup> The Supplier Search includes Act 13 SDB and VBE designations, SDB designations not identified by Act 13, self-certified Small Businesses, prime contractors, COSTARS contractors, and contractors registered in Jaggaer.

- 80% of Producers conveyed they would be at least *Somewhat Likely* to utilize SDBs in the future compared to 68% last year; however, 11% of Producers said they would be *Unlikely* to utilize SDBs in the future, which is an increase over last year's value of 7%.



# CONCLUSION AND RECOMMENDATIONS

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## Producer Compliance with the requirements of Act 13

As noted in the background at the beginning of this report, among the duties assigned to Producers by Act 13, Producers are required to 1) respond to the annual Act 13 of 2012 survey disseminated by the Department of General Services, 2) Use the online DGS Supplier Search to identify minority, woman, and veteran-owned businesses, and 3) Maintain policies prohibiting discrimination in employment and contacting based on gender, race, creed, or color. Analysis of FY 2020-21 survey results reveals that 85% of Producers contacted were responsive to this year's Act 13 survey, and of those, only 38% indicated using the online Supplier Search at least once per year.

Following analysis of the responses, it is evident that some Producers utilizing the DGS Supplier Search are doing so incorrectly. This partly explains the disparity between Producer reported SDB utilization and actual utilization of DGS verified SDBs. Analysis also shows that several Producers are utilizing other methods to find minority, woman, and veteran-owned businesses to engage when they require additional materials or services related to natural gas extraction. One maintains an internal listing of suppliers that self-identify as minority, woman, and veteran-owned businesses and encourages these suppliers to register with the Department of General Services as diverse.

Cultivating cooperative and mutually beneficial relationships between Producers and SDBs is a challenge DGS takes seriously as we strive to meet our goals to efficiently, effectively, and safely deliver exceptional value for all Pennsylvanians. DGS continues to collaborate with DEP and Marcellus Shale Coalition and participate in industry program events in order to promote the utilization of SDBs in this industry.

## Recommendations

DGS remains concerned that Producers are insufficiently utilizing DGS verified SDBs. Section 2316(b)(2) of Act 13 states that Producers shall "Use the database available on the Internet website of the Department of General Services to identify certified diverse small businesses, including minority-owned business enterprises, women-owned business enterprises and veteran-owned businesses, as potential contractors, subcontractors and suppliers for opportunities related to unconventional natural gas extraction."

DGS recommends that the General Assembly review Act 13 and consider potential amendments to Section 2316, such as:

1. **Mandating that Producers create an SDB utilization plan.** The Marcellus Shale Report for FY 2019-20 analysis reflects that most of the Producers did not utilize the searchable online directory of Small Diverse Businesses as required by Section 2316 of Act 13. A partnership that includes Producers, SDBs, and the commonwealth working together to create a strategy and plan of action would foster greater collaboration between the interested parties would result in an increased usage of DGS's Supplier Search.
2. **Adding sanctions Against producers for non-compliance with the duties outlined in the Act.** Although Producers report subcontracting to SDBs, only a fraction of the subcontractors are positively identified as DGS verified. Producers that do not use the online directory of DGS verified SDBs cannot be penalized. Further, there is currently no mechanism beyond continual reminders and follow-up to ensure Producers complete the survey as is required by the Act. Amending Act 13 to include sanctions for non-response and non-compliance would send a firm message to Producers of the importance of providing opportunities for SDBs to work as subcontractors and suppliers.
3. **Allowing the audit of producers for compliance with the Act.** The Act also contains no provisions that would allow for auditing of Producers' compliance with their responsibilities under the Act. There is no way to ensure that Producers are complying with the requirement to maintain policies prohibiting

discrimination in employment or contracting. In addition, there is currently no way to verify and confirm that Producers use and pay their SDBs subcontractors and suppliers.

4. **Requiring proactive reporting on utilization of SDBs.** There is currently no requirement in the Act that Producers provide their future plans with regards to using SDBs in the upcoming year. Allowing visibility into Producers' plans would enable DGS to provide technical assistance by identifying SDBs that are ready, willing, and able to perform those services the Producers require.
5. **Establishing goals for SDB participation in activities related to unconventional natural gas extraction and providing incentives for producers to meet and exceed them.** The Act currently lacks targets for utilization of SDBs and incentives for Producers to include SDBs in contracting opportunities.
6. **Expanding the Act to be inclusive of all Small Business, Small Diverse Business, and Veteran Business Enterprise certifications as recognized by DGS.** Although § 2316 of the act covers "Small business participation", it currently recognizes participation that is restricted to minority, woman, and veteran-owned businesses. The Act is not inclusive of participation by DGS self-certified Small Businesses or verified Disability or LGBT-owned Small Diverse Businesses.
7. **Continuing to provide instructions on utilizing the DGS Supplier Search.** All current verified SDBs can be found in DGS's searchable online directory, the Supplier Search. The Supplier Search, however, accommodates more than businesses identified by Act 13 of 2012 as SDB. It includes: 1) Verified disability-owned and LGBT-owned businesses which are recognized as SDBs by the commonwealth but are not designated as SDB within the Act, 2) Self-certified SBs which are part of a race and gender-neutral program prerequisite to SDB verification but, without verification, are not recognized by the Act, and 3) Other businesses that do not participate or are not eligible to participate as SBs, SDBs, or VBEs but are active with other commonwealth programs. Supplying Producers with instructions will arm them with the understanding necessary to identify relevant businesses for utilization. Instructions are available now and will be forwarded to all Producers contacted to complete this year's survey.
8. **Continuing to publicize the Small Diverse Business Participation Survey report to all Producers.** The Small Diverse Business Participation Survey report is made public each year upon completion. Notifying Producers at the time of publication or when asked to complete the next fiscal year's survey may encourage Producers to directly review the annual progress of their collective efforts, including responding to the survey itself, and the impact they can have in the Small Diverse Business community. To this end, along with Supplier Search instructions, DGS will forward Producers a digital copy of this report.
9. **Collaborating with the Marcellus Shale Coalition.** As a trade association for unconventional shale development in the Marcellus region, the MSC includes as members many of the Producers identified by Act 13 of 2012. Cooperation between BDISBO and MSC has improved survey response rates. Continued partnership will assist BDISBO in distinguishing unconventional Producers from the conventional Producers unintentionally included in the unconventional Producer database and provide an avenue for outreach and information to grow SDB utilization in unconventional gas production.
10. **Outreach.** Many of the Producers maintain their own internal listings of subcontractors, including those they have identified as Small Diverse Businesses but which are not part of the DGS database. They often have established relationships with these businesses or they have prequalified them for solicitation when they require certain commodities and services. BDISBO will invite those businesses identified by Producers as small and diverse but which are not DGS verified, to become part of the DGS program. Consequently, this will grow DGS's own database of available SDBs and benefit the businesses themselves by exposing them to additional contracting and subcontracting opportunities with the commonwealth.

DGS is available to answer questions from members of the General Assembly regarding the information presented above.

# EXHIBIT A: Act 13 of 2012 – Small Diverse Business Participation Survey

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## 2020-21 Act 13 of 2012: Small Diverse Business Participation Survey

Section 2316 of Act 13 of 2012, requires the Pennsylvania Department of General Services (DGS) to survey and collect data on producers' efforts to provide maximum practicable contracting opportunities related to unconventional natural gas extraction to small diverse businesses (hereafter SDBs) defined by the Act as minority, woman, and veteran-owned businesses. The results of this survey, including information identifying those companies that do not complete the survey, will be compiled into the Marcellus Shale Annual Report for the General Assembly and made publicly available on the DGS website. Data collection is for activity occurring during the reporting period between April 1, 2020 and March 31, 2021. Act 13 requires producers to respond to the DGS survey within 90 days of dissemination. [[www.legis.state.pa.us](http://www.legis.state.pa.us) (<http://www.legis.state.pa.us>). > Unconsolidated Statutes > Search by Act Number > Year: 2012, Act: 13].

Please be advised that once started, the survey must be completed in one sitting. There is currently no option to save and resume the survey at a later point. View a copy of the survey in PDF format at [www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/Business-Resources.aspx](http://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/Business-Resources.aspx) (<http://www.dgs.pa.gov/Small%20Diverse%20Business%20Program/Pages/Business-Resources.aspx>) or email the Bureau of Diversity, Inclusion & Small Business Opportunities at [GS-BDISBO@pa.gov](mailto:GS-BDISBO@pa.gov) (<mailto:GS-BDISBO@pa.gov>).

RESPOND BY: Thursday, April 28, 2022

\* Required

### Producer Information

#### 1. Producer Company Name \*

*Enter the Producer's legal and, if applicable, DBA name.*

2. Producer Contact \*

*Enter the contact name for the Producer.*

3. Producer Address \*

*Enter the Address, City, State, and Zip for the producer's headquarters.*

4. Producer Phone \*

*Enter the phone number (including area code) for the Producer Contact named above. This will be used to clarify responses when necessary.*

5. Producer Email \*

*Enter the email address for the Producer Contact named above. This will be used to clarify responses when necessary.*

6. Survey Preparer

*Enter the name of the person completing this survey If different from the Producer Contact named above.*

## Initial Questions

### 7. Supplier Search \*

*How frequently did your company consult the Department of General Services' searchable online directory, [www.dgs.internet.state.pa.us/suppliersearch](http://www.dgs.internet.state.pa.us/suppliersearch) (<http://www.dgs.internet.state.pa.us/suppliersearch>), to identify DGS certified-verified SDBs prior to selecting subcontractors? Please provide explanation if directory was not utilized.*

- Weekly
- Monthly
- Quarterly
- Annually
- Not utilized during this reporting period.

Other

### 8. Supplier Search Explanation

*Please provide an explanation if you answered "Not utilized during the reporting period" to the Supplier Search question above.*

### 9. Outreach \*

*In an effort to provide maximum practicable contracting opportunities, which of the following methods did you use to engage Small Diverse Businesses? Select all that apply.*

- Networking events and Job Fairs
- Internet information on bidding opportunities
- Pre-bid/Post-bid meetings for subs and suppliers
- Did not engage in public outreach
- 

Other

### 10. Subcontractor Utilization \*

*During this reporting period, April 1, 2020, through March 31, 2021, did your company utilize a subcontractor, SDB or otherwise, on contracting opportunities related to unconventional natural gas extraction?*

- Yes
- No

## 11. Subcontractor awards \*

*Please answer the following questions on subcontracts awarded on contracting opportunities related to unconventional natural gas extraction during the reporting period.*

	0	1 - 10	11 - 25	26 - 50	51+
How many subcontracts did your company award during the reporting period?	<input type="radio"/>				
Of the total subcontracts awarded, how many had written subcontract agreements?	<input type="radio"/>				
Of the total subcontracts awarded, how many were solicited and awarded competitively?	<input type="radio"/>				
Of the total subcontracts awarded, how many were awarded to Small Diverse Businesses (SDBs)?	<input type="radio"/>				
Of the total subcontracts awarded, how many were awarded to Small Diverse Businesses (SDBs) located WITHIN the state of Pennsylvania?	<input type="radio"/>				

12. SDB Utilization \*

*During this reporting period, did your company utilize a Small Diverse Business (SDB) subcontractor on contracting opportunities related to unconventional natural gas extraction?*

Yes

No

13. Total SDB payments \*

*In aggregate, what is the total dollar value you paid to SDB subcontractors on contracting opportunities related to unconventional natural gas extraction between April 1, 2020 and March 31, 2021? Enter "0" if no SDB subcontractors were utilized.*

## Small Diverse Business Participation

Using the questions below, record your company's small diverse business participation on contracting opportunities related to unconventional natural gas extraction for the reporting period of April 1, 2020 through March 31, 2021. You may also report small diverse business utilization in lower tiers of supply or subcontracting (subcontractors to subcontractors as well as suppliers to contractors and subcontractors) provided that a small diverse business is not the initial subcontractor/supplier. Commitments to small diverse businesses cannot be double-counted regardless of tiers.

NOTE: If your company has greater than five (5) SDB participants, please email the additional list of participants to us at [GS-BDISBO@pa.gov](mailto:GS-BDISBO@pa.gov) (<mailto:GS-BDISBO@pa.gov>).

### SDB DESIGNATIONS IDENTIFIED IN Act 13 of 2012

MBE (Minority Business Enterprise)

WBE (Women Business Enterprise)

MWBE (Minority Women Business Enterprise)

VBE (Veteran Business Enterprise including Service-Disabled Veteran Business Enterprise)

### CERTIFYING ENTITIES

DGS-Verified (Verified with the Commonwealth of Pennsylvania Department of General Services as SDB)

Disability:IN

NMSDC (National Minority Supplier Development Council)

SBA 8(a) (United States Small Business Administration 8(a) Business Development Program)

UCP (Unified Certification Program)

Vets First Verification Program

WBENC (Women's Business Enterprise National Council)

### 14. SDB Name 1 \*

*Provide the full name of the Small Diverse Business (SDB). Include both the legal name and, if applicable, DBA name. EXAMPLE: Enter "XYZ Enterprises LLC DBA XYZ Landscaping" instead of XYZ.*

15. SDB Address 1 \*

*Provide the Address, City, State, and Zip of this SDB's headquarters.*

16. SDB Subcontracts 1 \*

*Enter the approximate total dollar value of subcontract(s) to this SDB subcontractor/supplier.*

17. SDB Designation 1 \*

*What is the designation of this SDB? Select all that apply.*

MBE

WBE

MWBE

VBE

Other

18. SDB Certifier 1 \*

*What is the certifying entity(-ies) for this SDB. The certifying organization certifies the SDB as a minority, woman, veteran, or disadvantaged-owned business. Select all that apply.*

- DGS-Verified
  - Diversity:IN
  - NMSDC
  - SBA 8(a)
  - UCP
  - Vets First Verification
  - WBENC
  - Unknown
  -
- Other

19. SDB Industry 1 \*

Select primary industry in which this SDB is involved.

- Accommodation, Recreation, & Food Service
- Agriculture, Forestry, & Conservation
- Construction & Building
- Consumer Goods & Suppliers
- Educational & Consulting
- Health & Social Assistance
- Information Technology, Systems, & Peripherals
- Legal Services
- Machines, electronics, & Equipment
- Maintenance & Repair
- Management & Administrative support
- Manufacturing & Machining
- Mining, Drilling, Excavating, & Demolition
- Professional Services
- Scientific & Technical
- Staffing & Labor Support
- Transportation & Vehicles
- Utilities, Power, & Fuel
- Warehousing, Shipping, & Logistics
- Waste, Recycling, & Remediation

Other

20. Add SDBs 1 \*

*Did your company utilize another Small Diverse Business?*

Yes

No

Questions 14 – 20 are repeated four more times to enable the reporting of up to five SDBs through the survey tool. Following the fifth SDB, Producers are instructed to report on additional SDB utilization using Excel or Word.

48. Add SDBs 5 \*

Did your company utilize another Small Diverse Business? If YES, using an Excel spreadsheet or Word, please email a list of additional SDBs to [GS-BDISBO@pa.gov](mailto:GS-BDISBO@pa.gov) (<mailto:GS-BDISBO@pa.gov>). INCLUDE:

- 1) Full SDB legal and DBA name,
- 2) Address,
- 3) Approximate total \$-value of the subcontracts,
- 4) SDB designation (MBE, WBE, etc.), and
- 5) Third-party certifier of the SDB.

Yes

No

## Additional Questions

49. Future SDB utilization. \*

	Extremely Likely	Very Likely	Somewhat Likely	Not Very Likely	Unlikely
How likely are you to subcontract with or utilize a Small Diverse Business (SDB) in the future?	<input type="radio"/>				

50. Written contracts. \*

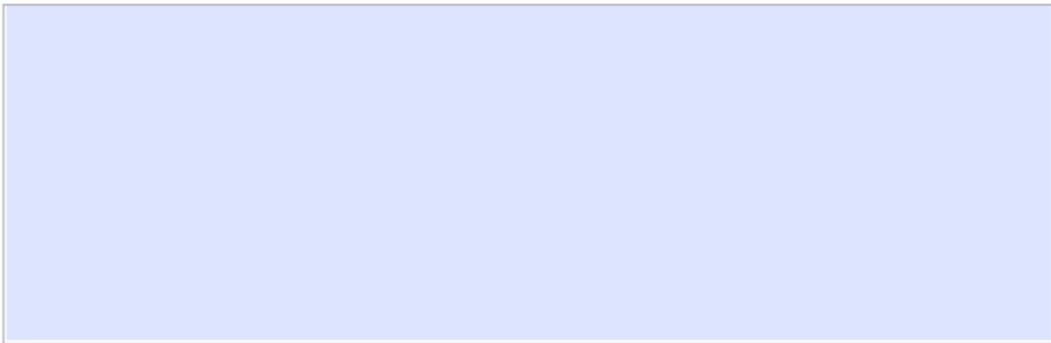
	Always	Often	Rarely	Never	SDB Not Used
When SDBs were utilized, how often did you have a written contract with each subcontractor?	<input type="radio"/>				
When SDBs were utilized, how often did the written contract indicate an estimated dollar value to be paid to the SDB subcontractor?	<input type="radio"/>				

## 51. Additional Help

*What could the PA Department of General Services Bureau of Diversity, Inclusion & Small Business Opportunities do to make it easier for you to increase your small diverse business participation?*



## 52. Other Comments



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This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.

 Microsoft Forms

# EXHIBIT B: Act 13 of 2012 - Marcellus Shale Producer SDB Utilization

UTILIZATION OF DGS VERIFIED SDBs, VBEs, and SBs BY SERVICE

DGS SDB Status	MBE	WBE	VBE	SDVBE	SB	Total
Construction & Building			1		1	3
Consumer Goods & Suppliers			1			1
Educational & Consulting			1			1
Machines, Electronics, & Equipment					1	1
Mining, Drilling, Excavating, & Demolition			2	1		1
Professional Services			1	2		6
Scientific & Technical			3			2
Security and Guard Services				1		1
Staffing & Labor Support			1			1
System component admin services					1	1
Transportation & Vehicles			1			1
Utilities, Power, & Fuel					1	1
Landscaping & Lawn Maintenance			1		1	2
Not indicated	2	8	1	1	23	35
<b>Grand Total</b>	<b>2</b>	<b>20</b>	<b>5</b>	<b>2</b>	<b>39</b>	<b>68</b>

<sup>1</sup>Individual SDBs may be awarded subcontracts by multiple producers subcontracting for varied industries resulting in individual SDBs being tallied more than once across multiple industries.