



Administrative Reconsideration Process & Vendor Document Submission

Vendor Document Submission

1. Supplier at least three (3) days prior to the date of the reconsideration hearing shall have the opportunity to submit written material included in their original submission to support the request for reconsideration that it failed to meet good faith efforts.
 - a. The supplier may include related documentation that will be catalogued and labeled.
 - b. Evidence of such negotiation includes:
 - i. The names, addresses, and telephone numbers of Small Business Enterprise (SBE), Minority Business Enterprise (MBE) and Women Business Enterprises (WBE) that were considered;
 - ii. A description of the information provided regarding the plans and specifications for the work selected for subcontracting; and
 - iii. Evidence as to why additional agreements could not be reached for SBE, MBE, and WBEs to perform the work.
2. Supplier's written material shall be submitted to the Department of Equity and Inclusion (DEI) Contract Compliance Officer. The supplier shall submit seven (7) copies of the documentation to the Department of Equity & Inclusion (DEI) DEI Liaison Officer who will distribute one copy to each of the following: Cuyahoga County Administrative Reconsideration Panel (Reconsideration Panel) members as appointed by the Cuyahoga County Executive, DEI Compliance Officer, DEI File, and Council attorney (if applicable).
3. Suppliers will have one opportunity to reschedule a hearing should materials not be provided at least (3) days prior to the date of the reconsideration hearing.
4. The Supplier may request a virtual, in-person, or no-meeting review as the format of their reconsideration hearing. Suppliers should identify their preferred format at the time of document submission. Regardless of the requested format, the Administrative Reconsideration Panel will always meet in-person.

Administrative Reconsideration Panel

1. The Administrative Reconsideration hearing panel will consist of four Cuyahoga County staff who did not take part in the original determination that the supplier failed to make adequate good faith efforts.
2. The panel will consist of a chair, co-chair and two panel members.

Administrative Reconsideration Hearing

During the administrative reconsideration hearing, DEI and the supplier will have an opportunity to make a persuasive presentation to a neutral panel. The Reconsideration Panel will consider in

its determination the information presented about the supplier's actions, documentation, and efforts that occurred prior to the submission of the bid, proposal, or quote.

1. Chair will open the hearing with an introduction of all in attendance, explain the purpose of the Reconsideration Panel and outline the order for the hearing.
2. Clerk introduces self and asks clarifying questions throughout the hearing to capture an accurate record of the reconsideration hearing.
3. Each party will be given up to 10 minutes to present their information. Supplier will present first. DEI will present second. Each party will have up to 5 minutes to respond after the supplier has completed their presentation (if necessary). This will not be a cross examination.
4. At the end of both of their presentations, each party will have the opportunity to ask questions of the other party by directing questions to the panel chair.
5. The Reconsideration Panel members may ask questions of each party at the end of both presentations.
6. The Reconsideration Panel will not consider information presented by either party that was not a part of the original good faith efforts submission with the bid
 - a. The Reconsideration Panel reserves the right to defer from the standard if the circumstances warrant additional review by unanimous vote.
7. The Clerk will maintain written notes of the proceedings for documentation and audit purposes.
8. Upon conclusion of the presentations, all parties, excluding the Reconsideration Panel members, will exit the hearing room.
 - a. The Reconsideration Panel may remain to discuss the reconsideration.
9. The Reconsideration Panel Chair will write the decision and submit the decision to the DEI Compliance Officer.
10. Within five (5) days after the date of the Reconsideration Hearing, the DEI Compliance Officer will send the supplier a written documentation of the Reconsideration Panel's decision. The written decision will explain the basis of the determination that the supplier did or did not meet the goal and make adequate good faith efforts to do so.
11. The decision of the Reconsideration Panel is the final decision.