



Office of Minority and Women Business Development Exemption Policy

For services and goods that are not on the standard City/County/Municipal Agency exemption list, all the following requirements for an exemption are listed below:

1. Special or Emergency Procurement in accordance with Indiana Code 5-22-10*
2. An exemption must be requested prior to the bid and the bid award to include professional services
3. Exemptions will be issued by OMWBD at the end of all payouts and clearance of lien waivers (if any).
4. All bidders/competitors must be notified of the goods and services being exempted by OMWBD prior to the bid or the project award.
5. A contractor must provide detailed market research for all XBE/Non-XBE subcontractors before an exemption can be requested.
6. Good Faith Efforts as identified in the OMWBD Disparity Study and Sec. 202-403(e) of the Revised Code of the Consolidated City and County must still be performed while a request for an exemption is being considered.
7. Contractors seeking an exemption must make good faith efforts on all direct and indirect participation.
8. Exemptions will not be approved on claims of XBE vendor availability, capacity, workforce, geographical location, competition, bonding & insurance limitations, or items of similar type.
9. An approval for exemption must be recognized as an oligopoly with no national competition.
10. An exemption will not be approved if multiple vendors exist in that commodity code.

Since exemptions can limit the utilization of XBE businesses in City/County/Municipal contracting opportunities, exemptions consideration will be approved on a limited basis. Request for an exemption will be considered on a case by case basis.



Standard City/County/Municipal Agency Procurement Exemption List

Contracts that have no Second Tier or Sub Contracting Opportunities

1. Special or Emergency Procurement in accordance with **Indiana Code 5-22-10***
2. Non-Profit Organizations/Foundations
3. (Government, Quasi-Government Agencies, Churches, Community Centers, Community Development Corporations)
4. City/County/Municipal Employees
5. Associations/Societies
6. Libraries fees and services
7. Colleges/Universities/Schools/Institutions fees and services
8. Hotels/Motels/Inns/Resorts
9. Gas Stations
10. Utility Companies usage fee's
11. Subscriptions/Media/Publications/Newspapers/Press Releases/Magazines/Journals
12. Seminars/Conferences
13. Clubs/Unions/Alliances
14. Theaters/Restaurants
15. Physicians/Medical Professionals/Hospitals/Medical Facilities/Health Organizations
16. Leagues
17. Training Centers/Trainers/Instructors
18. Banking Fees
19. Professional Service Renewals (date extinctions)
20. State of Indiana Quantity Purchase Agreements (QPAs)

*Pursuant to I.C. 5-22-10, certain services and supplies may be purchased through a special procurement process when necessary. When purchased through special procurement, those services and supplies are exempt from the good faith efforts requirements found in Sec. 202-403(e) of the Revised Code of the Consolidated City and County. As noted in Chapter 8 of the City of Indianapolis and Marion County Purchasing Manual, special procurements are not justified in instances of poor planning, overlooked requirements, inaccurate usage history, or inadequate forecasting.

A prior approval from the Purchasing Administrator is needed to justify a special procurement and a prior approval is needed from OMWBD to exempt from the utilization count.