

V.07: MWDBE Procurement

SECTION	FISCAL AND BUSINESS AFFAIRS
POLICY NO.	V.07
TITLE	MWDBE Procurement
APPROVAL DATE	11/17/2006
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In recognition of its commitment to the community and in keeping with the principals set forth in its mission statement, strategic plan, and Non-Discrimination, Title IX and Equal Education and Employment Opportunity Policy, the College will provide eligible minority, women-owned and disadvantaged business enterprises (“MWDBE”) with equal opportunity to participate fully and fairly in the College’s procurement and contract award processes.

DEFINITIONS

“Disadvantaged Business Enterprise” (DBE), shall mean an eligible sole proprietorship, partnership or corporation operated by socially and economically disadvantaged group members that have at least fifty-one (51%) ownership.

“Minority Business Enterprise” (MBE), shall mean an eligible sole proprietorship, partnership or corporation operated by minority group members that have at least fifty-one (51%) ownership. The minority group member must have operational and managerial control, and an interest in capital and earnings that is consistent with their percentage of ownership. Minority means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans or Asian-Indian Americans and any other disadvantaged individuals as defined by the Small Business Administration pursuant to Section 8(a) of the Small Business Act, as amended.

“Women Business Enterprise” (WBE), shall mean an eligible sole proprietorship, partnership or corporation operated and controlled by women who have at least fifty-one (51%) ownership. The women must have operational and managerial control, and an interest in capital and earnings that is consistent with their percentage of ownership.

“Eligible MWDBE” shall refer to a firm that is certified by one or more of the following agencies: the Small Business Administration (SBA), the Pennsylvania Department of General Services (DGS), the Pennsylvania Unified Certification Program (PA UCP), or other similar certifying agency recognized by the federal government or the Commonwealth of Pennsylvania.

OBJECTIVES

The objectives of this Policy are to promote and encourage full and open competition of MWDBE firms in the procurement of goods and services by the College, to strive to increase purchases from MWDBE firms to not less than 15% of CCAC’s total non-salary and non-utility expenditures, and to encourage all College personnel involved with procurement to recognize the College’s

commitment to actively promote the development and utilization of eligible MWDBE firms. All College employees who are involved in the purchase or procurement of goods and services on behalf of the College are responsible for complying with the requirements of this Policy and facilitating the attainment of the objectives stated herein. The College shall further promote and encourage participation of eligible MWDBE firms in all contract awards and/or purchases that require a competitive bid and/or solicitation process under applicable law or College policies and regulations.

In connection with its efforts to achieve these objectives, the College will, at a minimum, undertake the following actions:

1. Inform the College community about this Policy and its objectives;
2. Update and distribute an MWDBE approved vendor list to departments, administrators and other staff members who are involved in the purchase of goods and services on behalf of the College;
3. Promote opportunities to do business with the College amongst and to MWDBE firms and related professional or business organizations and associations;
4. Require contractors on construction projects to submit written reports detailing the amounts subcontracted to or purchased from eligible MWDBE firms;
5. Monitor and enforce the terms of Project Stabilization Agreements, as and where applicable;
6. Participate in local, state and/or federal contracts awarded to eligible MWDBE firms, where applicable and available;
7. Undertake efforts to increase the number of eligible MWDBE firms on the College's approved vendor lists;
8. Impose appropriate sanctions on contractors or vendors that fail to demonstrate good faith compliance with agreed upon MWDBE participation goals or otherwise misstate or misrepresent MWDBE participation in their contracts and agreements with the College.

DELEGATION OF AUTHORITY:

The College's Procurement Department and Office of Institutional Diversity and Inclusion shall be jointly responsible for administering this Policy and monitoring compliance therewith.

REFERENCES

Board Policy II.01 – Non-Discrimination, Title IX and Equal Education and Employment Opportunity
Board Policy II.05 – Reporting Policy Violations
Board Policy V.02 – Contracts
Fiscal Administration Regulations
Community College Act, 24 P.S. §19-1901-A et seq.
22 Pa. Code §35.1 et seq.