



Equity in Public Purchasing and Contracting: Business Equity

I. DEFINITIONS

- A. **“Consultant”** as defined in ORS 279C.115 means a business entity that employs architectural, engineering, land surveying, photogrammetric mapping, transportation planning, land surveying services and related services contracts, or any combination of the foregoing.
- B. **“Contract”** means a "Public Contract" as defined in ORS 279A.010.
- C. **“Construction”** For the purposes of this Administrative Directive, Construction includes Public Improvements as defined in ORS 279A.010 and Public Works as defined in ORS 279C.800 as well as minor alterations, modifications and repairs to real property.
- D. **“PPS Divisions”** as used in this Administrative Directive, refer to Divisions 46 (Personal Services), 47 (Goods and Services), 48 (Architecture, Engineering, and Related Services), and 49 (Construction) of the PPS Public Contracting Rules.
- E. **“Certified Business”** means:
 - i. A company certified by the State of Oregon Certification Office of Business Inclusion and Diversity (COBID) as a Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Veteran Business Enterprise (VBE), Oregon Small Business Enterprise (OSBE), and/or an Emerging Small Business (ESB)
 - ii. A company certified in the States of Oregon, Washington and California by the U.S. Department of Transportation as a Disadvantaged Business Enterprise (DBE) pursuant to Code of Federal Regulations, Title 49, Subtitle A, Parts 23 and 26; or
 - iii. A company certified by the State of Washington Office of Minority and Women’s Business Enterprises (OMWBE) as a Minority Business Enterprise (MBE), and/or Woman Business Enterprise (WBE) pursuant to Washington Administrative Code, Title 326, Chapter 326-20.

II. BUSINESS EQUITY

- A. **Aspirational Goal for the Participation of Certified Businesses.** The aspirational goal for the participation of Certified Businesses is 18%. This aspirational goal will apply to the following categories of expenditures:
 - i. Consultant Services (PPS Division 48): The 18% may include payments made by PPS, its consultants or subconsultants.
 - ii. Construction Contracts (PPS Division 49): Of the total amount PPS pays for Construction contracts, PPS’s aspirational goal is that 18% or more is paid to Certified Businesses. Such payment may be made by PPS, its prime contractors, or subcontractors.
- B. **Business Equity Program Specifications**

In order to implement the Equity in Public Contracting Policy, PPS will take the following steps:

- i. Actively participate in regular meetings of local minority-owned, women-owned veteran owned, and small business advocacy organizations. PPS will participate as a member of these advocacy organizations where appropriate and where such membership is available.
- ii. Actively participate in local minority-owned, women-owned, veteran owned and small business focused trade shows, trade fairs, and similar events.
- iii. Notify Certified Business vendors of PPS informal and formal solicitations, contracting opportunities, and vendor selections, including: Competitive Sealed Bidding (also known as "Invitation to Bid", "ITB" or "Competitive Bidding") and Competitive Sealed Proposals (also known as "Request for Proposals" or "RFP"), as well as Requests for Interested Consultants ("RFIC"), Requests for Qualification and Requests for Pre-qualification.
- iv. Include cultural responsiveness, diversity policies, and/or company Certified Business utilization history as part of the evaluation criteria, when selecting a Consultant or Contractor on the basis of price and other factors and when contracted projected teams may be comprised of multiple companies or organizations.
- v. For purchases and expenditures below the formal dollar thresholds for PPS Divisions 48 and 49, actively seek participation of Certified Business vendors for intermediate and small dollar purchases.
 - a. For intermediate/informal purchases. PPS will incorporate into its processes that departments and schools seek one or more of the minimum three quotes required for intermediate/informal purchases from Certified Businesses.
 - b. For small dollar purchases. PPS will encourage departments and schools to use Certified Businesses for small dollar purchases and expenditures.
- vi. For purchases and expenditures below the formal dollar thresholds for PPS Divisions 46 and 47, encourage departments and schools to include minority-owned, women-owned, veteran owned, and/or small businesses in solicitations.

III. RESPONSIBILITY AND ACCOUNTABILITY

PPS will periodically review its performance under this directive. Pursuant to Board Policy 8.50.095, the Superintendent will report to the Board regarding PPS's performance toward this objective. The Superintendent or designee is responsible for periodically reviewing the goals, thresholds and criteria as explained in the Administrative Directive and may modify them as appropriate based on such review and analysis.

History: Adopted 9/2013; Revised 2/15, 5/16, 10/26