

Purchasing from Minority, Women, and Veteran-Owned Enterprises

The Board supports the purchase of goods; construction, renovation and repair services; and other services from minority, women, and service-disabled veteran enterprises (M/W/SDVE) by the District.

The District shall develop and implement purchasing procedures, in accordance with the Kentucky Model Procurement Code (KRS 45A.345 to 45A.460) and related administrative regulations, and other pertinent state and federal laws that actively promotes increasing opportunities for M/W/SDVE to become vendors providing goods and services to the District.

This policy and related procedures shall establish expectations of good faith efforts by prospective vendors for M/W/SDVBE participation and include mechanisms to document and measure those efforts

Leadership

District leadership shall take an active role to ensure effective implementation of this policy. The Superintendent, Chief Operations Officer, Chief Financial Officer, and Chief Equity Officer and Coordinator Minority Enterprise shall:

1. Review the results of the performance of the District's implementation of this s policy with internal management personnel on a periodic basis;
2. Articulate in written and verbal communication, internally and externally, the District's interest in achieving the goal of increasing opportunities for M/W/SDVBE participation with District procurement;
3. Issue periodic reports to the JCPS Board of Education (BOE) and to other internal and external stakeholders; and
4. Engage in other leadership activities contributing to increasing the utilization and meeting of M/W/SDVE goals of this policy.

Administration

The Purchasing Department and Facility Planning Department shall incorporate procedures established under this policy as part of their financial and management responsibilities over District procurement processes. The Chief Equity Officer and the Coordinator Minority Enterprise shall be responsible for supporting effective implementation of the policy.

DEFINITIONS

As used in this policy:

Construction, renovation, and repair services means the erection, construction, alteration, or repair of district facilities.

Goods means supplies, materials, and equipment.

Other services means services procured by District that are not construction, renovation, and repair Services.

Minority Business Enterprise (MBE) means a business that is certified as being at least 51 percent controlled by one or more racial/ethnic minority persons of either sex. A racial/ethnic minority person shall be described as follows: Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, Hispanic or Latino.

Woman Business Enterprise (WBE) means a business that is certified as being at least 51 percent controlled by one or more non-minority women.

Service-Disabled Veteran Enterprise (SDVE) means a small business that is certified as being at least 51 percent controlled by one or more service-disabled veterans, and that has one or more service-disabled veterans managing day-to-day operations and also making long-term decisions. Eligible veterans must have a service-connected disability.

M/WBE means a minority and women business enterprise.

M/W/SDVE means a minority, women and service-disabled veteran-owned enterprises.

CERTIFICATION OF M/W/SDVE

M/W/SDVE are certified and classified by a variety of entities. The District shall accept M/W/SDVE certification from any bona fide certifying entity, including, but not limited to Louisville Metro Government, the Kentucky Finance and Administration Cabinet, Tri-State Minority Supplier Development Council, and the National Women's Business Enterprise Council. Additionally, District staff may classify businesses that are not certified by the above entities if a business demonstrates that it meets the certifying entities' definition of an M/W/SDVE.

SUPPORT FOR M/W/SDVE VENDOR UTILIZATION

The District shall maintain a master database of MBE, WBE, and SDVE vendors, and establish procedures for its use, to assist District staff responsible for bidding and purchase process in meeting good faith effort requirements.

The District shall establish an ongoing outreach effort to M/W/SDVE vendors, including, but not limited to providing information and guidance regarding doing business with the District, assisting vendors with the District's e-procurement system. The District shall establish and maintain partnerships with existing management and technical assistance providers to assist M/W/SDVE in securing and meeting performance expectation for District contracts.

M/W/SDVE GOALS AND GOOD FAITH EFFORT

For Construction, Renovation, and Repair Services Projects, the District's goals are as follows:

1. Fifteen percent (15%) MBE participation;
2. Ten percent (10%) WBE participation; and
3. SDVE participation at a rate established by the Chief Equity Officer and the Chief Financial Officer based on research of best practices of peer school districts and other governmental entities.

Bidders who utilize subcontractors shall make good faith efforts to meet the District's M/W/SDVE goals for subcontractors used for each project on which they bid. Bidders who do not meet the goals shall submit documentation of their good faith efforts in soliciting pricing, as set forth in the District's procedures for bidders. Award of contract shall be conditional upon the bidder's satisfaction of these requirements.

Purchase of Goods and Other Services

District staff shall make good faith efforts to utilize M/W/SDVE vendors in accordance with standards and documentation requirements set forth in District purchasing procedures. At a minimum, District staff responsible for soliciting three price quotes for non-bid items shall make a good faith effort to include at least one M/W/SDVE vendor per bid, identified utilizing the master database maintained by the Coordinator Minority Enterprise and other means.

Determination of Annual Goals

Each year, the Coordinator Minority Enterprise establish a goal-setting work group to set aspirational goals for M/W/SDVE utilization the next fiscal year in the following categories:

1. Construction;
2. Architecture and Engineering;
3. Professional Services;
4. Goods; and
5. Other Services.

DOCUMENTATION, REPORTING, AND EVALUATION

The Coordinator Minority Enterprise shall establish procedures for the collection, maintenance, and tracking of records at the District, division, department and school level relating to implementation of this policy to include, but not be limited to:

1. Documentation of compliance with the good faith effort requirements including periodic site visits; and
2. Statistics regarding the utilization of M/W/SDVE by District, divisions, departments, and schools.

The Chief Equity Officer shall:

1. Submit quarterly written reports to the Board regarding the implementation of this policy; and
2. Conduct periodic formal evaluations of the effectiveness of the M/W/SDVE program.

REFERENCES:

KRS 45A.345 to 45A.460 Kentucky Model Procurement Code

702 KAR 4:160 Capital Construction Process

702 KAR 4:180 Kentucky School Facilities Planning Manual

Board Policy 04.32 Purchasing

Board Policy 05.1 Facilities Development and Construction