MINORITY AND WOMEN OWNED ENTERPRISES

Certification: The LRSD accepts the minority certification process by the State of Arkansas as outlined in A.C.A. 15-4-314 and from the US Small Business Administration’s Women Owned Business Certification Program. The District will refer vendors seeking certification to the state program. The District may also classify businesses that are not certified by the state if a business designates such on the District’s online vendor application or if a business presents itself as a minority owned enterprise (MBE/WBE) or a women owned enterprise (WBE) for subcontracting work on District construction projects.

Any vendor that does in excess of $5,000.00 business annually with the District and wishes to be recognized as a minority or women owned business will provide evidence of certification from the State of Arkansas or the US Small Business Administration’s Women Owned Business Certification Program.

Exceptions to Policy DJF: The following categories will be exempt from the 30% MBE/WBE and WBE spending goal calculation: debt service, employee benefits, utilities, fuel, textbooks, postage, travel expenses (except travel agency), vehicle license and title fees.

Vendor Data Bases: The LRSD relies on its own vendor data base for sourcing and notifying available vendors (vendors of record) of opportunities to bid in compliance with A.C.A. 6-21-304 section (a)(3)(A). Vendors register with the District by completing the online vendor bid register located at https://securek12.lrsd.org/vendorapp. Vendors registering as MBE/WBEs along with the Commodities they offer will be readily identifiable and available for review to all District purchasers. The District will also utilize the State of Arkansas minority vendor data base when soliciting vendors and provides a link (http://arkansasedc.com/small-and-minority-business/small-and-minority-business-directory.aspx) in the District “Staff Lounge” to all District purchasers. When formal quotes/bids are required by District policy or state law, the procurement department will e-mail quote/bid opportunities to all vendors of record as well as all applicable vendors in the state data base for goods/services required.

Pre-award LRSD MBE/WBE Procurement Procedures: The Director of Procurement will be responsible for making all schools/departments aware of the goals of the Minority Business Enterprise Program and encourage utilization of MBE/WBEs for purchases.
The primary determinant on using any vendor will be based on the best value to the District. However, LRSD staff involved in purchasing will make good faith efforts to utilize MBE/WBE vendors in accordance with the following procedures:

a. Open Market Purchases - Purchases for Commodities less than or equal to $5,000: Purchases for these amounts do not require either formal quotes or bids. Unless a District wide contract is in place, authorized staff will review the District’s minority data base links for potential vendors and consider using these vendors for goods/services required. Where a District wide or state contract is in place, the provisions of the specific contract regarding MBE/WBE participation will govern. In addition, when the District VISA ProCard can be used for transactions of $1,000 or less, consideration is to be given to minority/women vendors for these purchases.

b. Formal Quote Purchases – Purchases for Commodities including construction greater than $5,000 but less than $10,000: Purchases for these amounts require formal written competitive quotes. The procurement department will prepare the request for quotes or delegate the responsibility to user departments. In either case, the request for quotes will be e-mailed to all vendors of record with the District plus those vendors in the state of Arkansas minority vendor data base for the applicable goods/services required.

c. Formal Bid Purchases – Purchases for Commodities excluding construction greater than $10,000: Purchases for these amounts require formal written invitations to bids or request for proposals. The procurement department will prepare the invitations for bidding/request for proposals. The invitations will be e-mailed to all vendors of record with the District plus those vendors in the state of Arkansas minority vendor data base for the applicable goods/services required.

d. Personal and Professional Services (the District considers consultant services in this category): These services may be purchased by either a request for qualifications (RFQ) process or selecting from vendors on file who have completed the District’s consultant application provided that any of these services must first be approved by the District’s consultant committee if under $25,000 or by the Board of Directors if the expected contract is in excess of $25,000 (reference Board Policy BDH). When a request for qualifications is used, the procurement department will provide opportunity to all known MBE/WBE’s via e-mail to all vendors of record. Where the District’s consultant application is used, LRSD staff providing the recommendation for consultant use will make good faith
effort to notify MBE/WBE providers to submit qualifications for consideration.

e. **Construction projects estimated over $10,000 but less than $100,000:** Formal bidding is required and Procurement will e-mail the bid solicitation to all District vendors of record plus those vendors in the state of Arkansas minority vendor data base for the applicable goods/services required.

f. **Construction projects estimated to exceed $100,000:** Formal Bidding is required and Procurement will e-mail the bid solicitation to all District vendors of record. Prime contractors will be responsible for addressing the planned use of minority subcontractors and provide documentation demonstrating that they have made good faith efforts to do so. Minority subcontractor joint ventures are encouraged. Nothing in this section will require contractors to award subcontracts to, or make significant material purchases from MBE/WBE’s who are not considered a responsible bidder and/or who do not submit the best value sub-bid. Prime contractors will be required at time of bid opening to provide the following forms:

1. Minority/Women Business Enterprise (MBE/WBE) Utilization Commitment
2. Statement of Intent to Perform Work Without Subcontracting

Forms will be a part of any solicitation in this construction category. Failure to complete these forms along with the prime contractors bid will be grounds for rejection of the bid. At the completion of the project, the prime contractor will provide a report to the District Procurement Office summarizing final dollars spent with MBE/WBE subcontractors along with percent of MBE/WBE expended funds in the final contract amount.

**MBE/WBE Budget Goals:** As part of the normal budgeting process, the Chief Financial Officer (CFO) will provide each school/department a budgeted goal for MBE/WBE expenditures for their location considering the exceptions in this regulation. Each school/department will provide a plan to the CFO on how they intend to reach their goal. A variance report by school/department will be made available by the CFO at the end of each fiscal year to compare budgeted to actual results.
Reporting: The LRSD Procurement Department will file a report with the Superintendent and Board of Education within twenty (20) days of the close of each monthly period which will include a report totaling all vendor purchases of the Little Rock School District and the dollar value and the percentage of the purchases awarded to MBE/WBEs. The report will be year to date for the current year and with corresponding previous year comparative data. For purposes of counting MBE/WBE participation, the Procurement Department will include reported MBE/WBE participation in sub-contracts of construction contracts exceeding $100,000.

Outreach Efforts: The LRSD Procurement Department will assist MBE/WBEs as requested in registering with the Division of Minority Business Enterprise of the Arkansas Economic Development Commission for assistance with minority certification, financing and business formation technical issues. In addition, the Procurement Department will:

- Encourage Procurement staff to become members of local organizations promoting minority development. Example: AR Minority & Women Contractor’s Association.
- Encourage major non-minority companies with whom the District has contracts to develop minority vendor participation plans.
- Participate in minority/small business networking events (usually sponsored by various State or Federal agencies)
- Encourage District budget managers to purchase from minority vendors for open market purchases by placing statements to that effect in staff lounge, pro-card handbook and other internal communications.
- Make efforts to parcel out work requirements in order to benefit smaller companies – example: District mowing contract.
- Highlight minority vendors on approved vendor lists distributed to District Budget Managers: examples: charter bus, photography services.
- Update the “Vendor Information Guide” that details District procurement procedures to include MBE/WBE procedures and goals.
- Offer on-site periodic training to the community regarding District purchasing processes (how to do business with the District) and specifically address MBE/WBE efforts.
- Add a step to the bid file checklist for all buyers to research additional minority vendors when sourcing vendors for competitive projects.
- Maximize presence of Procurement Department on District web page.
Minority and Women Owned Business Community Panel
The Superintendent will recommend to the Board a five-person community committee which will meet quarterly, or as needed, to review and make recommendations to the administration and Board on the progress of the Minority Owned Enterprise Program and Women Owned Enterprise Program. The membership term will be for one year and renewable for up to seven years.

Committee members will include: a minimum of two members who are minorities; one female; and two additional interested individuals.

Program Periodic Evaluation: The Director of Procurement and designated staff will lead the development of an annual plan for the implementation of the Minority and Women Owned Business Program. Input from the Minority and Women Owned Business Community Panel will be included.

The LRSD Chief Financial Officer or designated staff member, Internal Auditor and Director of Procurement will periodically evaluate ongoing efforts of the plan and these regulations and will make recommendations to the Superintendent for any proposed changes. These staff members will serve as liaisons to the Minority and Women Owned Business Community Panel.

Dated: September 27, 2012


Cross References: Board of Education Policy DJF
Board of Education Policy BDH