

## **NEWTON COUNTY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PROCUREMENT POLICY**

1. **Addendum to Newton County Purchasing Policy.** This policy shall be an addendum to the County's Purchasing Policy. This Policy shall be implemented by the County's Purchasing Coordinator under the supervision of the Director of the Finance Department.
2. **Definition.** This Policy adopts the following definitions. As used in this Policy, the term:
  - a. "Minority" means an individual who is a woman, disabled veteran, or member of a race which comprises less than 50 percent of the total population of the state. Newton County recognizes five such racial groups: Asian American, Native American, African American, Hispanic/Latino, and Pacific Islander.
  - b. "Minority business enterprise" means a small business concern which is owned and controlled by one or more of the individuals listed above and is authorized to do and is doing business under the laws of this state, paying all taxes duly assessed, and domiciled within this state.
  - c. "Owned and controlled" means a business:
    - i. Which is at least 51 percent owned by one or more minorities or, in this case of a publicly owned business, at least 51 percent of all classes or types of the stock is owned by one or more minorities; and
    - ii. Whose management and daily business operations are controlled by one or more minorities.
3. **Commitment to Equal Opportunity and Encouragement of Minority Business Enterprise Participation.** Newton county does not have a purchasing preference based on race, gender, disability, veteran status, or ethnicity and will provide an equal opportunity for all businesses to compete for County contracts. The County recognizes that, due to the general historical underrepresentation of minority business enterprises in access to procurement awards, creating a truly equal competitive playing field may require outreach efforts to ensure that such opportunities are advertised and made fully available. The County enthusiastically welcomes the participation of minority business enterprises in competition for all County contracts. The County will actively take steps to ensure that minority business enterprises have the opportunity to participate in the purchasing process, including bidding, negotiations, and contract awards.
4. **Development and Maintenance of a Minority Business Enterprise List.** The County shall actively maintain a list of minority business enterprises that provide goods and services likely to be purchased by the County. For purposes of developing this list, when reasonably possible the County shall request each of its suppliers to certify whether the supplier may be considered a minority business enterprise as defined in this Policy. The county may also refer to lists of minority business enterprises maintained by the State of Georgia or other local governments for purposes of developing the list.
5. **Outreach to Minority Business Enterprises in Procurement.** To encourage participation of minority business enterprises in the competition for County contracts, this County will take the following steps:
  - a. Formal Procurement (Publicly-Advertised Invitations for Bid/Proposal): The County shall advertise all contracts on the Georgia Procurement Registry and when so advertising, shall indicate that minority business enterprise are encouraged to apply.

- b. **Informal Procurement:** The county shall make its list of minority business enterprises available to department heads. Department heads are strongly encouraged to contact providers on the list (among others) when requesting price quotes or informal proposals for services.
- 6. **Prohibition on Contracting with Discriminatory Businesses.** The county shall not knowingly conduct business with contractors that discriminate or permit discrimination on the basis of race, gender, disability, veteran status, or ethnicity.
- 7. **Encouragement to Subcontract with Minority Business Enterprises.** The county encourages all of its contractors to subcontract with minority business enterprises. For a large contract with substantial subcontracting possibilities, the County shall include language expressing this encouragement in the advertisements for procurement. Contracts can encourage minority subcontractors by engaging in outreach using the following means (among others):
  - a. Contacting the County Finance Department for a copy of the County's minority business enterprise list.
  - b. Contacting local minority and small business organizations to identify available businesses to work on the contract.
  - c. Place notice of opportunities for qualified businesses to perform subcontracting work on the contract in newspapers, trade journals, and other relevant publications, including publications specifically targeted to minority business enterprises.
  - d. Submitted invitations to bid for work on the contract to qualified minority business enterprises (amount other qualified firms).
  - e. Promptly responding to inquiries and providing necessary physical access and time for interested subcontractors businesses to fully review all necessary bid documents and requirements.
- 8. **Minority Business Enterprise Procurement Goal.**
  - a. **30% Overall Goal:** The County hereby adopts a preliminary overall goal of awarding 30% of its contracts to minority business enterprise in calendar year 2021. This goal is not a quota, and is sought to be achieved using entirely race, gender, disability, veteran status, and ethnicity-neutral criteria. The county intends to study the local market for various commonly procured goods and services, with the aim of updating the Policy with industry-specific, formal minority business enterprise procurement goals. While these studies are undertaken, the County will compile its minority business enterprise list and use that list as a way to measure progress towards the preliminary 30% overall goal.
  - b. **Contract-Specific Goals Required by Law:** Where mandated by state or federal requirements (typically as a condition of a federal grant), the County shall use contract-specific minority participation goals, and shall make it a mandatory condition that bidders meet these goals or show that they exercised good faith efforts to meet the goals with respect to individual contracts.