

Policy Name	Supplier Diversity (SWaM)		Policy Number	76-30.08	
Section Title	Contracts and Procurement	Section Number	76-30	Former Policy No.	76-5.8
Approval Authority	Agency Director		Effective Date	7/15/2021	
Responsible Executive	Procurement Manager		Revised Date	10/26/2021	
Responsible Office	Finance Office		Last Reviewed	4/10/2020	
Responsible Reviewer	Russell Hahn, Lisa				

Purpose:

The Department of Health Professions (DHP) is committed to: (1) enhancing successful business relationships between micro, small, minority-owned, women-owned, and otherwise disadvantaged business enterprises, service disabled veterans, and employment services organizations (Historically Black Colleges and Universities) through the implementation of programs that will require a consistent and high level of participation from all DHP staff and (2) actively seeking goods and services from micro, small, minority-owned, and women-owned businesses in support of the Commonwealth's small, women-owned and minority-owned (SWaM) program. The SWaM program is intended to build an awareness of the agency's supplier diversity efforts and to provide opportunities for small, minority-owned, and women-owned business enterprises. Virginia's formal SWaM certification program is administered by the Virginia Department of Small Business and Supplier Diversity (DSBSD).

Policy:

DHP's commitment is to maximize SWaM participation through the development of mutually beneficial business relationships. The effort is agency-wide and includes traditional procurement, contracted services, and subcontracting activities. All staff are responsible for seeking out diverse businesses and taking the steps necessary to ensure these businesses receive fair consideration in the economic opportunities available. DHP makes every effort to provide opportunities and offer assistance to SWaM suppliers who want to do business with the agency, advancing race-neutral and gender-neutral goals via annual SWaM plan and ensuring that a greater percentage of purchases are made from certified small businesses, in goods and services categories from which the DHP makes its purchases.

Authority:

§ 2.2-1604 of the Code of Virginia

Commonwealth of Virginia Executive Order 35 – Advancing equity for small women minority and service disabled veteran owned businesses in state contracting.

Definitions:

Certification - The process by which (i) a business is determined to be a small, women-owned, or minority-owned business or (ii) an employment services organization, for the purpose of reporting small, women-owned, and minority-owned business and employment services organization participation in state contracts and purchases pursuant to §§ 2.2-1608 and 2.2-1610.

Department - The Department of Small Business and Supplier Diversity (DSBSD) or any division of the Department to which the Director has delegated or assigned duties and responsibilities.

Employment Services organization - An organization that provides community-based employment services to individuals with disabilities that is an approved Commission on Accreditation of Rehabilitation Facilities (CARF) accredited vendor of the Department for Aging and Rehabilitative Services.

Historically black colleges and university - Includes any college or university that was established prior to 1964; whose principal mission was, and is, the education of black Americans; and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education.

Micro Business – Certified small business that has no more than 25 employees and no more than \$3 million in average annual revenue over the three-year period prior to their certification.

Minority individual - An individual who is a citizen of the United States or a legal resident alien and who satisfies one or more of the following definitions:

1. **African American** - A person having origins in any of the original peoples of Africa and who is regarded as such by the community of which this person claims to be a part.
2. **Asian American** - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including but not limited to Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Mariana Islands, the Philippines, a U.S. territory of the Pacific, India, Pakistan, Bangladesh, or Sri Lanka, and who is regarded as such by the community of which this person claims to be a part.
3. **Hispanic American** - A person having origins in any of the Spanish-speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who is regarded as such by the community of which this person claims to be a part.
4. **Native American** - A person having origins in any of the original peoples of North America and who is regarded as such by the community of which this person claims to be a part or who is recognized by a tribal organization.

5. Minority-owned business - A business that is at least 51 percent owned by one or more minority individuals who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more minority individuals, or any historically black college or university, regardless of the percentage ownership by minority individuals or, in the case of a corporation, partnership, or limited liability company or other entity, the equity ownership interest in the corporation, partnership, or limited liability company or other entity.

6. Small business - A business that is at least 51 percent independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens and, together with affiliates, has 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years. One or more of the individual owners shall control both the management and daily business operations of the small business.

7. State agency - Any authority, board, department, instrumentality, institution, agency, or other unit of state government. "State agency" does not include any county, city, or town.

8. Women-owned business - A business that is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more women who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more women.

Procedures:

The Procurement Manager shall coordinate the Agency's supplier diversity efforts, and be responsible for developing the Agency's Annual SWaM Plan.

Supplier Diversity Initiatives:

- Increase awareness of agency objectives and opportunities;
- Implement techniques to ensure that micro, small, women-owned, and minority-owned businesses have reasonable opportunity to pursue procurements and participate as suppliers, and subcontractors for the Agency;
- Foster, develop and promote business in under-represented sectors;
- Encourage the registration of micro, small, women-owned, and minority owned businesses with the Commonwealth's Department of Small Business and Supplier Diversity (DSBSD);
- Monitor micro, small, women-owned, and minority-owned business participation program for consistency with the requirements of the Virginia Public Procurement Act (VPPA) and state regulations;
- Provide business resources to departments, and encourage them to purchase from micro, small,

women-owned, and minority-owned businesses in support of their operational needs;

- Report SWaM activities every quarter;
- Collect statistics and other documentation required to prepare reports relating to supplier diversity efforts;
- Work with state regulatory agencies and other providers, as necessary, to obtain supplier diversity training for its employees, particularly the procurement staff; and
- Ensure the SWaM Champion monitors and assesses the objectives and strategies in the Agency's Annual SWaM Plan for program and participation effectiveness.