

**CITY OF CHESAPEAKE, VIRGINIA**

**NUMBER 1.29**

**ADMINISTRATIVE REGULATION**

**EFFECTIVE DATE: 03/02/11**

**SUBJECT: FACILITATING  
PROCUREMENT OPPORTUNITIES  
FOR SMALL BUSINESSES AND  
BUSINESSES OWNED BY WOMEN,  
MINORITIES AND SERVICE DISABLED  
VETERANS**

**SUPERSEDES: N/A**

## **I. PURPOSE**

It is in the best interests of the City of Chesapeake to maximize participation in City procurement processes and to provide opportunities for participation by diverse vendors. The purpose of this administrative regulation is to facilitate the participation of small businesses and businesses owned by women, minorities and service disabled veterans in procurement transactions with the City of Chesapeake, in accordance with the Virginia Public Procurement Act (“VPPA”), Code of Virginia § 2.2-4310.

## **II. DEFINITIONS**

1. **“Minority individual”** means 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:
  - a. **“African American”** means 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.
  - b. **“Asian American”** means 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, 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.
  - c. **“Hispanic American”** means 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.

- d. “Native American” means 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.
2. **“Minority-owned business”** means a business that is at least 51% 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 partnership, or limited liability company or other entity liability company or other entity, at least 51% 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.
  3. **“Service disabled veteran”** means a veteran who (i) served on active duty in the United States military ground, naval, or air service, (ii) was discharged or released under conditions other than dishonorable, and (iii) has a service-connected disability rating fixed by the United States Department of Veterans Affairs.
  4. **“Service disabled veteran business”** means a business that is at least 51% owned by one or more service disabled veterans or, in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more individuals who are service disabled veterans and both the management and daily business operations are controlled by one or more individuals who are service disabled veterans.
  5. **“Small business”** means a business, 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 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.
  6. **“Women-owned business”** means a business that is at least 51% 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% 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.

### **III. POLICY**

It is the policy of the City of Chesapeake to provide an equal opportunity for all businesses to participate in City procurement and contracting opportunities. The City shall not discriminate against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, status as a service disabled veteran, or any other basis prohibited by state or federal law relating to discrimination in employment.

### **IV. PROCEDURE**

The Procurement Administrator and the Purchasing Division shall be responsible for developing and implementing policies and procedures that will facilitate participation in City procurement opportunities by small businesses and businesses owned by women, minorities and service disabled veterans. Whenever solicitations are made, businesses selected from a list made available by the Virginia Department of Minority Business Enterprise shall be included.

#### **A. Departmental Responsibilities**

Department Directors, in conjunction with the Procurement Administrator and the Purchasing Division, shall be responsible for facilitating the participation of small businesses and businesses owned by women, minorities and service disabled veterans for procurements within their delegated authority.

#### **B. Purchasing Division Responsibilities**

The Purchasing Division shall be responsible for:

Centralized monitoring, analysis and reporting on the participation of small businesses and businesses owned by women, minorities and service disabled veterans in City contracts and subcontracts.

In cooperation with the Department of Economic Development, creating awareness of the benefits of working with small businesses and businesses owned by women, minorities and service disabled veterans through outreach, marketing, education and training.

Focusing on continued identification of small businesses and businesses owned by women, minorities and service disabled veterans.

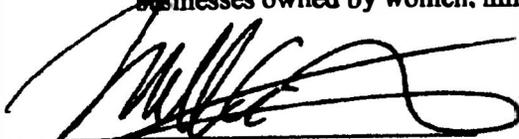
In cooperation with the Department of Economic Development, maintaining a database of small businesses and businesses owned by

women, minorities and service disabled veterans, which is accessible to all City agencies and to the public.

Auditing and reviewing purchases made under delegated authority for compliance with participation procedures promulgated under this administrative regulation.

Debundling contracts to facilitate the participation of small businesses and businesses owned by women, minorities and service disabled veterans.

Requiring each prime contractor who will be subcontracting any work under a City contract, to include in its proposal or bid a component regarding its efforts to facilitate the participation of small businesses and businesses owned by women, minorities and service disabled veterans.

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William E. Harrell, City Manager

3/2/11  

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Date