



## Administrative Directive 8.50.096-AD

### Equity in Public Purchasing and Contracting: Business Equity

#### I. PURPOSE

The Equity in Public Purchasing and Contracting Board policy, 8.50.095-P, has three objectives:

1. **Business Equity:** The District will provide professional, supply, construction and personal service purchasing and contracting opportunities to small businesses that have been historically underutilized, including businesses owned by people of color, service-disabled veterans and by women.
2. **Contractor Workforce Equity:** The District will ensure apprenticeship opportunities in the construction trades and will promote construction employment opportunities for people of color and for women.
3. **Career Learning Equity:** The District will continue to provide career learning opportunities for students, providing them exposure to various potential career paths, including but not limited to, architecture, engineering and related services, legal and accounting services, as well as building trades and construction work.

Each of these objectives is operationalized by an Administrative Directive (AD). This is the Business Equity AD. The other two directives are: Contractor Workforce Equity (8.50.097-AD) and Career Learning Equity (8.50.098-AD).

#### II. DEFINITIONS

For the purposes of this Administrative Directive, the following definitions are based on the District's Public Contracting Rules and Definitions.

1. **"Consultant"** means a business entity that employs architectural, engineering, land surveying, photogrammetric mapping, transportation planning, land surveying services and related services contracts, or any combination of the foregoing. (PPS Public Contracting Rules Division ("PPS Rules Division")-48-0110 (3)).



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2. Except where PPS Public Contracting rules expressly indicate otherwise, **“Contract”** means a "Public Contract" as defined in ORS 279A.010 and includes but is not limited to a sale or other disposal, or a purchase, lease, rental, or other acquisition by the District of personal property, Services, including Personal Services, Public Improvements, Public Works, minor alterations, or ordinary repair or maintenance necessary to preserve a Public Improvement. "Public Contract" does not include grants. (PPS Public Contracting Rules Division-46-0110 (72))
3. **“Construction”** means Construction Services including excavating, landscaping, demolishing and detaching existing structures, leveling, filling in and doing other preparation of land for the making and placement of a building, structure or superstructure; creating or making a building, structure or superstructure; and altering, partially constructing and doing repairs in and upon a building, structure or superstructure.

For the purposes of this Administrative Directive, Construction includes Public Improvements and Public Works as well as minor alterations, modifications and repairs to real property.

4. **“PPS Divisions”** as used in this Administrative Directive, refer to Divisions 45, 46, 47, 48 and 49 of the PPS Public Contracting Rules, effective March 8, 2016.
5. **“Certified Business”** means:
  - a. A company certified by the State of Oregon Certification Office of Business Inclusion and Diversity (COBID) as a Minority Business Enterprise (MBE), a Women Business Enterprise (WBE), business owned by Service Disabled Veteran (SDV) and/or an Emerging Small Business (ESB) pursuant to Oregon Revised Statutes Chapter 200; or
  - b. A company certified in the States of Oregon, Washington and California by the U.S. Department of Transportation (U.S. DOT) as a Disadvantaged Business Enterprise (DBE) pursuant to Code of Federal Regulations, Title 49, Subtitle A, Parts 23 and 26;



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- c. A company certified by the State of Washington Office of Minority and Women's Business Enterprises (OMWBE) as a Minority Business Enterprise (MBE), and/or Woman Business Enterprise (WBE) pursuant to Washington Administrative Code, Title 326, Chapter 326-20.
6. **"Goods and Services or Goods or Services"** as defined in ORS 279A.010(1)(j) and PPS-46-0110(38) and means any combinations of any items identified in the definitions of "Goods" and "Services."
7. **"Goods"** as defined in ORS 279A.010(1)(i) and PPS-46-0110(37) means supplies, equipment, materials, and personal property, including any tangible, intangible, and intellectual property and rights and licenses in relation thereto, and combinations of any of the items identified herein.
8. **"Personal Services"** as defined in PPS-46-0110(60) means the Services or type of Services performed under a Personal Services Contract as defined in PPS-46-0500. Personal Services are Services that require specialized technical, creative, professional, or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of Services is a primary or specific requirement.



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- a. Consultant Services (PPS Division 48), which includes architecture, engineering, land surveying, photogrammetric mapping, transportation planning, land surveying services and related services contracts: The 18% may include payments made by the District, its consultants or sub-consultants.
  
- b. Construction Contracts (PPS Division 49): Of the total amount the District

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#### **IV. RESPONSIBILITY AND ACCOUNTABILITY**

1. The District will review its performance under this directive each year. Pursuant to Board Policy 8.50.095, the Superintendent will report to the Board annually regarding the District's performance towards this objective. The annual reporting cycle will be per calendar year.

The Superintendent or designee will periodically review the aspirational goals and modify them as appropriate.

History: Adopted 9/2013, Revised 2/2015, Revised 5/2016