

**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

**Subject:
DISABLED VETERAN AND LOCAL
BUSINESS ENTERPRISES**

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Policy:

It is the policy and practice of the County of Riverside to encourage the utilization and participation of Disabled Veterans Business Enterprises (DVBE) in county procurements and to align preference with the state requirements. All county departments include in bid documents a statement that a three percent (3%) price preference for disabled veteran owned businesses will be utilized in bid evaluations. The Board adopted this practice to encourage greater economic opportunity for Disabled Veteran Business Enterprises for funds spent under county and Board-governed Special Districts' contracts and purchase orders.

The county also has a local vendor preference that directs all departments and agencies to include in bid documents a statement that the county may, where applicable, apply local preference in determining the award of a contract or purchase. This policy will provide the lowest local responsive and responsible bidder the opportunity to match the price and terms of the overall lowest responsive and responsible non-local bidder provided the local bidder's bid was within five percent (5%) of the lowest overall bidder. Should the local bidder be willing to match the price of the lowest overall bidder, the award will be made to the local bidder. In the case where the local vendor will not match the price and terms of the lowest overall bidder, and there are other local bidders within 5% of the lowest overall bidder, the same offer to match will be provided to the next lowest local bidder. If no local bidder within 5% of the lowest overall bidder matches the price, the award shall be made to the lowest overall bidder. The definitions and qualifications for a local bidder and detailed procedures are included in the Purchasing and Fleet Services Department Procedure #19. This local preference policy shall not be utilized where restricted by law or funding source requirements.

The Board encourages equal opportunities for Minority Business Enterprises (MBE), Women's Business Enterprises (WBE), and small businesses to compete for contracts of all types entered into by entities governed directly or ex-officio by the Board of Supervisors, and to promote the increased use by same in joint ventures and as sub-contractors.

POLICY AMPLIFICATION

I. SCOPE

This policy shall apply to agreements, contracts, acquisition leases, and purchase orders for materials, services, professional services, professional consultants or trainers from firms or individuals engaged in "for profit" business activities paid for in whole or in part out of county funds or funds administered by the county. To the extent of any conflict between this policy and any requirements imposed by the federal and state government relating to participation in a contract by a DVBE as a

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condition of receipt of federal or state funds, the federal or state requirements shall prevail. Local business preference shall also apply as listed in this policy.

II. DEFINITION

- A. Disabled Veteran Business Enterprise (DVBE) as used in this policy means a business concern certified by the state Office of Small and Minority Business (OSMB) as meeting the following legal requirements:
1. It is a sole proprietorship, at least 51 percent owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation, but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture's management, control and earnings are held by one or more disabled veterans.
 2. The management and control of the daily business operations is by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business concern.
 3. A sole proprietorship, corporation, or partnership, with its home office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm or other foreign-based business.
- B. Local Business as used in this policy means business firms meeting the following requirements:
1. Fixed offices located within the geographical boundaries of Riverside County, authorized to perform business within the county, and in doing so, credit all sales tax from sales generated within Riverside County to the county, and provides, produce/s, or performs contracted work using employees, of whom the majority are physically located in said local offices.
 2. A Riverside County business street address, shall be open and staffed during normal business hours and,
 3. The business must establish proof that it has been located and doing business in Riverside County for at least six (6) months preceding its certification to the county as a local business.
- C. Minority Business Enterprise (MBE) as used in this policy means a business concern, consultant, or contractor that meets all of the following criteria:

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1. It is a business enterprise that is at least 51 percent owned by a minority individual or group(s), in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more minority groups;
2. The management and control of daily business operations is by one or more minority individuals. Legal aliens with permanent residence status are included in this definition;
3. A business concern with its home office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business. Black American, Hispanic American, Native American, and Asian Pacific Americans are presumed minorities.

Other groups are considered minorities if found to be disadvantaged by the Small Business Administration, pursuant to Section 8(d) of the Small Business Act as Amended (15 U.S.C 637 (d)), or the Secretary of Commerce pursuant to Section 5 Executive Order 11625.

- D. Women Business Enterprise (WBE) as used in this policy means a business concern, consultant or contractor that meets all of the following criteria:
1. It is a business enterprise that is at least 51 percent owned by a woman or women, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women;
 2. The management and control of daily business operations is by one or more women;
 3. A business concern with its home office located in the United States, which is not a branch or subsidiary of a foreign corp., foreign firm, or other foreign-based business.

III. FUNCTION

- A. The Purchasing Department, through the county Contract Compliance Office, shall develop, manage, and implement the W/M/DVBE program on a day-to-day basis. The Contract Compliance Officer shall be responsible to:
1. Provide assistance and guidance to all departments, offices, agencies, and Board-governed special districts in matters related to the implementation, interpretation, and enforcement of this policy.

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2. Develop a systematic method for identifying and maintaining an inventory of certified minority and women and disabled veterans business enterprises (MBE, WEB, and DVBE), their capabilities, services, supplies, and/or products.
 3. Participate in business opportunity-related meetings, conferences, seminars, etc., with minority, women, disabled veteran, owned and small business organizations.
- B. Board Governed Special Districts with delegated contracting authority shall provide the County Contract Compliance Office with contracting information, as requested, to insure compliance with this policy.

IV. PROCEDURES MANUAL

An operating procedures manual was developed for implementation of the County Purchasing Ordinance.

V. RACE AND GENDER NEUTRALITY

Under no circumstances shall this policy be construed as requiring or permitting the county, or any office or agency to which this policy may apply, to award any agreement, contract, acquisition lease, lease, or purchase for supplies, equipment, materials, services, professional services, public works, professional consultants, or trainers to any person, company, firm, or other business organization or entity whatsoever on any basis other than the best and most responsive bidder, or the best qualified bidder, as set forth in the pertinent bid or proposal documents, without regard to race, religious creed, color, national origin, ancestry, physical disabilities, medical condition, marital status, veteran status, pregnancy, age, or sex.

Reference:

Minute Order 3.16 of 03/08/94
Minute Order 3.32 of 06/01/99
Minute Order 3.3 of 04/10/07
Minute Order 3-24 of 04/09/13
Minute Order 3.8 of 05/21/19 (Rescinded)