



Policy Type: Board

Category: Procurement

Policy Name: Outreach to Diverse Business Enterprises - Board Policy 3.11

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3.11 OUTREACH TO DIVERSE BUSINESS ENTERPRISES (Adopted 12-11-94; Revised 11-15-16)

It is the policy of the Santa Clara County Board of Supervisors that no person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military or veteran status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the County.

In this regard, it is the Board's policy pertaining to the utilization of minority-owned business enterprises (MBEs), women-owned business enterprises (WBEs), disabled veteran-owned business enterprises (DVBEs), and LGBT-owned business enterprises (LBGTBEs), that focused outreach activities be taken as necessary and as permitted by law to ensure that these enterprises are provided the opportunity to compete for and participate in all contracts issued by the County for construction, services, and the purchase of supplies and equipment.

For the purposes of this policy, the following definitions shall apply:

- "Minority-owned business enterprise" or "MBE" shall mean a business that is (1) a sole proprietorship legitimately owned and controlled by an individual who is a minority person, as defined below; (2) a



partnership or joint venture controlled by minority persons and in which at least 51 percent of the beneficial ownership interests are legitimately held by minority persons; or (3) a corporation or other entity controlled by minority persons and in which at least 51 percent of the beneficial ownership interests are legitimately held by minority persons.

- "Minority person" means an individual who is black, Hispanic, Asian American, Pacific Islander, or American Indian. Also, a "minority person" may include members of other groups found to be socially and economically disadvantaged by the Small Business Administration under Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637 (a)).
- "Women-owned business enterprise" or "WBE" shall mean a business that is a sole proprietorship legitimately owned and controlled by a woman; (2) a partnership or joint venture controlled by women and in which at least 51 percent of the beneficial ownership interests are legitimately held by women; or (3) a corporation or other entity controlled by women and in which at least 51 percent of the beneficial ownership interests are legitimately held by women.
- "Disabled veteran business enterprise" or "DVBE" shall have the same meaning as defined in Section 999 of the Military and Veterans Code.
- "LGBT business enterprise" or "LGBTBE" shall mean a business enterprise that is at least 51 percent owned by a lesbian, gay, bisexual, or transgender person or persons; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more lesbian, gay, bisexual, or transgender persons; and whose management and daily business operations are controlled by one or more of those individuals.



Focused outreach shall be taken to highlight opportunities for MBEs, WBEs, DVBEs, and LGBTBEs to participate equitably in County contracting activities. These are minimum actions. In instances where more stringent requirements are established by federal or state agencies as a condition for County participation in a program, the more stringent requirements shall apply. As authorized by Government Code Section 11139.7, Administration shall engage in focused outreach activities in addition to general outreach, for purposes of increasing participation by the small business sector and increasing diversity in the County's contracting and procurement activities. Outreach activities may include the following:

- (1) Solicitations distributed to state and local small business and trade associations and chambers of commerce, including ethnic chambers of commerce, and other business and professional associations, including professional minority, women, disabled veteran, and LGBT-owned business and professional groups and associations, as appropriate.
- (2) Advertising concerning local contracting and procurement opportunities in trade papers and other publications focusing on small business enterprises, including publications in languages other than English and those whose primary readership is minority, women, disabled veteran, or LGBT-owned businesses.
- (3) Outreach to state and local small business and trade associations and chambers of commerce, including ethnic chambers of commerce, and other business and professional associations, including professional minority, women, disabled veteran, and LGBT- owned business and professional groups and associations, as appropriate.

Administration may collaborate with other governmental entities to streamline or effectively promote provisions of this policy.

Related Policies



County of Santa Clara

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- Policy on Diversity – Board Policy 3.7 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.7-Policy-on-Diversity.pdf>
- Policy Against Discrimination, Harassment, and Retaliation - Board Policy 3.8 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.8-Policy-Against-Discrimination-Harassment-and-Retaliation.pdf>
- Policies on Soliciting and Contracting - Board Policy 5.0 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-5.0-Policies-on-Soliciting-and-Contracting.pdf>

Related Forms and Information

None.

History

Date	Changes Made
11/15/2016	Policy Updated. View legislative file.
3/8/2016	Added Related Policies (David Bruno)
1/23/2014	Policy Uploaded. (John Myers)
12/11/1994	Policy Adopted.