

SWaM

Virginia Department of Minority Business Enterprise (DMBE)

Small, Woman, and Minority Owned



Supplier Diversity Strengthens the Commonwealth

Certification Programs

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SWaM

Small, Women-owned, and Minority-owned Business

A State Program to promote access and to enhance procurement opportunities for businesses participating in state-funded projects.



Virginia Department of Minority Business Enterprise (DMBE)

- **Small Business**

Have 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous 3 years

- **Women-Owned Business**

At least 51% owned and controlled by one or more women

- **Minority-Owned Business**

At least 51% owned and controlled by one or more minorities



SDV

Service Disabled Veteran-owned Business

- Veterans who are certified **small business** owners can obtain Service Disabled Veteran-owned “status” in the SWaM vendor database.
- This is not a separate certification; it is an identification of those businesses that are owned by Service Disabled Veterans who are classified as “service disabled” by the Virginia Department of Veteran Services.



ESO

Employment Services Organization

- An organization that provides community-based employment services to individuals with disabilities.
- The organization must be accredited by both the Commission on Accreditation of Rehabilitation Facilities (CARF) and by the Department for Aging and Rehabilitative Services before it can be certified as an ESO.



Virginia Department of Minority Business Enterprise (DMBE)

DBE

Disadvantaged Business Enterprise

- A Federal Program
- To increase the participation of certified DBEs in projects funded by the US Department of Transportation & other federal organizations

Department of Rail and Public Transportation
Department of Transportation (VDOT)
Department of Agriculture and Consumer Services
Department of Environmental Quality
Transportation authorities and localities

Department of Aviation
Virginia Port Authority
Department of Health
Dept of Conservation & Recreation



Virginia Department of Minority Business Enterprise (DMBE)

Total SWaM: 20,926 (as of May 13, 2013)

- Small Business: 8,767
- Women-owned Business: 5,383
- Minority-owned Business: 6,775

Disadvantaged Business: 1,435

Service Disabled Veteran-owned Business: 224

ESO: 1



Virginia Department of Minority Business Enterprise (DMBE)

Statutory Requirement Regarding Out-of-State Firms

DMBE shall deny certification to vendors from states that deny like certifications to Virginia-based small, women-owned or minority-owned businesses or that provide a preference for small, women-owned or minority-owned businesses in that state which preference is not available to Virginia-based businesses.

Currently there are twelve (12) states that have such programs, so the firms based in those states are not eligible to participate in Virginia's SWaM Program.

There are nineteen (19) other states that have some restrictions that might prevent Virginia-based firms from participating in their programs, and therefore the SWaM certification program applies the same restrictions to those firms from those 19 states.



Virginia Department of Minority Business Enterprise (DMBE)

Factors: Certification Program & Company Structures

- SWaM certification - Ranges from 3 days for a simple Sole Proprietorship to 30 days for a complicated-structured corporation
- SDV-owned businesses - After certification as small business, about 2 days to identify in the systems as an SDV
- ESO certification - Ranges 2 weeks to 30 days to verify with CARF Certification and DARS verification
- DBE certification - governed by the U.S. DOT regulations; By federal Regulations: Required to finalize the application within 90 days from the day that a firm completes the submission package.



Virginia Department of Minority Business Enterprise (DMBE)

Code of Virginia

§ 2.2-4310

(A) ----Whenever solicitations are made, each public body **shall include businesses selected from a list made available by the Department of Minority Business Enterprise**. All public bodies shall establish programs consistent with this chapter to facilitate the participation of small businesses and businesses owned by women, minorities, and service disabled veterans in procurement transactions...

--- State agencies shall submit annual progress reports on small, women- and minority-owned business procurement and on service disabled veteran-owned business procurement to the Department of Minority Business Enterprise ---- **(Agency SWaM Plan)**



Virginia Department of Minority Business Enterprise (DMBE)

Code of Virginia

§ 2.2-4310

(C) Whenever there exists (i) a rational basis for small business enhancement or (ii) a persuasive analysis that documents a statistically significant disparity between the availability and utilization of women- and minority-owned businesses, the Governor is authorized and encouraged to require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law.



Virginia Department of Minority Business Enterprise (DMBE)

- DMBE certification is a real time system for DMBE website search function
- SWaM designations are updated nightly in DGS's eVA system
- Secured FTP site is utilized to transfer SWaM certification information to eVA
- eVA users can identify certified SWaMs for procurement purposes



Virginia Department of Minority Business Enterprise (DMBE)

EO #33

Reporting

DMBE, in consultation with executive branch entities and institutions with procurement authority shall develop a uniform, state-wide method for evaluating and monitoring SWaM participation plans in all state procurements.

Each prime contractor shall include in its proposal(s)/bid(s) a SWaM participation component.

Before final payment is made, the contractor must certify evidence satisfactory to the Commonwealth of compliance with the contract's SWaM Procurement Plan.



Virginia Department of Minority Business Enterprise (DMBE)

EO #33

Executive branch entities and institutions with procurement responsibilities shall implement processes for producing SWaM subcontracting data as established by DMBE in consultation with the Department of General Services and the Virginia Information Technologies Agency.

This subcontracting data must also include information on non-SWaM subcontractors performing on contracts over \$200,000.



Virginia Department of Minority Business Enterprise (DMBE)

EO #33

DMBE, in consultation with executive branch entities and institutions with procurement policy responsibilities, shall formulate policies and procedures for the Commonwealth's **small business set aside program** and implement small business enhancement tools, including but not limited to:

- Unbundling of selected State contracts
- Increasing SWaM participation on small procurements under \$5,000
- Early posting of potential contract opportunities



SWaM Expenditure Dashboard

Required by § 2.2-1405

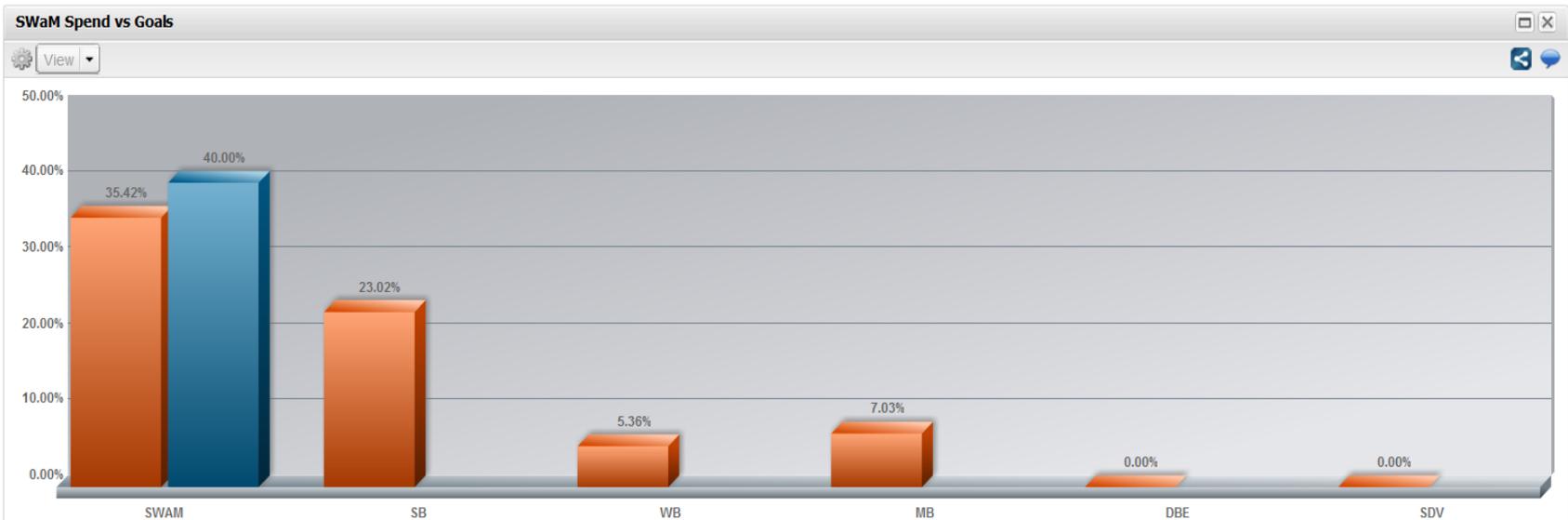
The Director, with the assistance of the Comptroller, shall develop and implement a systematic data collection process that will provide information for a report to the Governor and General Assembly on state expenditures to small, women- and minority-owned businesses during the previous fiscal year.





SWaM Spend vs Goals * ↻
Commonwealth of Virginia

Period: FY2012



FY2012 (July 1, 2011 - June 30, 2012)

	Women-owned Business (WB)	Minority-owned Business (MB)	SWaM Total
Small Business (SB)	\$331,993,948	\$435,236,026	\$2,192,643,300
	5.36%	7.03%	35.42%