# EAST BAY MUNICIPAL UTILITY DISTRICT
# CONTRACT EQUITY (CE) PROGRAM – *General Information*

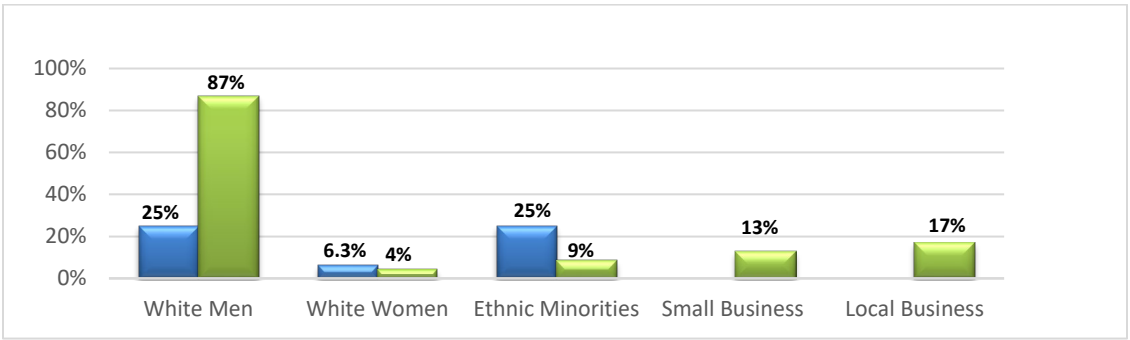
## *PROGRAM OVERVIEW*

- A Small Business Enterprise (SBE) component which includes:
  - *Disabled Veteran Business Enterprise and Lesbian, Gay, Bisexual, Transgender, Queer Business Enterprises.*
  - *A goal of awarding fifty percent (50%) of all annual contracts ≤ $80,000 to SBEs;*
  - *A 7% bid discount (not to exceed $150,000 per year for responsive/responsible SBEs);*
  - *Small Business First provisions:*
    - *At least 25% of all annual contracts ≤ $80,000 will be made available for SBEs first excluding purchases made with purchase cards;*
    - *Targeted professional services contracts ≤ $250,000 will be made available for SBEs first as a pilot*
- Three Availability Groups: White Men-Owned Businesses, White Women-Owned Businesses, and Ethnic Minority-Owned Businesses (both men and women)
- Four Contracting Categories: Construction, Professional Services, General Services, and Materials & Supplies
- Contracting Objectives: ***Minimum level*** of expected contract participation in a nondiscriminatory environment for the applicable availability group for each contracting category. See Table below:

| CONTRACTING OBJECTIVES | | | | |
|---|---|---|---|---|
| *AVAILABILITY GROUP* | *CONTRACTING CATEGORIES* | | | |
| | *CONSTRUCTION* | *PROFESSIONAL SERVICES* | *GENERAL SERVICES* | *MATERIALS & SUPPLIES* |
| White Men | 25% | 25% | 25% | 25% |
| White Women | 9% | 6% | 6% | 2% |
| Ethnic Minorities (both men and women) | 25% | 25% | 25% | 25% |

- Ten Good Faith Outreach Efforts from the State of California's Public Contract Code 2000
- Encouragement of Local Businesses' participation on all contracts
- Construction projects' local hiring good faith goals of 50 percent for local residents with 30 percent being from the county(ies) directly impacted by the project
- Working with Respect – No Equal Employment Opportunity (EEO) discrimination, harassment, and retaliation by contractors/subcontractors or EBMUD employees
- Denial of Contract Award for noncompliance with the CE Program

## *CONTRACT DISTRIBUTION (FY24)* - Excludes awards to government agencies, nonprofit organizations, publicly held corporations, foreign-owned and sole source awards




Blue = Contracting Objective/Goal
Green = Actual Results

## *KEY DEFINITIONS*

**Disabled Veteran Business Enterprise:** *An independent business[1] that is at least 51% owned, operated and controlled[2] by one or more disabled veteran(s) who are citizens or lawful permanent residents of the United States and meets all the following:*

- *A veteran of the U.S. military, naval, or air service;*
- *The veteran must have a service-connected disability of at least 10% or more; and*
- *The veteran must reside in California.*

**Ethnic Minority-Owned Business:** *An independent business that is at least 51% owned, operated, and controlled by one or more ethnic minority men and/or ethnic minority women who are citizens or lawful permanent residents of the United States for purposes of this program. Ethnic minorities are defined as:*

- *Black/African American*
- *Hispanic/Latin American*
- *Asian/Pacific Island American*
- *Asian-Indian American*
- *Native American*

**Lesbian, Gay, Bisexual, Transgender, Queer Business Enterprises:** *A firm that is certified by a certifying body such as the National Gay and Lesbian Chamber of Commerce and the California Public Utilities Supplier Clearinghouse. LGBTQBE must also be certified as a Small Business by the State of California or the Department of General Services.*

**Local Business:** *A business located in Alameda, Contra Costa, Sacramento, San Joaquin, Calaveras, Amador, and other counties directly impacted by District contracts and/or operations.*

**Local Resident:** *An individual employee who resides in Alameda, Contra Costa, Sacramento, San Joaquin, Calaveras, or Amador County or in any county(ies) directly impacted by this EBMUD project.*

**Small Business (SB):** *A business enterprise that has average annual gross receipts of $19 million or less over the previous three years or is a manufacturer with 100 or fewer employees or disabled veteran business enterprise.*

**Small Business-Public Works (SB-PW):** *A public works construction contractor with 200 or fewer employees and average gross receipts of $46 million or less over the previous three years.*

**White Men-Owned Business:** *An independent business that is at least 51% owned, operated, and controlled by one or more **non-ethnic minority** men who are citizens or lawful permanent residents of the United States.*

**White Women-Owned Business:** *An independent business that is at least 51% owned, operated, and controlled by one or more **non-ethnic minority** women who are citizens or lawful permanent residents of the United States.*

**For additional information, contact**: East Bay Municipal Utility District's CE Office: phone (510) 287-0114; email: contract.equity@ebmud.com; website: http://www.ebmud.com/business-center/contract-equity-program/

## *ONLINE REGISTRATION*

- Go to www.ebmud.com/business and select **REGISTER.**
- For additional assistance, call the Purchasing Division at (510) 287-0454 or email *purchase@ebmud.com*.

[1] **Independent Business:** *A business that is not inextricably associated with another firm through ownership, affiliation, or sharing of employees, facilities, profits, and losses.*

[2] **Control:** *There are two aspects of control: operational and managerial. Under operational control, the owner with 51% or more control must show that he or she independently makes or controls the basic decisions in daily operations. To determine managerial control, the owner must demonstrate that he or she makes independent and unilateral business decisions that guide the future and destiny of payroll checks, letters of credit, contractual matters, banking services, and other such agreements.*