



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT
Governmental Center Annex

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MEMORANDUM

DATE: October 27, 2016

TO: Nicole Sharp, Natural Resource Administrator, Beach Program Manager
Natural Resource Planning Management

THRU: Sandy-Michael McDonald, Director *SMC*
Office of Economic and Small Business Development

FROM: Christopher Atkinson, Assistant Director *CA*
Office of Economic and Small Business Development

SUBJECT: Affirmative Steps for Minority Firms, Women's Business Enterprises,
and Labor Surplus Area Firms for Segment III Shore Protection Project

This memorandum supersedes the October 21, 2016 memorandum.

This project will be funded, in part, by the U.S. Army Corp of Engineers (US ACE). The funding agreement references Title 32 CFR Part 33, which governs the requirements of their grants. Section 33.36(2) states: "Grantees and subgrantees will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals"; therefore, the Office of Economic and Small Business Development (OESBD) is unable to establish County Business Enterprise (CBE) goals.

This contract is not subject to the Workforce Investment Program (WIP).

Title 32 CFR Part 33 does require grantee and subgrantee to take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Section 32.36(3) requires the awarded contractor to take the following necessary affirmative steps:

- (i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources

- (iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
- (iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- (v) Using the services and assistance of the U.S. Small Business Administration, and the Minority Business Development Agency of the U.S. Department of Commerce.

The awarded contractor will be required to submit documentation of the affirmative steps taken to include the participation of small and minority businesses, women's business enterprises and labor surplus area firms.

cc: Freddy Castillo, Small Business Development Manager, OOESBD
James Vose, Jr., Small Business Development Specialist, OESBD