

1230.1830 PREFERENCE PROCUREMENTS FROM ECONOMICALLY DISADVANTAGED SMALL BUSINESSES.

A certified economically disadvantaged small business may be awarded up to a six percent preference for commodities and services and a four percent preference for construction projects.

A. The division shall include a statement on the solicitation document informing all vendors that certified economically disadvantaged vendors will receive a preference in the amount offered and the amount of the preference to be awarded.

B. Unless awarded pursuant to item E, when the lowest acceptable response from a certified economically disadvantaged small business is within the specified percent of the lowest acceptable response from another vendor, award must be made to the lowest responsible certified economically disadvantaged small business.

C. Unless awarded pursuant to item E, when there is no acceptable response from a certified economically disadvantaged small business within the specified percent of the lowest acceptable response from another vendor, award must be made to the lowest responsible vendor.

D. Unless awarded pursuant to item E, when the division awards a different percentage preference to a certified targeted group small business and a certified economically disadvantaged small business on the same solicitation, the lowest acceptable response must be determined by deducting the appropriate preference percent awarded from the acceptable responses by the certified small businesses.

E. In the event the state is using a solicitation method other than competitive bidding, including requests for proposals and bids awarded based on best value criteria, where price is not the only factor considered in making an award, the preference must be applied as stated in the solicitation document.

Statutory Authority: *MS s 16B.04; 16B.18; 16B.19; 16B.22; 16C.03; 16C.16; 16C.19*

History: *16 SR 194; 28 SR 499*

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