

Boston Water & Sewer Commission

SHELTERED MARKET PROGRAM PROCEDURES

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PROCEDURES

1. Implementation

- a. The Chief Procurement Officer (Executive Director) or his designee shall issue written procedures governing the implementation of the Sheltered Market Program (SMP)
- b. The Chief Procurement Officer or his designee shall ensure that appropriate training be provided to Senior Staff, Division Heads, and procurement personnel in carrying out the systems and procedures for implementing and enforcing the SMP.
- c. The Chief Procurement Office or his designee shall be responsible for:
 - i. Reviewing the appropriateness of proposed procurements for inclusion in the SMP.
 - ii. Specifying the categories of disadvantaged businesses for proposed procurements for inclusion in the SMP.
 - iii. Approving or rejecting designation of procurements in the SMP.
 - iv. Approving the annual report on effectiveness of the program.

2. Certification of businesses for participation

- a. The Commission will use Minority-Owned Businesses and Women-Owned, Veteran Owned Businesses and Businesses certified by the State Supplier Diversity Office (SDO) or the City of Boston's Supplier Diversity Program.

3. Designation of contracts

- a. Procurements may be submitted for consideration within the SMP by:
 - i. The Director and Staff of Organizational Diversity Department
 - ii. The Department issuing the procurement.
 - iii. The Procurement Department
- b. Once a procurement has been submitted for consideration, the Chief Procurement Officer or his designee will have 7 business days to review and:
 - i. Approve or reject designation based on the following criteria:
 1. Will the inclusion of this procurement in the SMP further the goals of equity and supplier diversity?
 2. Is this an industry where there is a high availability of certified or certifiable disadvantaged businesses to perform the work? Are there likely to be at least 3 responsive and responsible bidders?
 3. Will this procurement be released and awarded during the authorized time?
 - ii. Specify the categories of disadvantaged businesses for which this procurement will be available through the SMP based on:
 1. The depth of the disparity for that industry for each category of disadvantaged businesses
 2. The availability of businesses in those categories to perform the work.

- iii. This decision must be documented in writing and included with the procurement when released.

4. Ensuring competition

- a. Organizational Diversity Department staff will contact eligible certified businesses and businesses who are in the process of getting certified to inform them of SMP procurements as they are released.
- b. All procurements designated for release through the SMP will be published on the Commission's website.
- c. Procurement will also be advertised through BidNet Direct.
- d. The Commission will advertise SMP procurements in and on publications and websites reaching disadvantaged communities. The Commission will leverage its community partners and boards to outreach to potential bidders.
- e. All SMP procurements will have a pre-submission conference to help potential bidders understand the needs of the Commission and the process to follow.
- f. After the award of any SMP procurement, the Commission will offer each participant the option to debrief on the process to maximize the learning for both Commission staff and participants.

5. Awarding the procurement

- a. In order to be considered responsive, any submission must include:
 - i. A copy of a valid certification letter from one of the relevant certification authorities listed in section 3.
 - ii. A list of any contracts the business has been awarded through a Sheltered Market Program within the last 12 months, with the contract start and end dates. This must also demonstrate that the business does not have a current, active contract issued through a Sheltered Market Program.
- b. 3 responsive and responsible submissions by the submission deadline must be received in order for the contract to be awarded under the SMP.
 - i. If a procurement does not receive 3 bids by the submission deadline, it must be restarted.

6. Annual review and reporting requirements

- a. At least annually, the Director of Organizational Diversity or their designee must produce a written, detailed report that includes:
 - i. Information about the SMP:
 - 1. A list of the contracts issued under the SMP and the dollar value of those contracts.
 - 2. The number of certified businesses eligible for the Commission's SMP and any change in that number over the reporting period.
 - 3. Metrics on the effectiveness of the SMP marketing:
 - a. How many businesses were contacted to bid for each procurement?
 - b. How many bids were received for each procurement?
 - c. How does this performance compare to non-SMP procurements?
 - ii. Information about the Commission's total contracting:
 - 1. The total number, the percentage, the total dollar value, and the percentage dollar value of contracts awarded by the Commission to disadvantaged vendors.

- iii. Description of other efforts undertaken to increase contracting with disadvantaged vendors.
- iv. Recommendations for continuing, modifying, or terminating the program.

7. Severability

- a. If any provision of these Procedures shall be held or made invalid by a court decision, statute, rule or otherwise, the remaining provisions of these Procedures shall not be affected thereby.