

## Vermont Department of Public Safety Procurement Job Aide Compliance with Uniform Guidance Affirmative Steps:

### **2 CFR Uniform Guidance:**

#### **Subpart D – Post Federal Award Requirements**

#### [§200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms](#)

- (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- (b) Affirmative steps must include:
- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

### **Compliance with Regulation:**

When expending federal award funding (exception for subrecipient spending: micro-purchase under the current threshold of \$10,000), you must demonstrate compliance with federal procurement requirements (i.e. that you have affirmatively reached out to small and minority businesses and women's business enterprises, in *addition* to ensuring fair and open competition).

### **Here are steps you can take to ensure compliance:**

- 1) Placing qualified small and minority businesses on solicitation lists per *§200.321 (b)(1)* see above.
- 2) Utilize these websites to search for contractors:
  - Small Business Administration ([search tool & instructions](#))
  - System for Award Management (SAM) Advanced Search - Entity ([sam.gov](#))
  - Amazon Business search (must have an account)

- 3) Reach out to one of these organizations or similar organizations for assistance per *§200.321 (b)(5)* see above.
  - Small Business Association ([SBA](#))
  - Minority Business Development Agency ([MBDA](#))
  - Association of Women's Business Center ([AWBC](#))
  
- 4) Retain documentation to support your efforts per *§200.318 General Procurement Standards (i)*. This must include the following records which demonstrate your affirmative steps taken:
  - Screenshots from website searches.
  - Correspondence with organizations to seek assistance regarding the solicitation process.
  - Solicitations to businesses identified for affirmative outreach, and any responses received per *§200.319 Competition (d)(1)*.
  - Bids and quotes received, and any other communications.
  - Documented review of businesses based on your selection criteria, including any steps taken to divide total requirements or to establish delivery schedules per *§200.321 (b)(3) & (4)* see above.
  - Maintain all forms of documentation from your solicitation process. If your search(es) are unsuccessful in locating contractors or bids, retain this documentation as well to support your search efforts.

For assistance contact:  
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