

CHISAGO COUNTY VETERAN-OWNED & VETERAN-AIDING SMALL BUSINESS CONTRACTING POLICY

I. STATEMENT OF POLICY & PURPOSE

1. It is the policy of Chisago County to recognize the service of personnel who have served our Country and to aid in addressing disproportionate unemployment rates of qualified United States Service Veterans. Adoption of this Veteran-Owned and Veteran-Aiding Small Business Contracting policy will serve to:
 - a. Facilitate the transition of veterans from military to civilian life;
 - b. Prevent under-utilization of qualified, military-trained personnel suitable for and capable of contracting to provide services under County contracts expending local funds for County projects;
 - c. Facilitate the participation of Veteran-Owned and Veteran-Aided Small Business as vendors to the County in the County's purchase of goods and services, for printing, construction, remodel or repair of County facilities;
 - d. Enhance economic development in Chisago County and throughout Minnesota.
2. This Policy sets forth the conditions under which Chisago County will award a five percent (5%) bidding for contracts expending funds for local projects for Veteran-Owned Small Businesses or Veteran-Aiding Small Businesses.
3. Authority: This Policy and Procedure is authorized pursuant to Minnesota Statutes, 375.771 (2012) (as amended by 2012 Legislative sessions, effective July 1, 2012).

II. POLICY GUIDELINES

1. Definitions:
 - a. "Award" means the granting of a contract in accordance with all applicable laws and rules governing competitive bidding, except as otherwise provided in this section;

- b. “Chisago County” means any Chisago County Department, Office or agency, under the direction or control of the Chisago County Board of Commissioners, specifically including any department head, elected official or employee acting on behalf thereof.
- c. “Contract” means an agreement entered into between a business entity and the County for procurement of goods and services, including both technical and non-technical goods and services, printing, construction, remodel or repair, of county owned facilities, except when prohibited by the federal government as a condition of receiving federal funds;
- d. “County Board” or “Board” means the Chisago County Board of Commissioners;
- e. “Purchasing” means the procurement activities of the various departments and offices under the direction of, or affiliation with Chisago County as authorized or directed by the Board;
- f. “Subcontractor” means a business entity that enters into a legally binding agreement with another business entity that is a party to a contract as defined above in paragraph ‘c.’
- g. “Veteran” shall have the definition as set forth in Minn. Stat. 197.447; specifically, “a citizen of the United States or a resident alien who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, or who has met the minimum active duty requirement as defined by Code of Federal Regulations, title 38, section [3.12a](#), or who has active military service certified under section 401, Public Law 95-202. The active military service must be certified by the United States Secretary of Defense as active military service and a discharge under honorable conditions must be issued by the Secretary.”
- h. “Veteran-Aiding Small Business (V-ASB)” means a small business with principal place of business in Minnesota that employs a work force of more than ten percent (10%) of:
 - (1) Recently separated veterans who have served in active military service at any time on or after September 11, 2001 and who have been discharged under honorable conditions from active service, as indicated by the person’s United States Department of Defense form DD-214 or by the commissioner of Veterans Affairs; or
 - (2) Veterans with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs.

- i. “Veteran-Owned Small Business (V-OSB)” means a business designated under Minnesota Statutes, 16C.16, Subd. 6a; specifically, certified small businesses with principal place of business in Minnesota and that are majority-owned and operated by:
 - (1) Recently separated veterans who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of Veterans Affairs;
 - (2) Veterans with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs; or
 - (3) Any other veteran-owned small businesses certified under Minnesota Statutes, section [16C.19](#), paragraph (d).
2. Applicability: The provisions of this policy and procedure shall apply to all contracts or agreements in excess of \$25,000 which are awarded or entered into by the County, including any department, office, or agency under the direction or control of the County, and shall apply to vendor contracts and prime contracts except as may be prohibited by federal law or as otherwise exempted by this policy. The terms and procedures in this policy shall be liberally construed to for the accomplishment of the policy and its purposes. Any contract or agreement flowing from a request for quotes, request for bids or requests for proposals by a County department, office or agency, where the County representative or agent has failed to comply with the procedures associated with this policy may be rejected by the Board or deemed *ultra vires* and void.
3. Implementation:
 - a. Any Chisago County department, office or agency under the direction or control of the County seeking to enter into a contract or agreement for goods or services, consistent with the County’s contracting authority, pursuant to Minnesota Statutes, 373.01, shall comply with this policy.
 - b. Award of Preference: Upon receipt of verification that a Contractor or Vendor qualifies as a V-OSB or V-ASB, said Contractor or Vendor shall be awarded a five percent (5%) bid preference in calculating the lowest responsible bidder and/or lowest quote for awarding the Contract.
4. Procedures:
 - a. When Chisago County seeks Requests for Bids (RFB), Request for Proposals (RFP), or request for quotations (RFQ) for the purchase of any goods or services, including technical, non-technical, printing, construction, or remodel or repair of

county-owned facilities, efforts shall be made to provide notice and invitation of the RFB/RFP and request for quotations to Veteran-Owned small business.

b. Contractor Designation:

- (1) A Contractor or Vendor may qualify as a V-ASB or V-OSB if the Contractor or Vendor and each listed subcontractor, if any, qualifies as a V-ASB or V-OSB, as defined above in section I.1.h and I.1.i., respectively.
- (2) Designation as V-ASB or V-OSB may be achieved by the Contractor or Vendor by submitting at the time of submitting the proposal, bid or quote, the necessary verification, including, but not limited to a DD-214 for the owner of a V-OSB or each employees of the V-ASB, to support the designation as a V-ASB or V-OSB. The RFP, RFB or quote shall also include the necessary verification for any subcontractor included. Failure of the Contractor or Vendor to comply with the verification and supporting will result in loss of any claimed bid preference.