

SEC. G8c SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

Pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session), and consistent with the policy and processes which provide contracting opportunities for small local business as set forth in the Federal Acquisition Regulations (the "FAR"), as codified in the FAR Part 19, Subparts 19.5 and 19.7, there is established a "Small Local Business Enterprise Program" (the "SLBE") within the District's policies relating to the procurement of goods and services.

District staff shall establish specific policies and procedures for the SLBE, as provided by the FAR and subject to the provisions of any applicable federal or state law or regulation. Said policies and procedures shall include: 1) specific eligibility requirements defining "small business" and limiting the application of the SLBE to businesses located within the District's eight member towns; 2) the creation of a committee to determine, on an annual basis, the goals for participation in the SLBE, both in terms of set-aside amounts for individual and classes of District purchases and contracts and the percentage of subcontractor awards to eligible businesses under contracts between the District and its prime contractor; 3) designation by the Chief Executive Officer of such District staff as may be necessary to administer the SLBE; 4) penalties for fraudulently misrepresentation of any facts necessary to determine eligibility for the SLBE or failure to comply with subcontracting requirements, including, but not limited to, the imposition of fines as otherwise provided in the District Charter, suspension from participation in the SLBE or debarment from contracting with the District, or termination of the prime contract; and 5) procedures for appeal of any such penalty.

The CEO may delegate such authority to appropriate District staff as may be necessary to implement or administer the SLBE Program established by this ordinance as he or she may determine.

The CEO shall provide an annual report to the District Board which includes: 1) the number and dollar value of all prime and subcontractor awards and actual payments made to SLBE contractors and subcontractors; 2) an evaluation of whether the specific goals of the SLBE for the previous year were met; and 3) an analysis of the District's progress in achieving overall program objectives.

(Adopted July 7, 2010)

(Effective July 17, 2010)