

VIRGINIA COMMONWEALTH UNIVERSITY

Discrimination Prohibited / Supplier Diversity / SWaM

See the Rules Governing Procurement of Goods, Services, Insurance, and Construction by a Public Institution of Higher Education of the Commonwealth of Virginia Governed by Subchapter 3 of the Restructured Higher Education Financial and Administrative Operations Act, Chapter 4.10 (§ 23-38.88 et seq.) of Title 23 of the Code of Virginia,” § 9, Discrimination prohibited; participation of small, women- and minority-owned business.

A. In the solicitation or awarding of contracts, the institution shall not discriminate against a bidder or offeror on the basis of any characteristic or identity protected by law. Whenever solicitations are made, the institution should include businesses selected from a list made available by the state’s small business certification agency. The institution shall establish programs consistent with this section to facilitate the participation of small businesses and certified firms in procurement transactions and shall cooperate with relevant agencies. The institution shall submit annual progress reports on procurement involving certified small businesses to the appropriate state department.

B. The Institution shall establish programs consistent with this section to facilitate the participation of small businesses and businesses owned by women and minorities in procurement transactions. The programs established shall be in writing and shall include cooperation with the Department of Minority Business Enterprise, the United States Small Business Administration, and other public or private agencies. The Institution shall submit annual progress reports on minority business procurement to the Department of Minority Business Enterprise.

C. Whenever there exists (i) a rational basis for small business enhancement or (ii) a persuasive analysis that documents a statistically significant disparity between the availability and utilization of women- and minority-owned businesses, the Governor is by law authorized and encouraged to require the Institution to implement appropriate enhancement or remedial measures consistent with prevailing law.

D. In the solicitation or awarding of contracts, the Institution shall not discriminate against a bidder or offeror because the bidder or offeror employs ex-offenders unless it has made a written determination that employing ex-offenders on the specific contract is not in its best interest.

For information about VCU’s Supplier Diversity / SWaM program,
see <https://procurement.vcu.edu/our-services/supplier-diversity>