



Commonwealth of Virginia
James Madison University
Annual SWaM Procurement Plan for Fiscal Year 2010

Agency/Institution: James Madison University
 Director/Agency Head/President: Dr. Linwood Rose
 Secretariat: Secretary Of Education
 Date of Submission: September 10, 2009

I. List your SWaM expenditure goals for Small, Women- and Minority-Owned businesses as a percentage of your projected discretionary expenditures. Goals should include expenditures with prime contractors as well as subcontractors.

	MBEs %	WBEs %	SBEs %
FY 2009 Agency SWaM Expenditure Goals	1.5%	3.5%	35%
FY 2009 Agency Expenditures	1.53%	3.6%	61.8%
FY 2010 Projected Spending Goals (% of Discretionary Expenditures)	5%	4%	61%

- II. Designation of Procurement Champion(s)**
- A. Purchases and Supply Division
 Name: Catherine B Weaver
 Title: Manager, Administrative and Technical Team – Procurement Services
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III. SWaM Procurement Processes and Strategies

A. Describe the responsibilities, duties, and scope of authority of the SWaM Procurement Champion(s) in implementing SWaM policy, monitoring your SWaM Plan, and affecting change.

The SWaM Champion for James Madison University, Catherine Weaver, has the working title of Manager, Administrative and Technical Team – Procurement Services. This position is responsible for the team that handles the Supplier Diversity Program, JMU eVA support, and other administrative or finance related department initiatives. The team has one full time Vendor/Buyer Advocate, Jamie Claytor, as well as a part time support position. Having the responsibility for both eVA support and the Supplier Diversity Program works well as the two initiatives are interrelated.

Supplier Diversity Team Duties Include:

- Communication and awareness training to campus departmental buyers relating to the Supplier Diversity Program – including twice yearly presentations, monthly newsletters, and vendor spotlights.
- Assist vendors with questions, certifications, and eVA registration often in a one-on-one setting.
- Prepares and distributes vendor training to assist vendors in being successful in doing business with JMU and other agencies within the State of Virginia.
- Works with prime contractors in an effort to increase their usage of SWaM vendors on JMU jobs.
- Researches and analyzes data in an effort to understand spending and areas of needed focus.
- Participates in numerous state procurement events and annually plans and hosts the JMU SWaM Opportunities Vendor Fair.
- Participates in the Western Region Advisory Committee for the VMSDC.
- Prepares and distributes all reporting to the administration of JMU and the state.
- Post known procurements to the Future Procurement Site on the eVA system.
- Follows up with SWaM vendors that chose not to bid on solicitations to research reasons and attempt to assist if training opportunities are discovered.
- Maintain database of procurements from start to finish and maintaining data on SWaM participation in bids.
- Monitor SWaM plan on a quarterly basis and making adjustments in activities as necessary.
- Partner, look for learning opportunities, and coordinate with other agencies and organizations in an effort to move Supplier Diversity Program forward and to assist and educate vendors.

B. Agency Performance or Achievement of FY09 SWaM Plan:

- All construction prime contractors were required to supply evidence of compliance of subcontracting goals before final payment is authorized.
- JMU contacted non-construction prime contractors in attempt to gain SWaM sub contractor reporting when their contract did not require that reporting.
- SWaM subcontracting plans were required on all solicitations over \$100K. Evaluation criterion for the subcontracting plan was weighted at a minimum of 10 points on a 100 points scale.
- In an attempt to remove barriers and limitations from vendors wishing to take advantage of solicitation opportunities the Vendor/Buyer Coordinator regularly contacted non-responsive SWaM vendors on our Bidder' List to determine why they chose not to bid. We have then helped some vendors refine their eVA Commodity Code selections, and provided training.
- All items dealing with our utilization of eVA/Quick-Quote/VBO, or with our general purchasing regulations were followed as noted. All solicitations were posted in eVA. Future Procurement Website was updated weekly. Quick Quote training for departmental end users for use on purchases under \$5,000 was available through the JMU IT Training Lab.
- Twice yearly User Group Sessions continued across campus providing all staff with purchasing duties training on SWaM. SWaM vendors are brought in as "Spotlight" vendors to market their goods and services, and answer questions. Vendor's brought on campus to in 2009 included Real Access Promo and Faye's Office
- Informational newsletters were sent to all departmental buyers. Included in these newsletters was information on SWaM vendors, guidelines, and outreach opportunities.
- Procurement Services strongly encouraged the 100% usage of eVA Registered WaM vendors in the categories of Office Supplies and Promotional Products for purchases under \$5,000.00.
- The Supplier Diversity Team within Procurement Services actively and aggressively pursued opportunities to be innovative in their approach to supplier diversity through new contacts, events, data collection, and partners.
- Several meetings with prime contractors have been held through the year to further encourage primes to utilize more SWaM on projects and to consider mentor/protégé approaches.
- Buyers were more aggressive in finding and utilizing SWaM vendors on existing cooperative contracts.

C. JMU SWaM purchasing and contracting strategies for fiscal year 2010:

- Evaluate all capital Construction Manager at Risk pre-qualifications and awards using multiple factors including a firm's ability to bring WBE and MBE subcontractors to the Harrisonburg/Rockingham locale. We will look closely at the maturity of the prospective firm's internal disadvantaged business outreach program, current subcontracting database, previous history of utilizing WBE's and MBE's on similar projects and the firm's projected utilization of WBE's and MBE's as subcontractors on the University's respective capital projects. We are also agreeable to consider any company who is willing to pursue joint ventures or protégé agreements with a WBE or MBE partner on a JMU capital project.
- Utilize the resources at DMBE, specifically the new DMBE SWAM Construction Administrator, for identifying WBE and MBE firms that have an interest in traveling to this region for work. JMU will serve as a conduit to match these firms with prospective prime contractors for determination of their capacity to be utilized in a future capital construction projects as a DMBE certified subcontractor.
- JMU will require prime contractors to submit SWaM Subcontracting Plans. Evidence of compliance to these SWaM Subcontracting Plans will be required prior to final payment being processed to vendor. Subcontractor spending is reviewed by Vendor/Buyer Advocate to ensure the subcontractor is a certified DMBE vendor. When the vendors that are reported by the Prime Contractor are found not to be DMBE certified, the Vendor/Buyer Advocate contacts the vendor in an attempt to assist them with certification.
- JMU will assign a minimum of 10 points for evaluation of SWaM Subcontracting Plans.
- Purchasing Managers will verify all solicitations are written so as "prior experience" requirements do not prevent qualified SWaM businesses from being included.
- JMU will keep the "Future Procurement" site of eVA updated for vendors to receive advance notice of potential procurements.
- JMU will continue an aggressive SWaM training program for all University buyers. Mary Helmick, Director of Procurement Services will offer The ABC's of Procurement to departmental buyers on a regular basis. Catherine Weaver & Jamie Claytor will facilitate a twice yearly meeting with departmental buyers to discuss the SWaM initiative, eVA purchasing issues, and general procurement regulations (each session will include a visit from a SWaM vendor). Regular newsletters will be sent to all departmental buyers and approvers that include additional information on the SWaM Program, eVA purchasing issues, and general procurement regulations. Procurement, Facilities Management, Capital Outlay, and Telecom buyers will all be certified VCO's at a minimum. These official procurement officers will attend regular training through the VAGP, NIGP, and the State (including the yearly Forum).
- Catherine Weaver and Jamie Claytor will work on and implement a comprehensive SWAM training program with activities that highlight the topic of privilege.
- JMU will continue to look for opportunities to partner specifically with Minority and Woman owned businesses and facilitate meetings with prime contractors as applicable.

- JMU will continue membership and active participation in the Virginia Minority Supplier Development Council (Western Region). JMU will take part in committee meetings.
- JMU will host, co-host, or participate in vendor fairs and trade shows, to promote networking among SWaM business owners, and to increase contact with JMU buyers and other agencies and localities.
- JMU will locate, encourage, and visit local SWaM vendors to encourage registration with DMBE.
- JMU will host open computer labs and any other available resources at the university to provide technical and personal assistance to vendors needing help with certifying through DMBE.
- JMU will partner with DMBE to assist vendors with the requirements for certification.
- JMU will distribute the JMU SWaM vendor marketing brochure at all functions where SWaM vendors may be present.
- JMU will make contact and associate with community organizations whose memberships consist of SWaM businesses.
- JMU will review existing term contracts to identify SWaM vendors and potential SWaM vendors that may already be or may be eligible to be on contract and notify buyers.
- JMU will update information on SWaM designations by DMBE in JMU's internal ERP finance system, including ethnicity for possible future reporting purposes.
- Within two weeks of a purchase from any non-registered, ad-hoc'd eVA Vendor, a letter and informational packet will be sent explaining eVA registration and the DMBE registration process. JMU will offer assistance to the vendor in regard to the registration process.
- JMU will supply contracting primes with names and contact information of SWaM sub-contractors to include on their bids for JMU construction projects.
- JMU will begin to host outreach events specifically for Prime contractors to engage SWAM sub-contractors.
- JMU SWAM Champion will actively participate on the newly formed VASCUPP SWAM Sub-committee.
- JMU will work harder to disseminate information on future procurement opportunities to DMBE, VMSDC, DBA and other organizations that may be able to generate SWAM vendor interest.
- JMU will market SWAM initiative to all senior officials and department heads, and request a top down distribution of information.
- JMU will advertise required solicitations in statewide newspapers. JMU will actively participate in VASCUPP (SWaMfest) events. JMU will continue posting all over \$5,000.00 solicitations on VBO or within Quick Quote. The line of communication with prime contractors will be kept open in regards to our Supplier Diversity program, and we will forward them information on potential opportunities for SWaM subcontracting.
- When buyers deal with vendors who are not certified they will question their ability to certify under the current criteria for certification. If the vendor does appear to qualify the buyers will provide the vendor with DMBE information and will forward the company to our Vendor/Buyer Advocate. The Vendor/Buyer Advocate will then assist the company over the phone or through an in person one-on-one session if the company's location permits. The Vendor/Buyer Advocate will follow up with the company and with our DMBE representative (typically Angela Chiang) depending on the certification progress. Our office will continue to go to the lengths of mailing the documentation for the vendor if necessary to ensure

certification. The SWaM team will regularly review vendors being utilized by the campus (through eVA reports) and proactively contact vendors that may fit the criteria of a SWaM vendor to determine the ability and assist with the certification process. The SWaM team will review sub contractors listed by primes that have not yet certified and proactively contacts them to offer assistance.

D. Describe your statewide public information campaign to promote procurement opportunities for SWaMs and to increase SWaM participation.

- JMU will advertise required solicitations in statewide newspapers. JMU will actively participate in VASCUPP (SWaMfest) events. JMU will continue posting all over \$5,000.00 solicitations on VBO or within Quick Quote. We will participate in state agency and VMSDC fairs and conferences. The line of communication with prime contractors will be kept open in regards to our Supplier Diversity program, and we will forward them information on potential opportunities for SWaM subcontracting. For our annual SWaM Vendor Fair (July 2009) we will invite all state agencies through the listing found on eVA, advertise through the VDBA, SBDC, VMSDC, VAGP, and the local Chamber of Commerce. We will also extend invitations to over 150 local private businesses and industries that may also have Supplier Diversity programs.

E. Describe your policy and procedure for buyers to encourage vendors to apply for SWaM certification.

- When buyers deal with vendors who are not certified they question their ability to certify under the current criteria for certification. If the vendor does appear to qualify the buyers provides the vendor with DMBE information and forwards the company to our Vendor/Buyer Advocate. The Vendor/Buyer Advocate then assists the company over the phone or through an in person one-on-one session if the company's location permits. The Vendor/Buyer Advocate often follows up with the company and with our DMBE representative (typically Angela Chiang) depending on the certification progress. Our office has even gone to the lengths of mailing the documentation for the vendor if necessary to ensure certification. The SWaM team also regularly reviews vendors being utilized by the campus (through eVA reports) and proactively contacts vendors that may fit the criteria of a SWaM vendor to determine the ability and assist with the certification process. The SWaM team also reviews sub contractors listed by primes that have not yet certified and proactively contacts them to offer assistance.

F. The following Special Terms and Conditions statement will be included on all procurements greater than \$100K:

SMALL BUSINESS SUBCONTRACTING AND EVIDENCE OF COMPLIANCE:

- It is the goal of the Commonwealth that 40% of its purchases are made from small businesses. This includes discretionary spending in prime contracts and subcontracts. All potential bidders/offerors are required to submit a Small Business Subcontracting Plan. Unless the bidder/offeror is registered as a DMBE-certified small business and where it is practicable for any portion of the awarded contract to be subcontracted to other suppliers, the contractor is encouraged to offer such subcontracting opportunities to DMBE-certified small businesses. This shall not exclude DMBE-certified women-owned and minority-owned businesses when they have received DMBE small business certification. No bidder/offeror or subcontractor shall be considered a Small Business, a Women-Owned Business or a Minority-Owned Business unless certified as such by the Department of Minority Business Enterprise (DMBE) by the due date for receipt of bids or proposals. If small business subcontractors are used, the prime contractor agrees to report the use of small business subcontractors by providing the purchasing office at a minimum the following information: name of small business with the DMBE certification number or FEIN, phone number, total dollar amount subcontracted, category type (small, women-owned, or minority-owned), and type of product/service provided. **This information shall be submitted to: JMU Office of Procurement Services, Attn: SWaM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807.**
- Each prime contractor who wins an award in which provision of a small business subcontracting plan is a condition of the award, shall deliver to the contracting agency or institution with every request for payment, evidence of compliance (subject only to insubstantial shortfalls and to shortfalls arising from subcontractor default) with the small business subcontracting plan. **This information shall be submitted to: JMU Office of Procurement Services, SWaM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807.** When such business has been subcontracted to these firms and upon completion of the contract, the contractor agrees to furnish the purchasing office at a minimum the following information: name of firm with the DMBE certification number or FEIN number, phone number, total dollar amount subcontracted, category type (small, women-owned, or minority-owned), and type of product or service provided. Payment(s) may be withheld until compliance with the plan is received and confirmed by the agency or institution. The agency or institution reserves the right to pursue other appropriate remedies to include, but not be limited to, termination for default.
- Each prime contractor who wins an award valued over \$200,000 shall deliver to the contracting agency or institution with every request for payment, information on use of subcontractors that are not DMBE-certified small businesses. When such business has been subcontracted to these firms and upon completion of the contract, the contractor agrees to furnish the purchasing office at a minimum the following information: name of firm, phone number, FEIN number, total dollar amount subcontracted, and type of product or service provided. **This information shall be submitted to: JMU Office of Procurement Services, Attn: SWaM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807.**

G. Define the barriers or limitations inherent or identified in your practices, procedures, and proposal evaluation criteria and describe your plan to eliminate such barriers or limitations to SWaM participation.

- *Barrier* – Existing vendor relationships/long standing relationship with decentralized departmental buyers. *Plan:* Continue to bring awareness to campus buyers on other qualified SWaM Vendors. Develop Pilot programs to encourage buyers to actively work with new vendors.
- *Limitation* – Inadequate number of Woman and Minority Owned businesses in the local area. This is specifically a limitation in the area of construction projects (our high dollar spend area) due to the fact that it is more difficult for woman and minority vendors from outside the area to be as competitive as local area businesses. Since many of our local prime contractors are certified Small businesses awarding to other than the low bidder typically does not assist us in our Woman and Minority efforts. *Plan:* Continue to encourage vendors from outside of region to be competitive for projects, continue to look for new SWaM vendors in the local area, and partner with other nearby agencies to encourage their SWaM vendors to look at JMU for opportunities. Encourage mentor/protégé relationships where applicable.

H. Describe the evaluation process utilized by the director/head of the agency or institution for SWaM procurement progress and achievement.

- Mary Helmick, Director of Procurement Services; Towana Moore, Associate Vice President of Business Services; Charles King, Senior Vice President of Administration and Finance; and Dr. Linwood Rose, James Madison University President will evaluate the progress and achievement of the SWaM Procurement Plan through the SWaM reporting and normal communication processes of the University. These individuals and other JMU administration will support and advocate the efforts of the SWaM Procurement Plan as part of the university's goal to spread diversity throughout the campus.
- The Board of Visitors will receive an annual update of the progress of this plan and will approve all submissions of the annual SWaM Plan submitted to Department of Minority Business Enterprise each fiscal year.

Acronym Key

DBA – Department of Business Assistance

DMBE – Department of Minority Business Enterprise

eVA – Electronic Virginia – State Procurement System

SBDC – Small Business Development Center

SWAM – Small, Woman-Owned, and Minority-Owned Businesses

SWAMfest – Annual Outreach Event Coordinated by VASCUPP Organization

Small Set Aside – Vendor Must be Certified as Small, Small Woman or Small Minority to Participate

VAGP – Virginia Association of Governmental Purchasing

VASCUPP – Virginia Association of Schools, Colleges, and University Procurement Professionals

VMSDC – Virginia Minority Supplier Development Council