

**HENRY COUNTY WATER
AUTHORITY RESOLUTION NO**

2023- 12

**RESOLUTION AUTHORIZING THE HENRY COUNTY WATER AUTHORITY
(AUTHORITY) TO RENEW ITS SUPPLIER INCLUSION PROGRAM**

WHEREAS, the Henry County Water Authority (the "Authority") desires to promote opportunities for certain designated businesses to participate in the procurement process and provide commercially useful goods and services; and

WHEREAS, the Authority desires to take reasonable steps to ensure that qualified and diverse and commercially useful businesses have an opportunity to compete for procurement opportunities; and

WHEREAS, the Authority desires to promote the inclusion of a diverse body of small businesses by encouraging the participation of designated businesses in the Authority's supply chain;

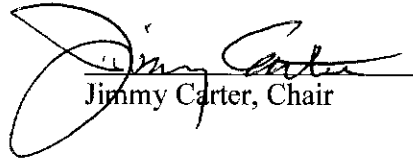
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Authority hereby directs the General Manager to establish a Supplier Inclusion Policy (SIP) consistent with this Resolution.
2. The SIP should aim to identify, attract, promote and track a competitively diverse population of qualified businesses with which to contract for the provision of goods, labor, materials, services or supplies.
3. The SIP should also promote and track the inclusion of the following businesses in the bidding and procurement process of the Authority: Local and Small Business Enterprise (LSE), Minority-Owned Business Enterprise (MBE), Veteran-Owned Business Enterprises (VBE), and Woman-Owned Business Enterprises (WBE). The SIP is intended to be constitutionally written and implemented for the equal and fair procurement of goods, labor, materials, services or supplies within the marketplace which is inherently diverse and competitive. While this policy contains race and gender classifications, among others, these classifications are for the purpose of collecting and tracking statistically relevant information to ensure that the Authority is fully and responsibly engaged in the marketplace. By being fully engaged in the marketplace, the Authority believes it will provide the highest quality service at the lowest cost for its customers in a manner which reflects the Authority's responsibility to its customers and the Henry County community.
4. Neither the SIP nor Authority provides any preferences in awarding bids or contracts to businesses who are MBE, VBE, and WBE, nor will the inclusion or identification by a prime contractor of any MBE, VBE, and WBE be used as a factor in evaluating, scoring, accepting or rejecting proposals or bids.
5. Through the SIP the General Manager, or his or her designee, will make good- faith efforts to solicit and utilize qualified businesses from the marketplace and

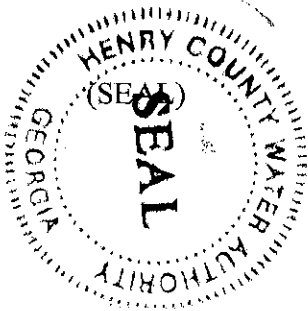
engage in outreach programs for all businesses that desire to do business with the Authority by a variety of methods, and at a frequency determined to be useful and practical.

6. Because typical contracts with the Authority have a term or an effective duration of one to two years, the SIP will remain in effect for two years and shall renew automatically on June 30, 2025 for an additional two-year period depending on the amount of statistically-relevant data collected, unless otherwise terminated by the Board.
7. The General Manager, or his or her designee, shall provide the Board with periodic reports regarding the SIP.
8. This Resolution shall become effective immediately upon its adoption.

APPROVED this 8th day of June, 2023


Jimmy Carter, Chair

Attest: 
Karen Lake-Thompson, Clerk





Henry County Water Authority

SUPPLIER INCLUSION POLICY

I. SUPPLIER INCLUSION POLICY OVERVIEW

The Henry County Water Authority's Supplier Inclusion Policy (SIP) aims to identify, attract, promote and track a competitively diverse population of qualified businesses with which to contract for the provision of goods, labor, materials, services or supplies. The SIP is intended to be constitutionally written and implemented for the equal and fair procurement of goods, labor, materials, services or supplies within the marketplace which is inherently diverse and competitive. While this policy contains race and gender classifications, among others, these classifications are for the purpose of collecting and tracking statistically relevant information to ensure that the Authority is fully and responsibly engaged in the marketplace. By being fully engaged in the marketplace, the Authority believes it will provide the highest quality service at the lowest cost for its customers in a manner which reflects the Authority's responsibility to its customers and the Henry County community.

Through the SIP the General Manager, or his or her designee, will make good-faith efforts to solicit and utilize qualified businesses from the marketplace. Under the SIP, the Authority's procurement process is intended to be inclusive of all qualified businesses with particular attention paid to Local and Small Business Enterprise (LSE), Minority-Owned Business Enterprise (MBE), Veteran-Owned Business Enterprises (VBE), and Woman-Owned Business Enterprises (WBE) and track such solicitations and utilization for annual reporting to the Henry County Water Authority Board. Because typical contracts with the Authority have a term or an effective duration of one to two years, this policy will remain in effect for two years and shall expire automatically on June 30, 2023 unless renewed by the Board for an additional two-year period depending on the amount of statistically-relevant data collected. Moreover, to ensure effective use of this data collection period, the Authority hereby directs and authorizes the General Manager to create, implement, administer, and amend the SIP as needed to accomplish its purpose.

The Authority recognizes the importance of creating equal opportunity for all vendors to participate in the Authority's procurement process. Through its SIP, the Authority is committed to diversity and non-discrimination in its business operations. The Authority encourages all contractors and consultants to consider MBE, VBE, and WBE when selecting sub-contractors or consultants. The Authority does not provide any preferences in awarding bids or contracts to businesses who are MBE, VBE, and WBE, nor will the inclusion or identification by a prime contractor of any MBE, VBE, and WBE be used as a factor in evaluating, scoring, accepting or rejecting proposals or bids.

II. SUPPLIER INCLUSION POLICY PURPOSE

In addition to the above stated purposes, the SIP is further intended to:

- A. Find and include the best qualified providers of goods, labor, materials, services or supplies to give the Authority a competitive advantage, ensure cost savings, and increase customer satisfaction;
- B. Increase quality, sustainability, and cost savings by promotion and inclusion of a stronger and more diverse service and vendor supply chain;
- C. Support local and small businesses with the aim of enhancing local economic opportunities, having a positive influence on the local economy;
- D. Ensure that the Authority solicits and encourages participation from a diverse marketplace of qualified businesses reflective of the diversity in Henry County and surrounding areas; and
- E. Encourage contracting opportunities with businesses which employ innovative and responsible approaches consistent with purposes of the SIP.

III. SUPPLIER INCLUSION POLICY IMPLEMENTATION

The General Manager through his or her designee will perform the following objectives in order to implement the SIP.

- A. Identify, attract and promote opportunities to contract with a competitively diverse population of qualified businesses which may include, but is not limited to, outreach and marketing based on commodity codes to target specific commercially useful companies to contract with the Authority, join trade organizations, and establish or encouraging procurement mentoring programs.
- B. Recognize, track and evaluate the marketplace for qualified businesses based on whether the businesses are or are not a LSB, MBE, VBE, or WBE.
- C. Recognize, track and compare qualified businesses based on whether the business is or is not a LSB, MBE, VBE, or WBE that submits proposals for contracts with the Authority, including, but not limited to, procurement solicitations, request for proposals, request for qualifications, bid submissions, and sole source providers. (Sole source providers are those qualified businesses that provide goods, labor, materials, services or supplies which can legally or practically only be provided by that particular provider.)
- D. Recognize, track and compare qualified businesses based on whether the qualified business is or is not a LSB, MBE, VBE, or WBE and is awarded a contract with the Authority.
- E. Retain the services of those persons who or entities which may assist with implementation of the SIP.
- F. Hear Appeals. As an administrative remedy, any challenge whatsoever to the SIP or its implementation must be first presented in writing to the General Manager's designee under this program and, if necessary, appealed to the General Manager in accordance with this paragraph. Any such appeal must be made in writing and filed with the General Manager within ten (10) days of the

date of the decision or action from which appeal is sought. The scope of the appeal will be limited to the grounds stated in the written appeal and will not be expanded. Ambiguous or vague appeals are disfavored and presumptively unfounded. The General Manager must provide notice of and hold a hearing on the appeal within twenty (20) days of receiving the appeal. The burden of proof is on the appealing party. Within ten (10) days, the General Manager must issue a final written decision affirming, reversing or modifying the decision from which appeal is sought or take such other action as the General Manager is authorized by the SIP.

IV. SUPPLIER INCLUSION POLICY DEFINITIONS

The following definitions apply to this policy.

- A. "Authority" means the Henry County Water Authority.
- B. "General Manager" means the General Manager of the Authority.
- C. "Local and Small Business Enterprise" or "LSE" means a Small Business Enterprise or SBE as defined in the Authority's Local Sheltered Market Program.
- D. "Minority" means an individual who is a member of a race which comprises less than 50% of the total population of the State of Georgia as determined by the decennial census. Examples of such minority groups are African American, Asian American, Hispanic/Latino American, Native American, and Pacific Islander American.
- E. "Minority-Owned Business Enterprise" or "MBE" means a business concern which is owned and controlled by one or more minorities and is authorized to do and is doing business under the laws of the State of Georgia, and paying all taxes duly assessed. The ownership interest must be real, and continuous, and not created solely to meet the minority-owned business or contractor provisions of the SIP. This definition shall include educational and non-profit entities, designated as such under section 501(c) of the U.S. Tax Code, that have a recognized historical association with minorities.
- F. "Owned and controlled" means a business (a) which is at least 51% owned by one or more minorities or, in the case of a publicly owned business, at least 51% of all classes or types of the stock is owned by one or more minorities; (b) whose management and daily business operations are controlled by one or more minorities; and (c) the ownership interest must be real, and continuous, and not created solely to meet the minority-owned business or contractor provisions of the supplier inclusion program.
- G. "Qualified" means a business that meets the requirements and conditions of a particular solicitation for services published by the Authority or would, after researching the business both directly and indirectly, possess the ability to provide goods, labor, materials, services or supplies used by the Authority.

- H. "Veteran-Owned Business Enterprise" or "VBE" means a business which is at least 51% owned and controlled by one or more retired member(s), as defined by Title 38 of the Code of Federal Regulations, who is honorably or generally discharged from the U.S. Armed Forces including the Air Force, Army, Coast Guard, Marine Corp., and Navy. In the case of a publicly owned business, at least 51% of the stock is owned by one or more or retired member(s). The ownership interest must be real, and continuous, and not created solely to meet the veteran-owned business or contractor provisions of the supplier inclusion program.
- I. "Woman-Owned Business Enterprise" or "WBE" means a business concern at least 51% owned and controlled by one or more women who are not members of a minority group, or in the case of a publicly owned business, at least 51% of the stock is owned by one or more women who are not members of a minority group and certified as such. The ownership interest must be real, and continuous, and not created solely to meet the woman-owned business or contractor provisions of the SIP. This definition shall include educational and non-profit entities, designated as such under section 501(c) of the U.S. Tax Code, that have a recognized historical association with women.