



EXECUTIVE ORDER NO. 12-03

PROMOTING DIVERSITY AND INCLUSION OPPORTUNITIES FOR OREGON MINORITY-OWNED, WOMEN-OWNED AND EMERGING SMALL BUSINESSES

Executive Order No. 08-16 ordered eleven state agencies to set aspirational targets and implement other initiatives for promoting diversity and equal opportunity for minority-owned and women-owned businesses.

Minority-owned and women-owned businesses continue to be a dynamic and fast-growing sector of the Oregon economy. Oregon is committed to creating an environment that supports the ingenuity and industriousness of Oregon's Minority Business Enterprise [MBE] and Women Business Enterprise [WBE]. Emerging Small Business [ESB] firms are also an important sector of the state's economy.

Aspirational targets and other initiatives can support Oregon's efforts to improve entrepreneurial opportunities for certified business enterprises, prevent race and sex-based discrimination and ensure state funds are used to foster an inclusive business climate. Aspirational targets will reflect Oregon's commitment to oppose all forms of discrimination and demonstrate Oregon's intent to create an environment that supports economic growth in all sectors, including among them Oregon's minority-owned and women-owned firms. It is also necessary to have accurate data on the participation of MBE, WBE and ESB firms to allow the state to track its progress and ensure that Oregon's entrepreneurial opportunities are open to all.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. On or before February 15, 2012 and thereafter on a yearly basis, the Director of Economic & Business Equity (also known as the Advocate for Minority, Women and Emerging Small Business established by ORS 200.025) shall identify and circulate a list of industry clusters in which there are a sufficient number of MBEs/WBEs to warrant setting aspirational targets.
2. The following state agencies shall develop aspirational targets for MBE/WBE procurement of contracts valued \$150,000 or less, before March 31, 2012, which may be performed by MBEs/WBEs.
 - a. Oregon Business Development Department
 - b. Oregon Department of Administrative Services
 - c. Oregon Department of Aviation



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- d. Oregon Department of Consumer & Business
 - e. Oregon Department of Environmental Quality
 - f. Oregon Department of Human Services
 - g. Oregon Department of Corrections
 - h. Oregon Department of Public Safety Standards & Training
 - i. Oregon Department of Education
 - j. Oregon Department of Employment
 - k. Oregon Department of Energy
 - l. Oregon Department of Forestry
 - m. Oregon Department of Housing
 - n. Oregon Department of Revenue
 - o. Oregon Department of Fish & Wildlife
 - p. Oregon Department of Transportation
 - q. Oregon Health Authority
 - r. Oregon Liquor Control Commission
 - s. Oregon Parks & Recreation
 - t. Oregon State Police
 - u. Oregon Youth Authority
3. On or before March 31, 2012, the agencies identified in paragraph 2 shall develop aspirational targets for soliciting MBEs/WBEs to submit bids for contracts valued less than \$150,000 in identified industry clusters.
4. Aspirational targets shall be set by agencies identified in paragraph 2 after considering the size, location and scope of work required for typical contracts. Agencies are encouraged to use the Oregon Department of Transportation's target setting process as a model in establishing aspirational targets. Agencies shall reassess their aspirational targets on or before January 15, 2013, and annually thereafter.
5. The existence of aspirational targets shall not result in any preferential treatment, advantage or disadvantage for any particular business in obtaining contracts with the State of Oregon, but will, instead, be an indication of the extent of business that the State can expect to conduct with MBEs/WBEs.



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6. Agencies shall report MBE/WBE solicitations and MBE/WBE and ESB actual utilization to the Director of Economic & Business Equity (also known as the Advocate for Minority, Women and Emerging Small Business established by ORS 200.025) on a quarterly basis; beginning with the first quarter ending March 31, 2012. The report should be submitted no less than 15 days following the close of the quarter.
7. To further Oregon's efforts to create an inclusive business climate, agencies identified in paragraph 2 shall ensure:
 - a. All contract procurement staff and management personnel with contract procurement responsibilities are trained on the requirements of DAS Statewide Policy 107-009-030, entitled "MWESB Procurement," and DAS Statewide Policy 125-09-020, entitled "Oregon Procurement Information Network (ORPIN)";
 - b. Collaborate with the Oregon Business Development Department's Office of Minority, Women & Emerging Small Business [OMWESB] certification, as established by ORS 200.055, and increase the number of certified firms;
 - c. Diligently record MBE/WBE and ESB certification status in contract award information collected in ORPIN;
 - d. Diligently record the MBE/WBE and ESB certification status of all businesses invited to submit a bid for a Small or Intermediate Procurement under ORS 279B; and
 - e. Evaluate and consider modifying unnecessary restrictive definitions in the procurement process to facilitate participation of all businesses wishing to do business with the state, without regard to gender, race, ethnic origin, religion, social class, or other affiliation.
8. Beginning on or before January 31, 2013, and continuing on an annual basis, the Director of Economic & Business Equity (also known as the Advocate for Minority, Women and Emerging Small Business established by ORS 200.025), the Chief Operating Officer, together with any appropriate Agency Director(s) shall present Certificates of Excellence to contract procurement staff and/or management personnel who have exhibited outstanding initiative in conducting outreach to MBEs/WBEs.

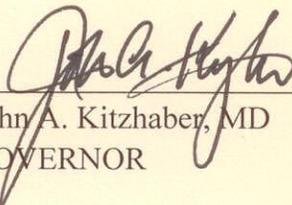


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9. Notwithstanding this Executive Order, agencies not named in this Executive Order must continue to comply with the requirements of ORS 200.035. Agencies outside the scope of this Executive Order, including but not limited to the Oregon State Lottery, Oregon Bureau of Labor and Industries, and the Public Employees Retirement System, are encouraged to develop, implement and participate in the policies and processes outlined in this Executive Order, as appropriate and to the extent allowable by law.
10. This Executive Order shall expire on January 31, 2018.
11. This Executive Order hereby supersedes and replaces in total Executive Order No. 08-16 issued on August 6, 2008 by Governor Theodore R. Kulongoski.

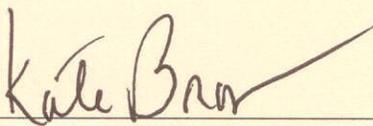
Done at Salem, Oregon, this 16th day of February, 2012.





John A. Kitzhaber, MD
GOVERNOR

ATTEST:



Kate Brown
SECRETARY OF STATE