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## SUPPLIER DIVERSITY POLICY

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**Category:** Administration and Governance  
**Responsible Office:** Procurement Services  
**Responsible Executive:** Vice President for Finance and Administration

**Date Established:** 11/9/11  
**Date Last Revised:** 05/25/18

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### Summary

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The Supplier Diversity Program increases economic opportunities for small business, minority, women, disadvantaged, and service-disabled veteran-owned business enterprises. The Program aligns resources with initiatives to create a comprehensive, university-wide focus on economic opportunities for diversity suppliers.

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### Policy

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#### POLICY STATEMENT

The University at Buffalo (UB, university) is committed to offering a diverse business population the opportunity to demonstrate their ability to provide the university with commodities and services at competitive prices. Consistent with federal and state laws, the university actively seeks to develop relationships with, and provide procurement opportunities for Small Businesses (SB), Minority-Owned Business Enterprises (MBE), Women-Owned Business Enterprises (WBE), Disadvantaged Business Enterprises (DBE), and Service-Disabled Veteran-Owned Businesses (SDVOB). All employees involved in the procurement process are expected to encourage and maximize participation of such businesses in all university procurement activities, regardless of the funding source.

#### Program Initiatives

The Supplier Diversity Program provides small business, minority, women, disadvantaged, and service-disabled veteran-owned business enterprises with unimpeded ability to compete in the procurement process at UB. Program initiatives include:

- Aligning resources with initiatives to create a comprehensive, university-wide focus on access to economic opportunities for diversity suppliers who may otherwise experience difficulties with market entry, customer access, or financial growth
- Providing tools and resources to assist departments in identifying diversity suppliers and monitoring progress in developing relationships with, and providing procurement opportunities for, these suppliers
- Monitoring and reporting campus activity with certified MBE, WBE, and SDVOB suppliers to New York State; UB encourages the use of all diversity suppliers regardless of their certification status

#### BACKGROUND

Article 15-A of the New York State Executive Laws signed July 19, 1988, authorized the creation of an Office (now Division) of Minority and Women's Business Development to promote

employment and business opportunities on state contracts for minorities and women. Under this statute, state agencies are charged with establishing employment and business participation goals for minorities and women.

The *Service-Disabled Veteran-Owned Business Act*, signed into law by Governor Andrew M. Cuomo on May 12, 2014, allows eligible veteran business owners to get certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB). The goal of the Act is to encourage and support eligible SDVOBs to play a greater role in the state's economy by increasing their participation in New York State contracting opportunities.

The University at Buffalo actively supports these programs.

## APPLICABILITY

This policy applies to all vice presidential and decanal units.

## DEFINITIONS

**Certification Process** – a review process designed to ensure that a small business is actually owned, controlled, and operated by the applicants. Most certifications are granted for minority, women-owned, small disadvantaged, service-disabled veteran-owned, and underutilized businesses. Certification agencies implement the processes for government and private sector entities and ensure that only firms that meet the eligibility criteria of the individual programs are properly certified.

**Disadvantaged Business Enterprise (DBE)** – a for-profit small business that is at least 51% owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51% of the stock is owned by one or more such individuals. Management and daily business operations must be controlled by one or more of the socially and economically disadvantaged owners.

**Diversity Suppliers** – small business, minority, women, disadvantaged, and veteran-owned business enterprises.

**Economically Disadvantaged Individuals** – those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged.

**Minority-Owned Business Enterprise (MBE)** – under Article 15-A of the New York State Executive Law, an MBE is a business enterprise in which at least fifty-one percent (51%) is owned, operated, and controlled by citizens or permanent resident aliens who are meeting the following ethnic definitions:

- Black: Persons having origins from any of the Black African racial groups
- Hispanic: Persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Native American or Latin American origin, regardless of race
- Asian-Pacific: Persons having origins from the Far East, Southeast Asia or the Pacific Islands

- Asian-Indian Subcontinent: Persons having origins from the Indian subcontinent
- Native American or Alaskan Native: Persons having origins in any of the original peoples of North America

**Minority Group Member** – an individual who is a U.S. citizen with at least one quarter of the following ethnicities: Asian-Indian, Asian-Pacific, Black, Hispanic, or Native American.

**Small Business (SB)** – Size standards define the largest size a business can be to participate in government contracting programs and compete for contracts reserved for small businesses. Size standards vary by industry, and are generally based on the number of employees or the amount of annual receipts.

**Socially Disadvantaged Individuals** – those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities. The social disadvantage must stem from circumstances beyond their control.

**Service-Disabled Veteran-Owned Business (SDVOB)** – an independent business that performs a commercially useful function and is at least 51% owned and controlled by one or more service-disabled veterans who have served in the active military and have been discharged under conditions other than dishonorable.

**Women-Owned Business Enterprise (WBE)** – Under Article 15-A of the New York State Executive Law, a WBE is a business enterprise in which at least fifty-one percent (51%) is owned, operated, and controlled by citizens or permanent resident aliens who are women.

## RESPONSIBILITY

### Procurement Department Staff

- Act as a liaison between diversity suppliers and departments seeking goods and services.
- Maintain the university's commitment to diversity.
- Develop procurement programs that enhance supplier diversity:
  - Match diversity suppliers with university buyers.
  - Promote the use of diversity suppliers within the UB community.
  - Educate suppliers about UB bid procedures and requirements.
  - Include diversity suppliers in the competitive bidding process.
  - Promote the certification process to diversity suppliers.
- Provide vice presidents and deans with tools to effectively monitor and promote the use of diversity suppliers.
  - Track and report purchasing patterns.
  - Maintain a contact database of diversity suppliers.
- Prepare reports to monitor and track the progress of utilizing diversity suppliers.

### Sponsored Projects Services

- Act as liaison between the grant sponsor and department.
  - Communicate supplier diversity requirements.
- Determine that grant requirements for supplier diversity requirements are met.
  - Track and report supplier diversity spend to the grant sponsor per grant requirements.

**Faculty and Staff**

- Support the university's commitment to supplier diversity.
- Be aware of requirements to use diversity suppliers.

**Vice Presidents, Deans, Chairs**

- Promote the use of diversity suppliers.

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**Contact Information**

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| Contact Information         |              |  |
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| Contact                     | Phone        | Email  |
| Daniel T. Vivian            | 716-645-4540 | <a href="mailto:dtvivian@buffalo.edu">dtvivian@buffalo.edu</a>                                   |
| Sponsored Projects Services | 716-645-2634 | <a href="mailto:sponsoredprojectsservices@buffalo.edu">sponsoredprojectsservices@buffalo.edu</a> |

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**Related Information**

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**University Links:**

Supplier Diversity Program

<http://www.buffalo.edu/administrative-services/information-for-suppliers/supplier-diversity-program.html>

**Related Links:**

New York State Contract System

<https://ny.newnycontracts.com/?TN=ny>

New York State Empire State Development – Summary of Article 15-A of the Executive Law

<https://esd.ny.gov/mwbe/programmandate.html>

New York State Office of General Services – Division of Service-Disabled Veterans' Business Development

<https://ogs.ny.gov/Veterans/>

Office of the New York State Comptroller Minority and Women-Owned Business Enterprise (MWBE) Program:

<http://www.osc.state.ny.us/procurement/mwbe.htm>

Small Business Administration – Buffalo District Office

<https://www.sba.gov/offices/district/ny/buffalo>

State University of New York Participation by Minority Group Members and Women (MWBES) with Respect to State University of New York Contracts Procedure

[http://www.suny.edu/sunypp/documents.cfm?doc\\_id=611](http://www.suny.edu/sunypp/documents.cfm?doc_id=611)

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## History

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May 2018

Full review. Updated the policy to include:

- the requirements of the New York State *Service-Disabled Veteran-Owned Business Act*
- revised definitions for economically disadvantaged individuals, minority-owned business enterprise, minority group member, small business, socially disadvantaged individuals, women-owned business enterprise
- responsibilities for Sponsored Projects Services

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## Presidential Approval

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Satish K. Tripathi, President

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Date