



URS Small Business & Supplier Diversity Program

URS maintains a Small Business & Supplier Diversity Program with three distinct subsets to satisfy Federal, Department Of Transportation, and Commercial/Private Sector contracting requirements.

Federally Funded Contracts: U.S. Government-funded contracts mandate a Small Business Program consistent with the Small Business Act (Public Law 85-536, as amended), and the Federal Acquisition Regulations (FAR Parts 19, 26, 42, and 44). Small Business certification requirements (for Small Disadvantaged and HUBZone Business Concerns) and Small Business size standards are determined by the Small Business Administration (SBA). While Small Business goals are established on a contract-by-contract basis, minimum expectations and accomplishment rates (floors) are determined by public law, but emphasis may vary to some extent from agency to agency. Generally, federal small business goals are based on the *total procurement opportunity pool* (total contract value less prime contractor self performance = procurement opportunity pool) rather than the total contract amount.

Self certification (for Small Business Concerns other than Small Disadvantaged and HUBZone Concerns) is acceptable only when a small business concern has satisfactorily completed and returned Small Business Program Representations in accordance with FAR 52.219-1. URS Washington Division utilizes the Central Contractor Registration (CCR) database (<http://www.ccr.gov>) - the primary repository for approximately 500,000 prime contractors, subcontractors, and suppliers registered to do business with the federal government - to verify size standards and certifications for small business concerns. (Effective January 1, 2004, registration in CCR is mandatory for payments under federal contracting guidelines.)

State governments and municipal agencies often incorporate FAR requirements by reference.

U.S. Department of Transportation (DOT) Contracts: DOT-funded contracts are administered in accordance with public law on a state-by-state basis and adhere to the Disadvantaged Business Enterprise (DBE) Program requirements defined by the Code of Federal Regulations, Title 49, Subtitle A, Part 26. As an exception to the federally funded contracts, DBE goals for DOT contracts are based on the *total contract amount* rather than the *procurement opportunity pool*. (<http://osdbu.dot.gov>)

Generally, program goals and certification requirements are established through statewide Unified Certification Programs administered on behalf of each state by the Department of Transportation through state-sponsored Disparity Studies. While DBE's must be small business concerns by definition, state-run DOT programs intentionally focus narrowly on Disadvantaged Business Enterprises (DBE's) which includes both Minority Business Concerns (MBE) and Women Business Concerns (WBE). DBE, MBE and WBE certifications obtained through DOT Unified Certification Programs are not accepted by the SBA and do not satisfy federal acquisition requirements. DBE, MBE and WBE concerns must obtain certification first in the state where their primary office is located before obtaining certification in a state where the contract is executed.

Private-Sector Contracts: Private-sector supplier-diversity program requirements are unique to each client and negotiated on a contract-by-contract basis. Private-sector diversity goals are generally regional in nature with socioeconomic objectives determined on behalf of each client relative to project location, regional demographics, as well as, comparative market and industry practices. Because these programs are often voluntary in nature, clients develop definitions to satisfy unique socio-economic objectives that may not meet generally accepted definitions regarding small business concerns and related size standards.

Many third-party organizations provide certification to minority-owned and women-owned business concerns through subscriptions and memberships. URS maintains "corporate" memberships with the two largest nationally recognized certifying organizations, National Minority Supplier Development Council (NMSDC)



and the Women's Business Enterprise National Council (WBENC) and augments its membership with local and regional memberships accordingly. Access to the NMSDC and WBENC membership database is proprietary and password protected.

Small Business and Supplier Diversity Matrix

Federal & Government Projects ¹		U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA) Federal Transit Administration (FTA) Federal Aviation Administration (FAA)		Commercial Projects	
Prescription: 48 CFR 19 (FAR Parts 19, 26)		Prescription: 49 CFR 26		Prescription: Client Specific/Contract by Contract Basis	
SB	Small Business				
SDB	Small Disadvantaged Business ²	DBE	Disadvantaged Business Program ³	NMSDC	National Minority Supplier Development Council
		MBE	Minority Business Enterprise ³		
WOSB	Women-owned Small Business	WBE	Women Business Enterprise ³	WBENC	Women's Business Enterprise National Council
HZ	HUBZone Small Business ²				
HBCU/MI	Historically Black Colleges & Universities and Minority Institutions				
VOSB	Veteran-owned Small Business				
SDVOSB	Service-disabled Veteran-owned Small Business				
ANC - Uncert	Alaska Native Corporation or Indian Tribe (not certified as a SDB)				
ANC - Other	Alaska Native Corporation or Indian Tribe (not a SB)				

Footnotes:

¹ Under [15 U.S.C. 645\(d\)](#), any person who misrepresents a firm's small business status (including small disadvantaged, women-owned, HUBZone, veteran-owned and service-disabled veteran-owned small business concerns) in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall—

- (i) Be punished by imposition of fine, imprisonment, or both;
- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

² Effective 1 October 2008, SDBs may self-certify. 8(a) SDBs must continue to be certified by Small Business Administration. Evidence of certification can be found at <http://www.ccr.gov>.

³ Must be certified through the Unified Certification Program (UCP) administered by the DOT Office of Small and Disadvantaged Business Utilization (OSDBU) for each state.



Definitions

Federal & Government Projects:

- SB "Small Business Concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the NAICS Size Standards instruction under Section A. of this form.
- SDB "Small Disadvantaged Business Concern" means a concern that represents it is a small business under the size standard applicable to the acquisition; and —
(1) It has received certification as a small disadvantaged business concern consistent with 13 CFR Part 124.1002, Subpart B; and
(i) No material change in disadvantaged ownership and control has occurred since its certification;
(ii) Where the concern is owned by one or more disadvantaged individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and
(iii) It is identified, on the date of its representation, as a small disadvantaged business concern in the data base maintained by the Small Business Administration (<http://www.ccr.gov>).
- WOSB "Women-owned Small Business Concern" means a small business concern—
(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
(2) Whose management and daily business operations are controlled by one or more women.
- HZ "HUBZone" means a historically underutilized business zone that is an area located within one or more qualified census tracts, qualified nonmetropolitan counties, or lands within the external boundaries of an Indian reservation. "HUBZone small business concern" means a small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration.
- VOSB "Veteran-owned Small Business Concern" means a small business concern—
(1) Not less than 51 percent of which is owned by one or more veterans (as defined at [38 U.S.C. 101\(2\)](#)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and
(2) The management and daily business operations of which are controlled by one or more veterans.
- SDVOSB "Service-disabled Veteran-owned Small Business Concern" means a small business concern—
(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and
(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.
(2) "Service-disabled veteran" means a veteran, as defined in [38 U.S.C. 101\(2\)](#), with a disability that is service-connected, as defined in [38 U.S.C. 101\(16\)](#).
- ANC-
UNCERT *Alaska Native Corporation (ANC) or Indian Tribe (not certified as Small Disadvantaged Business)*
- ANC-
OTHER *Alaska Native Corporation or Indian Tribe (not a Small Business)*
- Alaska Native Corporation (ANC) means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601, et seq.).*
Indian tribe means any Indian tribe, band, nation, or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special



programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of "tribally-owned concern" in this section.

U.S. Department of Transportation:

DBE

Disadvantaged business enterprise or DBE means a for-profit **small business concern**—

- (1) That is at least 51 percent owned by one or more individuals who are both **socially and economically disadvantaged** or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and
- (2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Small business concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in §26.65(b).

(a) To be an eligible DBE, a firm (including its affiliates) must be an existing small business, as defined by Small Business Administration (SBA) standards. As a recipient, you must apply current SBA business size standard(s) found in 13 CFR part 121 appropriate to the type(s) of work the firm seeks to perform in DOT-assisted contracts.

(b) Even if it meets the requirements of paragraph (a) of this section, a firm is not an eligible DBE in any Federal fiscal year if the firm (including its affiliates) has had average annual gross receipts, as defined by SBA regulations (see 13 CFR 121.402), over the firm's previous three fiscal years, in excess of \$20.41 million.

(c) The Department adjusts the number in paragraph (b) of this section using the Department of Commerce price deflators for purchases by State and local governments as the basis for this adjustment. The Department issues a final rule by August 10 of each year making this adjustment.

Socially and economically disadvantaged individual means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is—

MBE

(1) Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.

(2) Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:

(i) "Black Americans," which includes persons having origins in any of the Black racial groups of Africa;

(ii) "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;

(iii) "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;

(iv) "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong;

(v) "Subcontinent Asian Americans," which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;

WBE

(vi) Women;

(vii) Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

Commercial Projects:

NMSDC

National Minority Supplier Development Council (<http://www.nmsdc.org/>)

WBENC

Women's Business Enterprise National Council (<http://www.wbenc.org/>)