

**Office of the Executive Secretary of the Supreme Court of Virginia
SWaM Procurement Program**

Program to facilitate procurement from small businesses, businesses owned by women and minorities (“SWaM”) and service disabled veterans, and employment services organizations. (Virginia Code § 2.2-4310). The office of the Executive Secretary handles procurement and purchasing for the judicial branch, including the: Supreme Court of Virginia, Court of Appeals of Virginia, Virginia Circuit Courts, Combined District Courts, General District Courts, and Juvenile and Domestic Relations District Courts, Virginia Criminal Sentencing Commission, Judicial Inquiry and Review Commission.

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Diversity in expenditures and procurement from SWaM businesses is a top priority in procurement services for the judicial branch. SWaM businesses are solicited and encouraged to participate in the procurement activities of the judicial branch.

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Small Business

A small business enterprise is an independently owned and operated business which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years. For the purpose of the SWaM Program, the definition of small business enterprise shall be interpreted to include all certified woman-owned and minority-owned businesses.

Women-Owned Business

A women-owned business is defined as a business concern which is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more women, and whose management and daily business operations are controlled by one or more of such individuals.

Minority-Owned Business

A minority-owned business is defined as a business concern which is at least 51 percent owned by one or more minorities or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more minorities and whose management and daily business operations are controlled by one or more of such individuals.

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The Office of the Executive Secretary of the Supreme Court of Virginia (OES) shall, to the greatest extent feasible, purchase all goods and services through state contract and from small businesses, businesses owned by women, minorities, and service disabled veterans, and employment services organizations (“SWaM”) businesses and suppliers for OES and Virginia court system, including but not limited to the following:

- Business cards.
- Computer Information and Technologies (e.g., Data Concepts, LLC)
- Consumable office supplies.
- Copy paper.
- Court Appearance Notices.
- Court flat forms.
- Court pamphlets.
- File folders.
- Information Technology consultants.
- Mediation coordinators.
- Personal computers and laptops.
- Printers, scanners and copiers.
- Spot purchases of items like ice machines and janitorial services for the warehouse.
- Toner print cartridges.

While the judicial branch, including the appellate and trial courts of Virginia are not required to submit a plan to the Virginia Department of Small Business & Supplier Diversity (VDSBSD); per section 3.11 of the Agency Procurement and Surplus Property Manual (APSPM) which specifies that the requirement to submit a plan applies to *executive* branch agencies and institutions, this document and all purchases should be reviewed at least annually to ensure that the judicial branch is meeting its goal of purchasing - to the greatest extent feasible - all goods and services through state contract and from small businesses, businesses owned by women, minorities, and service disabled veterans, and employment services organizations (“SWaM”) businesses and suppliers.

Solicitation Requirements

Procurement procedure for increasing procurement opportunities for SWaM businesses requires the purchasing officer to solicit firms and businesses as defined below.

- Authorized purchases up to \$10,000 made noncompetitively should include SWaM businesses to the extent practicable.
- Solicitations between \$10,000 and \$50,000 should include at least two (2) SWaM businesses, provided there is adequate registration by commodity.
- Solicitations over \$50,000 are posted publicly and available for viewing by all SWaM businesses.

Goals and Commitment to Increase Purchases/Contracts Wherever Feasible

The judicial branch, through the purchasing office of the Department of Fiscal Services of OES, is committed to seeking to purchase from and/or contract with SWaM vendors for all purchases where SWaM vendors are available. The OES purchasing officer will regularly review the complete listing of SWaM vendors which is available on eVA in connection with any new or contemplated purchases.

- Court Appointed Attorneys and Mediators, and Court Reporters - Explore development of a plan to encourage court appointed attorneys and mediators that qualify as SWaM suppliers to register with the Virginia Department of Small Business and Supplier Diversity program. Also plan to work with the Clerk of the Supreme Court to develop a plan to encourage court reporters to register with the Virginia Department of Small Business and Supplier Diversity program.
- Work with the Integrated Decisions Support System (IDSS) to update procurement software and the database to ensure ready identification of SWaM suppliers and SWaM expenditures
- Have purchasing department personnel attend small business outreach events in the Richmond metro region, as practicable, to identify new SWaM sources.
- Create a reporting mechanism to track amounts that contractors spend on SWaM qualified subcontractors.