



COUNCIL INITIATIVE: SMALL BUSINESS PROCUREMENT STATUTORY TOOLS ALIGNMENT

H.F. 3881 (Virnig)

This proposal is intended to align statutory tools for the Metropolitan Council to procure goods and services from small businesses with the small business procurement authority already provided to Minnesota state agencies.

Background

State agencies have the ability to use procurement methods and tools for small businesses, targeted small businesses, and veteran-owned small businesses. Currently under Minnesota Statutes, section 473.142, the Met Council is limited to just targeted small businesses and veteran-owned small businesses. This proposal provides that the Met Council would have the same ability as the state.

This proposal also would repeal inaccurate and outdated language related to certificates of compliance for metropolitan agencies, helping vendors to avoid confusion while maintaining compliance with the Minnesota Human Rights Act.

Why the Met Council is pursuing this legislation

- This proposal grants the Met Council authority consistent with Minnesota state agencies related to procurement for small businesses.
- This proposal would also repeal section 473.144, resolving an inconsistency in current Minnesota Statutes with regards to workforce requirements for Met Council vendors.

Section 1

Authorizes the Met Council, and other metropolitan agencies specified in Minnesota Statutes, section 473.143, to designate a contract for construction, goods, or services for award to small businesses.

This would allow metropolitan agencies, including the Met Council, to have the same authorities as state agencies to do business with small businesses. This section also requires an annual report to the legislature concerning contract awards during the preceding year.

Section 2

Repeals Minnesota Statutes, section 473.144 which applies to metropolitan agencies and has slight variations from section 363A.36, which applies to state agencies and metropolitan agencies.

- Section 473.144 requires any business having **more than 40** full-time employees in the **State of Minnesota** to receive a certificate of compliance from the Minnesota Department of Human Rights prior to executing a contract with the Met Council, and states that certificates of compliance are valid for two years.
- Section 363A.36 requires the certificate of compliance for any business with **40 or more** full-time employees in the State of Minnesota **or the state in which it has its primary place of business**, and states that the certificates are valid for four years.

Contact

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