

# Minority, Women, Veteran and Small Business Certifications

Krieg DeVault assists private and public sector clients with federal, state and local government procurement compliance as it involves supplier diversity certifications. Our attorneys are able to offer strategic counsel on diversity certification as part of a broad range of procurement issues, using their experience at all levels of government to help clients achieve their business objectives. Our attorneys have a substantive understanding of government that enables us to advocate effectively for the business solutions our clients need. With this capability, we skillfully and efficiently represent our clients as they seek to navigate this complex forum.

## Full Service

Our services include helping clients secure diversity certifications for their own companies, or identify vendors and partners that meet certification standards that are required in a successful bid. Some of the certifications with which we assist include:

- Minority Business Enterprise (MBE): at least 51% owned by, and daily management and operations controlled by, at least one African American, Hispanic American, Asian American or Native American owner
- Women Business Enterprise (WBE): at least 51% woman owned, and daily management and operations controlled by, at least one woman owner
- Disadvantaged Business Enterprise (DBE): at least 51% owned by, and daily management and operations controlled by, at least one disabled individual
- Small Disadvantaged Enterprise (SBA 8(a)): DBE that meets certain Small Business Administration (SBA) size requirements
- Women Owned Small Business (WOSB): WBE that meets certain SBA size requirements
- Veteran Owned Small Business (VOSB): At least 51% owned by, and daily management and operations are controlled by, a veteran of the U.S. armed forces, and also meeting certain SBA size requirements
- Economically Disadvantaged Women Owned Small Business (EDWOSB): A small business at least 51% owned and controlled by one or more women who are U.S. citizens and who are economically disadvantaged by certain

income and net worth measurements

- Historically Underutilized Business Zones (HUBZone): A small business that is at least 51% owned and controlled by U.S. citizens, with principal business office and 35% or more of employment in a historically underutilized business zone (which includes lands considered "Indian Country" and military facilities closed by the Base Realignment and Closure Act).

### **Strategic Advice**

Our team handles all aspects of the certification process for businesses in these categories, as defined and required by governmental agencies throughout the country. We regularly help clients navigate certification complexities, helping them assess certification eligibility and providing strategic advice regarding best corporate practices. To ensure that our clients and/or their partners, meet certification requirements, Krieg DeVault's government procurement team provides advice regarding the necessary ownership and management structure for a successful certification application. We review the completed application, and supporting documents and exhibits, to ensure that all qualifications are met and documented. If problems arise we will assess any denial of the application by the reviewing agency and prepare an appeal.

### **Proactive Guidance**

An important aspect of our advice on governance and compliance issues is to help clients avoid problems before they arise. We will assist with certification renewal, including continual review of company governance and ownership to make sure they continue to meet all certification requirements including advice regarding company size and personal net worth requirements for certification.

We also work with our clients to develop procurement policies that support all certification standards, and give compliance training presentations to educate client personnel on the complexities of certification and procurement. Another proactive aspect of our work is to help clients identify new procurement opportunities for which they can leverage their own or their vendor/partner certifications, which even includes providing access to a database of our own certified clients from which potential new partners/vendors can be identified. When necessary, we prepare and negotiate joint venture and other teaming agreements and other commercial and governmental project agreements with newly identified partners/vendors.

### **Experienced Partner**

Krieg DeVault's government contracting team is an experienced partner that has helped many companies with all stages of the certification process, from application to maintenance. Our extensive background in analyzing local, state and federal certification standards is invaluable in helping clients to structure competitive strategic alliances and relationships between majority- and minority-owned businesses. That includes advice on such complexities as MBE/WBE/DBE substitution requirements, indirect /direct participation and allocation of credit for MBE/WBE/DBE participation. No matter what the procurement or contracting certification need, we understand what is required and help our clients achieve it.