

DIVISION OF VOCATIONAL REHABILITATION
GUIDELINES FOR OPERATION OF
THE EMPLOYMENT PROGRAM AND DISABILITY PREFERENCES
Revised: March 2018

EMPLOYMENT PROGRAM PREFERENCE

FOUND IN: AS 36.30.321(b)

AMOUNT: 15%

REQUIREMENTS:

The bidder must:

- Qualify as an Alaska bidder under AS 36.30.990 (2).
- Offer services through an employment program, which is a nonprofit program to increase employment opportunities for individuals with physical or mental disabilities that constitute substantial barriers to employment. See AS 36.30.990 (12)

NOTES:

In order to qualify for this preference, the bidder must add value by actually performing, controlling, managing, and supervising the services provided, or the bidder must have sold supplies of the general nature solicited to other state agencies, governments, or the general public.

A bidder may not claim more than one of the disability related preferences for the same bid.

ALASKANS WITH DISABILITIES PREFERENCE

FOUND IN: AS 36.30.321(d)

AMOUNT: 10%

REQUIREMENTS:

The bidder must qualify as an Alaska bidder under AS 36.30.990 (2) AND, if the bidder is a:

- CORPORATION, is whole owned by individuals and each of the individuals is a person with a disability.
- SOLE PROPRIETORSHIP, is owned by a person with a disability.
- LIMITED LIABILITY COMPANY organized under AS 10.50, each of the members is a person with a disability.
- PARTNERSHIP under AS 32.06 or 32.11, each of the partners is a person with a disability.
- JOINT VENTURE, the joint venture must be composed entirely of ventures that qualify as Alaska bidders.

“Person with a disability” under AS 36.30.321 (k) means an individual who:

- has been determined to be permanently disabled by the:
 - United States Social Security Administration under 42 U.S.C. 423 or 1381 – 1383f (Social Security Act);
 - Teachers’ retirement system under AS 14.25, the judicial retirement system under AS 22.25;
 - Public employees’ retirement system under AS 39.35;
 - Elected public officers’ retirement system under former AS 39.37;
 - Federal Civil Service Retirement System under 5 U.S.C. 2107, 3323, and 8331 – 8351;
 - Federal employees’ retirement system under 5 U.S.C. 8401 – 8480; or
 - Division of Vocational Rehabilitation in the Department of Labor and Workforce Development using disability standards under 42 U.S.C. 1381 – 1838f (Social Security Act) for eligibility for certain state disability programs;

- is receiving permanent total disability under AS 23.30 (Alaska Workers' Compensation Act);
- has been discharged from military service under honorable conditions and is certified by the United States Department of Veterans Affairs as having incurred a 50 percent or greater disability during military service; or
- has served in the Alaska Territorial Guard and incurred a 50 percent or greater disability while serving in the Alaska Territorial Guard.

NOTES:

In order to qualify for this preference, the bidder must add value by actually performing, controlling, managing, and supervising the services provided, or the bidder must have sold supplies of the general nature solicited to other state agencies, governments, or the general public.

A bidder may not claim more than one of the disability related preference for the same bid.

APPLICATION PROCESS:

1. Complete and submit the application form included with this packet to:

Procurement Preference Certification
 Division of Vocational Rehabilitation
 P.O. Box 115516
 Juneau, Alaska 99811-5516

2. Submit a copy of your current Alaska Business License or a copy of your application for an Alaska Business License.
3. Submit documentation required for the type of preference you are requesting certification. See below.

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(1.) EMPLOYMENT PROGRAM PREFERENCE

Please see the definition of an employment program at AS 36.30.990 (12).

- ✓ A written statement describing the programs and services provided.
- ✓ Documentation showing evidence of non-profit status. This can be a Certificate of Incorporation, Certificate of Compliance or other legal document showing non-profit status.

(2.) ALASKANS WITH DISABILITIES PREFERENCE

Please see the definition of a person with a disability at AS 36.30.321 (k)

- ✓ A written statement that your business is a sole proprietorship owned by a person with a disability *or* a partnership under former AS 32.06 or AS 32.11, and each of whom is a person with a disability *or* a limited liability company organized under AS 10.50 and each of the members is a person with a disability *or* a corporation wholly owned by individuals and each is a person with a disability.

- ✓ Proof of incorporation if a corporation, to include a list of shareholders, and each of whom is a person with a disability.
- ✓ Articles of organization if a limited liability company, to include a list of members, each of whom is a person with a disability.
- ✓ Articles of Partnership if a partnership, to include the names of the partners, each of whom is a person with a disability.

AND

- ✓ A statement issued by the certifying organization documenting the disability as defined in AS 36.30.321(k) - (for each partner, member of a limited liability company or individual of a corporation).

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Upon receipt of application and required documentation, the Division of Vocational Rehabilitation will determine if the applicant meets the requirements to qualify for the procurement preference. A letter will be sent and the name will be added to the list of qualified Employment Programs and Alaskans with Disabilities bidders maintained by DVR. The list is available via the Internet (<http://www.labor.alaska.gov/dvr/preflist.pdf>) or on request. ALL certification letters expire annually on December 31st and each individual or organization must reapply for certification for the following year.

It is the responsibility of the individual or organization to ensure the requirements of certification are met throughout the life of the contract and are available for review, upon request.

When submitting your bid, you must enclose a copy of the DVR issued certification letter.

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**APPLICATION FORM
DIVISION OF VOCATIONAL REHABILITATION
PROCUREMENT PREFERENCE UNDER AS 36.30.321**

Business, Proprietor or Facility:

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

Contact Person: _____

Email: _____

Procurement preference requested (check *only one*):

- 1. Employment Program _____
- 2. Alaskans with Disabilities:
 - a. Sole Proprietorship _____
 - b. Partnership _____
 - c. Limited Liability Company _____
 - d. Corporation _____
 - e. Joint Venture _____

Authorized Signature

Date

The Division of Vocational Rehabilitation ONLY certifies sections (b), (d) 1-5 and (k) of AS 36.30.321, as outlined in the Procurement Preference Guidelines. See enclosed copy of AS 36.30.321 and AS 40.25.110 - 40.25.120 for information concerning public records.

Documentation of an "Alaska Bidder" is certified by the state contracting officer handling each bid or contract. An individual, business or program must be an "Alaska Bidder" in order to receive procurement preference as certified by the Division of Vocational Rehabilitation.

Mail application packet to: Procurement Preference Certification
Division of Vocational Rehabilitation
P.O. Box 115516
Juneau, AK 99811-5516

Don't forget to attach a copy of your current Alaska Business License!!!