

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER NUMBER TWENTY-TWO

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: CONTINUING DELAWARE'S COMMITMENT TO SUPPLIER DIVERSITY INITIATIVES

WHEREAS, the State recognizes the importance of an inclusive business environment that includes the creation and expansion of diverse business enterprises; and

WHEREAS, a diverse business community that participates fully and prospers in a competitive marketplace for the procurement of goods and services strengthens the economy and social fabric of the State; and

WHEREAS, through its Supplier Diversity initiatives, the State has shown its commitment to maximizing the participation of diverse businesses and businesses of a unique size to participate in state contractual work and has made great advances to provide a more equitable and inclusive process; and

WHEREAS, the State has created and will continue to create initiatives to promote economic development and encourage procurement participation by diverse businesses and businesses of a unique size; and

WHEREAS, the Delaware Office of Supplier Diversity ("OSD") within the Delaware Division of Small Business was established to enhance economic opportunities for the diverse business community of minority, women, veteran, service-disabled veteran, and individuals with disabilities owned businesses as well as small businesses of a unique size by supporting their efforts in competing for the provision of commodities, services, and construction to State departments, agencies, authorities, school districts, higher education institutions and all businesses; and

WHEREAS, the Director of OSD furthers the objectives of the State's commitment to equitable and diverse business community by, among other things, providing strategic advice to the Director of the Division of Small Business and the Governor pertaining to supplier diversity; monitors and evaluates the Executive Branch's Supplier Diversity Action Plan implemented by each agency; certifies and maintains a

directory of certified diverse business and small business focus enterprises; advocates for diverse and small businesses, and educates these businesses on how to conduct business within the State; and

WHEREAS, programs aimed towards encouraging and enhancing opportunities for diverse businesses and businesses of a unique size continue to be of importance to the State.

NOW THEREFORE, I, MATTHEW MEYER, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** the following:

1. Definitions. As used in this Executive Order:
 - a. "Diverse business enterprise" means a for-profit business which is at least 51 percent owned and controlled by a minority, woman, veteran (including those who have served in the United States military and have been honorably discharged and those who served or continue to serve in the National Guard), service-disabled veteran, or Individual with a Disability as certified by the Office of Supplier Diversity ("OSD") in the Department of State's Division of Small Business or the Disadvantaged Business Enterprise ("DBE") Program in the Delaware Department of Transportation.
 - b. "Small business enterprise" means business enterprises that meet the eligibility requirements of the Small Business Focus certification process as set forth by OSD.
 - c. "Microbusiness enterprise" means a business enterprise that meets the eligibility requirements for the Microbusiness Focus certification as established by OSD pursuant to this Executive Order, which may include businesses below a specified revenue, employee count, or contract-size threshold as determined by OSD.
2. The Governor's Supplier Diversity Council ("Council") shall consist of twelve members, 4 of whom will serve by virtue of their position, and 8 of whom shall be appointed by the Governor as follows:
 - a. One representative of a local, private, or federal minority and/or women business assistance program or community development program.
 - b. One representative of a minority business enterprise.
 - c. One representative of a women-owned business enterprise.
 - d. One representative of a Delaware small business enterprise.

- e. One representative from a private sector company located in the State of Delaware that administers a supplier diversity program.
- f. One representative of a veteran-owned or service-disabled veteran business enterprise.
- g. One representative of a business owned by an individual with a disability or person with a disability who is a member of an organization that advocates for persons with disabilities.
- h. One representative of a Delaware institution of higher education.
- i. The Director of Government Support Services (“GSS”).
- j. The Director of the Division of Small Business who shall serve as Chair.
- k. One representative of the Office of the Governor.
- l. The Director of the Office of Supplier Diversity within the Division of Small Business shall be an ex-officio non-voting member and will not be counted in the quorum requirements for the Council.
- m. Members serving by virtue of position may appoint a designee from within their office to serve in their stead and at their pleasure.
- n. Governor appointed members shall be appointed for a term of up to 3 years to ensure that no more than 3 member’s terms expire in a year.
- o. The Council shall adopt internal procedures or bylaws necessary for efficient operations.

3. The Council shall:

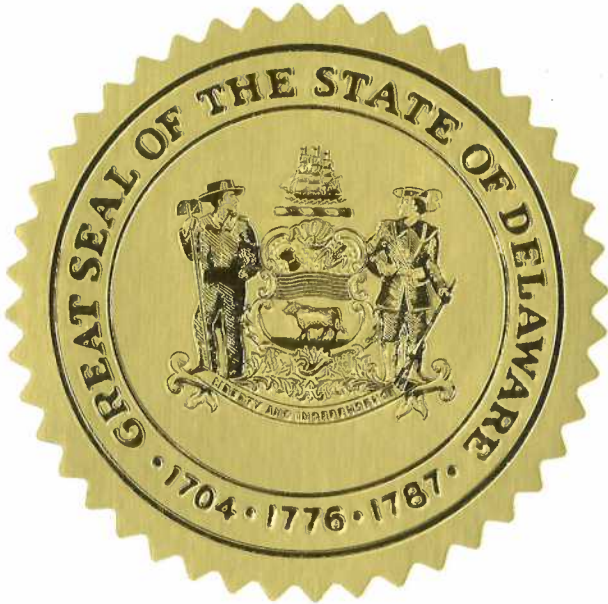
- a. Develop and implement a Microbusiness Focus Program (“Program”) for microbusiness enterprises. The goals of the Program are to increase opportunity for small businesses to participate in state procurement.
- b. Increase opportunities for diverse, small business, and microbusiness enterprises to participate in state procurement by:
 - i. Where possible, evaluating spending on current procurement with diverse business, small business, and microbusiness enterprises.
 - ii. Reviewing agency Supplier Diversity Plans to assist State Agencies with access to the OSD certified businesses when making under threshold procurements.
- c. Provide advice and recommendations to the Governor concerning supplier diversity strategies.

- d. Advocate for the State of Delaware's supplier diversity initiatives.
 - e. Identify training opportunities and offer information on the tools necessary for successfully doing business with the State of Delaware as a Diverse business, small business, and microbusiness.
 - f. Maximize supplier diversity among the State agencies, and help increase contracting opportunities for diverse businesses, small businesses, and microbusinesses.
 - g. Identify economic opportunities beyond state contracting and share best practices and strategies that will leverage the state's business initiatives.
 - h. Develop criteria for evaluation of supplier diversity initiatives pursuant to this Executive Order.
 - i. Propose legislative initiatives to the Office of the Governor.
 - j. Identify potential impediments, if any, concerning supplier diversity within State government, and develop strategies to eliminate these impediments, including the elimination of impediments that limit all supplier diversity businesses from participating in contracting opportunities.
 - k. Make recommendations for conducting feasibility and/or disparity studies involving diverse business enterprises in state procurement practices.
 - l. Advise on potential financing support strategies for diverse businesses, small businesses, and microbusinesses, and other services they may need to enable them to grow.
 - m. Review and issue determination on protests/appeals according to the OSD denial and protest policy.
 - n. Prepare an annual report to the Governor to be filed annually no later than December 30th of each calendar year.
4. The Governor's Supplier Diversity Council shall adopt and operate in accordance with bylaws. These bylaws may be amended, supplemented, or repealed as needed by the Council.
 5. Executive Branch Agencies will provide leadership and support to OSD and the Council to ensure that all diverse businesses, small businesses, and microbusinesses are afforded full, equitable and fair opportunities to compete for State purchasing dollars.
 6. Executive Branch Agencies shall designate, within thirty (30) days of the issuance of this Order, a Supplier Diversity Liaison (SDL), who shall have direct access to

his or her Secretary, department head, or similar cabinet-level official concerning diverse businesses, small businesses, and microbusinesses. The SDL shall:

- a. Assist the Director of the OSD and the Council in their efforts to maximize supplier diversity among State agencies.
 - b. Direct and coordinate supplier diversity initiatives within their respective agency, including but not limited to discussing best practices and educating staff.
 - c. Assist in the development and implementation of their agency's Supplier Diversity Plan, as identified in section 10 of this Executive Order.
 - d. Incorporate the entire supplier diversity community of businesses into the agency Supplier Diversity Plans.
 - e. Prepare reports for the OSD and the Council when necessary.
 - f. Undertake such additional tasks relating to this Executive Order as directed by the OSD, which may include periodic meetings at the discretion of the OSD.
7. Each Executive Branch Agency shall develop a Supplier Diversity Plan, which outlines best practices and objectives for agency-specific interests. Agencies' completed plans shall be submitted to OSD for review and approval no later than September 30th of each calendar year. Agencies' approved supplier diversity plans shall be filed annually with the Governor no later than December 30th of each calendar year.
 8. Continuing with transparency in State procurement practices, the central, online publication of all advertised and awarded State contracts, including information on whether such contracts were awarded to diverse businesses, small businesses, and microbusinesses shall continue as developed by the Director of the Office of Management and Budget ("OMB") and the Secretary of State.
 9. OMB/GSS shall provide quarterly reports to the Director of OSD regarding the State of Delaware's progress in enhancing opportunities for diverse business enterprises and businesses of a unique size, and provide administrative support, if needed. The reports shall delineate the State of Delaware's procurement spending by classifications as requested by the Director of OSD. These directives do not limit an agency's objectives and are designed to promote economic growth and eliminate any potential impediments to an equitable procurement process.
 10. Each Executive Branch Agency shall evaluate the performance of its agency in implementing these directives and report on its efforts to OSD at least annually. The OSD shall provide an annual report regarding the State of Delaware's progress in enhancing opportunities for diverse businesses and Small businesses. The report shall be included in the Division of Small Business's annual report.

11. The provisions of Executive Order Number Forty-Nine, dated June 16, 2021, and issued by Governor John C. Carney, remain in effect to the extent they do not conflict with the provisions of this Order. Any provision of Executive Order Number 49 that conflicts with this Order is hereby rescinded.
12. No provision of this Order is intended to create any individual right or legal cause of action that does not currently exist under State or Federal law. The provisions of this Order shall be implemented in accordance with State and Federal law.



APPROVED this 7th day of May, 2026.



Matthew Meyer
Governor

ATTEST:



Secretary of State