Affirmative Outreach Guidance

How Subrecipients Should Document Compliance With 2 CFR 200.321

Purpose: This guide explains the affirmative outreach steps MS RHTP subrecipients should take when procuring goods or services with Federal award funds. It addresses outreach to minority businesses and women's business enterprises (MWBEs) and related business categories covered by 2 CFR 200.321.

1 · The Federal Requirement

Under 2 CFR 200.321, recipients and subrecipients should, when possible, ensure that small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor-surplus-area firms are considered in federally funded procurements.

2 CFR 200.321 Consideration	What It Means in Practice
Include covered businesses on solicitation lists	Identify qualified small, minority-owned, women-owned, veteran-owned, and labor-surplus-area firms when possible.
Solicit eligible potential sources	Send the same solicitation directly to identified firms and allow a reasonable opportunity to respond.
Structure procurements to encourage participation	When practical, divide work or establish delivery schedules that permit broader participation.
Use assistance organizations	Use resources such as SBA, MDA, and MPTAP to locate potential vendors.
Flow the requirement to contractors	Require contractors under the Federal award to apply 2 CFR 200.321 to covered subcontracts.

Important distinction: The regulation requires affirmative consideration and outreach when possible; it does not require selection of a vendor solely because of its status as a covered entity. Subrecipients must still follow the applicable procurement method based on the solicitation's stated requirements and evaluation factors.

2 · Choose the Correct Compliance Path

Awardee Type	Recommended Compliance Path
Non-governmental entity	Search the Mississippi MDA/MPTAP registry and SBA Small Business Search; identify qualified vendors; send each the solicitation directly; and retain evidence of the searches and outreach.

Awardee Type	Recommended Compliance Path
Governmental entity subject to Mississippi procurement requirements	Post the solicitation through MPTAP/Agency Bid Bank and request targeted distribution to applicable vendors; retain the posting and distribution evidence. Continue to follow all applicable state procurement rules.

3 · Non-Governmental Awardees

A non-governmental awardee can demonstrate affirmative outreach by searching appropriate vendor databases, identifying potential vendors, and sending the solicitation directly to those vendors.

Step-by-Step Process

1. Before issuing the solicitation, identify the goods or services needed, relevant keywords, applicable NAICS codes, service location, and minimum vendor qualifications.
2. Search the Mississippi Minority Business Registry maintained through the Mississippi Development Authority and MPTAP. Search by applicable status, business name, city, county, NAICS code, keyword, or other certification.
3. Search the federal SBA Small Business Search for additional qualified small or certified businesses that may be capable of performing the work.
4. Create a list of vendors that appear reasonably capable and eligible based on the procurement requirements.
5. Send the complete solicitation directly to the identified vendors. Each vendor should receive the same scope, specifications, submission instructions, deadline, and contact information provided to other potential sources.
6. Allow a reasonable response period and answer vendor questions consistently.
7. Evaluate all quotes, bids, or proposals using the procurement's stated requirements and applicable Federal, State, sub-award, and organizational procurement rules.
8. Retain documentation showing the databases searched, search criteria used, vendors identified, solicitation emails or distribution records, responses received, evaluation, and award decision.

Vendor Search Resources

Mississippi Minority Business Registry (MDA/MPTAP): Search the Mississippi registry

- Useful filters include minority-owned or women-owned status, city, county, NAICS code or keyword, and other agency certifications.
- Use the registry to target direct outreach to firms that may reasonably provide the requested goods or services.

SBA Small Business Search: Search the federal SBA database

- Use federal search filters to identify small and certified businesses that may be qualified sources.

- A database listing is a sourcing tool. Awardees remain responsible for determining whether a vendor meets the solicitation requirements and for following the applicable procurement process.

4 · Governmental Awardees Subject to Mississippi Procurement

A Mississippi governmental entity subject to State procurement requirements may satisfy the affirmative outreach component by submitting the solicitation to MPTAP for posting and targeted distribution to applicable suppliers, while following all other State procurement requirements.

Recommended MPTAP Process

1. Prepare the complete solicitation in accordance with applicable Mississippi procurement law, agency procedures, the sub-award, and Federal requirements.
2. Submit the procurement to MPTAP/Agency Bid Bank for posting.
3. Request that MPTAP staff send the solicitation directly by email to applicable suppliers, including potential minority- and women-owned businesses.
4. If the procurement is at the small-purchase or quote level, complete the required quote process. The Federal affirmative outreach requirement still applies even when MPTAP posting is not otherwise required by State law.
5. Retain proof of the MPTAP/Agency Bid Bank posting, targeted vendor distribution, quotes or proposals received, evaluation records, and award documentation.

MPTAP/Agency Bid Bank resource: https://agencybidbank.mississippi.org/

> **Small purchases:** Affirmative outreach under 2 CFR 200.321 still applies at the small-purchase level. Even if Mississippi law does not otherwise require MPTAP submission for a quote-level purchase, the governmental awardee should post through MPTAP and request direct distribution to applicable suppliers or otherwise document equivalent affirmative outreach.

5 · Documentation Checklist

- Copy of the solicitation and any amendments.
- Procurement method and applicable threshold determination.
- Screenshots, exports, or dated search records from the MDA/MPTAP and SBA databases.
- Search terms, NAICS codes, location filters, and ownership or certification filters used.
- List of vendors identified for outreach.
- Copies of solicitation emails, delivery confirmations, MPTAP posting, or distribution report.
- Vendor questions and responses, when applicable.
- Quotes, bids, or proposals received, including any no-bid responses.
- Evaluation and award documentation showing the stated selection basis.
- Contract clause requiring application of 2 CFR 200.321 to applicable subcontracts.
- Written explanation when no qualified vendors were identified or no responses were received.