

PARTICIPATION BY HISTORICALLY UNDERUTILIZED BUSINESSES

Policy Code:

6402

The board affirms the State's commitment to encouraging the participation of historically underutilized businesses, as defined by G.S. 143-128.4, and small businesses in the school system's purchase of goods and services.

Notwithstanding the board's intent to promote the participation of the types of businesses described above, the board will purchase goods and services without regard to race, color, creed, national origin, sex, age, disability or religion.

A. SCHOOL SYSTEM GOOD FAITH EFFORTS

The board establishes the following guidelines to ensure that school system staff will make good faith efforts to reach diverse suppliers of goods and services and to encourage participation in the school system's purchasing program by such suppliers. Employees responsible for the purchasing function shall:

1. make information about the school system's purchasing procedures and bidding process readily available;
2. advertise for bids in media that reach historically underutilized businesses;
3. ensure access to bidding documents needed for making bids on projects;
4. obtain directory information of small businesses, historically underutilized businesses, disabled business enterprises, and nonprofit work centers for the blind or severely disabled by using the online search functions of the North Carolina electronic Vendor Portal provided by the Division of Purchase and Contracts at the N.C. Department of Administration;
5. sponsor or participate in purchasing seminars for all prospective vendors or, in particular, for small businesses, historically underutilized businesses, disabled business enterprises, and non-profit work centers for the blind or severely disabled;
6. provide information on how to become Historically Underutilized Business (HUB)-certified and/or North Carolina Small Business Enterprise (NCSBE)-certified and how to register in the North Carolina electronic Vendor Portal;
7. prepare vendor lists in accordance with policy 6442, Vendor Lists; and
8. when allowed by law, permit performance guarantees rather than performance bonds for contracts for goods and services.

B. DOCUMENTATION AND REPORTING

The superintendent or designee shall submit all legally required reports on the use of historically underutilized businesses disabled business enterprises, and nonprofit work centers for the blind and the severely disabled and shall document the use of such businesses as necessary to comply with applicable laws.

Legal References: *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989); G.S. 143-48, -48.4, -128.4; 01 N.C.A.C. 05B .0301

Cross References: Vendor Lists (policy 6442), Participation by Minority Businesses (policy 9125)

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