

PARTICIPATION BY HISTORICALLY UNDERUTILIZED BUSINESSES

Policy Code:

6402

The board affirms the State's commitment to encourage participation of historically underutilized businesses ("HUBs") in the school system's purchase of goods and services. The board of education prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, disability, or religion.

A. SCHOOL SYSTEM GOOD FAITH EFFORTS

The board has adopted the following guidelines to ensure that the school system will make good faith efforts to reach diverse suppliers of goods and services and to encourage participation in the school system's purchasing progress by such suppliers. The school system may:

1. make information about the school system's purchasing procedures and bidding process readily available;
2. advertise for bids in media that reaches minority businesses;
3. ensure access to bidding documents needed for making bids on projects;
4. request directory information of businesses owned and controlled by minorities, women, disabled persons, and nonprofit work centers for the blind or severely disabled by contacting the Division of Purchase and Contracts at the State Department of Administration;
5. provide information to HUBs on how to have a company name included on lists maintained by the Division of Purchase and Contracts at the State Department of Administration;
6. prepare vendor lists in accordance with policy 6442, Vendor Lists; and
7. where allowed by law, permit performance guarantees rather than performance bonds for contracts for goods and services.

B. DOCUMENTATION AND REPORTING

The superintendent or his or her designee will submit all legally required reports on the use of historically underutilized businesses and will document the use of businesses qualifying as historically underutilized 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, 143-128

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

Adopted: December 14, 2015