

North Carolina  
Department of Administration



Office for  
Historically Underutilized Businesses

HUB Certification Manual

**N.C. Department of Administration  
Office for Historically Underutilized Businesses**

**HUB CERTIFICATION PROCEDURES**

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**N.C. DEPARTMENT OF ADMINISTRATION  
OFFICE FOR HISTORICALLY UNDERUTILIZED BUSINESSES**

**I. MISSION**

The Office for Historically Underutilized Businesses (HUB Office) certifies companies as historically underutilized businesses (HUB) under guidelines provided in Executive Order 150 and N.C.G.S. §143-48, 143-128.2 and 143-128.4.

Historically Underutilized Businesses (HUBs) consist of businesses owned by racial minorities, women and persons with disabilities that are at least fifty-one (51%) owned, and controlled by an individual(s) of the aforementioned group. Included also in this category are disabled business enterprises, non-profit work centers and businesses owned by socially and economically disadvantaged individuals.

The HUB Office provides vendors access to on-line vendor registration through the Vendor Link NC and E-Procurement systems. The office also provides an opportunity for HUB firms to be identified in the states' database for procurement and contracting opportunities with the State of North Carolina. This database is utilized by over 500 public and private entities. Firms should consider Vendor Link NC and E-Procurement systems as a means of marketing their businesses. HUB Certification is valid for a period of two (2) years, after which HUB firms are required to confirm their information. All firms listed with the "HUB Certification" in the database are subject to an on-site review.

## **II. Responsibilities**

The Office for Historically Underutilized Businesses, (hereinafter referred to as HUB Office), in accordance with G.S. §143-48, 143-128.4 and Executive Order 150, has established a program, which allows businesses owned by minorities, women and persons with disabilities (hereinafter referred to as HUBs) to obtain certification as a HUB firm in the State of North Carolina procurement system.

Historically Underutilized Businesses (HUBs) consist of businesses owned by minorities, women and persons with disabilities that are at least fifty-one (51%) percent owned and operated by an individual(s) of the aforementioned categories. Also included in this category are disabled business enterprises, non-profit work centers for the blind and severely disabled and businesses owned by socially and economically disadvantaged individuals. (See qualifying as a HUB business under G.S. 143-48, 143-128.2 and 143-128.4 State Construction Office and Minority Businesses Guidelines-Revised November, 2002).

The HUB Office works to increase the amount of goods and services acquired by the State from businesses owned and controlled by HUBs. This is accomplished by providing technical assistance to HUB firms; partnering with agency purchasing officers, and business and industry professionals to identify and eliminate barriers or constraints that may restrict HUBs from doing business with the state or local agencies. Also the HUB Office will encourage purchasing officers and capital project managers within the state agencies, community college, municipalities, institutions, public schools and universities to identify prospective HUB firms and service providers.

The HUB Office will use the information provided by the HUBS to:

1. Identify those areas of work for which there are HUBs, as requested.
2. Make available to interested parties a list of prospective minority business contractors and subcontractors.
3. Assist in the determination of technical assistance needed by HUBs.

In addition to being responsible for designating historically underutilized businesses as HUBs that wish to participate in the State's Purchasing and Construction programs, the HUB Office will:

1. Maintain a current list of HUBs. The list will include the areas of work in which each HUB is interested.
2. Educate HUBs on how to identify and obtain contracting and subcontracting opportunities through the State Construction Office and other public entities.
3. Inform HUBs of contracting and subcontracting process for public construction building projects.

4. Work with the North Carolina trade and professional organizations to improve the ability of HUBs to compete in the State construction projects.
5. The HUB Office also oversees HUB program by:
  - a. Monitoring compliance with the program requirements.
  - b. Assisting in the implementation of training and technical assistance programs.
  - c. Identifying and implementing outreach efforts to increase the utilization of HUBs.
  - d. Reporting the results of HUB utilization to the Secretary of the Department of Administration, the Governor, and the General Assembly.

### **III. Definitions**

In determining eligibility and evaluating evidence the following terms shall have the meaning assigned to them in this Section (unless otherwise expressly provided).

1. **Affidavit**  
A written declaration made under oath before an authorized official attesting to the truth of the matter.
2. **Appeal**  
A written request by an applicant to reconsider a determination of denial.
3. **Bidder**  
Any person, firms, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.
4. **Bidder's List**  
A list consisting of firms providing a service and or commodity that request to receive notification of upcoming bids.
5. **Contract**  
A mutually binding legal relationship or any modification thereof obligating the seller to furnish equipment, materials or services, including construction, and obligating the buyer to pay for them.
6. **Contractor**  
Any person, firm, partnership, corporation, association, or joint venture which has contracted with the State of North Carolina to provide goods and services.
7. **Control**  
Control is comprised of both management and operation. The individuals must demonstrate responsibility for critical areas of the operations and must be able to make independent and unilateral business decisions. Ownership and control by individuals must be real and go beyond pro-forma as reflected on paper.
8. **Corporation**  
A corporation is an organization formed under state or federal law. It is an artificial entity legally separate from its owners.

- 9. Debarment**  
The process by which the Division of Purchase and Contract determines that an adjudication of fraud or malfeasant decree has been entered by a court of law or an administrative law judge declaring the vendor ineligible to furnish materials, supplies or services to the State of North Carolina.
- 10. Denial**  
The vendor does not meet the eligibility criteria for HUB certification or did not submit requested documentation.
- 11. Designer**  
Any person, firm, partnership, or corporation, which has contracted with the State of North Carolina to perform architectural or engineering work.
- 12. Disabled Business Enterprise**  
A nonprofit entity whose main purpose is to provide ongoing habilitation, rehabilitation, independent living, and competitive employment for persons who are handicapped through supported employment sites or business operated to provide training and employment and competitive wages.
- 13. HUB Certification**  
The process by which a vendor's eligibility as a HUB is determined.
- 14. Individual**  
Sole Proprietors who do business under their own legal name, instead of a company name.
- 15. Limited Liability Corporation**  
A limited liability company is a business entity created by statute. It has some characteristics of a partnership and some characteristics of a corporation.
- 16. Non Profit Work Center for the Blind and Severely Disabled**  
An agency a) organized under the laws of the United States or this State, operated in the interest of the blind and severely disabled, the net income of which agency does not inure in whole or in part to the benefit of any shareholder or other individual; b) in compliance with any applicable health and safety standard prescribed by the United State Secretary of Labor; and c) in the production of all commodities or provision of services, employs during the current fiscal year severely handicapped individuals for (i) a minimum of seventy-five percent (75%) of the hours of direct labor required for the production of commodities or provision of services, or (ii) in accordance with the percentage of direct labor required under the terms and conditions of Public Law 92-28 (41U.S.C. 46, et. req.) for the production of commodities or provision of services, whichever is less. (NCGS143-48(b) (Ib).

- 17. Ownership**  
A member of the group (minorities, women, persons with disabilities, disabled business enterprises, non-profit work centers and socially and economically disadvantaged individuals) owning and controlling at least 51% of firm.
- 18. Partnership**  
A partnership is two or more people who carry on a trade or business as co-owners for profit.
- 19. Public Entity**  
The State of North Carolina and all public subdivisions and local government units.
- 20. Revocation of HUB Status Certification**  
The process by which the Office of Historically Underutilized Businesses determines that a firm no longer meets the eligibility requirements as a HUB and removes the certification as a HUB in the database.
- 21. S Corporation**  
A corporation structured like a “C” corporation, but taxed like a partnership.
- 22. Small Business** must fit into one of the following categories:
- a. Wholesale Business: Annual sales of four million dollars (\$4,000,000) or less during its fiscal year,
  - b. Service Business: Average sales of five hundred thousand dollars (\$500,000) or less for the current preceding three (3) fiscal years and who employs no more than twenty-five (25) persons.
  - c. Retail Business: Annual sales and receipts of five hundred thousand dollars (\$500,000) or less.
  - d. Manufacturing Business: Employs no more than one hundred (100) persons.
- 23. Sole Proprietorship**  
A sole proprietorship is an unincorporated business that is owned by one individual for profit.
- 24. Using Agency**  
The State of North Carolina, through the Agency/Institution named in the contract.
- 25. Vendor List**  
The Division of Purchase and Contract database, housed in Vendor Link that contains the names of registered vendors and HUB designated vendors.



**26. Vendor Name**

The legal name of your business.

**27. Verify**

To prove that something exists or is true, or to make certain that something is correct.

These definitions are hereby incorporated as a part of the Eligibility Standards for HUB designation purposes.

## **IV. HUB Eligibility Standards**

The following standards will be used by the HUB Outreach Specialists in determining whether a firm is an on-going business, owned, operated and controlled by a minority, woman, person with a disability or a socially and economically disadvantaged individual or a disabled enterprise in accordance with NCGS 143-48, 143-128.2 and 143-128.4.

In the HUB Certification process ethnicity takes precedence over gender. For example: a business owned by a Hispanic woman will be listed as a Hispanic owned business.

### **A. Ownership**

1. **Minority** – a person who is a citizen or lawful permanent resident of the United States and who is:
  - a. Black, that is, a person having origins in any of the black racial groups in Africa;
  - b. Hispanic, that is a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
  - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent or the Pacific Islands;
  - d. American Indian, that is, a person having origins in any of the original peoples of North America; or
  - e. Female
2. **Minority-Owned Business**- means a business:
  - a. In which at least fifty-one percent (51%) is owned by one or more minority persons. In the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
  - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who owns it.
3. **Woman-Owned Business** – means a business:
  - a. In which at least fifty-one percent (51%) is owned by one or more women, in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more women.
  - b. Of which the management and daily business operations are controlled by one or more women who owns it.

4. **Disabled-Owned Business** – means a business:
  - a. In which at least fifty-one percent (51%) is owned and operated by a person with a disability (or people with disabilities).
  - b. Of which the management and daily business operations are controlled by one or more persons with a disability who owns it.
  
5. **Disabled Business Enterprise** – means
  - a. A non-profit entity whose main purpose is to provide ongoing rehabilitation, independent living, and competitive employment for persons who are handicapped through supported employment sites or business operated to provide training and employment and competitive wages.
  
6. **Socially and Economically Disadvantaged Individual** – means the same as defined in 15 U.S.C. 637.
  - a. Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regards to their individual qualities.
  - b. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area that are not socially disadvantaged.

The ownership must be real, substantial and continuing beyond the pro-forma ownership as reflected in the firm's documentation. Ownership (day-to-day control) may not be contracted or conveyed to another. The minority, woman, or disabled owner must share in all risk and profits according to their percentage of ownership.

## **V. HUB Certification Procedures**

The following describes the HUB Certification procedure for all potential HUB firms for procurement and construction:

1. The HUB firm enters data via the Vendor Link NC system. A receipt of firm's verification/HUB Certification request is acknowledged within five (5) business days from the Division of Purchase & Contract. This receipt acknowledges the firm's e-mail address and company information is correct and they have been added to the Vendor Link database.
2. If vendor is requesting HUB Certification, their request is then forwarded to the HUB Office within 48 hours.
3. Upon receipt of the HUB Certification request from the Division of Purchase and Contract, HUB staff will review HUB firm's certification request for completeness and accuracy in order of receipt.
4. The firm requesting certification is required during its initial online request to complete, sign and attest that the information is true and accurate.
5. Upon receipt and after review by the HUB staff, a request for additional documentation may be required to establish the ownership and control of the business.
6. If the information presented does not clearly demonstrate ownership, control and the day-to-day management by the HUB firm, the HUB staff shall submit a written request to the Deputy Director for permission to conduct a site visit.
7. Eligibility is determined based on the HUB Office certification standards in effect at the time of the application. Subsequent organizational changes will not be considered during the eligibility determination process. All requested documentation will become part of the HUB firm's permanent file and will be used to support actions on behalf of the HUB staff.
8. If HUB Certification is granted, the HUB firm is notified immediately via e-mail. A letter will follow via U.S. Mail, confirming HUB Certification status and the duration of the certification status.
9. Upon approval, the HUB firm will have the "HUB" designation added to their Vendor Link NC profile.
10. This certification will remain in effect for 2 years unless there is a change in the HUB firms' management and/or business structure.

11. HUB firms are required to notify the HUB Office in writing of any subsequent changes in ownership and or management within 30 days.
12. If HUB Certification is denied, the firm is notified immediately via e-mail indicating the reason(s) for denial. If the firm wishes to submit a new request for HUB Certification, it may do so after a period of one year.
13. Before its initial HUB Certification expiration date, HUB firms are required to complete an online designation request. Prior to their expiration date, firms will receive a 90/60/30-day notice via e-mail notifying them to request re-certification within the appropriate timeframe.
14. If there are changes in the HUB program guidelines or eligibility requirements, HUB firms will have 30 days to forward supplemental documentation as a result of these changes if required.

## **A. How to Apply for HUB Certification**

The following outlines the process for applying for HUB status with the State of North Carolina:

1. Logon [www.doa.state.nc.us.doa/hub](http://www.doa.state.nc.us.doa/hub)
2. Click on **“Request HUB Designation-Vendor Link”**
3. Click on **“Vendor Registration and HUB Designation”**
4. Click on **“I accept these Terms”** and then supply the requested information.
5. To register your business with the State of North Carolina you must create a User ID and Password.
6. Complete the required information about your company.
7. The Business Group Definition section is the beginning of the HUB Certification process. Read the eligibility criteria for HUB Certification. If you believe your company is eligible, check the appropriate box(es).
8. If your request requires additional supporting documentation, you will be notified via email. You also will be notified via email of your approval or denial. An acceptance letter concerning your HUB Certification will follow within two (2) weeks.

## B. Vendor Registration Screens

The following section provides a step-by-step outline and computer screens for registering as a vendor and applying for HUB Certification with the State of North Carolina:

### Vendor Location Information

- **Enter your Company Name:** This should be the way your company is normally referred to in correspondence etc. (Mandatory)
  - **Enter Division Group or Subsidiary,** if required.
  - **Enter your First Name followed by your Last Name.** (Mandatory Field)
  - **Enter your Address.** (Mandatory Field)
  - **Use the second Address** line for any additional information.
  - **Enter your City.** (Mandatory Field)
  - **If you reside in NC** select the NC County from the drop down menu.
  - **Use the drop down menu** to select the US State. (information required in either this field or the next field)
  - **If non-US vendor** enter the appropriate Province and Country information.
  - **Enter your Zip Code Number** (Mandatory Field) and the four-digit extension if you know it.
  - **Enter your Phone Number** (Mandatory Field) and extension if applicable.
  - **Enter your FAX Number** where applicable.
  - **Enter your Toll Free Number** if applicable.
  - **Your e-mail address** will automatically be entered from information entered earlier.
1. Use the check box to indicate if your business is a small business. You may see a definition of small business by clicking on the small business link.
  2. Click on the **Next** button to take you to the Commodity Selection screen. From this screen you will select commodity classes for which you wish to receive e-mail notification.

### Commodity Class Selection

1. To receive e-mail notification for selected commodity classes follow these easy steps:
  - a. **Click on the IPS Category.** (The commodity classes will automatically be displayed.)
  - b. **Click the commodity class.** (The selections will appear in the bottom portion of your screen.)

- c. **Click the Return to Category** button and select the next Category and repeat the process.
2. Any previous selections for a different IPS Category will already have been saved and will be displayed in the bottom portion of your screen.
3. To delete any commodities selected in error, simply click the **Remove** button in the bottom portion of the selection screen.
4. After you have made your final selections, click the **Next** button to record all of your information.

### Business Group Definition

1. After you have made your commodity class selections and click on the **Next** button, you will be taken to the Business Group Definition screen.
2. You are asked to complete questions pertaining to Historically Underutilized Business (HUB) status. **If you are not a Historically Underutilized Business, your registration process is complete.**
3. You will receive e-mail notification acknowledgement from the Division of Purchase and Contract within five (5) business days. If you are a Historically Underutilized Business, see the section pertaining to requesting designation as a HUB vendor and enter the appropriate HUB information.
4. At this point you will be shown a summary of all of the information that you supplied. You can make changes to any of this information by clicking on the Change Vendor Information link. This will take you to the Vendor Login screen. After a successful login you will be presented with the Vendor Change Menu.

### Vendor Change Menu

If you need to change any information that you have previously supplied, from the main Vendor Menu

1. Click on the Change Vendor Information link.
2. From this screen you have the following options: Change Your Password, Change Company Information, Change Location Information, Add/Remove Commodities, Add/Remove SIC codes or Add/Modify HUB information.
3. If you want to change your password click on the Change Password link. If you have forgotten your password and typed in an incorrect password an "Invalid password entered" message will be displayed.
4. You may then click on the E-mail My Password link and your password will be sent to you. If you want to change your company information click on the Change Company Information link. All of your company information will be displayed and you may change information previously supplied.



5. Likewise you may change information concerning location, commodities, SIC listings, or HUB information. Changes to passwords, commodities or SIC listings will not require approval. Changes to company information may require approval. Changes to vendors Federal Tax ID, for example, require approval from the Division of Purchase and Contract. You will again receive e-mail notification of any changes within five business days.

### HUB Certification Request

1. If you have checked any of the boxes in the Business Group Definition screen pertaining to Historically Underutilized Business status you will proceed to the HUB Certification Request screen. If wish to be considered for HUB Certification, check the appropriate box. Then click on the **Next** button.

### HUB Ownership Information

1. After clicking the Next button, you will proceed to the HUB Ownership screen.
2. In section 1, use the drop down menu to select ownership type. Corporation/LLC, Sole Proprietorship, or Partnership/LLP/LP.
3. Type in the start date of the business. This information will determine what documents you must supply, if requested later in the registration process.
4. In section 2, complete the information on ownership of the firm. Use as many boxes as required to show all owners. (Six boxes will be provided. **At least one entry must be made in the first line.**) The total should equal 100% in order for the HUB Office to accurately assess your application.
5. Complete the section by answering the questions pertaining to the construction contractor. (*This section pertains to Historically Underutilized Business only*) Then click the next button.

### Construction Code Selection

1. If you have indicated that you are a construction contractor, you will then select the appropriate codes for the Construction Industry from the Construction Code screen. This is provided as a convenience only.
2. E-mail notifications are sent for construction solicitations. General Construction Contractors and purchasing personnel use this listing to locate HUB vendors to assist in construction projects. Select items of interest as you have done previously with the commodity selection list.
  - a. Select the Division from those shown. (The listed codes for each division will automatically be displayed.)

- b. Choose the items from those listed. (Your selections will be shown in the bottom portion of the selection screen.)
  - c. Then select the Next Division and repeat the process. If you have made an error you may simply click the Remove button and it will be removed.
3. When you have finished with your selections click the Next button to record your choices.

### **HUB Certification Instructions**

1. You should now be viewing the HUB Certification Instructions screen. Additional supporting documents may be requested and must be supplied to the HUB Office upon request.
2. Your business will begin receiving notification of procurement opportunities for commodities and or services within two (2) business days of submitting your application. If you requested certification as a HUB firm it may take longer. Confirmation of your HUB status will be sent to you via e-mail from the HUB Office.

**\*\*See Printed Screens\*\***

## **VI. Re-Certification Procedures**

1. To renew your "HUB" status with the State of North Carolina, you are required to acknowledge that there have been no changes in the ownership, management or business structure of your company since you were last designated or re-designated.
2. You will be notified 90/60/30 days prior to your expiration date. You must acknowledge that all of your information is still true and accurate.
3. The re-certification will remain in effect for 2 years unless there is a change in the HUB vendors' management and/or business structure.
4. If there has been a change in ownership, management or business structure, you are required to submit documentation supporting the change(s) within a 30-day period.
5. Per the rules of the Division of Purchase and Contract, who maintains the Vendor Link system, your HUB status will be marked "Inactive", if you fail to update or submit supporting documentation. However, your company will remain in the Vendor Link system and continue to receive bid notifications via e-mail.
6. If there has been no activity illustrating a review by your firm of your company's information within a one (1) year period, your vendor profile will be removed from the system. Therefore, it is imperative, that you review your company information yearly.
7. If there is a change in the guidelines by the HUB Office, your company will be given 30 days in which to comply.

To make a change is easy, follow the steps below:

1. Go to **CHANGE VENDOR INFORMATION** enter User ID and Password
2. Go to **ADD/MODIFY HUB INFORMATION**
3. Follow the direction on the screen

## **VII. Documentation Requests**

The HUB Office may request the following information (and any additional items not listed if needed to determine eligibility) in order to complete the HUB Certification process:

### **Sole Proprietorship**

- Resumé of Principal Owner
- Company profile, including roles and responsibilities of officers/owners
- Proof of ethnicity/gender of primary owner (drivers licenses, birth certificates, tribal enrollment documents or passports)
- Bank signature card
- Home state certification (out of state vendors)

### **Partnership/LLP/LP**

- Resumé of Principal Owners
- Company profile, including roles and responsibilities of officers/owners
- Partnership Agreement
- Proof of ethnicity/gender of primary owners (drivers licenses, birth certificates, tribal enrollment documents or passport)
- Proof or verification of start-up investment capital by owner (example: cash investment, opening of business account, equipment bill of sale, bank statement, etc.)
- Bank resolutions and signature card
- Home state certification (out of state vendors)

### **Limited Liability Corporation:**

- Resumés of Principal Owners
- Company profile, including roles and responsibilities of officer/owners
- Articles of Liability Corporation
- Proof of ethnicity/gender of primary owners (drivers licenses, birth certificates, tribal enrollment documents or passports)
- Proof or verification of start-up investment capital by owner (example: cash investment, opening of business account, equipment bill of sale, bank statement, etc.)
- Bank resolution and signature card
- Home state certification (out of state vendors)

## Corporation:

- Resumés of Principal Owners
- Company profile, including roles and responsibility of officers/owners
- Articles of Incorporation
- Corporate By-Laws
- Copy of Stock certificate (no specimens)
- Copy of actual Stock Ledger
- Bank resolution and signature card
- Minutes of recent board meeting
- If business/corporation was a buyout, attach Proof of Purchase
- Proof of ethnicity/gender of primary owners (drivers licenses, birth certificates, tribal enrollment documents or passports)
- Proof or verification of start-up investment capital by owner (example: cash investment, opening of business account, equipment bill of sale, bank statement, etc.)
- Home state certification (out of state vendors)

## **VIII. Proprietary Disclosure**

1. Except as provided by law all information received including data via the Internet and e-mail shall be considered public record, subject to public release and inspection. Therefore, the Office for Historically Underutilized Businesses makes no representations to the confidentiality of such information.
2. If requested, and submitted, any documentation received during the HUB designation process becomes the property of the State of North Carolina.
3. In no event shall the State be liable for any damages whatsoever arising out of or in connection with the use of information transmitted and received by the State.

## **IX. Challenge Procedures**

1. A third party complainant may challenge the HUB status/certification of a HUB firm both verbally and/or in writing. The complaint must include detailed reason(s) for the challenge.
2. When a verbal challenge is given to the HUB Office, the staff member receiving the complaint must document it.
3. The staff member shall check the Vendor Link database to determine if vendor is listed in the system as a HUB.
4. If the vendor does not maintain HUB Certification in the Vendor Link database, the Outreach Specialist will inform the complainant that the firm does not maintain HUB Certification in the system at the time of review. No further review is deemed necessary.
5. If firm maintains HUB Certification in the Vendor Link database and information received from the complainant warrants the need for further review, the Outreach Specialist will review the firm's permanent file to make a determination if any additional review is deemed necessary. The Outreach Specialist will record in writing the reason(s) why additional review is deemed necessary, as well as make record of his/her recommended course of action.
6. The Outreach Specialist will discuss Complaint/Inquiry, as well as, the written recommendation(s) with HUB Deputy Director, advising of his/her recommended course of action.
7. The Deputy Director will evaluate and respond with the course of action to be taken as noted below:

- a. Complaint/Inquiry is deemed not to need further review:

If complaint/inquiry is deemed not to need further review, a letter will be mailed to complainant indicating no further review is needed.

- b. Complaint/Inquiry needs further review in the form of requesting additional documentation from the HUB firm in question:

If complaint/inquiry needs further review, a letter will be mailed to the HUB firm within 15 business days notifying them that their HUB Certification has been selected for review. Outreach Specialist will request additional information to re-evaluate the firm's HUB Certification.

c. Complaint/Inquiry needs further review in the form of a site visit:

If complaint/inquiry warrants a site visit the Outreach Specialist will notify the firm in writing within 15 business days that their HUB Certification has been selected for further review. The staff will schedule a site visit to re-evaluate the HUB firm.

8. Upon further review of documents and or site visit, the Outreach Specialist will prepare a written Summary of Findings and recommendations.
9. The Deputy Director will make a determination of the firm's HUB Certification based on the Review Findings and Recommendations of the Outreach Specialist.
10. The Deputy Director will notify complainant and HUB firm in writing of the action taken by the HUB Office.
11. The Firm's HUB Certification will remain in effect during the challenge process.



## **X. REVOCATION OF HUB CERTIFICATION**

1. The action to revoke a HUB Certification is necessary in order to maintain the integrity of the Historically Underutilized Business Program and to prevent non-HUB firms from acquiring an unfair advantage or status over legitimate HUB firms.
2. All firms are subject to an on-site review at which its must be able to document actual ownership and demonstrate control of said business in order to maintain its HUB Certification, as well as being subject to the revocation process.
3. The HUB Certification may be revoked for any of the following reason(s):
  - a. Changes in the status of the business that renders it no longer a bona fide HUB.
  - b. Changes in the business structure in less than one (1) year to render it a HUB.
  - c. Failure to notify the HUB Office of any denial or revocation of HUB certification by other governmental agencies.
  - d. Failure to notify the HUB Office within (30) days of any changes in ownership, control, management or status as an on-going concern.
  - e. Found engaging in any illegal business practice by a court of law.
4. The HUB Deputy Director shall notify the firm in writing by certified mail of his/her decision to revoke HUB Certification and shall state the reason(s) for revocation with justification.
5. The firm shall be advised that a revocation notation will be placed on its company profile in the Vendor Link system.
6. The firm shall be advised of its Right to Appeal and be given fifteen (15) business days in which to exercise this right.
7. If the firm does not appeal, revocation of the firm's HUB status will be enforced.
8. The firm may reapply for HUB Certification one (1) year from the date of the revocation notice.

## **XI. APPEAL PROCESS**

1. A firm whose HUB Certification has been denied or revoked has a Right to Appeal.
2. An appeal request must be made in writing and addressed to the HUB Director within fifteen (15) business days of the date of the denial notice.
3. The appeal must state the specific reason(s) why the denial/revocation or third party complaint was improper or in error based on the HUB eligibility requirements and the documentation submitted.
4. Upon receipt of the Appeal Request, the HUB Director will acknowledge receipt of Appeal Request within Seven (7) business days by mailing a written confirmation notice.
5. The HUB Director shall consult with DOA legal counsel.
6. The HUB Director may uphold or overturn the denial decision.
7. The HUB Director shall consider and base his/her decision on the eligibility requirements and the information presented during the initial designation process as well as any relevant and/or requested additional information. Thus the changes in the firm's ownership and control subsequent to the vendor's request for the HUB Certification shall not be considered as evidence during the Appeal Process.
8. The HUB Director will render a written decision within thirty (30) business days of receipt of the Appeal.
9. The firm's certification status remains in effect pending an appeal.