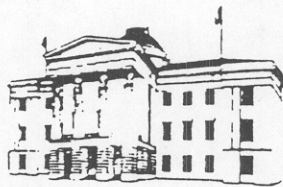


State of North Carolina



JAMES B. HUNT JR.
GOVERNOR

EXECUTIVE ORDER NO. 150 SUPPORT FOR HISTORICALLY UNDERUTILIZED BUSINESSES

WHEREAS, it is North Carolina's collective expectation that all citizens of the state will be given equal opportunities to participate in providing State government with the goods and services it requires; and

WHEREAS, it is my expectation, as Governor of the State, that this will be accomplished without regard to race, gender, or disabling condition; and

WHEREAS, when the General Assembly set the purchasing policy for the State, it encouraged State agencies to provide contracting opportunities for small and historically underutilized businesses (hereinafter "HUBs") as defined in North Carolina General Statutes § 143-48; and

WHEREAS, it is my desire that a coordinated effort is undertaken to eliminate any barriers which may have acted as impediments to equal opportunities for HUBs in doing business with the State.

NOW, THEREFORE, by the power vested in me as Governor by the laws and Constitution of North Carolina, IT IS ORDERED:

Section 1. Creation of the Office for Historically Underutilized Businesses in the Office of the Secretary of Administration

There is hereby established in the Office of the Secretary of the North Carolina Department of Administration, the Office for Historically Underutilized Businesses (hereinafter "HUBs Office").

Section 2. HUBs Office Responsibilities

The HUBs Office is charged with the responsibilities of:

a. providing technical assistance to HUB vendors. This assistance shall include training and counseling to HUB vendors as they seek opportunities to do business with the State through the Division of Purchase and Contract, the State Construction Office, the State Property Office, or the individual agency, department, university, community college or local school system (hereinafter "agency").

b. working with agency purchasing officers and agency capital projects coordinators to share information about opportunities to do business with HUB vendors. In order to accomplish this task, the HUBs Office shall prepare a data base and directory containing the names of HUB vendors known to it who are interested in doing business with the State or local agencies.

c. coordinating with HUB vendors, agency purchasing officers and agency capital projects coordinators to identify and eliminate barriers or constraints that may restrict HUB vendors from doing business with the State or local agencies

d. developing positive relationships with North Carolina trade and professional organizations such as the North Carolina Citizens for Business and Industry and the Carolinas Associated General Contractors and encouraging HUB vendors to do the same, so that the business needs and concerns of HUBs are made aware to these larger business entities, which may advise and assist HUBs in doing business with the State.

Section 3. Data Collection and Analysis

The HUBs Office shall collect data from each agency in order to analyze the State and local agencies' purchasing practices with regard to contracting with HUBs. This data shall capture all contracts for goods and services from each agency, and indicate all HUB participation in those contracts, even as subcontractors to a principal contractor.

The HUBs Office shall be responsible for development of a uniform reporting format after consultation with the Secretary of Administration, the State Controller and the HUBs Advisory Council. The State Purchasing Officer, the Director of the State Construction Office, the Director of the State Property Office, and each agency head shall provide quarterly reports in accordance with the uniform reporting format, and any other

requested information, to the HUBs Office for the implementation of this program. A list of all agencies which have so reported shall be included in the quarterly report established below to be submitted to the Governor.

The North Carolina Accounting System located within the Office of the State Controller may assist the HUBs Office in the collection and analysis of purchasing data. The HUBs Office shall be responsible for reporting that information to the Governor on a quarterly basis. The first report shall be presented to the Governor by August 15 of this year. Thereafter, each report shall be due six weeks after the end of the calendar quarter.

Section 4. Creation of the HUBs Advisory Council

a. There is created a HUBs Advisory Council to assist the Secretary and the HUBs Office by providing advice on matters that relate to the furtherance of the objectives of this Executive Order.

b. The Council shall consist of the following members:

- (1) the Governor's Advisor for Minority and Community Affairs;
- (2) the State Purchasing Officer;
- (3) the Director of the State Construction Office;
- (4) the Director of the State Property Office;
- (5) the Executive Director of the North Carolina Council for Women;
- (6) the Director of the Office of Hispanic/Latino Affairs;
- (7) the Executive Director of the Governor's Advocacy Council for Persons with Disabilities;
- (8) the Executive Director of the North Carolina State Commission of Indian Affairs;
- (9) the Chief Purchasing Officer of each of the respective Cabinet agencies, The University of North Carolina, the Department of Community Colleges, and the Department of Public Instruction;
- (10) three HUB owners, one of which shall be a minority, one of which shall be a female, and one of which shall be an owner with a disability;

- (11) two representatives of non-profit organizations having knowledge of and expertise in HUB activity;
 - (12) a chief executive officer or chief financial officer of a large non-HUB business entity that either:
 - (a) sells goods or services to the State, or
 - (b) provides construction or repair work for State buildings.
- c. Each agency head shall designate from his or her staff a HUBs Coordinator who will act as the liaison between the HUBs Office and the respective agency.
- d. The HUBs Advisory Council shall meet on a semiannual basis or more frequently at the call of the Secretary of Administration.

Section 5. State Contracts

Each agency should strive to increase the total amount of goods and services acquired by it from HUB vendors, whether directly as principal contractors or indirectly as subcontractors or otherwise. It is expected that at least eight percent, by dollar amount, of the State's purchases of goods and services during fiscal year 1999-2000 and at least ten percent during fiscal year 2000-2001 will be derived from HUB vendors.

The HUBs Office shall assist each agency in developing a plan and providing technical assistance to reach the set objectives related to the purchase of goods and services.

The State Purchasing Officer, the Director of the State Construction Office and the Director of the State Property Office shall continue to implement guidelines and procedures that ensure that the State's contracts contain specific requirements that compel contractors doing business with the State to comply with federal Equal Employment Opportunity requirements or their equivalent.

Section 6. Prior Orders

Executive Order No. 77 executed by former Governor James G. Martin is abolished and superseded by this Order. All prior Executive Orders or portions of Executive Orders inconsistent herewith are hereby rescinded.

This order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of April, 1999.



James B. Hunt Jr.
Governor

ATTEST:

Elaine F. Marshall
Elaine F. Marshall
Secretary of State