

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 13

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 and contracting 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 § 143-128.4, which includes businesses owned by minorities, women, and the disabled; 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; and

WHEREAS, it is also my desire that HUB owners are able to benefit from State agencies contracting with and purchasing from such firms using the resources provided by the American Recovery and Reinvestment Act.

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

1. Each executive branch agency should strive to increase the total amount of goods and services acquired by it from HUB firms, whether directly as principal contractors or indirectly as subcontractors or otherwise. It is expected that each agency will issue an aspirational goal of at least ten percent (10%), by dollar amount, of the State's purchases of goods and services that will be derived from HUB firms. It is further expected that such aspirational goal shall be adjusted per any disparity study findings as recommended by the North Carolina Department of Administration, Office of Historically Underutilized Businesses (hereinafter "HUB Office"), and the North Carolina Department of Transportation, Business Opportunity and Workforce Development Office, and Office of Civil Rights.

2. The HUB Office should assist each agency in developing a plan and should provide technical assistance to reach the recommended objectives related to the purchases of goods and services. The HUB Office may work in coordination with local, regional, and non-profit economic development organizations to engage in outreach and assistance that encourages State and local units of government to provide opportunities to historically underutilized businesses.
3. The North Carolina Office of Economic Recovery and Investment shall encourage the recipients of American Recovery and Reinvestment Act funds to provide opportunities to small and historically underutilized businesses when awarding contracts and purchasing good and services.
4. The State Purchasing Officer, the Director of the State Construction Office, the Secretary of the Department of Transportation, the Director of the State Property Office, and all State agencies 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 and state equal employment opportunity and non-discrimination requirements or their equivalents.
5. The Board of Governors of the University of North Carolina System, the State Board of Community Colleges, local boards of education, and each head of the Council of State agencies are encouraged and invited to participate in this Executive Order.

All other Executive Orders or portions of Executive Orders inconsistent with this Order are hereby rescinded. This Executive Order shall be effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this seventh day of May in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-third.



Beverly Eaves Perdue
Governor

ATTEST:

Elaine F. Marshall
Secretary of State