

CENTRAL PIEDMONT COMMUNITY COLLEGE

**PLAN FOR PARTICIPATION BY
HISTORICALLY UNDERUTILIZED BUSINESSES
(HUBs)
IN THE
PROCUREMENT AND CONTRACTING OF
GOODS AND SERVICES**

*Adopted by the Board of Trustees
of Central Piedmont Community College*

October 27, 2001

**Central Piedmont Community College
Plan for Participation by Historically Underutilized Businesses**

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MISSION AND GOALS

Central Piedmont Community College (CPCC) is committed in good faith to encourage and promote opportunities for all vendors and contractors who participate in the College's procurement and construction processes, without regard for race, color, national origin, gender or disability. To foster more diverse participation, the goal of CPCC is to meet or exceed the established State goals for purchases from Historically Underutilized Businesses (HUBs). Accordingly, the College seeks to:

- Procure at least 10% of goods and services from HUB vendors;
- Achieve at least 10% minority participation in the total value of construction contracts awarded.

OBJECTIVES

The objectives of this *Plan for HUB Participation* are:

- A. Strive in good faith to achieve the goal of procuring at least 10% of goods and services from HUB vendors, while complying with State statutes, policies and regulations regarding bidding, purchasing and contracting.
- B. Strive in good faith to achieve the goal of a verifiable 10% minority participation in the total value of construction contracts awarded, while complying with State statutes, policies, and regulations regarding bidding and contracting.
- C. As needed, engage consultant(s) and cooperate with commodity and services vendors, construction designers, general contractors, and construction managers to stimulate opportunities for participation by HUB vendors.
- D. Provide College staff with information and training to ensure the absence of barriers that may reduce the participation of HUB vendors in procurement and contracting.
- E. Report accurately on HUB participation achievements of the College on a timely basis.
- F. Comply with State requirements related to HUB participation in procurement, services, and construction contracts.

RESPONSIBILITY

The Executive Vice President of Central Piedmont Community College is responsible for the implementation of this *Plan for HUB Participation*. The Executive Vice President delegates responsibility for its day-to-day management and for reporting the College's accomplishments as further outlined in this *Plan*.

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ACTION PLAN

Internal Staff Training

Central Piedmont Community College's procurement personnel will conduct training for the College. Procurement personnel will train responsibility center managers on the purpose of the HUB plan, implementation of the plan, and the role each manager will play. The training will include familiarization of staff with how to locate HUB vendors and service providers. This will include the College's Procurement Department's Carolina Minority Suppliers Development Council's vendor list and the N.C. Division of Procurement's, Interactive Purchasing System's Vendor Link (<http://www.ncccs.cc.nc.us/ips/Vendor/srchven.asp>).

Purchasing Process

- A. Publish the name of the College's primary contact person who will answer questions relating to purchasing issues.
- B. The Procurement Office provides training to College requisitioners to ensure the absence of barriers that may reduce the participation of HUB vendors and service providers in procurement opportunities at the college.
- C. Purchasing personnel, prior to approval, will review each purchase requisition and service agreement to assure that the requisitioner has made a "good faith effort" to include HUB vendors/contractors in the solicitation process.
- D. Purchasing personnel when dealing with items that are on a State Term Contract make a "good faith effort" to consider selecting a HUB vendor, when available, as long as the commodities meet the College's needs and take into consideration the best value in terms of price and service.
- E. Purchasing personnel when dealing with items that are not on State Term Contract will solicit quotes from HUB vendors, when available, in a "good faith effort" to increase participation by HUB vendors.
- F. The Director of Procurement will gather electronic data from vendor files and information from the construction area to complete the Quarterly HUB report. The Director of Procurement will send the finished report to the NC Department of Administration's Office for Historically Underutilized Businesses ("HUB Office").

Construction Process

The Manager of Facilities Design and Construction for CPCC will:

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- A. Publish the name of the College's primary contact person for construction related issues and answer any questions that construction contractors may have.
- B. Provide the "Payments to Historically Underutilized Businesses" form to be completed by all contractors, subcontractors, subcontractors to subcontractors, and designers to collect data on their monthly expenditures for HUB contractors, subcontractors, and material suppliers. This data should be collected for all tiers of contracting within the project and will show a breakdown by MBEs, WBEs, and DBEs-O. Contractors and designers will submit this data to CPCC with each monthly payment request. CPCC will retain these forms and aggregate the data for reporting to the College Cabinet, Board of Trustees and State agencies.
- C. Provide information received from contractors, subcontractors, subcontractors to subcontractors, and designers to the Procurement Director for aggregating into the required formats for further dissemination.
- D. Encourage the Board of Trustees of Central Piedmont Community College to consider design firms or construction management agents that are HUBs or that are committed to increasing the participation of HUB contractors and material suppliers on construction projects.
- E. Remain alert during the planning process to areas of work that may be of particular interest to HUB firms. Ensure that the designers, construction management agents, or other agents of the College encourage and solicit interest on projects among potential HUB bidders.
- F. Become familiar with the SCO's "Guidelines for Recruitment and Selection of Minority Businesses for Participation in State Construction Contracts." Encourage designers, construction management agents, or other agents of the College to comply with these guidelines.
- G. Strive to create opportunities for HUB firms to become acquainted with designers and contractors through pre-bid conferences, vendor fairs, and other mechanisms.
- H. Maintain documentation of any contacts, correspondence, or conversations with HUB firms made by the College or its agents in an attempt to meet the goals.
- I. Ensure that prospective HUB contractors or subcontractors have access to project bidding documents through the College's Facilities Services website, Purchasing Department or other mechanisms.
- J. For State Bonds projects between \$100,000 and \$250,000 that are not subject to review and approval by the SCO, review the contractors' bid documents for good faith efforts to seek HUB subcontractors prior to recommending acceptance of the bids.
- K. Compare lists from each prime contractor of all subcontractors they intend to use with the information reported on the monthly "Payments to Historically Underutilized Businesses" to ensure that contractors and subcontractors are achieving their good faith efforts.

Outreach

- A. Membership in the Carolinas Minority Suppliers Development Council is

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- maintained by purchasing personnel.
- B. Brochures regarding CPCC's purchasing procedures are distributed to vendors (including minorities and females).
 - C. During the Spring Semester each year the Supervisor of Procurement will pursue opportunities for a Vendor Fair on campus (including minorities and females).
 - D. Purchasing personnel will attend meetings of local minority and female business groups and associations to encourage participation in CPCC's bid process.
 - E. Advertisements regarding bids for contractual and consulting services will be placed on the Procurement website <http://www.cpcc.cc.nc.us/Procurement> in an effort to help target minorities, women, veterans, and the disabled.
 - F. The CMSDC directory and the State HUB directory is used by purchasing personnel to encourage CPCC's managers to approach minorities, women, veterans, and disabled vendors.

Review and Evaluation

Using information provided by the Procurement Director, the Director of Equal Opportunity will report semiannually on the College's progress towards goals. Reports are submitted to the Executive Vice President, College Cabinet and Board of Trustees. If a marked increase towards goals is not achieved, the College will analyze to determine if a different course of action is warranted.

PROCEDURES FOR RESOLVING COMPLAINTS

Complaints regarding purchasing practices for bid contracts awarded by the College must be in writing and addressed to the Procurement Office. The request must be received in the Procurement Office within thirty (30) consecutive calendar days from the date of the contract award, and must contain specific, sound, reasons, and supporting documentation. All protests will be handled pursuant to the NC Administrative Code, Title I, Department of Administration, Chapter 5, Purchase and Contract Section 5B.1519.

If the College is made aware that a construction contractor is not making timely or proper payments to subcontractors in violation of NCGS 143-134.1, the Manager of Facilities Design and Construction will investigate the allegations and take steps permitted within the law to resolve the situation.

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DEFINITIONS

Historically Underutilized Businesses (HUBs) are businesses

- In which at least 51% of the business, or of the stock of the corporation, is owned by one or more minority persons, women, or persons with disabilities, **and**
- Of which one or more minority persons, women, or persons with disabilities control the management and daily business operations. See Executive Order Number 150.

Minority person means a person who is a citizen or lawful permanent resident of the United States and who is either

- Black, i.e., a person having origins in any of the black racial groups in Africa.
- Hispanic, i.e., a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.
- Asian-American, i.e., a person having origins in any of the original people of the Far East, Southeast Asia and Asia, the Indian subcontinent, or the Pacific Islands.
- American Indian or Alaskan Native, i.e., a person having origins in any of the original peoples of North America.

See NCGS 143-48b(2) and NCGS 143-128(f)(2)(a-d).

Person with disabilities means a person with physical, mental, and visual disabilities. See NCGS 143-48b(3) and NCGS 168-1.

Minority-owned business enterprise (MBE) is a business that is owned and controlled (as defined in the HUB definition) by one or more minority persons.

Women-owned business enterprise (WBE) is a business that is owned and controlled (as defined in the HUB definition) by one or more non-minority women.

Disabled-owned business enterprise (DBE-O) is a business owned and controlled (as defined in the HUB definition) by a non-white person or persons with disabilities. See NCGS 143-48b(3) and NCGS 168-1.