01 NCAC 05E .0105 is adopted with changes as published in 37:04 NCR 312 as follows:

01 NCAC 05E .0105 VENDOR REQUIREMENTS

(a) Vendors responding to ~~Solicitations~~ solicitations for the purchase of ~~Goods~~ goods and ~~Services~~ services who intend to use a ~~Subcontractor~~ subcontractor shall provide one of the following to the purchasing agency:

~~(1)~~ ~~Attend any scheduled pre-bid conference.~~

~~(2)~~ ~~Identify opportunities where HUBs may have an interest in providing Goods or Services., based upon the Vendor’s discretion as to whether subcontracting opportunities exist.~~

~~(3)~~ ~~Identify the HUBs that will be utilized on the project with the corresponding total dollar value of the work they will perform. and submit this information to the procurement contracting office at the purchasing agency.~~

~~(4)~~(1) ~~Provide one of the following to the Purchasing Agency:(a)~~ an affidavit stating the percentage of the total contract price that HUBs subcontracting on the project will perform collectively that is equal to or more than the HUB participation goal for the solicitation, and lists the HUBs to be used on the project, the value of the work each HUB will perform, and a description of the work each HUB will perform; or

~~(b)~~(2) an affidavit of all good faith efforts taken pursuant to Rule .0101 of this Section, if the percentage of subcontracted work performed by HUBs is less than the HUB participation goal.

Failure to comply with the requirements of Subsection (a) of this Rule shall be grounds for rejection of the offer

and shall be handled according to 01 NCAC 05B .0501.

~~(5)~~(b) Submit notification of the need for replacement of a participating HUB for approval by the purchasing agency

and the HUB Office within five calendar days. Notification shall be in writing stating why replacement of the HUB is

necessary. The vendor shall make good faith efforts in accordance with Rule .0101 of this Section to replace a

participating HUB with another HUB.

~~(6)~~(c) Make good faith efforts in accordance with Rule .0101 of this Section to solicit bids from HUBs should

additional goods or services opportunities become available after the contract is awarded.

History Note: *Authority G.S. ~~143.53;~~ 143-48, 143-48.4, 143-49(1)143-53(a)(1); 143-53(a)(8); 143-60(5).*

*Eff. ~~December 1, 2022~~ January 1, 2023.*