



North Carolina Department of Public Safety

Emergency Management

Pat McCrory, Governor
Frank L. Perry, Secretary

Michael A. Sprayberry, Director

Memorandum

To: NC Municipalities and Counties
From: Joe Stanton, Assistant Director, NC Emergency Management

Date: October 20, 2016

Re: Hurricane Matthew Recovery – Minority Business Participation

This notice is to remind North Carolina municipalities, counties, and locally elected and appointed officials in the aftermath of Hurricane Matthew that requirements to seek out minority participation are still in effect.

All local and county governments are expected to adhere to the Federal Emergency Management Agency's (FEMA's) small business goals as well as NC minority participation goals.

Federal Requirements: Entities receiving FEMA disaster related grant funding must comply with federal procurement standards to ensure their procurements are eligible for federal grant funding. These standards are found in **Title 2 of the Code of Federal Regulations ("CFR"), sections 200.318 through 200.326.** Any public entity caught spending money on disaster related contracts without following federal procurement standards may face penalties. FEMA has also created a checklist to provide general guidance for reviewing procurements for compliance.

NC Requirements: Public entities in North Carolina are also subject to several General Statutes encouraging use of minority vendors and requiring good faith efforts to solicit participation of minority businesses in bidding processes. The North Carolina requirements are found in **NC General Statute 143-48 and Executive Order #24 for purchases of goods and services and NC General Statutes 143-131 and 143-128.2 for construction oriented solicitations.**

Information about finding disaster related solicitations and minority vendors can be found on the NC Office for Historically Underutilized Businesses' website:
<http://ncadmin.nc.gov/businesses/hub>.

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Please be aware that the NC Division of Emergency Management and the HUB Office are not responsible for the awarding or implementation of contracts. If you have any questions regarding the requirements for minority business participation, please contact your legal counsel for assistance.

The North Carolina Office for Historically Underutilized Businesses (the HUB Office) is setting up a website for recovery related solicitations (for debris removal, demolition, restoration, construction, temporary housing/trailers, etc.). To have a solicitation posted on the HUB Office website please send an e-mail to huboffice.doa@doa.nc.gov and Carla.Daniels@doa.nc.gov.