

VETOES

the opportunity to participate in the procurement process by, a broad range of minority business enterprises.

(b) These regulations shall include:

(1) PROVISIONS DESIGNATING ONE AGENCY TO CERTIFY AND DECERTIFY MINORITY BUSINESS ENTERPRISES FOR ALL UNITS THROUGH A SINGLE PROCESS THAT MEETS APPLICABLE FEDERAL REQUIREMENTS;

[(1)] (2) a requirement that the solicitation document accompanying each solicitation set forth the expected degree of minority business enterprise participation based, in part, on:

(i) the potential subcontract opportunities available in the prime procurement contract; and

(ii) the availability of certified minority business enterprises to respond competitively to the potential subcontract opportunities;

[(2)] (3) a requirement that the unit provide a current list of certified minority business enterprises to each prospective contractor;

[(3)] (4) provisions to ensure the uniformity of requests for bids on subcontracts;

[(4)] (5) provisions relating to the timing of requests for bids on subcontracts and of submission of bids on subcontracts;

[(5)] (6) provisions designed to ensure that a fiscal disadvantage to the State does not result from an inadequate response by minority business enterprises to a request for bids;

[(6)] (7) provisions relating to any circumstances under which a unit may waive obligations of the contractor relating to minority business enterprise participation; and

[(7)] (8) other provisions that the Board considers necessary or appropriate to encourage participation by minority business enterprises and to protect the integrity of the procurement process.

14-304.

(a) In the same manner and with the same fees as provided by law in civil cases, in a matter regarding the decertification of a certified minority business enterprise, the [Department of Transportation] CERTIFICATION AGENCY may:

(1) subpoena witnesses;

(2) administer oaths; and

(3) compel the production of records, books, papers, and other documents.