

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

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

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

(5) 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) PROVISIONS RELATING TO JOINT VENTURES, UNDER WHICH A BIDDER MAY COUNT TOWARD MEETING ITS MINORITY BUSINESS ENTERPRISE PARTICIPATION GOAL, THE MINORITY BUSINESS ENTERPRISE PORTION OF THE JOINT VENTURE;

[(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.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act is contingent on the taking effect of the termination provision specified in Section 4 of Chapter 708 of the Acts of the General Assembly of 1990. If that termination provision takes effect, Section 1 of this Act shall be void. This Act may not be interpreted to have any effect on that termination provision.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 2, 1994.

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