

Purchase & Contract Division
David O'Neal | State Purchasing Officer

Roy Cooper | Governor
Pamela B. Cashwell | Secretary

August 16, 2022

MEMORANDUM

TO: Procurement Directors
State Agencies, Institutions, Community Colleges & Universities

FROM: David O'Neal 
State Purchasing Officer, Division of Purchase & Contract

SUBJECT: EO143 Approvals - Rescinded

On June 4, 2020, Governor Roy Cooper signed Executive Order 143 (EO143) to address the disproportionate impact of COVID-19 on minority communities. In addition, EO143 challenged public procurement professionals to be more intentional with inclusion efforts. As a result of this Order, the Office for Historically Underutilized Businesses (HUB) along with the Division of Purchase & Contract (P&C) provided guidance on steps that agencies were required to take to increase HUB participation on solicitations less than \$250,000. These guidelines outlined the need for additional approval (EO143 approval) along with requiring documentation on the efforts the agencies performed to ensure HUB participation. These processes, as directed by EO143, vastly improved efforts to encourage and promote HUB participation, information that had previously been either unreported or under reported.

On August 15, 2022, Governor Cooper lifted the state's COVID-19 State of Emergency, which rescinded EO143. This effectively ends the requirement for purchasing agencies to seek EO143 approval for solicitations under \$250,000 that do not have HUB vendor participation. However, the progress that has been made to increase HUB participation must continue. To that end, P&C is requiring that purchasing agencies continue to document the efforts that they are undertaking to encourage and promote the use of HUB vendors in their award recommendations. In addition, each agency should be following their documented HUB plan which would further outline the steps that are being taken to improve participation.

The efforts that have been made during the pandemic are significant, and the desire of the HUB office and P&C is to use those efforts as a springboard to further enhance, develop and promote increased HUB participation.

We appreciate the continued support of these efforts and look forward to serving you.

EO143 Rescinded Guidance - ag edits accepted

Final Audit Report

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