

## County of Rutherford, NC – American Rescue Plan Act Request for Proposals – Questions and Responses Log

Questions	Responses from County
<p>Submitted 3-16-2022: A representative from a company/agency that is interested in submitting an RFP submitted a question pertaining to page 13 referencing subcontractor services. The representative stated that per the North Carolina code (referenced below), this form only applies to construction projects. They are requesting that we confirm whether this form is necessary to include in their response.</p> <p><u>Section 30I .0101 - POLICY</u>            Each public entity which places a public construction project out for bid and which is subject to G.S. 143-128.2 shall require bidders to undertake good faith efforts to recruit minority business participation in the project. Bidders must earn at least 50 points from the good faith efforts listed in Rule .0102, or comply with the requirements of G.S. 143-128.2(c)(1)(a), in order for their bids to be considered responsive. Notwithstanding this Rule, the public entity may require that additional good faith efforts be taken, as indicated in its bid specifications.</p> <p><i>01 N.C. Admin. Code 30I .0101</i></p> <p>Authority G.S. 143-128.2(f), S.L. 2001-496, s. 3.1, 14(b).            Temporary Adoption Eff. August 1, 2002;            Eff. August 1, 2004</p>	<p>Upon further review by staff and County Attorney, we agree that Affidavit A on pages 13 of the RFP appears to be more suited for construction projects and given the nature of the work to be performed, it is not plausible that a consulting firm will be either subcontracting or maintaining their own “workforce”. Respondents may submit their RFP responses omitting Affidavit A. However, as per 2 CFR 200.321, the County is required to take steps to solicit responses from M/BE firms before awarding a service contract, please include the attached revised Affidavit B in the place of the Affidavit B found on page 14 of the RFP.</p>