

1 19A NCAC 02D .1101 is proposed for readoption without substantive changes as follows:

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3 **19A NCAC 02D .1101 PURPOSE AND SCOPE**

4 (a) ~~The North Carolina Department of Transportation~~ shall ensure that Disadvantaged Business Enterprises ~~(DBE)~~  
5 (DBE), have the opportunity to participate in the performance of contracts financed in whole or in part with Federal  
6 funds.

7 (b) ~~The North Carolina Department of Transportation~~ shall ensure that Minority Business Enterprises (MBE) and  
8 Women Business Enterprises (WBE) have the opportunity to participate in the performance of contracts financed in  
9 whole or in part with non-Federal funds.

10 (c) Contracts financed in whole or in part with federal funds shall comply with 49 C.F.R. §§ 23 and 26. ~~CFR 23 and~~  
11 ~~26~~. Contracts financed with non-federal funds shall comply with G.S. 136-28.4 and 49 C.F.R. §§ 23 and 26. ~~CFR 23~~  
12 ~~and 26~~.

13 (d) 49 C.F.R. §§ 23 and 26 ~~CFR 23 and 26~~ are incorporated by reference, including all subsequent amendments and  
14 editions. 49 C.F.R. §§ 23 and 26 are available at no cost by accessing <https://www.govinfo.gov/>.

15 (e) Written appeals shall be sent to the following address: U.S. Department of Transportation, Departmental Office  
16 of Civil Rights, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

17 (f) The DBE/UCP Program Manager is the Department contact for the Unified Certification Program. Mail addressed  
18 to the DBE/UCP Program Manager may be sent to 1511 Mail Service Center, Raleigh, NC 27699-1511. The  
19 DBE/UCP Program Manager may be contacted by phone at 919-508-1852.

20 (g) The Department DBE, MBE, and WBE directory may be accessed at no cost at  
21 <https://www.ebs.nc.gov/VendorDirectory/default.html>.

22 (h) Unified Certification Applications may be obtained at no cost by accessing <https://www.ncdot.gov/>, or from the  
23 DBE/UCP Program Manager, 919-508-1852. Information referenced in this Section may be viewed or obtained from  
24 the following sources:

25 (1) ~~49 CFR 23 and 26 is available at website <http://www.gpoaccess.gov/cfr/index.html> or may be~~  
26 ~~purchased at a cost of twenty three dollars (\$23.00) from the U.S. Government Printing Office,~~  
27 ~~Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402 9238, telephone number~~  
28 ~~202 512 1800.~~

29 (2) ~~DBE written appeals: U.S. Department of Transportation, Office of Civil Rights, 400 7th Street,~~  
30 ~~SW, Room 5414, Washington, DC 20590.~~

31 (3) ~~The Department's State Contractor Utilization Engineer, 1509 Mail Service Center, Raleigh, NC~~  
32 ~~27699 1509, telephone number 919 733 7174.~~

33 (4) ~~Disadvantaged/Minority/Women Business Enterprise Directory:~~  
34 ~~<http://apps.dot.state.nc.us/vendor/directory/>.~~

35 (5) ~~Unified Certification Application: <http://www.ncdot.org> or may be obtained at no cost from the~~  
36 ~~State Contractor Management Engineer, Telephone number, (919) 733 7174.~~

- 1 *History Note:* *Authority G.S. 136-28.4; 143B-348;*
- 2 *Eff. April 30, 1997;*
- 3 *Amended Eff. February 1, 2008.*