**Section 4.4595 HUBZone Business Contracts**

a) This Section applies unless an exception is provided by statute or, in the case of a small, emergency or sole economically feasible source procurement.

b) Specifications shall include a reference to the preference established in this Section.

c) The preference shall be as follows:

1) The low bid or most advantageous proposal shall be identified without regard to whether the vendor is a qualified HUBZone small business concern.

2) If the low bid or most advantageous proposal does not contain a certification that the vendor is a qualified HUBZone small business concern, then any responsive and responsible vendor that has made that certification and is within 2% of the low bid or most advantageous proposal's price shall be evaluated as though its price was 2% lower, subject to a maximum dollar value of $50,000.

3) The winning vendor will be determined after application of the preference.

4) Notwithstanding the preference outlined in this subsection (c), if the appropriate SPO determines that the price differential calculated using the preference is not acceptable given the particular procurement and the economic circumstances, the award may be conditioned on receipt of an acceptable price reduction. If the price cannot be reduced to an acceptable level, the original low priced or most advantageous proposal may be selected for award.

d) Prior to making any award to a qualified HUBZone small business concern that includes a price preference, the CPO-HE or SPO shall verify the HUBZone business is qualified with the U.S. Small Business Administration at the time the bid is due and at the time of award of the contract in accordance with 13 CFR 126.

e) This Section does not apply to construction, construction-related services, or the selection of construction-related professional services procurements.

(Source: Added at 43 Ill. Reg. 1781, effective February 15, 2019)