§ 1699-n. Designation of small business set-asides at the Medgar Evers college, city university of New York. The chairman has authority to designate as small business set-asides specified commodities, equipment or services or contracts for construction, reconstruction, rehabilitation or improvement of college facilities for which purchase or work contract have been requested by the board of trustees for the Medgar Evers college, city university of New York under the provisions of this title. The designation shall be made prior to the advertisement for bids as provided by law, and when the advertisement is published it shall indicate the purchases which have been designated small business set-asides. To effectuate the purposes of this title, the chairman may exercise this authority whenever there is a reasonable expectation that bids will be obtained from at least three small businesses capable of furnishing the desired property or service at a fair and reasonable price.

In the case of purchases or work contracts designated as small business set-asides, invitations to bid shall be confined to small businesses and bids from other businesses shall be rejected. The purchase, contract or expenditure of funds shall be awarded to the lowest responsible bidder among the small businesses (considering conformity with specifications and terms) in accordance with the rules and regulations for purchasing published by the authority.

It is hereby declared that a portion of small business set-asides, shall be set aside in turn as exclusively as possible, to small businesses owned or controlled by minority entrepreneurs as previously defined, and that such aforementioned businesses, shall constitute not less than twenty-five percent of the successful bidders under this title. Other contracts and business that in the opinion of the chairman can be judged to be substantially beneficial to socially or economically disadvantaged individuals may also be excluded from the general provisions and procedures applicable to the larger set-aside contracts.

Minority business concerns eligible hereunder shall be excluded from stipulated limitations of sales volume, number of employees and other factors defined in this title.

Offers must be advertised in the locality where a contract is to be effectuated. In locations where twenty-five percent or more of the population is non-English-speaking, notices shall be published in appropriate translated form. The procurement officer shall cooperate with county-wide business development organizations servicing minority communities in the formulation and maintenance of lists of qualified contractors, and shall notify such contractors of opportunities to submit bids for set-aside contracts. Minority bidders will be notified of reasons why their bids were unsuccessful. That each minority small business concern which bids is notified of reasons for failure to secure a successful bid, and that where responsibility as defined by the procurement officer or officers, agent or agents is a factor, such responsibility will be defined, and such reasons for determination of lack of responsibility will be provided the minority small business bidders.

Bonding requirements shall be negotiable for minority bidders.