

73.20 Determination of ability to perform.

Before announcing a contract award pursuant to the targeted small business procurement goal program, the purchasing authority shall evaluate whether the targeted small business scheduled to receive the award is able to perform the contract. This determination shall include consideration of production and financial capacity and technical competence. If the purchasing authority determines that the targeted small business may be unable to perform, the director of the economic development authority shall be notified.

[86 Acts, ch 1245, §836](#); [90 Acts, ch 1156, §10](#); [2011 Acts, ch 118, §85, 89](#); [2013 Acts, ch 13, §8](#)