

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 23

Short Title: Contractual Service Contracts Defined.

(Public)

Sponsors: Representatives Nye; H. Hunter, Wainwright, Dickson, Warner, Russell, and Smith.

Referred to: State Government.

February 1, 1993

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE SECRETARY OF ADMINISTRATION TO ADOPT
RULES DISTINGUISHING CONTRACTUAL SERVICES AND PERSONAL
SERVICES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-53 reads as rewritten:

"§ 143-53. Rules.

The Secretary of Administration may adopt rules governing the following:

- (1) Prescribing the routine and procedures to be followed in canvassing bids and awarding contracts, and for reviewing decisions made pursuant thereto, and the decision of the reviewing body shall be the final administrative review.
- (2) Prescribing routine for securing bids on items that do not exceed the bid value benchmark established under the provisions of G.S. 143-53.1.
- (3) Defining contractual services for the purposes of G.S. 143-49(3).
- (4) Prescribing items and quantities, and conditions and procedures, governing the acquisition of goods and services which may be delegated to departments, institutions and agencies, notwithstanding any other provisions of this Article.
- (5) Prescribing conditions under which purchases and contracts for the purchase, rental or lease of equipment, materials, supplies or services may be entered into by means other than competitive bidding.

- 1 (6) Prescribing conditions under which partial, progressive and multiple
2 awards may be made.
- 3 (7) Prescribing conditions and procedures governing the purchase of used
4 equipment, materials and supplies.
- 5 (8) Providing conditions under which bids may be rejected in whole or in
6 part.
- 7 (9) Prescribing conditions under which information submitted by bidders
8 or suppliers may be considered proprietary or confidential.
- 9 (10) Prescribing procedures for making purchases under programs
10 involving participation by two or more levels or agencies of
11 government, or otherwise with funds other than State-appropriated.
- 12 (11) Prescribing procedures to encourage the purchase of North Carolina
13 farm products, and products of North Carolina manufacturing
14 enterprises.
- 15 (12) Repealed by Session Laws 1987, c. 827, s. 216.

16 The Secretary of Administration shall also adopt rules clarifying the distinction
17 between contractual services and personal services.

18 The purpose of rules promulgated hereunder shall be to promote sound purchasing
19 management.

20 Prior to adopting rules under this section, the Secretary of Administration may
21 consult with the Advisory Budget Commission."

22 Sec. 2. This act is effective upon ratification.