

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 140

Short Title: Improve State Term Contracts.

(Public)

Sponsors: Senators Martin of Guilford; and Blackmon.

Referred to: Rules and Operation of the Senate.

February 15, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE TO REVISE THE REQUIREMENT
THAT AGENCIES MUST BUY ALL ITEMS VIA STATE TERM CONTRACTS.

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.

(2a) Prescribing the terms and conditions under which the State enters into term contracts so that all term contracts shall permit State departments, institutions, and agencies to make (i) purchases of under fifty dollars (\$50.00) off term contracts and (ii) large-volume purchases, which exceed limits established by the Secretary, under separate contracts.

(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

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- 20 (12) Repealed by Session Laws 1987, c. 827, s. 216.

21 The purpose of rules promulgated hereunder shall be to promote sound purchasing
22 management.

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

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