

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 145

Short Title: Update State Purchasing Manual.

(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 DIRECTING THE SECRETARY OF
ADMINISTRATION TO UPDATE THE STATE PURCHASING MANUAL.

The General Assembly of North Carolina enacts:

Section 1. The Division of Purchase and Contract of the Department of
Administration shall update the State Purchasing Manual so that it:

- (1) Reflects current statutory and administrative requirements;
- (2) Provides agencies that are carrying out purchasing activity under delegated authority with guidance on informal purchasing policies such as proposed dollar thresholds on oral and written quotes, the number of quotes required, and documentation requirements;
- (3) Includes a buyer's code of ethics that sets out the conduct expected of State employees and prospective vendors; and
- (4) Includes policies and procedures for the handling of bid protests.

Sec. 2. 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.

- 1 (2) Prescribing routine for securing bids on items that do not exceed the
2 bid value benchmark established under the provisions of G.S. 143-
3 53.1.
- 4 (3) Defining contractual services for the purposes of G.S. 143-49 (3).
- 5 (4) Prescribing items and quantities, and conditions and procedures,
6 governing the acquisition of goods and services which may be
7 delegated to departments, institutions and agencies, notwithstanding
8 any other provisions of this Article.
- 9 (5) Prescribing conditions under which purchases and contracts for the
10 purchase, rental or lease of equipment, materials, supplies or services
11 may be entered into by means other than competitive bidding.
- 12 (6) Prescribing conditions under which partial, progressive and multiple
13 awards may be made.
- 14 (7) Prescribing conditions and procedures governing the purchase of used
15 equipment, materials and supplies.
- 16 (8) Providing conditions under which bids may be rejected in whole or in
17 part.
- 18 (9) Prescribing conditions under which information submitted by bidders
19 or suppliers may be considered proprietary or confidential.
- 20 (10) Prescribing procedures for making purchases under programs
21 involving participation by two or more levels or agencies of
22 government, or otherwise with funds other than State-appropriated.
- 23 (11) Prescribing procedures to encourage the purchase of North Carolina
24 farm products, and products of North Carolina manufacturing
25 enterprises.
- 26 (12) Repealed by Session Laws 1987, c. 827, s. 216.
- 27 (13) Prescribing procedures for handling bid protests.
- 28 The purpose of rules promulgated hereunder shall be to promote sound purchasing
29 management.
- 30 Prior to adopting rules under this section, the Secretary of Administration may
31 consult with the Advisory Budget Commission."
- 32 Sec. 3. This act is effective upon ratification.