

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 300\*

Short Title: Purchase off Contract.

(Public)

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Sponsors: Representatives Warner, McAllister, Mitchell, Nichols, Nye; Shaw, Pate, and Russell.

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Referred to: State Government.

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February 23, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING LIMITED PURCHASING OF GOODS AND SERVICES  
3 FROM NONCERTIFIED SOURCES.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 3 of Chapter 143 of the General Statutes is amended by  
6 adding the following new section:

7 "**§143-55.1. Purchases from other sources.**

8 (a) Notwithstanding the provisions of G.S. 143-55, a State agency, public school  
9 unit, or community college may purchase from a local vendor the same good or service  
10 that is listed on a State requirements contract, when the local vendor is not certified on  
11 the State requirement contract for that good or service, subject to the following  
12 conditions:

13 (1) The cost of the goods or services from the local vendor, including the  
14 delivery costs and administrative costs incurred in negotiating,  
15 preparing, and executing the contract with the local vendor, is less than  
16 the cost under the State term contract.

17 (2) The cost of the purchase does not exceed the bid value benchmark  
18 established pursuant to G.S. 143-53.1.

1           (3) The agency documents in writing the cost savings to the State and  
2           reports the savings to the Department of Administration annually.

3           (b) This section does not impair the contractual terms and conditions of State term  
4 contracts that allow purchases to be made from noncertified sources without meeting the  
5 requirements of subsection (a).

6           (c) The Department shall report to the General Assembly annually on and after  
7 July 1, 1996, the cost savings realized pursuant to this section."

8           Sec. 2. This act is effective upon ratification and applies to contracts for which  
9 bids or offers are solicited on or after that date.