

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 968

Short Title: Waiver of Competitive Bidding Modified.

(Public)

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Sponsors: Senator Shaw of Cumberland.

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Referred to: Commerce.

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April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING THE WAIVER OF COMPETITIVE BIDDING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-53(a) is amended by adding a new subdivision to read:

"(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. Notwithstanding the provisions of subsections (a) and (b) of this section, any waiver of competition for the purchase, rental, or lease of equipment, materials, supplies, or services shall have the prior written approval of the Secretary, if the expenditure exceeds ten thousand dollars (\$10,000)."

Section 2. G.S. 143-57 reads as rewritten:

**"§ 143-57. Purchases of articles in certain emergencies.**

In case of any emergency or pressing need arising from unforeseen causes including but not limited to delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work, the Secretary of Administration shall have power to obtain or authorize obtaining in the open market any necessary supplies, materials, equipment, printing or services for immediate delivery to any department, institution or

1 agency of the State government. A report on the circumstances of such emergency or  
2 need and the transactions thereunder shall be made a matter of record promptly thereafter.  
3 If the expenditure exceeds ten thousand dollars (\$10,000), the report shall also be made  
4 promptly thereafter to the Division of Purchase and Contract."

5           Section 3. This act becomes effective July 1, 1999, and applies to purchases  
6 on or after that date.