

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 490

Short Title: Purchasing Process for Community Colleges. (Public)

Sponsors: Representatives Tolson, Dockham, Barnhart, Lucas (Primary Sponsors); Blackwood, Bordsen, Carney, Coates, Cotham, Dollar, England, Goodwin, Gulley, Harrison, Hurley, Jackson, Johnson, Langdon, Martin, Samuelson, Tarleton, Underhill, E. Warren, R. Warren, and Williams.

Referred to: Education, if favorable, Ways and Means/Broadband Connectivity.

March 9, 2009

A BILL TO BE ENTITLED
AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY COLLEGES AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO STUDY THE NEED FOR FURTHER PURCHASING FLEXIBILITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-58.14 reads as rewritten:

"§ 115D-58.14. Purchasing flexibility.

(a) Community colleges may purchase ~~the same~~ supplies, equipment, and materials from noncertified sources ~~as that~~ are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract; ~~and~~
- (2) The cost of the purchase shall not exceed the bid value benchmark established under ~~G.S. 143-53.1~~ G.S. 143-53.1; and
- (3) The items are the same or substantially similar in quality, service, and performance as items available under State term contracts.

(b) The State Board of Community Colleges and the Department of Administration shall adopt policies and procedures for monitoring the implementation of this section."

SECTION 2. The State Board of Community Colleges shall review the purchasing process for community colleges and shall consider whether the State Board of Community Colleges should have the authority to increase the bid value benchmark for each community college based on the college's overall capabilities, including staff resources, purchasing compliance reviews, and audit reports.

The State Board of Community Colleges shall report the results of its study to the Joint Legislative Education Oversight Committee prior to March 30, 2010.

SECTION 3. This act is effective when it becomes law.

