

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 713
Committee Substitute Favorable 6/1/11
Third Edition Engrossed 6/2/11
PROPOSED SENATE COMMITTEE SUBSTITUTE H713-PCS70245-SB-50

Short Title: Public Contracts/Multiple Award.

(Public)

Sponsors:

Referred to:

April 7, 2011

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO USE
MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL
GROUND MAINTENANCE, CONSTRUCTION, COMMUNICATIONS, AND
FORESTRY EQUIPMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 143 of the General Statutes is amended by
adding a new section to read as follows:

§ 143-52.3. Multiple award schedule contracts.

(a) Definitions. – The following definitions apply in this section:

- (1) Communications equipment. – Mobile communications systems, desktop communications systems, base and repeater communications systems, gateway devices, audio switch units, radio routers, microwave radios, microwave antennae, Ethernet switches, wireless access points, or equivalent products and attachments.
- (2) Construction equipment. – Excavators, wheel excavators, track loaders, compact track loaders, wheel loaders, skid steer loaders, backhoe loaders, crawler dozers, crawler loaders, wheel dozers, motor graders, utility cranes, compactors, and appropriate attachments, or equivalent products and attachments.
- (3) Forestry equipment. – Feller bunchers, knuckleboom loaders, forestry swing machines, harvesters, and appropriate attachments, or equivalent products and attachments.
- (4) Ground maintenance equipment. – Hand-held equipment, walk-behind products, lawn tractors, lawn and garden tractors, commercial walk-behind mowers, zero turn radius mowers, front mowers, compact utility tractors, utility tractors, utility vehicles, golf and turf equipment, agricultural tractors and implements, and appropriate attachments, or equivalent products and attachments.
- (5) Multiple award schedule contract. – A contract that allows multiple vendors to be awarded a State contract for goods or services by providing their total



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1 catalogues for lines of equipment and attachments to eligible purchasers,
2 including State agencies, departments, institutions, public school districts,
3 political subdivisions, community colleges, and constituent institutions of
4 The University of North Carolina.

5 (b) Intent. – The intent of multiple award schedule contracts is to evaluate vendors
6 based upon a variety of factors, including discounts, total lifecycle costs, service, warranty,
7 distribution channel, and past vendor performance. Multiple award schedule contracts allow
8 multiple vendors to compete and be awarded a contract based upon the value of their products
9 or services and result in competitive pricing, transparency, administrative savings, expedited
10 procurement, and flexibility for State purchasers.

11 (c) Multiple Award Schedule Contracts Required. – The acquisition of ground
12 maintenance equipment, construction equipment, communications equipment, and forestry
13 equipment shall be conducted using multiple award schedule contracts, except as provided in
14 this section. Not later than August 31, 2011, the Department of Administration shall issue
15 requests for proposals for multiple award schedule contracts for all ground maintenance
16 equipment product categories, construction equipment product categories, communications
17 equipment product categories, and forestry equipment product categories. Contracts awarded
18 under this subsection shall be for a term of not less than three years with annual product and
19 pricing update periods.

20 (d) Limitation. – Any contract awarded under subsection (c) of this section shall be in
21 addition to any existing term contracts for ground maintenance equipment, construction
22 equipment, communications equipment, and forestry equipment. Nothing in this section shall
23 limit the ability of the Department of Administration to issue additional term contracts for the
24 specific purchase of equipment otherwise available through a multiple award schedule
25 contract."

26 **SECTION 2.** This act is effective when it becomes law.