

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

H

D

HOUSE BILL 713  
PROPOSED COMMITTEE SUBSTITUTE H713-PCS50359-RN-17

Short Title: Public Contracts/Multiple Award.

(Public)

Sponsors:

Referred to:

April 7, 2011

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE  
MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL  
GROUND MAINTENANCE, CONSTRUCTION, 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:

**"§ 143-64.1. Multiple award schedule contracts.**

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

(1) 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.

(2) Forestry equipment. – Feller bunchers, knuckleboom loaders, forestry swing machines, harvesters, and appropriate attachments, or equivalent products and attachments.

(3) 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.

(4) Multiple award schedule contract. – A contract that allows multiple vendors to be awarded a State contract for goods or services by providing their total catalogues for lines of equipment and attachments to eligible purchasers, including State agencies, departments, institutions, public school districts, political subdivisions, community colleges, and constituent institutions of The University of North Carolina.

(b) Intent. – The intent of multiple award schedule contracts is to evaluate vendors based upon a variety of factors, including discounts, total lifecycle costs, service, warranty, distribution channel, and past vendor performance. Multiple award schedule contracts allow multiple vendors to compete and be awarded a contract based upon the value of their products



\* H 7 1 3 - P C S 5 0 3 5 9 - R N - 1 7 \*

1 or services and results in competitive pricing, transparency, administrative savings, expedited  
2 procurement, and flexibility for State purchasers.

3 (c) Multiple Award Schedule Contracts Required. – The acquisition of ground  
4 maintenance equipment, construction equipment, and forestry equipment shall be conducted  
5 using multiple award schedule contracts, except as provided in this section. Not later than June  
6 30, 2011, the Department of Administration shall issue requests for proposals for multiple  
7 award schedule contracts for all ground maintenance equipment product categories,  
8 construction equipment product categories, and forestry equipment product categories.  
9 Contracts awarded under this subsection shall be for a term of not less than three years with  
10 annual product and pricing update periods.

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

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