

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1355

Short Title: Reform of State Procurement Process.

(Public)

Sponsors: Representatives Brawley, Tolson; Gulley, McCombs, Morris, and Shubert.

Referred to: State Government.

May 20, 1998

A BILL TO BE ENTITLED

AN ACT TO IMPROVE THE STATE PROCUREMENT PROCESS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-53.1 reads as rewritten:

"§ 143-53.1. Setting of benchmarks; increase by Secretary.

On and after July 1, 1997, the procedures prescribed by G.S. 143-52 with respect to competitive bids and the bid value benchmark authorized by G.S. 143-53(a)(2) with respect to rule making by the Secretary of Administration for competitive bidding shall be ~~no more than~~ twenty-five thousand dollars (\$25,000); provided, the Secretary of Administration may, in his or her discretion, increase the benchmarks effective as of the beginning of any fiscal biennium of the State commencing after June 30, 1999, in an amount whose increase, expressed as a percentage, does not exceed the rise in the Consumer Price Index during the fiscal biennium next preceding the effective date of the benchmark increase. For a special responsibility constituent institution of The University of North Carolina, the benchmark prescribed in this section shall be as provided in G.S. 116-31.10."

Section 2. The Department of Administration shall continue its practice of soliciting bids through electronic means, whenever practicable. The Department shall also continue work on developing a process for receiving competitive bids by electronic means. This process shall be implemented as soon as practicable, after procedures are

1 developed to ensure the security of bids submitted electronically and after standards for
2 electronic signatures are established.

3 Section 3. The Legislative Research Commission may study the issue of State
4 competition with the private sector. In the course of the study, the Commission shall
5 review the Umstead Act, G.S. 66-58, and shall consider deletion from the act of
6 exemptions that place the State in unnecessary and inappropriate competition with the
7 private sector.

8 The Commission shall report the results of its study to the 1999 General
9 Assembly.

10 Section 4. This act is effective when it becomes law.