



CHAPTER 143
ARTICLE 3 - PURCHASES AND CONTRACTS

N.C.G.S. § 143-52.

Competitive bidding procedure;
consolidation of estimates by Secretary;
bids; awarding of contracts; cost plus
percentage of cost contracts strictly
prohibited.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2013-234, s. 8 — sixteenth act in the lineage	21 September 2026, 04:11 UTC	6a9bd883845a82e0787343a8 - d51b67fb286cc7fe4dba1dba - 5f9cf8251229215e

§ 143-52(a)

The Secretary of Administration shall compile and consolidate all estimates of goods and services needed and required by State departments, institutions and agencies to determine the total requirements of any given commodity. Where the total requirements will involve an expenditure in excess of the expenditure benchmark established under the provisions of G.S. 143-53.1 and where the competitive bidding procedure is employed as hereinafter provided, sealed bids shall be solicited by advertisement in a newspaper widely distributed in this State or through electronic means, or both, as determined by the Secretary to be most advantageous, at least once and at least 10 days prior to the date designated for opening. Except as otherwise provided under this Article, contracts for the purchase of goods and services shall be based on competitive bids and suitable means authorized by the Secretary as provided in G.S. 143-49. The acceptance of bid(s) most advantageous to the State shall be determined upon consideration of the following criteria: prices offered; best value, as the term is defined in G.S. 143-135.9(a)(1); the quality of the articles offered; the general reputation and performance capabilities of the bidders; the substantial conformity with the specifications and other conditions set forth in the request for bids; the suitability of the articles for the intended use; the personal or related services needed; the transportation charges; the date or dates of delivery and performance; and

such other factor(s) deemed pertinent or peculiar to the purchase in question, which if controlling shall be made a matter of record. Competitive bids on contracts shall be received in accordance with rules and regulations to be adopted by the Secretary of Administration, which rules and regulations shall prescribe for the manner, time and place for proper advertisement for such bids, the time and place when bids will be received, the articles for which such bids are to be submitted and the specifications prescribed for the articles, the number of the articles desired or the duration of the proposed contract, and the amount, if any, of bonds or certified checks to accompany the bids. Bids shall be publicly opened. Any and all bids received may be rejected. Each and every bid conforming to the terms of the invitation, together with the name of the bidder, shall be tabulated and that tabulation shall become public record in accordance with the rules adopted by the Secretary. All contract information shall be made a matter of public record after the award of contract. Provided, that trade secrets, test data and similar proprietary information may remain confidential. A bond for the faithful performance of any contract may be required of the successful bidder at bidder's expense and in the discretion of the Secretary of Administration. When the dollar value of a contract for the purchase, lease, or lease/purchase of goods exceeds the benchmark established by G.S. 143-53.1, the contract shall be reviewed by the State Purchasing Officer pursuant to G.S. 143-52.1 prior to the contract being awarded. After contracts have been awarded, the Secretary of Administration shall certify to the departments, institutions and agencies of the State government the sources of supply and the contract price of the goods so contracted for.

§ 143-52(b)

Expired.

§ 143-52(c)

Neither the Department of Administration nor any department, agency, or institution of the State may award a cost plus percentage of cost contract for any purpose, except as provided in G.S. 18C-150.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
16 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1931	c. 261, s. 5	ENACTED
02	1933	c. 441, s. 1	AMENDED
03	1957	c. 269, s. 3	AMENDED
04	1971	c. 587, s. 1	AMENDED
05	1975	c. 879, s. 46	AMENDED
06	1981	c. 602, ss. 2, 3	AMENDED
07	1983	c. 717, s. 61	AMENDED
08	1983	1985 (Reg. Sess., 1986), c. 955, ss. 83-86	AMENDED
09	1983	1989 (Reg. Sess., 1990), c. 936, s. 3(a)	AMENDED
10	1997	S.L. 1997-412, s. 2	AMENDED
11	1999	S.L. 1999-434, s. 12	AMENDED
12	2006	S.L. 2006-203, s. 83	AMENDED
13	2009	S.L. 2009-475, s. 1	AMENDED
14	2010	S.L. 2010-194, s. 22	AMENDED
15	2011	S.L. 2011-338, s. 3	AMENDED
16	2013	S.L. 2013-234, s. 8	AMENDED

APPARATUS II

5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 143-53.1	(a)	<i>"benchmark established under the provisions of"</i>
G.S. 143-49	(a)	<i>"by the Secretary as provided in"</i>
G.S. 143-135.9(a)(1)	(a)	<i>"as the term is defined in"</i>
G.S. 143-52.1	(a)	<i>"the State Purchasing Officer pursuant to"</i>
G.S. 18C-150	(c)	<i>"any purpose, except as provided in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-52 (2013).

PINPOINT

N.C. Gen. Stat. § 143-52(a) (2013).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1931, c. 261, s. 5; 1933, c. 441, s. 1; 1957, c. 269, s. 3; 1971, c. 587, s. 1; 1975, c. 879, s. 46; 1981, c. 602, ss. 2, 3; 1983, c. 717, s. 61; 1985 (Reg. Sess., 1986), c. 955, ss. 83-86; 1989 (Reg. Sess., 1990), c. 936, s. 3(a); 1997-412, s. 2; 1999-434, s. 12; 2006-203, s. 83; 2009-475, s. 1; 2010-194, s. 22; 2011-338, s. 3; 2013-234, s. 8.)

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