

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

3

HOUSE BILL 713
Committee Substitute Favorable 6/1/11
Third Edition Engrossed 6/2/11

Short Title: Public Contracts/Multiple Award.

(Public)

Sponsors:

Referred to:

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE
3 MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL
4 GROUND MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT.

5 The General Assembly of North Carolina enacts:

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

8 "**§ 143-64.1. Multiple award schedule contracts.**

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

10 (1) Construction equipment. – Excavators, wheel excavators, track loaders,
11 compact track loaders, wheel loaders, skid steer loaders, backhoe loaders,
12 crawler dozers, crawler loaders, wheel dozers, motor graders, utility cranes,
13 compactors, and appropriate attachments, or equivalent products and
14 attachments.

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

18 (3) Ground maintenance equipment. – Hand-held equipment, walk-behind
19 products, lawn tractors, lawn and garden tractors, commercial walk-behind
20 mowers, zero turn radius mowers, front mowers, compact utility tractors,
21 utility tractors, utility vehicles, golf and turf equipment, agricultural tractors
22 and implements, and appropriate attachments, or equivalent products and
23 attachments.

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

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



1 (c) Multiple Award Schedule Contracts Required. – The acquisition of ground
2 maintenance equipment, construction equipment, and forestry equipment shall be conducted
3 using multiple award schedule contracts, except as provided in this section. Not later than
4 August 31, 2011, the Department of Administration shall issue requests for proposals for
5 multiple award schedule contracts for all ground maintenance equipment product categories,
6 construction equipment product categories, and forestry equipment product categories.
7 Contracts awarded under this subsection shall be for a term of not less than three years with
8 annual product and pricing update periods.

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

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