

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 767\*

Short Title: Public Contracts/Multiple Award. (Public)

Sponsors: Senators Brock, Rouzer; Stevens and Tillman.

Referred to: Commerce.

April 20, 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) Multiple award schedule contract. – A contract that allows multiple vendors  
11 to be awarded a State contract for goods or services by providing their total  
12 catalogue for lines of equipment and attachments to eligible purchasers,  
13 including State agencies, departments, institutions, public school districts,  
14 political subdivisions, community colleges, and constituent institutions of  
15 The University of North Carolina.

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

22 (3) Construction equipment. – Excavators, wheel excavators, track loaders,  
23 compact track loaders, wheel loaders, skid steer loaders, backhoe loaders,  
24 crawler dozers, crawler loaders, wheel dozers, motor graders, utility cranes,  
25 compactors, and appropriate attachments, or equivalent products and  
26 attachments.

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

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.

36 (c) Multiple award schedule contracts required. – The acquisition of ground  
37 maintenance, construction, and forestry equipment shall be conducted using multiple award



1 schedule contracts, except as provided in this section. Not later than June 30, 2011, the  
2 Department of Administration shall issue requests for proposals for multiple award schedule  
3 contracts for all ground maintenance equipment product categories, construction equipment  
4 product categories, and forestry equipment product categories. Contracts awarded under this  
5 subsection shall be for a term of not less than three years with annual product and pricing  
6 update periods.

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

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