

NORTH CAROLINA GENERAL ASSEMBLY  
1977 SESSION

CHAPTER 733  
HOUSE BILL 1213

AN ACT TO REQUIRE PARTICIPATION OF THE OFFICE OF THE ATTORNEY  
GENERAL IN THE AWARD OF STATE CONTRACTUAL SERVICES CONTRACTS  
IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS.

The General Assembly of North Carolina enacts:

**Section 1.** Subsection (3) of G.S. 143-49 is amended by adding at the end thereof a new paragraph to read as follows:

"When the award of any contract for contractual services exceeding a cost of one hundred thousand dollars (\$100,000) requires negotiation with prospective contractors, the secretary shall request and the Attorney General shall assign a representative of the Office of the Attorney General to assist in negotiation for the award of the contract. It shall be the duty of such representative to assist and advise in obtaining the most favorable contract for the State, to evaluate all proposals available from prospective contractors for that purpose, to interpret proposed contract terms and to advise the secretary or his representatives of the liabilities of the State and validity of the contract to be awarded. All contracts and drafts of such contracts shall be prepared by the Office of the Attorney General and copies thereof shall be retained by such office for a period of three years following the termination of such contracts. The term 'contractual services' as used in this subsection shall mean work performed by an independent contractor requiring specialized knowledge, experience, expertise or similar capabilities wherein the service rendered does not consist primarily of acquisition by this State of equipment or materials and the rental of equipment, materials and supplies. The term 'negotiation' as used herein shall not be deemed to refer to contracts entered into or to be entered into as a result of a competitive bidding process."

**Sec. 2.** This act shall become effective July 1, 1977.

In the General Assembly read three times and ratified, this the 24th day of June, 1977.