

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 713  
Committee Substitute Favorable 6/1/11  
Third Edition Engrossed 6/2/11  
Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted  
6/13/11  
Fifth Edition Engrossed 6/14/11

Short Title: Public Contracts/Multiple Award.

(Public)

Sponsors:

Referred to:

April 7, 2011

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

6 The General Assembly of North Carolina enacts:

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

9 "**§ 143-52.3. Multiple award schedule contracts.**

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

11 (1) Communications equipment. – Mobile communications systems, desktop  
12 communications systems, base and repeater communications systems,  
13 gateway devices, audio switch units, radio routers, microwave radios,  
14 microwave antennae, Ethernet switches, wireless access points, or equivalent  
15 products and attachments.

16 (2) Construction equipment. – Excavators, wheel excavators, track loaders,  
17 compact track loaders, wheel loaders, skid steer loaders, backhoe loaders,  
18 crawler dozers, crawler loaders, wheel dozers, motor graders, utility cranes,  
19 compactors, and appropriate attachments, or equivalent products and  
20 attachments.

21 (3) Forestry equipment. – Feller bunchers, knuckleboom loaders, forestry swing  
22 machines, harvesters, and appropriate attachments, or equivalent products  
23 and attachments.

24 (4) Ground maintenance equipment. – Hand-held equipment, walk-behind  
25 products, lawn tractors, lawn and garden tractors, commercial walk-behind  
26 mowers, zero turn radius mowers, front mowers, compact utility tractors,  
27 utility tractors, utility vehicles, golf and turf equipment, agricultural tractors  
28 and implements, and appropriate attachments, or equivalent products and  
29 attachments.

30 (5) Multiple award schedule contract. – A contract that allows multiple vendors  
31 to be awarded a State contract for goods or services by providing their total  
32 catalogues for lines of equipment and attachments to eligible purchasers,



1 including State agencies, departments, institutions, public school districts,  
2 political subdivisions, community colleges, and constituent institutions of  
3 The University of North Carolina.

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

10 (c) Multiple Award Schedule Contracts Required. – The acquisition of ground  
11 maintenance equipment, construction equipment, communications equipment, and forestry  
12 equipment shall be conducted using multiple award schedule contracts, except as provided in  
13 this section. Not later than August 31, 2011, the Department of Administration shall issue  
14 requests for proposals for multiple award schedule contracts for all ground maintenance  
15 equipment product categories, construction equipment product categories, communications  
16 equipment product categories, and forestry equipment product categories. Contracts awarded  
17 under this subsection shall be for a term of not less than three years with annual product and  
18 pricing update periods.

19 (d) Limitation. – Any contract awarded under subsection (c) of this section shall be in  
20 addition to any existing term contracts for ground maintenance equipment, construction  
21 equipment, communications equipment, and forestry equipment. Nothing in this section shall  
22 limit the ability of the Department of Administration to issue additional term contracts for the  
23 specific purchase of equipment otherwise available through a multiple award schedule contract.  
24 The Department of Crime Control and Public Safety shall not be required to purchase from  
25 contracts awarded under subsection (c) of this section for communications equipment."

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