



CARTERET
COMMUNITY COLLEGE

PURCHASING PROCEDURES MANUAL

Finance & Administrative Services

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Introduction

This manual is intended to help you with the proper policies and procedures necessary for the procurement of all goods and services necessary for the College to continue to grow and serve our community's needs.

Carteret Community College, through the North Carolina Community College System and the North Carolina Division of Purchase and Contract, is charged with jurisdiction and control over the specifications to purchase or contract for equipment, materials, supplies, and services under the North Carolina General Statutes.

The North Carolina Administrative Code, [01 NCAC 5B.1101\(b\)](#), requires all State Agencies, Community Colleges, and Universities to purchase from available Statewide Term Contracts. Community Colleges and Universities have been granted purchasing flexibility but must provide appropriate documentation when exercising the flexibility option.

Competition

Competition is the cornerstone around which public contracting is built. Carteret Community College's purchasing program is based on sound competitive purchasing procedures. Where competition is not sought, or obtained for purchases over the appropriate benchmark, the reason must be valid and must be documented as part of the public procurement file.

The importance of seeking competition exists at all levels of expenditure, not just in those solicitations above benchmarks. Below the benchmarks, the competitive element is just as important and can be sought through some form of competitive solicitation. All agency purchasing personnel must maintain an awareness of the need for and value of competition in every procurement action.

Fostering competition is an attitude more than a procedure or mechanism. It is reflected in the way specifications are written, in searching for new sources of supply, in attempting to make procurement documents simple and inviting, and in the everyday courteousness shown to prospective suppliers and contractors.

Price is not the only consideration in seeking competition. Other factors include terms and conditions, delivery schedules and lead times, types or degrees of service required, inspection and testing procedures, transportation and delivery costs, warranties and guarantees required, etc.

Definitions

Agency: All departments, institutions, boards, commissions, universities, Purchase & Contract, or other units of the State, and community colleges.

Agent: A person who, by express or implied agreement, is authorized to act for the institution in business dealings with a third party.

Agency Specific Term Contract: A term contract for use by a specific agency. Depending on the dollar value of the contract, it may be handled by P&C (Purchase & Contract) (Purchase & Contract) or the agency.

Best Value Procurement: The terminology used in [G.S. 143-135.9](#) to identify the method required for purchasing information technology commodities and services.

Brand Specific: A particular product is needed due to standardization or compatibility. Written justification should be provided.

Buyer: Authorized agent of the institution to buy, purchase or contract with a supplier.

Commodity: Any equipment, materials, or supplies of like group.

Competition: The fair and open solicitation of offers from more than one source; the receipt of offers from more than one qualified source. Competition must be reasonable and adequate for the expenditure and specific requirements.

Consultant Service: Work or task performed by State employees or independent contractors possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis, or advice in formulating or implementing improvements in programs or services. This includes the organization, planning, directing, control, evaluation and operation of a program, agency, or department.

Contractual Service: When an independent contractor performs services requiring specialized knowledge, experience, expertise, or similar capabilities for a State agency for compensation from agency funds. The services may include (by way of illustration, not limitation) services such as, maintenance of buildings or equipment, auditing, film production, employee training and food service, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services (in which case rules relating to Consultant Contracts shall be applicable).

Delegations:

- General Delegation: The authority granted by the State Purchasing Officer (SPO) for an agency to handle purchases made under a certain dollar amount, in accordance with the guidelines in this manual.
- Special Delegation: The authority granted by the SPO for an agency to handle a specific or special purchase, where it would serve no practical purpose for the purchase to be handled by P&C.

Electronic Vendor Portal (eVP): North Carolina Purchase and Contract's Interactive Purchasing System and vendor portal that contains solicitations for many agencies throughout North Carolina.

Emergency: A situation which endangers lives, property, or the continuation of a vital program and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services.

Equipment: An item that represents an investment of money that can be capitalized. The "stand-alone" item retains its original shape and appearance with use and does not lose its identity through the incorporation into a different or more complex unit or substance.

The State defines a capital asset as either:

A single item with a total all-in cost exceeding \$5,000, which includes the purchase price, shipping, installation and applicable taxes: or

A group of similar items purchased around the same time with a single functional purpose that, while individually valued under \$5,000, collectively hold significant value and should be capitalized as a unit.

Carteret Community separates equipment into 2 categories:

- **Capitalized Assets**
 - A capital asset is property, such as land, land improvements, easements, buildings, equipment, works of art and historical treasures, and infrastructure, with a cost equal to or **greater than \$5,000** and a useful life of two or more years.
- **Non-Capitalized Assets/Non-Capitalized Assets – High Risk**
 - Assets costing **less than \$5,000** are expensed; they are not capitalized nor depreciated for financial reporting purposes.

Formal Project: Any project (construction) requiring the estimated expenditure of \$500,000 or more for construction contracts, design fee, and construction contingency, regardless of the source of funds.

HUB (Historically Underutilized Business): Any one of the following: a minority-owned business, a female-owned business, a disabled owned business, a disabled business enterprise, a non-profit workshop for the blind or severely disabled.

Informal Project: Any project (**construction**), where the authorized funding or the total project cost is realistically estimated at less than \$500,000 for construction contracts, design fee, and construction contingency, regardless of the source of funds.

Information Technology (IT): Electronic data processing goods and services and telecommunications goods and services, microprocessors, software, information processing, office systems, any services related to the foregoing, and consulting or other services for design or redesign of information technology supporting business processes.

Installment Purchase: A contract in which the agency's established periodic payments are applied to fulfill the payment obligations for ownership of the commodity. Used when ownership of commodity at time of possession is intended.

Invitation for Bid (IFB): The formal advertised written solicitation document used for seeking competition and obtaining offers up to and above \$100,000.

Lease: A contract conveying use of a commodity for a designated period in return for established periodic payments.

Lease–Purchase: (Conditional Sales Contract) A contract conveying from one to another use of a commodity for a designated period in return for established periodic payments, with an option or obligation to purchase the commodity. Used when outright ownership is uncertain or when it is the intent to delay ownership.

Negotiation: The act of making a purchase when all offers have been rejected, or when there is justification for waiving the competitive process, or when an emergency or pressing need arises

Offer: The term may refer to a proposal, quote, or bid submitted in response to a Request for Proposal, Request for Quotation, Invitation for Bid, or Negotiation.

Offeror: Company, firm, corporation, partnership, individual, etc. submitting a response to a solicitation document or in response to a negotiation.

Open Market Contract: A contract for the purchase of a commodity or contractual service not covered by a term contract.

Pressing Need: A need arising from unforeseen causes including, but not limited to, delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work, and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services.

Purchase: The act of acquiring a needed item or service by an authorized agent of the institution. An item or contractual service acquired from a valid agreement between an authorized agent of the institution and the seller.

Receipt: A receipt should include the following details: 1) Vendor, 2) Cost, 3) Date, 4) Line item of items purchased.

Rental: A contract for the right to use a commodity for a period, usually with payments made at intervals over the period of use, and normally providing for short notice of cancellation.

Request for Proposals: The formal advertised written solicitation document used for seeking competition and obtaining offers for services up to and above \$100,000.

Request for Quote: An informal written procurement document used for seeking offers within the price range of \$50,000 to \$100,000.

Small Purchase: The purchase of commodities, services, or printing, not covered by a term contract, involving an expenditure of public funds of twenty-five thousand dollars (\$25,000) or less.

Sole Source: A sole source vendor is a company or person who sells a product or service that meets the unique needs of the purchaser; sole source means the one and only **source** for the product or service in the United States (minimum). If a manufacturer has dealers or distributors anywhere in the country, it is not a true sole source; having regional, state, or area dealers or distributors do not constitute sole source.

Solicitation Document: A written Request for Quotation, Request for Proposals, or an Invitation for Bids.

State Purchasing Officer (SPO): Responsible for administering the State's program for acquiring and managing personal property and acquiring services for state agencies.

Statewide Term Contract: A term contract handled by the Division of Purchase and Contract for all agencies and institutions of the state, unless exempted by statute, rule, or special terms and conditions specific to the contract.

Purchasing Behavior

Ethics

Ethics and ethical practices are a major concern in public purchasing. While laws and rules mesh to provide a mechanism for public purchasing, only people can make it work. Everyone involved in the purchasing process is held accountable to the following principles and standards of purchasing practice:

- The purchasing power of the State shall not be used for private advantage or gain. Private advantage or gain refers to using the association of the State or Carteret Community College to receive products, favors, services, or discounts for personal use. Employees or other individuals will not process orders for articles for ownership.
- Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers which might influence or appear to influence purchasing decisions.
- Do not discuss with suppliers cost information, bid information, or trade secrets. Handle all information of a confidential or proprietary nature with due care and proper consideration of ethical and legal ramifications and governmental regulations.

Conflict of Interest

Purchasing from or through Agency Employees

- Employees shall disclose to their respective budget officer, within the administrative area to which they are assigned, any potential conflict of interest of which they are aware related to the purchase of equipment, materials, goods, or services.
- Carteret Community College Vendors cannot be an agency employee or immediate family member of an employee living in the same household. It is considered a conflict of interest for an employee to be a vendor. If an exception is necessary, the employee must get approval from the Vice President of Finance & Administrative Services.

01 NCAC 05B .1509

"Every reasonable effort shall be made to avoid making purchases from or through employees of any agency. Prior written approval from the SPO is required in any instance which may develop of doing business with such personnel. In deciding whether to grant approval, the SPO shall consider the type of item or service needed, the prevailing market conditions, whether competition is available, the cost involved, and the effects of doing business with the employee."

Integrity

Fairness and impartiality in all phases of the process are essential ingredients in public purchasing. Integrity is manifested through fairness, openness, honesty, objectivity, and impartiality. Like all service functions, the purchasing agent's justification is the quality of the service it renders. The purchasing process cannot be both effective and self-servicing; the two are incompatible. Fairness is required in expending public funds. No matter how strongly a user may prefer a particular product or service over others, equivalent products and services must be given every reasonable consideration.

Responsibility

Any Carteret Community College contract for the purchase or lease of any commodities, printing, or services, that is contrary to statutes or rules, may be void and of no effect. In addition, anyone making such purchases may be personally liable for the costs incurred.

Purchasing Process

The following outlines the standard purchasing process at Carteret Community College (CCC):

1. **Identify Need**
The employee identifies a need for goods or services.
2. **Gather Information**
The employee researches and gathers necessary information and/or obtains quotes from vendors.
3. **Submit Requisition**
The employee prepares and submits a requisition to the Purchasing Department.
4. **Attach Supporting Documentation**
Depending on the type, complexity, and estimated cost of the purchase, the following documents may be required as attachments to the requisition:
 - Vendor quotes
 - Product or service specifications
 - Statement of Work (SOW)
 - Vendor contracts or agreements (e.g., license agreements, service agreements, advertising agreements)
 - Request to Waive Competition (e.g., Sole Source Justification Form or Emergency Justification Form)
5. **Purchasing Review**
The Purchasing Department reviews the requisition and accompanying documentation to determine the most appropriate method of procurement.
6. **Request for Additional Information**
If necessary, the Purchasing Department will contact the employee to request any additional documentation or clarification.
7. **Issue Purchase Order (\leq \$100,000)**
For purchases of \$100,000 or less, and once all required documentation is received, the Purchasing Department will issue a purchase order (PO) to the vendor. A copy of the PO will be sent to the requesting employee for confirmation.
8. **Initiate Competitive Solicitation ($>$ \$100,000)**
For purchases exceeding \$100,000, and if required by policy, the Purchasing Department will initiate a competitive solicitation process. This may involve:
 - Collaborative Requisitioning
 - Issuing an Invitation for Bids (IFB), Request for Proposals (RFP), or Request for Quotes (RFQ)
 - Soliciting and receiving competitive bids or proposals
 - Waiver of Competition
9. **Bid Evaluation**
Submitted bids are received, tabulated, and evaluated by the Purchasing Department, the requesting employee (end-user), and/or a designated evaluation committee.
10. **Award and PO Issuance**
The contract is awarded to the selected vendor, and a purchase order is issued accordingly.
11. **Receipt of Goods**
Upon delivery to CCC's Shipping & Receiving Department, the items are inspected for quantity, condition, and accuracy by Shipping & Receiving staff.
12. **Delivery to Department**
The goods or services are then delivered to the requesting employee or department.
13. **Contract Performance Monitoring**
The end-user is responsible for monitoring vendor performance and notifying the Purchasing Department of any issues or concerns.
14. **Invoice Submission**
The vendor submits an invoice for payment upon delivery and acceptance of goods or completion of services.
15. **Invoice Payment**
If all goods or services are received in satisfactory condition and all documentation is in order, the invoice will be processed and paid.

Classification of Purchases

Purchases made on behalf of the College are categorized as:

- **eProcurement Requisitions**
- **Colleague Requisitions**
- **Direct Pay Purchases**

Before submitting requisitions to the Purchasing Agent, make certain that you have sufficient funds in the line item against which you are charging the expenditure. If there are insufficient funds, a **Budget Revision Request** must be submitted to the Finance & Administrative Services Coordinator prior to processing the purchase request.

A requisition must be submitted **prior** to any goods (supplies, equipment, printing, etc.), or services being charged to the college.

eProcurement Requisitions should be created:

- When purchasing from a State Contract
- When the vendor is registered in eProcurement.

Colleague Requisitions should be created:

- When a vendor is not registered in eProcurement (After a reasonable search to find a vendor registered in EP that sells the items being requested has been conducted)

Direct Pay Purchases

A direct payment is a payment made without prior approval via a purchase order through Colleague or the eProcurement system.

Issuing a purchase order ensures compliance and proper approval. When this process is bypassed, these checks are not completed. If a purchase is made and an invoice is presented without a purchase order number or proper approvals, the supervisor, relevant VP, and VP of Finance & Administrative Services will be notified. Since the college is already obligated to the vendor, the invoice must be paid. The order will then be entered into the purchasing system for approval, addressing compliance issues as best as possible.

Repeated occurrences by the same individual or department will result in the immediate supervisor discussing the situation with the individual. If it continues, it will be escalated to the next supervisor, eventually leading to a meeting with the VP of Finance & Administrative Services and the President of the college.

It is not mandatory for the items and services listed in this Rule to be purchased through the Division of Purchase & Contract. To view a comprehensive list of these items and services, please click the following link: [01 NCAC 05B.1601](#). Some exceptions are listed below.

- Purchases of fuel, utilities (including power, gas, water, sewage treatment, telephone, pagers & cell service, etc.)
- Insurance
- Travel or conference expenses (No purchase order need but travel forms with approval signatures are required)
- Payments for students
- Student/Employee travel requests such as lodging, registration, and/or other travel expenses
- Contracts for Instruction and Independent contractors (No purchase order needed but independent contractor contracts with approval signatures are required)
- For reimbursement to an Employee – You must have received prior approval from the Purchasing Agent before making the purchase and this cannot be to avoid purchasing from a state contract
- Construction

Gift Card Purchase Procedure

- Purchase Limit:
 - Maximum of \$500 per transaction.
 - Purchases over \$500 require VP of Finance & Administrative Services approval.

- Splitting purchases to bypass the limit is not allowed.
- Approval and Documentation:
 - Budget manager approval is required.
 - Written approval must accompany payment documentation (check or p-card reconciliation).
 - Maintain a list of all gift card recipients for 5 years.

Responsibility

- The originator of the requisition shall be responsible for providing all pertinent information about the goods or services to be procured.

Approvals

- Purchasing requisitions must be created electronically, using the NC eProcurement System or the Colleague System. Requisitions are electronically approved in the Colleague System according to the division's designated approval flow. All requisitions will then be approved by the Vice President of Finance & Administrative Services.

Procurement Card

The Procurement Card (P-Card) provides departments with a convenient, streamlined method to purchase less expensive, commonly used items with a reduction in paperwork, approvals, and time. However, authorized P-Card users are required to comply with all relevant CCC and State of North Carolina purchasing policies and procedures. The CCC P-Card Program is coordinated and administered by the Purchasing Agent with oversight by the Executive Director of Business Operations.

P-Card training is provided to eligible faculty and staff members who would like to use the P-Card for making small purchases (purchases less than \$25,000).

See the CCC Procurement Card Policies and Procedures Manual for additional information.

End-of-Year Planning

- To meet the needs of the entire College, all requests for the current fiscal year should be submitted, approved, and ordered **no later than May 1st** of the given year. This will allow for delivery and payment during the current fiscal year.
- Depending on the nature of your requisition more lead time may be needed, please plan accordingly.

When a properly submitted requisition has been received by the Purchasing Agent, the order will be processed as quickly as possible. Routine orders are usually processed within one working day **AFTER** all approvals have been met.

Do not expect special handling of your requests as this is unfair to those who have submitted them promptly. In the case of a special need – urgent, emergency, or student related, requests will be handled on a case-by-case basis as time and resources allow. Special and urgent need purchases should still go through the Purchasing office. Except during heavy ordering periods, such as prior to and at the beginning of each semester, the end of the fiscal year, or during computer down times, most **routine** requisitions are processed in a timely manner.

Professional Service Agreements, Contracted Services & Maintenance Contracts

Like commodity purchases, purchases for services are guided by purchasing thresholds outlined by the Division of Purchase & Contract. Purchasing thresholds determine the purchasing procedures that must be used when soliciting competition and obtaining offers from vendors. Requests for Professional Service Agreements and Contracted Services will be evaluated by CCC's Purchasing department and processed in accordance with the State Purchasing Policy.

Professional Service Agreements (PSAs)

All PSAs and Contracted Service Agreements must be processed through the Purchasing Department. The PSA form is to be submitted for both professional service and contracted service agreements. All PSAs and Contracted Service Agreements must be approved by Division Dean, VP, and VP of Finance & Administrative Services. All agreements must be forwarded to the Purchasing Department with all information attached including budget code and approval signature(s), and a purchase order will be issued.

Contracted Services

Generally, terms of service contracts should not exceed a one-year term. However, an exception to this rule occurs where a vendor must make a significant investment in equipment to perform the service. In these cases, a contract term with an initial one-year term, with renewals up to three years may be considered.

Maintenance Contracts

Maintenance contracts are usually the most economical method of maintaining equipment, and the original manufacturer or their service agency best maintains specialized critical equipment. It is advisable to consider having this type of coverage. Parts and supplies are not generally covered by maintenance contracts. However, the cost of labor, travel and service calls can usually justify this type of contract.

Each department is responsible for reviewing and establishing maintenance contracts for items in their department, and a maintenance contract is initiated by submitting a requisition and an unsigned copy of the maintenance contract to the Purchasing Department. Typically, a blanket PO is prepared annually for services supported by a contract. For approved contracts, a copy of the signed contract and purchase order will be forwarded to the vendor providing the maintenance.

Contract Approval and Renewals

All contracts must be reviewed and signed by either the College President or the Vice President of Finance & Administrative Services.

Subsequent contract extensions and optional renewals may be approved by the responsible department. Once approved, they must be forwarded to the Purchasing Department for requisition processing and final approval by the College President or the Vice President of Finance & Administrative Services.

Purchasing Benchmarks

Less than \$10,000 (small purchase)— (Non-State Contract Items) Any request that totals \$10,000 or less (including taxes & shipping) may be submitted without having to secure multiple bids or quotes.

- Competition is not required, but good purchasing practice suggests that it should be solicited wherever possible and documented on the requisition. No written quotations are required.

\$10,000 – \$31,000 (small purchase) – (Non-State Contract Items) Any request that totals between \$10,000 and \$31,000 (including taxes & shipping) requires an informal quote (at least 2 quotes are recommended). Please contact the Purchasing Agent if assistance is needed.

- A quotation is a written document provided by a vendor that clearly lists the cost of the item, delivery charges, tax, and terms and conditions.

\$31,000 – \$100,000 – (Non-State Contract Items) Any request that totals between \$31,000 and \$100,000 (including taxes & shipping) requires 3 quotes ("3 quotes and a buy"). Please contact the Purchasing Agent if assistance is needed.

\$100,000+ – (Non-State Contract Items) Any request that totals \$100,000 **including tax and shipping costs**, requires a written solicitation of competition. These written solicitations will be generated by the Purchasing Agent and will include the state terms and conditions. North Carolina Electronic Vendor Portal (eVP) will be used for solicitations.

- The initiator/end-user should submit complete specifications and/or literature, names, phone numbers, and addresses of suggested vendors on the requisition.
- Once the solicitation is written, the Purchasing Agent will send this solicitation to the Division of Purchase and Contract for approval to post. Once the approval is received, the solicitation will be posted on the eVP website.
- After proposals are received, the Purchasing Agent reviews and analyzes the results and the department is notified. Depending on the commodity, the CCC Purchasing Agent will recommend a supplier for contract award and contact the using department for input.
- Once CCC recommends a supplier for contract award, the documents are forwarded to the Division of Purchase and Contract (P&C) for review.
- P&C will notify the college when they have approved our recommended award, and they will then give consent for us to award the contract to the vendor.

Request for Waiver of Competition

- Depending on the circumstances, a written request for waiver of competition can be submitted for approval. It is imperative that a compelling case be drawn before such a request is forwarded. The CCC Purchasing Agent makes the final decision whether a request for waiver is constituted. Under certain conditions, and if deemed to be in the public interest, competition may be waived
- If a waiver of competition is being requested for one of the reasons below, the justification must be entered in unprinted comments on the requisition, or an e-mail may be sent to the Purchasing Agent referencing the requisition number. The Purchasing Agent reserves the right to seek additional justification for any request for a Waiver of Competition.
- One of the basic principles of public purchasing is to obtain competition by soliciting multiple responses whenever possible. However, there are instances when competition may be waived.
- The justification for waiver of competition is a specific form that needs to be sent to the SPO for approval. The form must be prepared by the requestor to justify the purchase of certain items or services. The form should contain a thorough explanation for the request. The form should be sent to the Purchasing Agent. The specific instances requiring the use of a justification memo are described below. This list can also be found at the following link:

[01 NCAC 05B .1401](#)

- cases where performance or price competition are not available;
- where a needed product or service is available from only one source of supply;
- where emergency or pressing need is indicated;
- where competition has been solicited but no satisfactory offers received;
- where standardization or compatibility is the overriding consideration;
- where a donation predicates the source of supply;
- where personal or particular professional services are required;
- where a particular medical product or service, or prosthetic appliance is needed;
- where a product or service is needed for the blind or severely disabled and there are overriding considerations for its use;
- where additional products or services are needed to complete an ongoing job or task;
- where products are bought for "over the counter" resale;
- where a particular product or service is desired for educational, training, experimental, developmental or research work;
- where equipment is already installed, connected and in service, and it is determined advantageous to purchase it;
- where items are subject to rapid price fluctuation or immediate acceptance;
- where there is evidence of resale price maintenance or other control of prices, lawful or unlawful, or collusion on the part of companies which thwarts normal competitive procedures;
- where the amount of the purchase is too small to justify soliciting competition or where a purchase is being made and a satisfactory price is available from a previous contract;
- where the requirement is for an authorized cooperative project with another governmental unit(s) or a charitable non-profit organization(s);
- where a used item(s) is available on short notice and subject to prior sale.

Lack of Competition

The purpose of soliciting offers is both to seek and obtain competition; the responsibility is dual. Where only a single offer or a single acceptable offer is received or where reasonable and available competition is not obtained, the reason shall be ascertained and made a matter of record.

****Purchase requirements cannot be divided to keep them under the established expenditure delegation amount****

Specification Guidance (To be prepared by end-user)

- What are you buying? This should include: An accurate description of the item, item numbers, model numbers, quantity needed, and list of additional components needed to complete the system.
- Is this the sole source? Why? If yes, obtain a letter stating such from the vendor.
- Are there specifications? These specifications should not be photocopies from literature but typed specifications that you can use.
- If it is brand specific, why? What brand?
- Is installation needed? If yes, it must be included in the bid or order.
- Is training needed? Major training or general instruction to user?
- Do you have any special delivery needs? Deadline for delivery? Inside delivery?
- What kind of warranty is provided or required?
- Do you need a maintenance contract for this kind of item?
- Would used, refurbished or demo equipment be acceptable?
- What kind of service do you need for the equipment?
- Is there a suggested vendor? Who? Provide contact information.

Protest Procedures

Bid Protests

A bid protest is a process by which a vendor wishing to protest an award by the state can present for consideration their request for relief. Bid protests are governed by 01 NCAC 05B .1519. A vendor initiates a bid protest by sending a written request to protest the award to the correct receiving entity, based on the contract amount. The protest letter must be received within thirty calendar days of the award, or the protest is untimely and will not be heard.

Bid Protest Procedures

To ensure fairness to all vendors and to promote open competition, agencies and P&C shall actively follow up and be consistent in responding to a vendor's protest concerning contract awards. Protests of contracts that exceed an agency's delegation are heard by the SPO. Protests of contracts valued less than an agency's delegation are handled by the agency. 01 NCAC 05B .1519. Agencies should establish procedures to handle vendors' protests for contracts valued below their general delegation.

Protest Process Under Delegation

Protests for contracts valued under an agency's general delegation shall be heard by the agency. The below process shall be followed:

- Vendor submits a written request for a protest meeting to the agency's executive officer or their designee within thirty calendar days from the date of award. The vendor's request shall contain the reasons why it has a concern with the award and any supporting documentation.
- Within five calendar days from receipt of the protest letter, the executive officer shall submit a copy to the SPO.
- If a meeting is refused: Within ten calendar days from the date of receipt, the executive officer shall notify the vendor in writing that its protest met one of the following conditions:
 - It was not timely.
 - It did not contain the required information.
 - It was meritless, and a meeting would have served no purpose. A copy of the executive officer's decision letter shall be forwarded to the SPO.
- If a meeting is granted: The meeting must be scheduled within thirty calendar days from receipt of the protest, unless mutually agreed.

- Within ten calendar days after the meeting, the executive officer shall notify the vendor of the results of the protest meeting and the appeal rights under Article 3 of G.S. 150B. A copy of the executive officer's decision letter shall be forwarded to the SPO.
- If there is any further administrative or judicial review of the award, the purchasing agency shall notify the SPO in writing.

Process Over Delegation

Protests for contracts that exceed an agency's general delegation shall be heard by the SPO. The below process shall be followed:

- Vendor submits a written request for a protest meeting to the SPO within thirty calendar days from the date of award. The vendor's request shall contain reasons why it has a concern with the award and any supporting documentation.
- If a meeting is refused: Within ten calendar days from the date of receipt, the SPO shall notify the vendor in writing that its protest met one of the following conditions:
 - It was not timely.
 - It did not contain the required information.
 - It was meritless, and a meeting would have served no purpose.
- If a meeting is granted: The meeting must be scheduled within thirty calendar days from receipt of the protest, unless mutually agreed.
- Within ten calendar days after the meeting, the SPO shall notify the vendor of the results of the protest meeting and the appeal rights under Article 3 of G.S. 150B.
- If there is any further administrative or judicial review of the contract award, the SPO shall notify the Secretary in writing.

Bid Protest Meeting

Bid protest meetings are typically about one hour in length, but the duration may be adjusted due to complexity of the issues raised in the bid protest letter. The protest meeting is an informal, non-adversarial meeting in which the protesting vendor has the opportunity to further explain its position to the state. The awarded vendor may attend the protest meeting and provide a response to the protest allegations but is not required to do so. Each party will be given a set period of time in which to present their side.

Because it is an informal process, not a hearing, evidence does not need to be presented, and witnesses do not need to be called. Counsel may attend and present on behalf of the protesting or awarded vendor but is not required to do so.

The bid protest meeting is an opportunity for the protesting vendor to further explain its position, for the awarded vendor to provide any comments in response, and for the state to ask questions to further clarify the issues. The protesting vendor and the awarded vendor shall direct their comments to the state and not to one another. The state is not required to defend its position or answer vendor questions in the protest meeting.

Purchasing Methods

Once a need is determined by a user, the user will submit a requisition through the College's Purchasing System, Colleague or NC eProcurement. The method used to acquire the commodity, printing, or contractual service needed will usually fall under one of the categories given below:

Small Purchases

- A small purchase is defined as the purchase of commodities, services, or printing, not covered by a term contract, involving an expenditure of \$31,000.00 or less. (Please refer to "Purchasing Benchmarks" on page 11 for procedures for small purchases)

Local Purchases

- The faculty or staff member is requesting to purchase items from a local vendor.

- The faculty or staff member will be given a copy of the purchase order, and they will take a copy of that to the local vendor and purchase the items listed on the PO.
- The faculty or staff member will sign, date and mark the po# on the receipt and return that to the Business Office within 48 hours of the purchase.

****Those faculty or staff members who continually refuse to comply with this procedure will be prohibited from making local purchases. ****

Open Market Solicitations

- An open market solicitation is the fair and open solicitation of offers for the purchase of a commodity, printing, or service not covered by a term contract. Competition shall be reasonable and adequate for expenditure and specific requirement.

Statewide Term Contract (Goods or Services)

The North Carolina Administrative Code, [01 NCAC 5B.1101\(b\)](#), requires all State Agencies, Community Colleges, and Universities to purchase from available Statewide Term Contracts. Community Colleges and Universities have been granted purchasing flexibility but must provide appropriate documentation when exercising the flexibility option.

- A "term contract" is a contract intended to cover normal requirements for a commodity, printing, or contractual service for a specified period based on predicted usage.

There are two basic types of term contracts:

- "Statewide term contract" is established by P&C for College use.
- "Agency specific term contract" is established by NCCCS (North Carolina Community College System) for use by the College when a commodity, printing, or service is not covered by a statewide term contract, and the contract value exceeds the College's delegation.

Commodities on statewide term contracts are competitively bid. Some considerations in establishing statewide term contracts are as follows:

- Items most used or purchased by the state;
- Obtain lower prices through volume discounts;
- Transportation costs are included in the pricing
- For some items, standards have been established and items have been tested
- Warranties may be included in the contract
- On-line catalogs are available within eProcurement for processing efficiency

Every statewide and Agency specific term contract has different information pertinent to that contract.

Most of the statewide term contracts for commodities specify a minimum and maximum quantity (or dollar amount). Orders below the minimum shall be obtained in accordance with College procurement procedures. Orders that exceed the maximum quantity must be forwarded to P&C for processing by the Purchasing Agent. For needs that exceed the maximum, P&C will determine if the order should be placed with the contractor at the contract price, negotiate the price with the contractor, or solicit new offers for the requirement.

Waiver of Competition

- Under specific conditions competition may be waived. When seeking the waiver, the request must identify those specific facts or circumstances that support a waiver; simply repeating the language of the applicable category is not sufficient. (Please refer to "Purchasing Benchmarks/ Request for Waiver of Competition" for procedures for requesting a waiver of competition)

01 NCAC 05B .1401

Under certain conditions, and if deemed to be in the public interest, competition may be waived. To view the list of conditions permitting waiver, but are not limited to, please click on the following link: [01 NCAC 05B .1401](#).

If a waiver of competition is being requested for one of the reasons above, the justification must be entered in unprinted comments on the requisition, or an e-mail may be sent to the Purchasing Agent referencing the requisition number. The Purchasing Agent reserves the right to seek additional justification for any request for a Waiver of Competition.

Emergency or Pressing Need

The College may make purchases of commodities, printing, or services in the open market in cases of emergency or pressing need.

Emergency

- A situation that endangers lives, property, or causes the immediate discontinuation of a vital program and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services.
- When an emergency action is necessary and the expenditure is over the College's delegation, prior approval should be obtained from P&C, if time permits.
- The College may negotiate with a potential vendor(s) to acquire the quality of commodity, service, or printing needed at the best price, delivery, terms, and conditions. A solicitation document requesting or inviting an offer(s) shall be issued, including standard language and terms and conditions issued by P&C. In instances where there is a question regarding terms and conditions, contact P&C.

Contact Purchasing, Campus Security, and/or Operations & Facilities immediately, as appropriate, should such a situation arise.

Pressing Need

- A pressing need is one arising from unforeseen causes including delays by contractors, delays in transportation, breakdown in machinery, or unanticipated volume of work. Lack of reasonable forethought or planning is not normally justification for a pressing need.
- When a pressing need action is necessary and the expenditure is over the College's delegation, prior verbal approval should be obtained from P&C, if time permits. Subsequently, whether such prior approval was possible, if the expenditure is over the agency's delegation, an explanation of the pressing need purchase shall be reported in writing to P&C.
- The College may negotiate with a potential vendor(s) to acquire the quality of commodity, service, or printing needed at the best price, delivery, terms, and conditions. A solicitation document requesting or inviting an offer(s) shall be issued, including standard language and terms and conditions issued by P&C, unless circumstances prohibit their use. In instances where there is a question regarding terms and conditions, contact P&C.

An approved eProcurement or Colleague requisition should be forwarded to the Purchasing Agent. "Pressing Need" requests will not be honored without a properly submitted requisition. If approvals are required, approvers should be notified immediately to make them aware that a requisition has been created and requires their approval. The Purchasing Agent should be contacted to make them aware of the situation. If the exact cost of an item is impossible to ascertain in advance or time does not permit, an estimated cost is to be entered on the requisition. However, a reasonable effort should be made to obtain the correct cost, before submitting the request.

Conditional Grants

Where a grant, donation, or special discount is predicated upon making a purchase from the grantor, the proposed transaction shall be explained in writing and shall have prior approval of the State Purchasing Officer (SPO). Prior to approval, the SPO shall consider the conditions placed on the grant, donation, or special discount, and how they will affect the agency and the State, the cost of agreeing to such conditions, and the market conditions. When a donation from a private source is predicated upon making the purchase or lease from a specific source, the purchase or lease may be made without prior approval of the SPO. This only applies if the donation from the private source covers 100% of the purchase price.

Preferences

Nonprofit Work Centers for the Blind and the Severely Disabled

North Carolina has a preference statute that controls the sale of Nonprofit Work Centers for the Blind and the Severely Disabled industry products and prohibits their sale to the private sector. All agencies shall give preference to the Nonprofit Work Centers for the Blind and the Severely Disabled products in purchasing articles, products, and commodities which are needed, and which are manufactured or produced with the Nonprofit Work Centers for the Blind and the Severely Disabled and offered for sale to them. This preference requirement also applies to all community colleges. Delegation limits do not apply to products purchased from Nonprofit Work Centers for the Blind and the Severely Disabled.

The NC Department of Adult Corrections (Correction Enterprises)

North Carolina has a preference statute that controls the sale of prison industry products and prohibits their sale to the private sector. All agencies shall give preference to the NC Department of Adult Corrections products in purchasing articles, products, and commodities which are needed, and which are manufactured or produced with the State prison system and offered for sale to them by the NC Department of Adult Corrections. This preference requirement also applies to all community colleges (except printing). Delegation limits do not apply to products purchased from Correction Enterprises.

Products available from the private sector and offered by Correction Enterprises, including those on term contracts, shall be purchased from the private sector only when it is determined that the Correction Enterprises or Nonprofit Work Centers for the Blind and the Severely Disabled product will not satisfy the requirement or will not be available when needed. The purchase file should contain documentation from Correction Enterprises or Nonprofit Work Centers for the Blind and the Severely Disabled stating that the item(s) cannot be supplied. Competitive bidding shall not apply to articles or commodities available from Correction Enterprises or Nonprofit Work Centers for the Blind and the Severely Disabled.

Determination of Equipment vs Supply

A supply item is any article or material which meets any one or more of the following conditions:

- It is consumed in use – supply.
- It loses its original shape or appearance with use – is used up.
- It is expendable, that is, if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to replace it with an entirely new unit rather than repair it (which is not true of equipment).
- It loses its identity through incorporation into a different or more complex unit or substance – parts.

Equipment

An equipment item is a material unit which meets all the following conditions:

- It retains its original shape and appearance with use.
- It is nonexpendable, that is, if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it rather than replace it with an entirely new unit (which is not true with supplies).
- It represents an investment of money which makes it feasible and advisable to capitalize the item.
- It does not lose its identity through incorporation into a different or more complex unit or substance.

Equipment Purchases

- Equipment purchases are subject to all College and State procurement guidelines.
- When purchasing equipment, the end user must coordinate the request with the Operations & Facilities Department to ensure the proper utilities are in place for the equipment. This may include gas, electricity, water, etc. The Operations & Facilities Department should be consulted to ensure that proper space for the new piece of equipment is available also.

- The Operations & Facilities Department will determine if such a service now exists or if it is to be installed, the lead time required, and any other procedures that need to be followed. The department making the procurement request should ask that a cost estimate be added to the request to reflect the additional service costs.

Capitalized Assets

- A capital asset is property, such as land, land improvements, easements, buildings, equipment, works of art and historical treasures, and infrastructure, with a cost equal to or greater than \$5,000 and a useful life of two or more years.
- Capital assets are acquired for normal operations and are not for resale.
- These assets may be subject to depreciation.
- The asset will be tagged and recorded in the Colleague Fixed Asset Module and be assigned the following Fund Source Codes:
 - State Funds: Fund Source 1
 - Institutional Funds: Fund Source 0
 - County Funds: Fund Source 2
 - Federal Funds (Perkins, TRI0, etc.): Fund Source 3
- A physical inventory must be taken of inventoried assets at least once a year.
- Inventory is scheduled by the Equipment Coordinator and will be completed by June 30.

Non-Capitalized Assets

- Assets costing **more than \$500 and less than \$5,000** are expensed; they are not capitalized nor depreciated for financial reporting purposes.
- These assets are not consumable and have a useful life of more than 2 years.
- Non-Capitalized Assets are purchased using the expense object code **555100**
- The assets will not be tagged
- Asset Grouping — We will group assets that are alike, purchased together, and total expenditure meets or exceeds the capital asset threshold and meets the specifications of non-capitalized equipment.
The following is a list of examples of Non-Capitalized Assets. This list is not all-inclusive. Other items may qualify.
- Office/Classroom Furniture
- Mounted Classroom Whiteboards
- Filing Cabinets

Non-Capitalized Assets — High Risk

- Assets costing **less than \$5,000** are expensed; they are not capitalized nor depreciated for financial reporting purposes.
- These assets are not consumable and have a useful life of more than 2 years.
- Non-Capitalized Assets — High Risk are purchased using the expense object code **555200**
- The asset will be tagged and recorded in the Colleague Fixed Asset Module and be assigned the following Fund Source Codes:
 - State Funds: Fund Source 9
 - Institutional Funds: Fund Source 0
 - County Funds: Fund Source 2
 - Federal Funds (Perkins, TRI0, etc.): Fund Source 3
- Asset Grouping — We will group assets that are alike, purchased together, and total expenditure meets or exceeds the capital asset threshold and meets the specifications of non-capitalized equipment.
- A physical inventory must be taken of inventoried non-capitalized assets — high risk at least once a year.
- Inventory is scheduled by the Equipment Coordinator and will be completed by June 30.

The following is a list of examples of Non-Capitalized Assets — High Risk. This list is not all-inclusive. Other items may qualify.

- Data Processing and Networking Equipment
- Servers
- Computers, Laptops, iPads, Tablets, etc.
- Smart Boards
- Network Printers (more than \$500)

- Audio-visual Equipment (cameras, projectors, etc.)
- Medical Equipment
- Microscopes
- Workshop Equipment (table saw, welder, etc.)
- Custodial Equipment (floor machine, carpet cleaner, etc.)
- Maintenance Equipment (pressure washer, generator, etc.)
- Ground Equipment (trimmers, spreaders, etc.)
- Guns

Computers

- Computers are on State Contract 204A. If you are approved to purchase a computer, contact the IT Department for help obtaining a quote. The quote must be referenced on the eProcurement requisition and a copy of the quote needs to be sent to the Purchasing Agent. For all computer requisitions, the Director of IT will be added to the approval flow.

Furniture

- If you are approved to purchase furniture, please contact the Purchasing Agent. There are several mandatory state contracts for furniture. The college has standardized furniture for offices and classrooms. The Purchasing Agent may schedule a furniture representative to come and talk with you regarding your request. Furniture orders are typically shipped in about six weeks. Some office chairs may be shipped within three weeks.

Construction vs Standard Purchasing

CCC shall review the items included in a construction/renovation project and remove any items they consider non-related to the building's actual construction/renovation. Items that are considered commodities, or just furnishings, to complete the project for use, shall be handled in accordance with the normal purchasing rules. Items usually removed from construction/renovation projects include office panel systems, food service equipment, and furniture. If the college determines that one of these items, or any item that is normally handled as a commodity purchase, is best suited for inclusion in the construction/renovation project, their justification shall be documented in writing for public record.

Formal Projects

Any project requiring the estimated expenditure of \$500,000 or more for construction contracts, design fee, and construction contingency, regardless of the source of funds, will be considered a "formal" project and must have the approval of the State Board. NC Session Law 2022-6 revised State Construction Office (SCO) supervision of community college capital projects between \$500,00 and less than \$2,000,000. Any capital project, regardless of funding, of \$2,000,000 or above shall obtain supervision from the State Construction Office (SCO). Formal bidding procedures as per G.S. 143-129 must be followed for these projects. Note, in cases of special emergencies involving the health and safety of the people or their property, the bidding procedures in G.S. 143-129 may be waived. Contact the Assistant Director of the Design Review Section at the SCO for approval to proceed in an emergency.

Informal Projects

Any project, where the authorized funding or the total project cost is realistically estimated at less than \$500,000 for construction contracts, design fee, and construction contingency, will be considered an "informal" project. If the economy is in a period where the costs of construction materials and services are rapidly rising, and the estimated total project cost is close to this threshold, the college is strongly encouraged to consider treating the project like a formal project. This rationale is because if the project is bid under the informal bidding procedures and the lowest bid or set of bids are over \$500,000, you may not be permitted by the general statutes to award a contract. Several general statutes require that certain actions be taken prior to awarding a contract and some of these actions must have been included in the bid documents for the bidders to consider when compiling their bid(s).

Statutory Authority, Executive Order, & NC Administrative Codes

Community Colleges are required by General Statute [115D-58.5](#) to purchase all supplies, equipment and materials by contracts made by or with the approval of the Division of Purchase and Contract of the Department of Administration.

Additional resources needed to ensure that Carteret Community College meets all requirements in conducting day to day purchasing activities are the NC State Board of Community College Code Title 1 Chapter 5 ([Purchase and Contract Home Page](#)), Title 9 Chapter 6 ([DIT Home Page](#)), [Article 3](#) and [3C of Chapter 143](#) and [Article 15 of Chapter 143B](#) of the General Statutes.

Accounting System

G.S. 115D-58.5

- “Each institution shall establish and maintain an accounting system consistent with procedures as prescribed by the Community Colleges System Office and the State Controller, which shows its assets, liabilities, equities, revenues, and expenditures.”
- “Each institution shall be governed in its purchasing of all supplies, equipment, and materials by contracts made by or with the approval of the Purchase and Contract Division of the Department of Administration except as provided in G.S. 115D-58.14. No contract shall be made by any board of trustees for purchases unless provision has been made in the budget of the institution to provide payment thereof. To protect the State purchase contracts, it is the duty of the board of trustees and administrative officers of each institution to pay for such purchases promptly in accordance with the contract of purchase. Equipment shall be titled to the State Board of Community Colleges if derived from State or federal funds.”
- “The operations of each institution shall be subject to oversight of the State Auditor pursuant to [Article 5A of Chapter 147](#) of the General Statutes.”

Additionally, centralized purchasing allows for close monitoring of conflicts of interest, budget adherence, and legal compliance through internal controls.

The guidelines and procedures for identifying, categorizing, and purchasing each item are contained in the [NC Procurement Manual](#) published by the NC Division of Purchase and Contract and the [NC Purchasing and Equipment Procedures Manual](#) published by the Administrative and Facility Services Section of the NC Community Colleges System.

Both publications are periodically updated.

Purchasing Flexibility

G.S. 115D-58.14 – Purchasing Flexibility

1. Community colleges may purchase supplies, equipment, and materials from noncertified sources that are available under State term contracts, subject to the following conditions:
 - The purchase price, including the cost of delivery, is less than the cost under the State term contract; and
 - The cost of the purchase shall not exceed the bid value benchmark established under [G.S. 143-53.1](#); for Carteret Community College this is \$50,000 and
 - The items are the same or **similar** in quality, service, and performance as items available under State term contracts.
 - Similar is defined as having comparable, but not identical characteristics in terms of quality, service, and performance as items available under State term contracts.
 - If utilizing Purchasing Flexibility, state contract cost must be provided in the comment section of eProcurement requisition for reporting purposes.

Purchase of recycled paper and paper products

[G.S. 143-58.3](#) – In alignment with North Carolina General Statute 143-58.3, which establishes the State’s commitment to purchasing paper and paper products with recycled content, Carteret Community College supports and adheres to this environmental sustainability goal.

Whenever feasible, the College will prioritize the procurement of recycled paper and paper products. As part of this commitment, Carteret Community College currently purchases all copy paper through the North Carolina State Term Contract, which supplies paper containing a minimum of 30% recycled content.

Historically Underutilized Business Program

G.S. 143-48 (a) – State policy; cooperation in promoting the use of small minority, physically handicapped and women contractors; purpose; required annual reports.

"(a) Policy — It is the policy of this State to encourage and promote the use of small contractors, minority contractors, physically handicapped contractors, and women contractors in State purchasing of goods and services. All State agencies, institutions and political subdivisions shall cooperate with the Department of Administration and all other State agencies, institutions and political subdivisions in efforts to encourage the use of small contractors, minority contractors, physically handicapped contractors, and women contractors in achieving the purpose of this Article, which is to provide for the effective and economical acquisition, management and disposition of goods and services by and through the Department of Administration."

Listings of these "Historically Underutilized Businesses" or "HUB" vendors and their products and services are available on the Internet at the Division of Purchase and Contract web site: [NC Administration/Historically Underutilized Businesses \(HUB\)](http://NC.Administration/Historically Underutilized Businesses (HUB))

To search for "HUB" vendors, follow these steps:

- Scroll down and click on the "HUB Vendor Search" tile.
- You can search for "HUB" vendors by company name or commodity code:
 - **By Company Name:** Type the company's name in the provided field and click "Search".
 - **By Commodity Code:** Expand the "Advanced Search" section, go to the commodity code field, and click the down arrow. If you know the commodity code, type it in. If you need to find the commodity code, click "Add Commodity Codes", scroll through the list, and select the appropriate code. Click "Add" at the bottom.
- After adding the commodity code, return to the original search screen and click the "Search" button. A list of vendors will be displayed.

Please refer to these lists when selecting vendors for purchases. CCC is required to file quarterly reports with the State showing the total purchases from "HUB" vendors. Our goal is to reach 10% HUB participation each quarter per [G.S. 143-128.2](#).

Executive Order No. 50 (Price-Matching Preference):

Pursuant to [North Carolina General Statute § 143-59 \(G.S. § 143-59\)](#) issued by Governor Perdue on February 17, 2010, entitled "Enhanced Purchasing Opportunities for North Carolina Businesses," a price-matching preference may be given to North Carolina resident bidders on contracts for the purchase of goods. This preference will allow a qualified North Carolina resident bidder to match the price of the lowest responsible nonresident bidder, if the North Carolina resident bidder's price is within five percent (5%) or \$10,000, whichever is less, of the nonresident bidder's price. **If the resident bidder requests and qualifies for the price-matching preference, the resident bidder will first be offered the contract award and will have three (3) business days to accept or decline the award based on the lowest responsible nonresident bidder's price.**

Executive Order #50 applies to procurements from the Governor's Office, Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, and Transportation), Universities and Community Colleges and all procurements handled by the Division of Purchase and Contract. All other State Agencies are encouraged to implement the requirements of Executive Order #50 and vendors should contact these State Agencies to determine whether they have adopted and implemented Executive Order #50.

Executive Order

No. 24 Gift Ban

North Carolina General statute§ 133-32

It is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Office of the Governor and Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction,

Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, and Transportation). This prohibition covers those vendors and contractors who:

- have a contract with a governmental agency; or
- have performed under such a contract within the past year; or
- anticipate bidding on such a contract in the future.

Executive Order 24 also encouraged and invited other State Agencies to implement the requirements and prohibitions of the Executive Order to their agencies. CCC has enacted Executive order No. 24 Gift Ban as a show of ethics and integrity. Vendors and contractors should contact other State Agencies to determine if those agencies have adopted Executive Order 24."

**Enacted in 2009 by then Governor Beverly Perdue*

Expenditure of Funds from Different Sources

01 NCAC 05B .1505

(a) "All public funds irrespective of source, whether special, federal, local, gifts, bequests, receipts, fees or State appropriated, used for the purchase, rental, lease, installment purchase and lease/purchase of commodities, printing and services shall be handled under the provision of [Article 3 of G.S. 143](#) and in accordance with rules adopted pursuant thereto by the Division of Purchase and Contract."