

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 964  
Senate Commerce Committee Substitute Adopted 6/24/04

Short Title: Furniture Requirements Contracts.

(Public)

Sponsors:

Referred to:

April 9, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE LAW GOVERNING FURNITURE REQUIREMENT  
3 CONTRACTS FOR STATE AGENCIES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-57.1 reads as rewritten:

6 **"§ 143-57.1. Furniture requirements contracts.**

7 (a) To ensure agencies access to sufficient sources of furniture supply and  
8 service, to provide agencies the necessary flexibility to obtain furniture that is  
9 compatible with interior architectural design and needs, to provide small and  
10 disadvantaged businesses additional opportunities to participate on State requirements  
11 contracts, and to restore the traditional use of multiple award contracts for purchasing  
12 furniture requirements, each State furniture requirements contract shall be awarded on a  
13 multiple award basis, subject to the following conditions:

14 (1) Competitive, sealed bids must be solicited for the contract in  
15 accordance with Article 3 of Chapter 143 of the General Statutes  
16 unless otherwise provided for by the State Purchasing Officer pursuant  
17 to that Article. Bids shall be solicited on a historical weighted average  
18 of specific contract items and not on a single item within a class of  
19 items. Historical weighted average shall be based on information  
20 derived from the State's electronic procurement system, when  
21 available, or other available data.

22 (2) Subject to the provisions of this section, bids shall be evaluated and the  
23 contract awarded in accordance with Article 3 of Chapter 143 of the  
24 General Statutes.

25 (3) For each category of goods under each State requirements furniture  
26 contract, awards shall be made to at least three qualified vendors  
27 unless three qualified vendors are not available. Additionally, if the  
28 State Purchasing Officer determines that there are no qualified vendors  
29 within the three best qualified vendors who offer furniture

1                    manufactured or produced in North Carolina or who are incorporated  
2                    in the State, the State Purchasing Officer shall expand the number of  
3                    qualified vendors awarded contracts to as many qualified vendors as is  
4                    necessary to include a qualified vendor who offers furniture  
5                    manufactured or produced in North Carolina or who is incorporated in  
6                    the State, but the State Purchasing Officer shall not be required to  
7                    expand the number of qualified vendors to more than six qualified  
8                    vendors. ~~three qualified vendors are not available or that it is in the~~  
9                    best interest of the State to make fewer awards. The State Purchasing  
10                  Officer, subject to the approval of the Board of Award, shall state his  
11                  reasons in writing for making fewer awards and the written  
12                  documentation shall be maintained as part of the bid file and subject to  
13                  public inspection. A vendor is qualified under this section if the  
14                  vendor's products conform to the term contract specifications, the  
15                  vendor is listed on the State's qualified products list, and the vendor  
16                  submits a responsive bid.

- 17                  (4) An agency may purchase from any vendor certified on the contract but  
18                  shall make the most economical purchase that it determines meets its  
19                  needs, based upon price, compatibility, service, delivery, freight  
20                  charges, and other factors that it considers relevant.

21                  (b) For purposes of this section, "furniture requirements contract" means State  
22                  requirements contracts for casegoods, classroom furniture, bookcases, ergonomic chairs,  
23                  office swivel and side chairs, computer furniture, mobile and folding furniture,  
24                  upholstered seating, commercial dining tables, and related items."

25                  **SECTION 2.** This act becomes effective July 1, 2004, and applies to  
26                  contracts advertised for bid on or after that date.