

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 419*

Short Title: Purchasing Process for Community Colleges. (Public)

Sponsors: Senators Clodfelter; and Hartsell.

Referred to: Education/Higher Education.

March 5, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO COMMUNITY
3 COLLEGES AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES
4 TO STUDY THE NEED FOR FURTHER PURCHASING FLEXIBILITY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115D-58.14 reads as rewritten:

7 "**§ 115D-58.14. Purchasing flexibility.**

8 (a) Community colleges may purchase ~~the same~~ supplies, equipment, and materials
9 from noncertified sources ~~as that~~ are available under State term contracts, subject to the
10 following conditions:

- 11 (1) The purchase price, including the cost of delivery, is less than the cost under
12 the State term contract; ~~and~~
13 (2) The cost of the purchase shall not exceed the bid value benchmark
14 established under ~~G.S. 143-53.1~~ G.S. 143-53.1; and
15 (3) The items are the same or substantially similar in quality, service, and
16 performance as items available under State term contracts.

17 (b) The State Board of Community Colleges and the Department of Administration
18 shall adopt policies and procedures for monitoring the implementation of this section."

19 **SECTION 2.** The State Board of Community Colleges shall review the purchasing
20 process for community colleges and shall consider whether the State Board of Community
21 Colleges should have the authority to increase the bid value benchmark for each community
22 college based on the college's overall capabilities, including staff resources, purchasing
23 compliance reviews, and audit reports.

24 The State Board of Community Colleges shall report the results of its study to the
25 Joint Legislative Education Oversight Committee prior to March 30, 2010.

26 **SECTION 3.** This act is effective when it becomes law.

