

G.S. 150B-21.3A Report for 01 NCAC 05, PURCHASE AND CONTRACT

Agency - Department of Administration

Comment Period - February 5, 2026- April 6, 2026

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 05A – DIVISION OF PURCHASE AND CONTRACT		01 NCAC 05A .0101	RESPONSIBILITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Unnecessary	No		No	Unnecessary
		01 NCAC 05A .0102	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05A .0104	LOCATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05A .0108	FORMS: PROCEDURES: TERMS AND CONDITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05A .0112	DEFINITIONS	Amended Eff. March 1, 2022	Necessary	No		No	Necessary
SUBCHAPTER 05B - PURCHASE PROCEDURES	SECTION .0100 - REQUISITIONING	01 NCAC 05B .0101	PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0102	VERBAL REQUESTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0103	CONFIDENTIALITY	Amended Eff. October 1, 2019	Necessary	No		No	Necessary
	SECTION .0200 - SPECIFICATIONS	01 NCAC 05B .0201	TYPES OF SPECIFICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0202	NEED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0203	DEVELOPMENT OF SPECIFICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0204	ARTICLES FOR SPECIAL PURPOSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0205	NORTH CAROLINA PRODUCTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0206	SUBMISSION FOR ADOPTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Unnecessary	No		No	Unnecessary

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	SECTION .0300 - PROCUREMENT AUTHORIZATION AND PROCEDURES	01 NCAC 05B .0301	CONTRACTING REQUIREMENTS	Amended Eff. March 1, 2022	Necessary	No		No	Necessary
		01 NCAC 05B .0303	ELECTRONIC, FACSIMILE, AND TELEPHONE OFFERS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0304	RECALL OF OFFERS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0305	PUBLIC OPENING	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0306	LATE OFFERS, MODIFICATIONS, OR WITHDRAWALS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0307	ERROR/CLARIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0308	EXTENSION OF ACCEPTANCE TIME	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0309	EVALUATION	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0310	NOTIFICATION OF AWARD	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0312	LACK OF COMPETITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0314	SOLICITATION DOCUMENTS	Amended Eff. March 1, 2022	Necessary	No		No	Necessary
		01 NCAC 05B .0315	DIVISION OF REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0316	ADVERTISEMENT REQUIREMENTS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0317	MANDATORY CONFERENCES/SITE VISITS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .0318	TERMS AND CONDITIONS	Eff. March 1, 2022	Necessary	No		No	Necessary
		01 NCAC 05B .0319	CONTRACT TERM	Eff. March 1, 2022	Necessary	No		No	Necessary
		01 NCAC 05B .0320	CONTRACT EXTENSIONS	Eff. March 1, 2022	Necessary	No		No	Necessary
		01 NCAC 05B .0321	FACTORS FOR CONTRACT EXTENSION OR RENEWAL	Eff. March 1, 2022	Necessary	No		No	Necessary
	SECTION .0500 - REJECTION OF OFFERS	01 NCAC 05B .0501	REJECTION OR CANCELLATION OF OFFERS	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary

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		01 NCAC 05B .0503	NEGOTIATION	Amended Eff. August 1, 2020	Necessary	No		No	Necessary
	SECTION .0600 - PURCHASE OF USED ITEMS	01 NCAC 05B .0601	GENERAL PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0602	ACQUISITION IN BEST INTEREST OF STATE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .0700 - REMOVAL OF CERTAIN ITEMS FROM GENERAL CONSTRUCTION	01 NCAC 05B .0701	POLICY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .0900 - INSPECTION AND TESTING	01 NCAC 05B .0901	RESPONSIBILITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0902	SELECTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0903	REINSPECTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0904	SAMPLES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0905	SPECIFICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .0906	REPORT OF DISCREPANCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .1000 - GUARANTEES AND WARRANTIES	01 NCAC 05B .1001	ENFORCEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1002	REPORT TO PURCHASING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1003	RESPONSIBILITY OF USING AGENCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary

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	SECTION .1100 - TERM CONTRACTS	01 NCAC 05B .1101	USE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1102	DETERMINING FACTORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1105	SPECIAL ITEMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1108	EXTENSION OF CONTRACT TERMINATION DATES	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
	SECTION .1200 - PARTIAL AND MULTIPLE AWARDS	01 NCAC 05B .1201	USE	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
	SECTION .1400 - WAIVER OF COMPETITION	01 NCAC 05B .1401	POLICY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1402	APPROVAL AND DOCUMENTATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .1500 - MISCELLANEOUS PROVISIONS	01 NCAC 05B .1504	PAYMENT PLANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1505	FUNDS FROM DIFFERENT SOURCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1506	CONDITIONAL GRANTS ETC IN PUBLIC PURCHASING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1507	CHANGE IN CORPORATE STRUCTURE	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1508	PURCHASES FOR ACROSS THE COUNTER RESALE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1509	PURCHASING FROM OR THROUGH AGENCY EMPLOYEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1511	ANTICOMPETITIVE, DECEPTIVE, AND FRAUDULENT PRACTICES	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1512	AVAILABILITY OF SERVICES TO CERTAIN NON-STATE AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary

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		01 NCAC 05B .1513	COOPERATIVE PURCHASING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1516	ADVERTISING	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1519	PROTEST PROCEDURES	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1520	DEBARMENT	Readopted Eff. December 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1521	FAITHFUL PERFORMANCE	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1522	RECIPROCAL PREFERENCE	Readopted Eff. October 1, 2019	Necessary	No		No	Necessary
		01 NCAC 05B .1523	PROCUREMENT CARDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .1600 - EXEMPTIONS, EMERGENCIES AND SPECIAL DELEGATIONS	01 NCAC 05B .1601	EXEMPTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1602	EMERGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1603	SPECIAL DELEGATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1605	COMPLIANCE REVIEWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .1800 - INVENTORIES AND STORES	01 NCAC 05B .1803	SUPERVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1804	PERSONAL PROPERTY INVENTORY PLAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .1900 - RECORDS OF THE DIVISION OF PURCHASE AND CONTRACT	01 NCAC 05B .1901	RECORD MAINTENANCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05B .1903	FILES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary

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SUBCHAPTER 05D - CONSULTANT CONTRACTS	SECTION .0100 - CONSULTANTS	01 NCAC 05D .0101	APPLICABILITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0102	DEFINITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
	SECTION .0200 - CONTRACTING PROCEDURE FOR CONSULTANTS	01 NCAC 05D .0201	GENERAL STATEMENT OF POLICY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0202	CONSULTING CONTRACTS WITH OTHER AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0203	REQUESTS FOR AUTHORITY TO CONTRACT WITH CONSULTANTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0204	REVIEW OF AGENCY REQUESTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0205	COMPETITIVE PROPOSALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0206	NEGOTIATED CONSULTANT CONTRACTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0207	CONSULTANT CONTRACT MODIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary
		01 NCAC 05D .0208	FORMAT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary