

| 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 |
| 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 01 NCAC 05A .0112 | DEFINITIONS | Amended Eff. March 1, 2022 | Necessary | No | |
| 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 | |
| | | 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 | |
| | | 01 NCAC 05B .0103 | CONFIDENTIALITY | Amended Eff. October 1, 2019 | Necessary | No | |
| | 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 | |
| | | 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 | |

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| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | SECTION .0300 - PROCUREMENT AUTHORIZATION AND PROCEDURES | 01 NCAC 05B .0301 | CONTRACTING REQUIREMENTS | Amended Eff. March 1, 2022 | Necessary | No | |
| | | 01 NCAC 05B .0303 | ELECTRONIC, FACSIMILE, AND TELEPHONE OFFERS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0304 | RECALL OF OFFERS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0305 | PUBLIC OPENING | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0306 | LATE OFFERS, MODIFICATIONS, OR WITHDRAWALS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 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 | |
| | | 01 NCAC 05B .0308 | EXTENSION OF ACCEPTANCE TIME | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0309 | EVALUATION | Readopted Eff. October 1, 2019 | Necessary | No | |
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| | | 01 NCAC 05B .0310 | NOTIFICATION OF AWARD | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 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 | |
| | | 01 NCAC 05B .0314 | SOLICITATION DOCUMENTS | Amended Eff. March 1, 2022 | Necessary | No | |
| | | 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 | |
| | | 01 NCAC 05B .0316 | ADVERTISEMENT REQUIREMENTS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0317 | MANDATORY CONFERENCES/SITE VISITS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0318 | TERMS AND CONDITIONS | Eff. March 1, 2022 | Necessary | No | |
| | | 01 NCAC 05B .0319 | CONTRACT TERM | Eff. March 1, 2022 | Necessary | No | |
| | | 01 NCAC 05B .0320 | CONTRACT EXTENSIONS | Eff. March 1, 2022 | Necessary | No | |
| | | 01 NCAC 05B .0321 | FACTORS FOR CONTRACT EXTENSION OR RENEWAL | Eff. March 1, 2022 | Necessary | No | |
| | SECTION .0500 - REJECTION OF OFFERS | 01 NCAC 05B .0501 | REJECTION OR CANCELLATION OF OFFERS | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .0503 | NEGOTIATION | Amended Eff. August 1, 2020 | Necessary | No | |
| | 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 | |
| | | 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 | |

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| | 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 | |
| | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | 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 | |
| | | 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 | |

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| | | 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 | |
| | 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 | |
| | | 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 | |
| | | 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 | |
| | | 01 NCAC 05B .1108 | EXTENSION OF CONTRACT TERMINATION DATES | Readopted Eff. October 1, 2019 | Necessary | No | |
| | SECTION .1200 - PARTIAL AND MULTIPLE AWARDS | 01 NCAC 05B .1201 | USE | Readopted Eff. October 1, 2019 | Necessary | No | |
| | 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 | |
| | | 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 | |
| | 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 | |
| | | 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 | |

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| | | 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 | |
| | | 01 NCAC 05B .1507 | CHANGE IN CORPORATE STRUCTURE | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 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 | |
| | | 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 | |
| | | 01 NCAC 05B .1511 | ANTICOMPETITIVE, DECEPTIVE, AND FRAUDULENT PRACTICES | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 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 | |
| | | 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 | |
| | | 01 NCAC 05B .1516 | ADVERTISING | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .1519 | PROTEST PROCEDURES | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .1520 | DEBARMENT | Readopted Eff. December 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .1521 | FAITHFUL PERFORMANCE | Readopted Eff. October 1, 2019 | Necessary | No | |
| | | 01 NCAC 05B .1522 | RECIPROCAL PREFERENCE | Readopted Eff. October 1, 2019 | Necessary | No | |

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| | | 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 | |
| | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | 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 | |
| | | 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 | |
| | 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 | |
| | | 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 | |

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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 | |
| | | 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 | |
| | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |
| | | 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 | |