

G.S. 150B-21.3A Report for 09 NCAC 06A, 06B, OFFICE OF INFORMATION AND TECHNOLOGY SERVICES

Agency - Department of Information Technology

Comment Period - 10/31/2024 to 1/03/2025

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 06A – INFORMATION TECHNOLOGY PROCUREMENT | SECTION .0100 – FORMS, TERMS AND CONDITIONS AND DEFINITIONS | 09 NCAC 06A .0101 | FORMS, TERMS AND CONDITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06A .0102 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06A .0104 | RIGHT TO PETITION | Eff. January 1, 2021 | Necessary | No | |
| SUBCHAPTER 06B – PROCUREMENT REQUESTS | SECTION .0100 - REQUISITIONING | 09 NCAC 06B .0101 | AGENCY REQUESTS FOR AUTHORIZATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0103 | CONFIDENTIALITY OF SOLICITATION DOCUMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0201 | DEVELOPMENT OF IT SOLICITATION DOCUMENTS AND SPECIFICATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0202 | NEED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0204 | ARTICLES FOR SPECIAL PURPOSES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0301 | PROCUREMENT PROCEDURES | Readopted Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .0302 | METHODS OF SOURCE SELECTION | Readopted Eff. March 1, 2016 | Necessary | No | |

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| | | 09 NCAC 06B .0303 | ELECTRONIC OFFERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0304 | RECALL OF OFFERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0305 | PUBLIC OPENING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0306 | LATE OFFERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0307 | CLERICAL ERRORS AND CLARIFICATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0308 | EXTENSION OF OFFER VALIDITY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0309 | EVALUATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0313 | DIVISION OF COMMODITIES AND SERVICE NEEDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0314 | ADVERTISEMENT AND NOTICE | Readopted Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .0315 | MANDATORY CONFERENCES/SITE VISITS | Readopted Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .0316 | NEGOTIATION | Readopted Eff. March 1, 2016 | Necessary | No | |

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| | SECTION .0400 – REJECTION OF OFFERS | 09 NCAC 06B .0401 | REJECTION OF OFFERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0404 | NOTICE OF REJECTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0405 | DEBRIEFING OFFERORS | Readopted Eff. March 1, 2016 | Necessary | No | |
| | SECTION .0500 – INSPECTION AND TESTING | 09 NCAC 06B .0501 | RESPONSIBILITY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0502 | INSPECTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0503 | SAMPLES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0504 | MODIFICATIONS TO CONTRACT SPECIFICATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0505 | REPORT OF DISCREPANCY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .0600 – GUARANTEES AND WARRANTIES | 09 NCAC 06B .0601 | ENFORCEMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .0602 | REPORT TO ITS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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|------------|--|-------------------|--|--|--|---|-----------------------------|
| | | 09 NCAC 06B .0603 | RESPONSIBILITY OF PURCHASING AGENCY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .0700 - CONTRACTS | 09 NCAC 06B .0701 | CONTRACTS ESTABLISHED BY DIT | Readopted Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .0703 | EXTENSION OF CONTRACT TERMINATION DATES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .0800 - PARTIAL AND MULTIPLE AWARDS | 09 NCAC 06B .0801 | USE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION 0900 – WAIVER OF COMPETITION | 09 NCAC 06B .0901 | CONDITIONS FOR LIMITED OR WAIVED COMPETITION | Readopted Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .0902 | APPROVAL AND DOCUMENTATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .1000 – MISCELLANEOUS PROVISIONS | 09 NCAC 06B .1001 | CONFIDENTIALITY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1002 | PAYMENT PLANS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1003 | CHANGE IN CORPORATE STRUCTURE OR ASSIGNMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1004 | PURCHASING FROM OR THROUGH AGENCY EMPLOYEES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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| | | 09 NCAC 06B .1005 | ANTICOMPETITIVE, DECEPTIVE, AND FRAUDULENT PRACTICES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1006 | COOPERATIVE PURCHASING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1030 | DEFAULT PROCEEDINGS; DEBARMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1031 | FAITHFUL PERFORMANCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .1100 - BID PROTEST, CONTESTED CASE PROCEDURE | 09 NCAC 06B .1101 | RIGHT TO HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1102 | PROTEST PROCEDURES FOR AWARD OF CONTRACTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1103 | REQUEST FOR HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1104 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1105 | GENERAL PROVISIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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| | | 09 NCAC 06B .1106 | ORDER FOR PREHEARING STATEMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1107 | DUTIES OF THE HEARING OFFICER | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1108 | CONSENT ORDER; SETTLEMENT; STIPULATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1109 | SETTLEMENT CONFERENCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1110 | PREHEARING CONFERENCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1111 | DISCOVERY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1112 | CONSOLIDATION OF CASES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1113 | SUBPOENAS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1114 | SANCTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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| | | 09 NCAC 06B .1115 | MOTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1116 | INTERVENTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1117 | CONTINUANCES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1118 | RIGHTS AND RESPONSIBILITIES OF PARTIES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1119 | WITNESSES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1120 | EVIDENCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1121 | FINAL AGENCY DECISION; OFFICIAL RECORD | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .1200 – DECLARATORY RULINGS; DEFAULT PROCEEDINGS; DISQUALIFICATIONS; AND DEBARMENT | 09 NCAC 06B .1201 | DECLARATORY RULINGS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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| | | 09 NCAC 06B .1202 | REQUESTS FOR DECLARATORY RULINGS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1203 | RESPONSE TO A REQUEST FOR A DECLARATORY RULING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1204 | EFFECT OF A DECLARATORY RULING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1205 | RECORD OF RULING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1206 | DEFAULT PROCEEDINGS; DISQUALIFICATION; AND DEBARMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1207 | PERFORMANCE ASSURANCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | SECTION .1300 - EXEMPTIONS, EMERGENCIES, AND SPECIAL DELEGATIONS | 09 NCAC 06B .1301 | EXEMPTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1302 | EMERGENCY SITUATIONS OR PRESSING NEED | Amended Eff March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .1304 | GENERAL DELEGATIONS | Amended Eff. March 1, 2016 | Necessary | No | |
| | | 09 NCAC 06B .1305 | COMPLIANCE REVIEWS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |

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| | SECTION .1400 - RECORDS | 09 NCAC 06B .1401 | RECORD MAINTENANCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015 | Necessary | No | |
| | | 09 NCAC 06B .1402 | PROCUREMENT FILE RECORDS | Amended Eff. March 1, 2016 | Necessary | No | |