

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 449  
Committee Substitute Favorable 4/17/13

Short Title: State Contracts/Furniture.

(Public)

Sponsors:

Referred to:

March 28, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING THAT A VENDOR IS QUALIFIED FOR PURPOSES OF ANY  
3 STATE FURNITURE REQUIREMENTS CONTRACT IF THE VENDOR'S PRODUCTS  
4 ARE INCLUDED ON A UNITED STATES GENERAL SERVICES ADMINISTRATION  
5 (GSA) FURNITURE SCHEDULE, THE VENDOR IS A FEDERALLY QUALIFIED  
6 VENDOR FOR THE GSA FURNITURE SCHEDULE, AND THE VENDOR OFFERS  
7 PRODUCTS ON THE SAME PRICING AND SPECIFICATIONS AS THE GSA  
8 FURNITURE SCHEDULE.

9 The General Assembly of North Carolina enacts:

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

11 "§ 143-57.1. Furniture requirements contracts.

12 (a) State Furniture Requirements Contract. – To ensure agencies access to sufficient  
13 sources of furniture supply and service, to provide agencies the necessary flexibility to obtain  
14 furniture that is compatible with interior architectural design and needs, to provide small and  
15 disadvantaged businesses additional opportunities to participate on State requirements  
16 contracts, and to restore the traditional use of multiple award contracts for purchasing furniture  
17 requirements, each State furniture requirements contract shall be awarded on a multiple award  
18 basis, subject to the following conditions:

- 19 (1) Competitive, sealed bids must be solicited for the contract in accordance  
20 with Article 3 of Chapter 143 of the General Statutes unless otherwise  
21 provided for by the State Purchasing Officer pursuant to that Article. Bids  
22 shall be solicited on a historical weighted average of specific contract items  
23 and not on a single item within a class of items. Historical weighted average  
24 shall be based on information derived from the State's electronic  
25 procurement system, when available, or other available data.
- 26 (2) Subject to the provisions of this section, bids shall be evaluated and the  
27 contract awarded in accordance with Article 3 of Chapter 143 of the General  
28 Statutes.
- 29 (3) For each category of goods under each State requirements furniture contract,  
30 awards shall be made to at least three qualified vendors unless three  
31 qualified vendors are not available. Additionally, if the State Purchasing  
32 Officer determines that there are no qualified vendors within the three best  
33 qualified vendors who offer furniture manufactured or produced in North  
34 Carolina or who are incorporated in the State, the State Purchasing Officer  
35 shall expand the number of qualified vendors awarded contracts to as many  
36 qualified vendors as is necessary to include a qualified vendor who offers



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1 furniture manufactured or produced in North Carolina or who is incorporated  
2 in the State, but the State Purchasing Officer shall not be required to expand  
3 the number of qualified vendors to more than six qualified vendors. A  
4 vendor is qualified under this ~~section~~ subsection if the vendor's products  
5 conform to the term contract specifications, the vendor is listed on the State's  
6 qualified products list, and the vendor submits a responsive bid.

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

11 (a1) GSA Furniture Schedule. – Vendors meeting the following requirements are treated  
12 as qualified vendors under any State furniture requirements contract:

13 (1) The vendor's products are included on a United States General Services  
14 Administration (GSA) Furniture Schedule.

15 (2) The vendor is a federally qualified vendor within the GSA Furniture  
16 Schedule.

17 (3) The vendor offers products on the same pricing and specifications as the  
18 vendor's products included on the GSA Furniture Schedule.

19 (4) The vendor is a resident bidder as defined in G.S. 143-59(c) or the vendor  
20 offers products manufactured or produced in North Carolina.

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

25 (c) Authority to Purchase. – An agency may purchase from any vendor certified on the  
26 State furniture requirements contract, including vendors meeting the requirements of subsection  
27 (a1) of this section. An agency shall make the most economical purchase that it determines  
28 meets its needs, based upon price, compatibility, service, delivery, freight charges, contract  
29 terms, and other factors that it considers relevant."

30 **SECTION 2.** This act is effective when it becomes law.