



PROCUREMENT POLICY & PROCEDURE

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Procurement Policy and Procedure

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Procurement Policy and Procedure

Introduction to Procurement

North Carolina Statutory Authority, Administrative Code and Policy

Procurement in the State of North Carolina is governed by the North Carolina General Statutes (NCGS), North Carolina Administrative Code (NCAC), and various policies and procedures which govern the State's procurement practices and apply to the acquisition of all equipment, material, supplies, printing, and services, through outright purchase, rental, lease, lease-purchase, or installment purchase. This policy is intended to provide the basic laws, rules, policies, and procedures that must be followed in carrying out procurement responsibilities for the North Carolina Department of Labor (NCDOL).

In accordance with North Carolina General Statutes, North Carolina Administrative Code (also referred to as Rules), and the delegations of the NC Department of Information Technology (DIT), the Division of Purchase and Contract (P&C) under the NC Department of Administration (DOA), the Commissioner of Labor is responsible for administering the NCDOL's procurement program for the acquisition of goods and services. The administration of this procurement program shall be delegated to NCDOL's Chief Financial Officer (CFO) of the Financial Services Division by the Commissioner of Labor.

P&C is the central procurement authority for non-IT goods and services associated with the State's operations, but there are two (2) other procurement entities for the State. DIT serves as the authority over the procurement of all IT goods and services. Similarly, the DOA, State Construction Office (SCO) serves as the authority for procurement of all State-owned construction projects.

All non-IT requirements must be purchased in accordance with Chapter 143, Article 3 and 3C of the North Carolina General Statutes and Title 1 of the North Carolina Administrative Code (Chapter 5) rules adopted by P&C. All IT requirements must be purchased in accordance with Chapter 143B, Article 15 of the North Carolina General Statutes and Title 9 of the North Carolina Administrative Code (Chapter 6) rules adopted by DIT. This policy may not cite all the laws, rules, and policies on procurement, but both DIT and P&C provide additional resources on their respective websites to ensure compliance with all purchasing requirements.

Pursuant to NCGS §143-58, if NCDOL contracts for the purchase or lease of any commodities or services contrary to NCGS or NCAC, such contract shall be void and of no effect. It is the responsibility of all NCDOL personnel involved in the procurement process to ensure that contracts are established in accordance with all applicable laws, rules, policies, and procedures. NCDOL personnel involved in the procurement process will be held accountable for unauthorized purchases and improper purchasing practices.

Competition

NCDOL's procurement program is built on the principle of fair and open competition. The NCDOL Purchasing Office within the Financial Services Division is responsible for all aspects of purchasing commodities (goods) and services for NCDOL, whether purchased directly or indirectly. Competition is the cornerstone around which public contracting is built. In its best form, it represents a free and open economy. All procurement users must maintain an awareness of the need for and value of competition. Where it is required, but not sought or obtained, the reason must be valid and must be documented.

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The ability to foster competition is a skill required of all purchasing personnel. Fostering competition is an attitude more than a procedure or mechanism. It is reflected in the way specifications are written, in searching for new sources of supply, in efforts to make procurement documents user-friendly, and in everyday courtesy shown to prospective suppliers and contractors. Seeking fair and open competition is critical to conserve NCDOL's monetary resources.

As an employee of NCDOL, you are entrusted by the taxpayers of the State of North Carolina to contract for goods and services in an efficient and effective manner. To accomplish fair and open competition, all must work jointly to promote and protect the basic fundamentals upon which our procurement program is built.

Integrity and Ethics

Integrity and ethics are central to public procurement. While laws and rules work together to provide a mechanism for public procurement, only people can ensure that integrity and ethics are the standard. In procurement, as in all fields, professionals must exhibit the values of pride and worth in their conduct and performance. Impediments to these values must be detected early, and safeguards provided at all levels. This applies to both NCDOL personnel and the vendor community. Ethics are the moral principles that govern behavior and conduct. Strong ethical principles are required for public procurement because this will prevent breaches of public trust by any attempt to realize personal gain through conduct inconsistent with discharge of duties.

Therefore, it is imperative that all NCDOL personnel be entirely cognizant of the necessity for ethical behavior. It takes only the slightest hint of impropriety to cast doubt on the procurement process. To that end, NCGS §14-234 (a)(3) states, "*No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.*"

NCGS §133-32 and §138A-32 further prohibit the offer to, or acceptance by, any State employee (or public servant) of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. The efforts on integrity and ethics for procurement are based on common ethical principles derived from professional codes of conduct provided by organizations such as the National Institute of Governmental Purchasing (NIGP), the Universal Public Procurement Certification Council (UPPCC), and the American Bar Association (ABA). Common ethical principles include the following:

- Impartiality - Equal treatment of all suppliers/customers and objective evaluation of each transaction and contract based on value and merit.
- Honesty - Truth in all dealings with everyone, including contractors and the public.
- Loyalty - Faithfulness to the entity, free of conflicts of interest.

Objectives

This policy is intended to provide guidance and uniform procedures for the efficient and cost-effective purchase of goods and services for the NCDOL, and is not limited to the following:

- Support the use of the [E-Procurement](#) web-based purchasing system for all appropriate purchases of goods and services.

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- Promote fair and open competition.
- Ensure reliable accounting and protection of funds and ensure an adequate audit trail of all transactions is maintained.
- Promote the use of North Carolina companies and [Historically Underutilized Businesses \(HUB\)](#) when making procurements for NCDOL and promote opportunities for all citizens.
- Promote the purchase and use of products with recycled materials, especially those that are reusable, refillable, repairable, more durable, and less toxic, to the extent that the procurement or use is practical and cost-effective.

Procurement Process Overview

The procurement process is much more than simply buying something. It includes all activities from planning, preparation and processing of a requisition, solicitation, evaluation, award, and contract, to receipt and acceptance of delivery, payment, and inventory tracking of the disposition of goods and services. Regardless of whether the product or service required is processed by NCDOL under delegated authority or sent to either P&C or DIT, the workflow is essentially the same.

- Identifying the need and product or service that will best fulfill that need.
- Developing specifications that describe the characteristics of a good or service being sought.
- Bidding or seeking price quotations from a number of possible suppliers.
- Reviewing the bids or offers to determine overall economy for the intended use of the product or scope of the services.
- Purchasing or contracting for goods or services in accordance with P&C and DIT policies.
- Receiving a good or service and verifying that it meets the requirements of the purchase order or contract.
- Processing the invoice through appropriate channels in a timely manner.
- Keeping good procurement records that detail all of the above considerations.

Special Note: NCDOL must take advantage of every opportunity to competitively bid out the purchase of goods and services whenever practical. This will ensure NCDOL receives the best price for the goods and services being purchased.

Employee Responsibilities

All needs shall be submitted via the E-Procurement system! NCDOL personnel involved in the procurement process shall be responsible for handling each and every requirement in accordance with all laws and rules continued within this policy and procedure manual. If there is ever a question as to the appropriate procedure to follow, you should contact the NCDOL Purchasing Office prior to proceeding with any action. **In accordance with NCGS §143-58.1, all NCDOL personnel involved in the procurement process will be held accountable for unauthorized purchases and improper purchasing practices.** All NCDOL personnel involved in the procurement process shall adhere to the following guidance:

- Safeguard against conflicts of interest, or the appearances of conflicts of interest.
- Monitor purchases to guard against splitting orders in an attempt to avoid competition requirements. This includes monthly and quarterly (scheduled buying) purchases.



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- Monitor procurement activity to determine if an agency specific term contract is more appropriate. If so determined, the NCDOL Purchasing Office will aid in the development of specifications for the term contract and forward onto P&C.
- Immediately report to the NCDOL Purchasing Office if it is determined that vendors are inflating prices of commodities or services as a result of a non-competitive process, or where collusion might be suspected.
- Ensure requisitions are submitted in a timely manner. Requisitions being submitted for after-the-fact purchases for any goods or services that have already been provided that were not approved through the appropriate procurement processes contained within this policy and procedure manual will not be accepted.
- Conduct themselves in a professional manner at all times and maintain a professional relationship with all procurement users, coworkers, vendors, and others that NCDOL staff may have contact within the course of carrying out assigned duties.

Use of Purchasing Power for Private Purposes

In accordance with NCGS §143-58.1, the purchasing power of the State shall not be used for private advantage or gain. Purchases under contracts made by the State or NCDOL shall not be allowed for personal use or ownership by an employee or other individuals. **Pursuant to NCGS §143-58.1, violation of this provision is a Class 1 misdemeanor and any NCDOL staff, to include but not limited to purchasing staff, requisitioners, management approvers, etc. will be held accountable for unauthorized purchases and improper purchasing practices.**

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Delegations and Exemptions

Delegation Overview

There are normally two (2) types of delegations: general and special. The differences between these and the conditions under which these are delegated and further explained within this Policy. Delegations provide dollar thresholds that govern NCDOL's authority to procure goods and services. The NCDOL Purchasing Office has the authority to purchase goods and services valued less than NCDOL's general delegation without involvement from P&C or DIT. Any transaction that exceeds NCDOL's general delegation or benchmark must be reviewed and approved by P&C or DIT unless it is otherwise exempted.

Pursuant to 01 NCAC 05B.0301 and 09 NCAC 06B.1304, any procurement valued less than NCDOL's general delegation shall be the NCDOL Purchasing Office's responsibility. NCDOL shall develop internal policies for purchases that are valued less than the general delegation, which shall comply with North Carolina General Statutes and administrative rules.

NCDOL's Purchasing Office shall be responsible for the procurement functions of NCDOL to ensure consistency and accountability for the purchase of all goods and services. The NCDOL Purchasing Office must monitor purchases valued under NCDOL's general delegation to guard against abuse of the system and to ensure that the dollar value received corresponds with the dollar amount expended.

Pursuant to 01 NCAC 05B.0315 and 09 NCAC 06B.0313, any personnel involved in the procurement process shall not circumvent the NCDOL's general delegation by dividing requirements into more than one procurement in order to keep the individual purchases under the NCDOL's general delegation amount, and thereby avoid certain rules and processes, including P&C and DIT oversight.

The NCDOL Purchasing Office must ensure that NCDOL's general delegation is not exceeded in handling of any type of purchase. This includes monthly and quarterly (scheduled buying) purchases and agency specific term contracts, which may be established for items acquired by NCDOL on a repetitive basis. The cumulative contract value, including the original contract period and any renewals and extensions, must be used to determine whether a procurement is within NCDOL's general delegation.

General Delegations

In accordance with NCGS §143-53 and 01 NCAC 05B.0301, NCDOL's general delegation from P&C for non-IT purchases of commodities and services not covered by State Term Contracts or agency specific contracts is \$50,000. P&C policy requires formal competition (bid solicitation) for purchases of \$29,000 or more. The NCDOL Purchasing Office shall not independently award purchases that exceed NCDOL's general delegation, whether based on the original contract amount or the contract amount as amended, without P&C approval.

Special Note: NCDOL shall use solicitation templates provided by P&C for purchases that exceed the general delegation. Solicitation documents shall include the State's standard terms and conditions and other consistent contract language issued by P&C. Invitation for Bid (IFB), Request for Quote (RFQ), and Request for Proposals (RFP) templates provided by P&C shall be used unless granted permission by P&C to modify the solicitation document language.



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In accordance with NCGS §143B-1350 and 09 NCAC 06B.1304, NCDOL's general delegation from DIT for IT purchases of commodities and services not covered by State Term Contracts or agency specific contracts is \$25,000. DIT policy requires formal competition (bid solicitation) for purchases of \$25,000 or more. The NCDOL Purchasing Office shall not independently award purchases that exceed NCDOL general delegation, whether based on the original contract amount or the contract amount as amended, without DIT approval.

Special Note: NCDOL shall use solicitation templates provided by DIT for purchases that exceed the general delegation. Solicitation documents shall include the State's standard terms and conditions and other consistent contract language issued by DIT. Invitation for Bid (IFB), Request for Quote (RFQ), and Request for Proposals (RFP) templates provided by DIT shall be used unless granted permission by DIT to modify the solicitation document language.

Increasing or Reducing the General Delegation

Pursuant to NCGS §143-53(a)(2) and §143B-1350, both P&C and DIT are authorized to raise or lower NCDOL's general delegation after consideration of its overall capabilities, including staff resources, purchasing compliance reviews and risk assessment, established procurement plan and policies, [Historically Underutilized Businesses \(HUB\)](#) utilization, bid protest history, and staff training and certifications of the NCDOL Purchasing Office.

Special Note: In accordance with 01 NCAC 05B.0301, P&C adjusted the small purchase benchmark for non-IT related items due to inflation. All State agencies small purchase delegation was increased to \$29,000 on September 25, 2023.

In accordance with 01 NCAC 05B.1605 and 09 NCAC 06B.1305, both P&C and DIT are authorized to conduct compliance reviews of NCDOL's procurement practices. Compliance reviews shall determine whether the NCDOL Purchasing Office is complying with North Carolina procurement laws and regulations and whether the NCDOL's delegations should be adjusted. Both P&C and DIT shall also conduct a compliance review whenever NCDOL requests a delegation increase to evaluate whether the increase is appropriate.

Special Delegations

Pursuant to NCGS §143-53, P&C may authorize special delegations to procure certain categories of goods and services that are specifically exempted from P&C oversight. By granting special delegation, P&C may authorize NCDOL to independently purchase specific commodities, printing, or contractual services without limitation as to the expenditure. By contrast, general delegations, discussed previously, are dollar thresholds under which goods and services may be procured by NCDOL without P&C review.

In accordance with 01 NCAC 05B.1603, special delegations shall be made in writing and retained as a matter of record. Unless otherwise specified by P&C, special delegations are subject to the following conditions and limitations:

- All goods and services covered by State Term Contracts must be purchased in accordance with the instructions of each contract.
- Competition must be solicited, where available. If competition is not available, the reason(s) must be documented in the procurement file.

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- The NCDOL Purchasing Office is required to issue its own solicitation documents. The solicitation document shall include one of the solicitation templates provided by P&C, including the State's standard terms and conditions and any other consistent contract language issued by P&C, unless prior approval is granted to substitute modified language.
- All transactions shall be documented.
- Awarding of procurement solicitations pursuant to a special delegation shall be the responsibility of the NCDOL Purchasing Office.
- Any controversial matter arising from a special delegation must be brought to the attention of P&C.
- All bid protests on awards that exceed the NCDOL's general delegation must be handled by either P&C.
- Specific delegations may be subject to additional conditions as determined by either P&C or DIT. These conditions shall be submitted to NCDOL in writing.
- Any procurement expected to exceed \$1 million shall comply with the requirements set forth in NCGS §143-50.1.
- P&C shall periodically review all approved special delegations to ascertain the continued suitability for delegation.

Special Note: NCDOL does not currently have any goods and services governed by a special delegation.

Exemptions

In addition to special delegations, certain classes of goods and services may be exempted from P&C or DIT involvement. A few notable categories of exemptions are discussed below.

Statutory Exemptions

Various agencies and governmental entities may have specific statutory authority that exempts themselves from P&C procurement statutes and rules. These statutory exemptions may encompass all of an entity's procurement activities or only specific types of purchases. In accordance with 01 NCAC 05B.1601(a) provides a list of goods and services that are not required to be purchased through P&C:

- Published books, manuscripts, subscriptions to printed material, packaged copyrighted software products, and like materials.
- Services provided by individuals by direct employment contracts with NCDOL.
- Public utility services (gas, water, and electricity).
- Services which are merely incidental to the purchase of supplies, materials, or equipment such as installation services.
- Telephone and cable services furnished by those companies.
- Services provided which are subject to published tariff rates as established by the NC Utilities Commission.
- Contracts for construction of and structural changes to public buildings.
- Services provided directly by an agency of the State, federal or local government, or its employees, when performing the service as a part of its normal governmental function.

Special Note: NCDOL is still required to process this request through E-Procurement, along with completing a Request for Quote (RFQ) and a Waiver of Competition citing this exemption for the purchase of any goods or services listed within 01 NCAC 05B.1601.

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Other Exemptions

In accordance with 01 NCAC 05B.1601(b), P&C may exempt other products and services from purchase provided that both conditions are met below:

- Competition will not enhance the price that NCDOL would receive for the product or service.
- Competition will not enhance the quality of the product or service that NCDOL would receive.

Pursuant to 01 NCAC 05B.1601(b), P&C has exempted the following items:

- Non-Construction Repairs: agencies are authorized to purchase minor repairs from the private sector, regardless of cost.
- Animals, Poultry, and Fish: agencies are authorized to purchase animals, poultry, and fish.
- Feed: agencies are authorized to purchase feed, including special ingredients for animals, poultry, and fish.
- Athletic Apparel: agencies are authorized to purchase athletic apparel. Safety concerns for the athletes should remain within the using agency and its subject matter experts.
- Aircraft Maintenance: agencies are authorized to purchase aircraft maintenance and repair whether unexpected or scheduled. This does not include the purchase of equipment, materials, or supplies for the aircraft that are separate and apart from the maintenance or repair being performed.
- Playground Equipment (Structures): agencies are authorized to purchase and install playground equipment when handled as a goods purchase versus a construction project.
- Ready-Mix Concrete: agencies are authorized to purchase ready-mix concrete for a good, not a construction project.

Agency Specific Exemptions

It is highly recommended to keep the direct payment of invoices to a minimum, but it is not mandatory for the goods and services listed below to be purchased through E-Procurement.

- Postage and shipping/freight charges not billed on a purchase order
- Utility services (electricity, gas, water, and sewer)
- Telephone, cellular and cable services
- Insurance (i.e., fire, general liability, unemployment, etc.)
- Employee benefits (i.e., Employee Assistance Program)
- Workers' compensation medical or disability payments
- Registration, memberships, and dues
- Lodging and travel per diem
- Rental vehicles currently listed on State Term Contract
- State authorized travel agencies
- Temporary staffing agencies (i.e., Temp Solutions)
- Non-routine classified advertising
- Procurement credit card payments (i.e., Bank of America and WEX Fleet)
- Non-routine legal transcription/court reporter services
- Subpoenas, court filing fees, certified mail, etc.
- Legal subscriptions (i.e., LexisNexis)
- Payments to Federal and State government agencies (outside of a contract/MOA/MOU)



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Across the Counter Resale

In accordance with 01 NCAC 05B.1508, items being purchased for resale, regardless of volume, do not have to go to P&C. However, in an effort to promote open and fair competition, NCDOL will use competitive purchasing procedures in handling these types of purchases in the following manner:

- Utilizing State Term Contracts (STC).
- If not on a STC, seeking competition when the solicitation is expected to exceed \$29,000, that includes using the P&C solicitation documents with the State's standard terms and conditions.
- Advertising the solicitation on the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#) when the solicitation exceeds the general delegation or bid value benchmark.
- Waiver of competition documentation if competition is not sought.

Procurement Policy and Procedure

Procurement Priorities

Procurement Preferences

There are a number of procurement preferences that take priority and should be considered before issuing a solicitation. All NCDOL personnel involved in the procurement process shall adhere to the following guidance:

First Priority – Purchase from Correction Enterprises.

Second Priority – Purchase from Non-Profit Work Center for the Blind or Severely Disabled.

Third Priority – Purchase from an existing State Term Contract (STC).

Fourth Priority – Open market, solicit competitive offers.

Correction Enterprises

In accordance with NCGS §148-134 all departments, institutions and agencies of the State shall give preference to Department of Adult Corrections, Correction Enterprises products (State Term Contract 001A). Competitive bidding shall not apply to goods available from Correction Enterprises. Goods or services available from the private sector, that are also offered by Correction Enterprises, shall not be purchased from the private sector unless it is determined one of the following conditions with Correction Enterprises is met:

- Will not satisfy the standard specifications or the reasonable requirements of NCDOL's request.
- Will not be available when needed.

Correction Enterprises will issue a waiver for any products or services that cannot be provided and the NCDOL Purchasing Office must have this document contained in the procurement file stating that Correction Enterprises could not supply the requested product or service.

Special Note: The purchase of goods or services from Correction Enterprises is covered under State Term Contract 001A and must have a purchase order issued through E-Procurement – no exceptions!

Non-Profit Work Centers for the Blind and the Severely Disabled

In accordance with NCGS §143-48.2 and §143-129.5, the NCDOL Purchasing Office may purchase goods and services that are not IT related, directly from Non-Profit Work Centers for the Blind and the Severely Disabled. NCGS §143-48.2 was recently amended to require the State purchasing from Non-Profit Work Centers for the Blind and the Severely Disabled if the following criteria are met:

- The purchase of goods does not exceed NCDOL's general delegation of \$50,000.
- The goods or services are not available from Correction Enterprises.
- The goods or services are not available under a State Term Contract (STC).
- The procurement of goods and services are of suitable price and quality, as determined by the NCDOL Purchasing Office.

Special Note: Competition is not required when making a purchase from Non-Profit Work Centers for the Blind and the Severely Disabled. Non-Profit Work Centers for the Blind and the Severely Disabled may still submit offers for competitively handled solicitations.

Procurement Policy and Procedure

State Term Contracts (STC)

In accordance with 01 NCAC 05B.1101 and 09 NCAC 06B.0701, a State Term Contract is defined as a competitively bid contract where the seller (vendor) agrees to provide goods and services at set prices, for an agreed contract term, and pursuant to specific terms and conditions. No set quantity is provided, but estimates are often given based on forecasted usage. State Term Contracts are established by both P&C and DIT for NCDOL to utilize and in certain situations for use by other entities, such as municipalities. During the process of establishing STCs, several factors are considered pursuant to 01 NCAC 05B.1102, which includes the following:

- Which items are most used or purchased by the State.
- Whether lower prices can be obtained through volume discounts.
- Whether transportation costs are included in the pricing.
- Whether warranties may be included in the contract.
- The availability of online catalogs within E-Procurement for order processing efficiency.

The pricing and terms for each STC are available on either the P&C or DIT websites. All goods and services covered by a STC must be purchased in accordance with the established priority from above and with instructions for that specific contract. For example, some STCs may specify a minimum or maximum quantity or dollar value for each order. Read each contract carefully prior to ordering. Orders valued less than any minimum quantity indicated on the contract synopsis shall be obtained in accordance with normal agency procurement procedures.

Orders that exceed any maximum quantity shall be forwarded to either P&C or DIT for processing. In situations where a special item or service is needed for a particular good or service, the P&C or DIT contract administrator who is assigned to that STC should be consulted for the appropriate action. If a waiver, emergency purchase, or pressing need arises, STC suppliers should be given the opportunity to satisfy the requirement, if the needed goods or services are covered by an STC and if time permits such action.

All items or services covered by a State Term Contract, both mandatory and convenience, must be ordered from the contracts listed for the specific term contract. Exceptions to this requirement include convenience type contracts and items or services available from Correction Enterprises. State term contracts are handled by P&C or DIT, whichever is applicable. P&C and the NCDOL Purchasing Office also handle the agency specific term contracts that exceed NCDOL's general delegation. The NCDOL Purchasing Office handles agency specific term contracts for NCDOL that are under its general delegation.

State Term Contract - Mandatory Versus Convenience

In accordance with NCGS §143-49, 01 NCAC 05B.1101 and 09 NCAC 06B.0701, both P&C and DIT mandatory STCs shall be used by all State agencies, departments, institutions, universities, and community colleges, unless exempted by North Carolina General Statute or North Carolina Administrative Code.

Convenience STCs are not mandatory and may be used by State agencies, departments, institutions, universities, community colleges, and other entities, including schools and local governments, as provided in the contract. Mandatory or Convenience STCs are subject to the following guidance:

Procurement Policy and Procedure

- All State Term Contracts, mandatory or convenience, are handled by P&C or DIT - refer to glossary.
- E-Procurement purchase orders that will be placed against a STC that exceed the abnormal quantity amount identified for that STC shall have prior approval from P&C or DIT.
- If it is a convenience type contract (not mandatory), the NCDOL Purchasing Office is responsible for determining if it is more advantageous to buy from the convenience contract or seek additional sources and/or competition.
- E-Procurement purchase orders that will be placed against a STC that do not have an abnormal quantity amount and where contract participation is mandatory, the purchase order must be issued to the contractor that is listed.

State Term Contract - Abnormal Quantity

When NCDOL's STC requirements exceed the dollar amount maximum set forth in a State Term Contract, that order shall be forwarded to either P&C or DIT for processing. It is in the sole discretion of P&C or DIT, to handle the request in one of the following ways:

- The purchase may be authorized at the current level of pricing with the current STC vendor(s).
- Additional discounts from the current level of pricing may be negotiated with the current vendor.
- A separate solicitation may be issued for the good or service.

Agency Specific Term Contract

In accordance with 01 NCAC 05B.1101 and 09 NCAC 06B.0701, an Agency Specific Term Contract is referred to as either a "requirement contract" or an "indefinite quantity contract" that is established for use by NCDOL when the needed goods or services are not otherwise covered by an STC. Agency Specific Term Contracts are established by the NCDOL Purchasing Office. These types of contracts shall be reviewed and approved by P&C or DIT when the expected expenditures exceed NCDOL's general delegation. Agency Specific Term Contracts are subject to the following guidance:

- Agency Specific Term Contracts for NCDOL shall be handled in accordance with 01 NCAC 05B.1101 and within P&C and DIT thresholds.
- When exercising an extension or renewal option, the total contract length shall not be for more than three (3) years including all extensions and renewals, the value of the original contract period, along with any renewal options, extensions, and amendments shall be included in determining the contract's value, and thereby the threshold/approval level needed. However, regardless of value, if it was awarded (by approval) by either P&C or DIT, any extension or renewal must be approved by either P&C or DIT before obtaining vendor signature.
- Once a contract award is made, a purchase order will be issued via E-Procurement, as a blanket order or for specific quantities over a period of time.

Open Market - Soliciting Competitive Offers

An open market solicitation is the fair and open solicitation of offers for the purchase of a good or service, not otherwise covered by a State Term Contract. Competition shall be reasonable and adequate for the amount of expenditure and the specific requirement. In accordance with 01 NCAC 05B.0301, this rule sets out the requirements for formal and informal solicitations.



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Small Purchases for Non-IT and IT

In accordance with 01 NCAC 05B.0301, 01 NCAC 05A.0112, and 09 NCAC 6B.0301, a small purchase is defined as the purchase of commodities (goods) or services not covered by a mandatory State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled involving an expenditure of twenty-nine thousand dollars (\$29,000) or less. The awarding of contracts for small purchases shall be the responsibility of the NCDOL Purchasing Office without involvement from P&C or DIT.

All NCDOL personnel involved in the procurement process must adhere to internal policy and procedure set forth herein for small purchases. Requisitioners shall attempt to obtain at least three (3) quotes on vendor letterhead for the goods or services being requested, which are not covered by a mandatory State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled that involves an expenditure of twenty-nine thousand dollars (\$29,000) or less. If available, at least one (1) quote should be from a [Historically Underutilized Business \(HUB\)](#) vendor. These quotes or bid offers are to be received in writing and must be scanned and attached to the requisition. Procurement requests shall not be split in order to circumvent competition requirements. The NCDOL Purchasing Office will also monitor the frequency of orders for the same commodities or services to determine if an agency-specific term contract would be more beneficial to NCDOL.

Procurement Policy and Procedure

Other Procurement Solicitation Considerations

Historically Underutilized Businesses (HUB)

In accordance with NCGS §143-48.4 and §143-128.4, the [Office of Historically Underutilized Businesses](#) (located within the Department of Administration), generally known as the HUB Office, is committed to advocating for minority, women and disabled-owned businesses in efforts to conduct business with the State of North Carolina.

To qualify as a HUB, a business must be owned and controlled (at least 51%) by one or more citizens or lawful permanent residents of the United States who are members of one or more of the following groups: (1) Black, (2) Hispanic, (3) Asian American, (4) American Indian, (5) Women, (6) Disabled, and/or (7) Disadvantaged. HUB Office staff are available to assist firms with becoming certified as historically underutilized businesses. The HUB designated companies can be searched for at the [NC Statewide Uniform Certification](#) portal.

In addition, the HUB Office provides outreach, training, and networking opportunities for new and established HUB firms. The [HUB Office website](#) provides access to these programs and core services, the HUB vendor/firm database, the upcoming bids with various State and public entities, the HUB Annual Reports, the HUBSCO Construction Reporting System, and the latest news and calendar information for training and conference sessions.

As indicated in [Executive Order No. 25](#), it is highly recommended to promote the use of HUB designated companies, and a great opportunity to promote NC based companies with HUB designations when procuring goods and services. The NCDOL bureaus and offices should use a reasonable number of locally known HUB designated companies, where available, when making purchases under the advertising requirement. All State cabinet agencies must comply with the standard requirement of ten (10) percent for all goods and services being purchased on a quarterly basis from HUB designated companies.

Special Note: NCDOL will make every effort to comply and take advantage of the opportunities to purchase goods or services from HUB designated companies as indicated in [Executive Order No. 143](#).

Executive Order No. 50

In an effort to utilize the buying power of the State to encourage North Carolina companies to do business with the State, stimulate economic development, and create jobs in North Carolina, [Executive Order No. 50](#). Enhanced Purchasing Opportunities for North Carolina Businesses was issued by the Governor with an effective date of March 1, 2010. It applies to the purchase of Non-IT goods only. The provisions and policies to implement this order were issued by P&C and are found in the standard solicitation templates that are to be used by the NCDOL Purchasing Office. The reporting requirements are given on [P&C's web page](#).

North Carolina Products

In accordance with NCGS §143-49(2), §143-53 and 01 NCAC 05B.0205, where quality and availability allow, specifications are to be based on products grown or manufactured in North Carolina. This special interest in North Carolina products is intended to encourage and promote their use but is not exercised to such an extent leading to the total exclusion of other products or preventing fair and open competition.

Procurement Policy and Procedure

Collaborative Requisitions

Collaborative Requisitioning is a new functionality within E-Procurement that can be utilized for the informal quoting and pricing requests when purchasing goods and services that are not covered by a State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled. When purchasing quantities of items over the typical purchasing threshold for routine buying policies, but under the \$29,000 threshold for a formal bidding process, the requisitioner can utilize the Collaborative Requisitioning process to obtain quotes for goods and services from multiple vendors at the same time.

Special Note: NCDOL requisitioners should take advantage of this new E-Procurement functionality to purchase goods or services from a variety of businesses in order to obtain the best value for purchasing goods and services not covered on a STC. The [Collaborative Requisitioning training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

Procurement Card (P-Card)

In accordance with NCGS §143-49(8) and 01 NCAC 05B.1523, the State of North Carolina has contracted with a credit card company to provide State entities with a p-card program. A small purchase for the p-card is defined by NCDOL as being \$2,500 or less. The p-card was established within NCDOL to simplify the procurement of small purchase items required for emergencies and essential needs. The p-card is not intended to bypass or circumvent existing procurement or payment regulations or procedures but rather to complement the purchasing process. For additional p-card information, the [NCDOL Procurement Card Policy & Procedures Manual](#) is available on the NCDOL Intranet page.

Auctions

Auctions are a means by which an entity can purchase items offered for sale to the highest bidder. If buying an item that is not covered by an STC and the dollar amount is under NCDOL's general delegation, the Commissioner or their designee may authorize purchase through auction. Auction purchases must otherwise follow procurement rules and processes. If the dollar expenditure is over NCDOL's general delegation, then prior approval to participate in the auction must be obtained from P&C or DIT, unless it is for an emergency or a pressing need purchase. Those purchases would then be governed by the rules applying to Emergencies and Pressing Needs, as outlined within this policy.

Reverse Auctions

In accordance with NCGS §143-129.9, reverse auctions are authorized by P&C allowing pre-qualified vendors to submit consecutive bids that lower the purchase price and costs of a given procurement until no further such reduction occurs. It is a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment. Any State agency using this approach should refer to the established STC for appropriate procedures in the solicitation document to help clarify how the procurement will be conducted.

Procurement Policy and Procedure

Cooperative Purchasing

In accordance with NCGS §143-49, §143B-1320, §143B-1350 and 01 NCAC 05B.1513 and 09 NCAC 06B.1006, allow a cooperative agreement between a vendor and one or more States or governmental entities by allowing the parties to purchase goods and services collaboratively or collectively in order to increase economics of scale and reduce costs. NCDOL can be a participant in an approved P&C or DIT cooperative project with another governmental entity or with a non-profit organization, and that contract may be established pursuant to a waiver of competition. Pursuant to 01 NCAC 05B.1513 and 09 NCAC 06B.1006, the goods and services necessary for the cooperative project should be procured through normal processes unless P&C or DIT permits one of the following alternative acquisition methods:

- Making the acquisition on behalf of such governmental activity or charitable non-profit organization.
- Authorizing acquisition on the State's behalf under the provisions of NCGS §143, Article 8 for non-IT purchases.
- Authorizing acquisition on the State's behalf under the provisions of another State or another governmental entity, provided due consideration is given by P&C or DIT to the differences in purchasing rules, regulations, and procedures of the contracting entity.
- Authorizing acquisition on the State's behalf under provisions of the U.S. General Services Administration Supply Schedule 70 and Consolidated Schedule for Information Technology purchases.

Cooperative purchases with a governmental entity or a non-profit organization should still follow procurement rules, including use of solicitation documents, inclusion of standard terms and conditions, and any additional processes dictated by the amount of a procurement expenditure.

Procurement Policy and Procedure

Soliciting Competitive Offer Guidelines

In accordance with NCGS Article 3 of Chapter 143, 01 NCAC 05B.0301 and 09 NCAC 6B.0301, all NCDOL procurement transactions will continue to be made in strict compliance with the provisions of the State of North Carolina as listed within this General Statute and Administrative Code. The internal benchmarks established by P&C and DIT for NCDOL are the following:

\$1 - \$200 – Small purchases of goods or services that are not covered under a mandatory State Term Contract are permitted to be paid as a direct invoice or purchased on an authorized p-card. Small purchases of goods or services that are covered under a mandatory State Term Contract, Correction Enterprises, or a Non-Profit Work Center for the Blind or Severely Disabled shall have a purchase order issued through E-Procurement.

\$201 - \$29,000 – For P&C, no formal bidding out for competition is required, but requisitioners must attempt to obtain at least three (3) quotes on vendor letterhead for the requested goods or services and if available, at least one (1) quote should be from a Historically Underutilized Business (HUB) vendor. HUB designated companies can be searched for at the [NC Statewide Uniform Certification](#) portal. Attach all quotes to the requisition prior to submitting for approval in E-Procurement. The NCDOL Purchasing Office may execute purchase orders issued through E-Procurement that do not exceed \$29,000.

\$29,001 - \$50,000 – For P&C, informal competition must be sought by completing the appropriate solicitation documents (RFQ, RFI, RFP, IFB) are prepared and posted to the [NC electronic Vendor Portal \(eVP\)](#) and the [E-Procurement Sourcing Tool](#) module by the NCDOL Purchasing Office. If a waiver of competition is warranted, the procurement file must contain adequate documentation justifying the reason(s) for deviating from the competition requirement. The NCDOL Purchasing Office may execute contract awards issued through E-Procurement that do not exceed \$50,000.

\$50,001 and greater – For P&C, all necessary procurement documents, including a waiver of competition or sole source request, are prepared, and submitted to P&C by the NCDOL Purchasing Office for formal bid solicitation review and approval through the [E-Procurement Sourcing Tool](#). These types of procurement solicitations are more complex and the NCDOL Purchasing Office will need at least sixty (60) business days for requests that exceed the P&C general delegation threshold. All waivers of competition must be in accordance with 01 NCAC 05B.1401 and be accompanied by a written justification.

\$201 - \$25,000 – For DIT, no formal bidding out for competition is required, but requisitioners must attempt to obtain at least three (3) quotes on vendor letterhead for the requested goods or services and if available, at least one (1) quote should be from a Historically Underutilized Business (HUB) vendor. HUB designated companies can be searched for at the [NC Statewide Uniform Certification](#) portal. Attach all quotes to the requisition prior to submitting for approval in E-Procurement. The NCDOL Purchasing Office may execute purchase orders issued through E-Procurement that do not exceed \$25,000.

\$25,001 and greater – For DIT, all necessary procurement documents, including a waiver of competition or sole source request, are prepared, and submitted to DIT by the NCDOL Purchasing Office for formal bid solicitation processing and approval. These types of procurement solicitations are more complex and the NCDOL Purchasing Office will need at least sixty (60) business days for requests that exceed the DIT general delegation threshold. All waivers of competition must be in accordance with 09 NCAC 06B.0901 and be accompanied by a written justification.



Procurement Policy and Procedure

Circumventing Procurement Policy

In accordance with NCGS §143-58.1, the purchasing power of NCDOL shall not be used for private advantage or gain. Violation of this provision is a Class 1 misdemeanor. Unless otherwise specified within this procurement policy, any purchases above the \$200 purchase threshold that are listed on mandatory State Term Contract, or purchases that did not utilize the E-Procurement system shall require a brief justification memo that fully explains what occurred for audit purposes. This shall also include after-the-fact purchases for goods or services that have already been provided that were not approved through the appropriate procurement processes. This justification memo shall explain why the procurement rules were not adhered to, why procurement policy was circumvented, and the corrective action that has been taken to mitigate against potential future violations. The justification memo shall require NCDOL's bureau or office manager's signature prior to the invoice being approved by NCDOL's CFO or Deputy CFO for payment. A template of this [direct pay justification](#) memo can be located on the NCDOL intranet page.

The NCDOL personnel involved in the procurement process are expected to make purchases using good judgment. All NCDOL purchasing staff, requisitioners, approvers and all other staff members are to act in accordance with all laws, rules, policies, and procedures that govern public procurement practices. **In accordance with NCGS §143-58.1, NCDOL personnel involved in the procurement process will be held accountable for unauthorized purchases and improper purchasing practices.**

Procurement Policy and Procedure

Procurement Solicitation Methods and Types

Procurement Solicitation Methods

The appropriate procurement method is determined by the dollar value of the request. When the dollar amount of an expenditure is less than NCDOL's general delegation of \$50,000 with P&C and \$25,000 with DIT, then the procurement request is handled by the NCDOL Purchasing Office in accordance with all statutes, rules, policies, and procedures that govern public procurement practices. When the dollar amount of an expenditure exceeds NCDOL's general delegation of \$50,000 with P&C and \$25,000 with DIT, then either P&C or DIT must review and approve the solicitation prior to posting and again prior to award. This is true for all goods and services being procured, unless the purchase is covered by an existing STC, purchasing preference, statutory exemption, special delegation, or other exemption.

Determining the Appropriate Solicitation Method

In addition to determining the correct solicitation document for a specific procurement, it is essential to identify the process by which a procurement must be managed. This is based on the procurement's estimated cumulative contract value. There are three (3) thresholds for determining the solicitation method:

- Small Purchases
- Informal Purchases
- Formal Purchases

The characteristics of each are further discussed below. These processes may vary where the procurement is the subject of a waiver of competition or falls under a special delegation, exemption, emergency, or pressing need. The NCDOL Purchasing Office must also determine whether the goods or services sought are available from the following:

- Correction Enterprises
- Non-Profit Work Center for the Blind or Severely Disabled
- State Term Contract
- Open Market Competitive Offer Solicitations
 - NCDOL must take advantage of every opportunity to purchase goods or services from HUB designated or North Carolina based companies.

Open Market – Competitive Solicitations

An open market solicitation is the fair and open solicitation of offers for the purchase of a good or service, not otherwise covered by a State Term Contract. Competition shall be reasonable and adequate for the amount of the expenditure and the specific requirement. In accordance with 01 NCAC 05B.0301 and 09 NCAC 6B.0301, set out the requirements for small purchases, informal and formal solicitations.

For procurement planning purposes, the NCDOL Purchasing Office should be involved in the procurement discussions within the NCDOL bureaus and offices as soon as possible. This will ensure NCDOL has options in utilizing the most appropriate procurement method available.

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The NCDOL Purchasing Office needs as much notice in advance as possible due to the degree of complexity and completeness, workload, and competitive bid requirements required to process procurement requests on behalf of NCDOL. For all goods and services not on a State Term Contract, NCDOL bureau and office managers must plan at least thirty (30) business days for procurement requests that exceed the small purchase threshold, and at least sixty (60) business days for requests that exceed the P&C and DIT general delegation threshold.

Special Note: The NCDOL Purchasing Office shall engage the NCDOL Legal Affairs Division for assistance or review on any bid solicitation or any other procurement document that requires legal advice or guidance, regardless of the dollar value.

During the procurement planning process, NCDOL's bureau and office managers must also take into consideration the time needed for P&C and DIT to review and process procurement requests. Due to the degree of complexity, completeness, workload, and competitive bid requirements essential to process procurement requests, P&C and DIT also need as much advance notice as possible in finalizing the procurement of goods and services on behalf of NCDOL. NCDOL's bureau and office managers must plan a minimum of thirty (30) business days to complete procurement requests and must plan accordingly by setting and adhering to the deadlines when procuring goods and services. When planning all aspects of a procurement request, NCDOL's bureau and office managers must acknowledge unforeseen events that could adversely affect impending deadlines, such as end of a fiscal year or requests that require legal assistance.

Special Note: P&C and DIT will not allow a waiver of competition or permit deviation from the established procurement procedures due to poor planning from NCDOL.

Small Purchases for IT and Non-IT

In accordance with 01 NCAC 05B.0301 and 09 NCAC 6B.0301, a small purchase is a solicitation for goods or services, not covered by a mandatory State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled, involving an expenditure of twenty-nine \$29,000 or less, including all contract extensions and renewals. Competitive bids are not required for small purchases; however, **NCDOL's requisitioners must attempt to obtain at least three (3) quotes for the goods or services being requested;** and if available, at least one (1) quote should be from a [Historically Underutilized Business \(HUB\)](#) vendor. P&C and DIT review and approval are not needed for purchases less than \$29,000. The examples below are the most common methods used for small purchases:

- Vendor Quotes
 - This should contain vendor logo, contact information, item or service description, quoted prices, delivery terms, freight/shipping costs, and date of quote.
- Written Informal Quotes
- Collaborative Requisitioning within the E-Procurement system
- Request for Quote (RFQ)

The NCDOL Purchasing Office and requisitioners must ensure delivery and freight is included in the total cost. Orders must be placed through the E-Procurement system in order to release a purchase order to the vendor. Purchase order numbers are automatically assigned in the system. Pursuant to NCGS §143-133, requisitions or orders shall not be split in order to circumvent competition requirements.

Procurement Policy and Procedure

The NCDOL Purchasing Office will also monitor the frequency of orders for the same commodities or services to determine if an agency-specific term contract would be more beneficial to NCDOL.

Special Note: The NCDOL Purchasing Office and requisitioners must use prudence when handling this order type and distribute NCDOL's contracts among available vendors that offer quality products and services at fair market value. This is an excellent opportunity to promote the use of local HUB and North Carolina companies. Beware of written offers that contain unacceptable and/or conflicting terms and conditions as well as discussing with the NCDOL Purchasing Office.

Informal Purchases for P&C

In accordance with 01 NCAC 05B.0301, when the cumulative value of a procurement, including all contract extensions and renewals, is valued between the small purchase benchmark of \$29,000 and NCDOL's general delegation of \$50,000, and the good or service is not otherwise covered by a State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled, NCDOL shall comply with the following procedures:

- Solicit competition, but sealed bidding is not required.
- Issue solicitation documents to request or invite offers that include standard language, including P&C's General Terms and Conditions. The NCDOL Purchasing Office must advertise these solicitations in the E-Procurement system. The methods used for informal purchases include the following:
 - Collaborative Requisitioning
 - Informal Quote Request (IQR)
 - Request for Quote (RFQ)
 - Request for Proposal (RFP)
 - Invitation for Bid (IFB)
- Handle all vendor negotiations, including those related to the contract terms and conditions.
 - Any modifications to the terms and conditions should be reviewed by NCDOL Legal Affairs Division and may not conflict with P&C's General Terms and Conditions.
- Review offers received and award contracts without P&C involvement.
- Hear bid protests or other vendor challenges to an award.

Formal Purchases for P&C

In accordance with 01 NCAC 05B.0301, when the cumulative value of a procurement, including all contract extensions and renewals, is valued over NCDOL's P&C general delegation of \$50,000, and the good or service is not otherwise covered by a mandatory State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled. NCDOL shall comply with the following procedures:

- Competition shall be solicited utilizing sealed bidding through the [E-Procurement Sourcing Tool](#).
- Standard solicitation documents that include standard language, including the State's General Terms and Conditions issued by P&C shall be utilized.
 - Prior approval from P&C must be received for proposed changes to standard language. Any modifications shall not conflict with North Carolina General Terms and Conditions and all deviations must receive prior P&C approvals.
- P&C must review and approve all solicitations prior to posting.

Procurement Policy and Procedure

- The NCDOL Purchasing Office shall prepare and advertise the procurement through the [E-Procurement Sourcing Tool](#).
- Solicitations shall be advertised on the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#) for a minimum of ten (10) calendar days.
 - The NCDOL Purchasing Office may also advertise solicitations on NCDOL websites or disseminate solicitations via email or other means, to further encourage competition.
- The NCDOL Purchasing Office will conduct the evaluation and send the award recommendation to P&C for approval.
- P&C must review and approve the award prior to moving forward with the selected vendor.

Solicitations that are expected to exceed NCDOL's general delegation must be reviewed by P&C. There are two (2) required review and approval processes for each solicitation, the first one (1) prior to the posting and the second one (1) prior to the award. Prior to posting, a completed draft solicitation must be provided to P&C for review. The submission of the review must follow the appropriate process based on use of the [E-Procurement Sourcing Tool](#). The Preliminary Review Checklist should accompany the request and can be found in the E-Procurement system or the Procurement Information Portal (PIP).

In accordance with 01 NCAC 05B.0102 and NCAC 05B.1602, verbal requests to P&C for approval to move forward with a solicitation are not acceptable substitutes for written requests, except for emergency or pressing need procurements, which require that written notification from the NCDOL Purchasing Office be sent to P&C following the procurement. P&C will review the solicitation request and determine the appropriate action for a solicitation based on the content of the procurement request. Communication from P&C will be provided with either approval of the request, the need for further feedback or collaboration that is required for approval, or denial of the request with feedback explaining the reasoning and appropriate next steps.

Formal Purchases for DIT

In accordance with NCGS §143-135.9 and 09 NCAC 06A.0101, when buying IT goods and services that exceed \$25,000, a best-value procurement process must be used that has a fundamental objective of reducing the total cost of ownership. These particular procurement methods used are selected that represent the "best-buy" for NCDOL in terms of functionality. Competitive best value procurement method allows for the use of alternate competitive purchasing techniques when selecting supply sources. Best value procurement methods are used in determining the life-cycle cost of ownership. Any IT procurement that exceeds \$100,000 must follow the Project Portfolio Management (PPM) tool review and approval process through contract award in accordance with NCGS Article 15 of Chapter 143B and as outlined in Title 9 of NCAC (Chapter 6). The following steps describe the process for application of the best value procurement methodology:

- The appropriate best value bidding method is determined by the purchasing authority.
- Solicitation document is developed and advertised.
- Offers are received and a public bid opening is conducted. For solicitations that allow for negotiation after receipt of offers, only the names of responding bidders are revealed. Price information shall be made public after evaluation and award.
- Scheduled conferences or site visits are held in accordance with solicitation requirements.
- An evaluation committee evaluates offers in accordance with the stated evaluation factors. For solicitations that include a best value ranking process, scoring, and ranking may be determined by using

Procurement Policy and Procedure

any consistent rating methodology including adjectival, numerical, or ordinal rankings.

Relative strengths, deficiencies, weaknesses, and risks supporting the evaluation shall be documented in the contract file. Evaluation factors may include but are not limited to: quality factors; delivery and implementation schedules, maximum facilitation of data exchange and systems integration, warranties, guarantees, and return policies, vendor financial stability, costs, consistency of the proposed solution with NCDOL's strategic program direction, effectiveness of the business solution and approach, industry and program experience, prior record of vendor performance, vendor expertise with similar projects, proven development methodologies and tools, and innovative use of technologies.

- Clarifications, communications to establish a competitive range, or negotiations may be conducted with bidders after receipt of offers in accordance with instructions and procedures set forth in the solicitation document and as appropriate to the method of source selection chosen. In those cases when negotiation is permitted by procedures set forth in the solicitation document, bidders may be allowed to submit the best and final offers subsequent to negotiated changes in the initial or previous offer.
- The evaluation committee shall determine a final ranking of all offers under consideration using only the criteria set forth in the solicitation document. All bidders shall be ranked in order by the degree of advantage provided to NCDOL.
- The contract award must be made to the responsive and responsible bidder, whose offer is determined in writing to be the most advantageous to NCDOL, using all evaluation factors set forth in the solicitation. If the lowest price technically acceptable method is used, the award must be made to the responding and responsible bidder with the lowest price.
- The following types of solicitations may be used:

One-step – Invitation for Bids (IFB) or Request for Proposals (RFP) and price response are submitted at the same time.

- If the lowest priced technically acceptable method of source selection is used, only clarifications are allowed.
- If the trade-off or ranking method of source selection is used, communications to establish competitive ranges or negotiations may be used.

Two step – Invitation for Bids (IFB) or Request for Proposals (RFP) responses (step one) and price responses (step two) to solicitation are submitted separately.

- If the lowest priced technically acceptable method is used, technical responses (step one) are evaluated for acceptability only. Only clarifications with bidders are allowed. Price offers are opened (step two) for only those bidders who submitted technically acceptable responses. Selection is made by low price analysis.
- If the trade-off or ranking method of source selection is used, technical responses (step one) are submitted, after which clarifications, communications to establish a competitive range, and negotiations with bidders may be allowed as specified in the solicitation document. Price responses (step two) are requested only from bidders placed in the competitive range after the technical evaluation and discussion phase has concluded. Subsequent negotiations may be conducted with bidders after receipt of price responses. Final price adjustments or best and final offers may be allowed.

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A best value trade-off method of source selection may be utilized when it is in the best interest of NCDOL to consider awarding the contract to an entity other than one with the lowest priced offer or other than the entity with the highest technically qualified offer. Per NCGS §143-52 and §143-135.9, best value is determined by evaluating which vendor response provides the best trade-off between price and performance. For a solicitation using a trade-off source selection method, the following shall apply:

- All evaluation factors that will affect the contract award decision and the relative importance shall be clearly stated in the solicitation.
- Price must be considered as an evaluation factor in the selection process. The solicitation shall state the importance of numerical weight of all evaluation factors including price.
- The solicitation shall state the importance or numerical weight of all evaluation factors including price.
- Offers are ranked using the evaluation factors and the relative importance or weight as defined in the solicitation document. The relative overall ranking of any offer may be adjusted up or down when considered with, or traded-off against, other non-price factors. For example, an offer with the lowest price when compared to other offers would normally receive the best ranking in the price evaluation category. If other non-price evaluation factors received low rankings, the overall offer ranking would be reduced.
- The evaluation criteria must be clear and concise regarding the ranking and how the evaluation will be performed (i.e., points or narrative of strengths and weaknesses).
- Clarifications are permitted. If specified in the solicitation, communications and negotiations may be permitted after receipt of the offer.

The lowest price technically acceptable source selection method may be used when best value is expected to result from selection of the technically acceptable offer with the lowest evaluated price. When using the lowest price technically acceptable method, the following shall apply:

- The evaluation factors that establish the requirements of acceptability shall be set forth in the solicitation. Solicitations shall specify that the award will be made on the basis of the lowest evaluated price of those proposals that meet or exceed the acceptability requirements for non-price factors.
- Trade-offs between price and non-price factors are not permitted.
- Proposals are evaluated for acceptability but are not ranked using the non-price factors.
- Only clarifications are permitted.
- Other competitive best-value source selection methodologies may be used if determined to be advantageous to NCDOL and are approved for use by DIT.

Reciprocal Preference

In accordance with NCGS §143-59 and 01 NCAC 05B.1522, reciprocal preference applies to non-IT or service contracts valued over \$29,000 which is given to North Carolina products and citizens, and articles manufactured by the State. The NCDOL Purchasing Office needs to be aware of this law and rule as well as when to apply it. The reciprocal preference law requires that all agencies apply a reciprocal preference, when required, on all contracts for equipment, materials, supplies, and services that exceed \$29,000 in value when the non-resident bidder's State has an in-state preference law. This shall be done for the purpose of determining the lowest bidder. When determining the lowest bidder on all contracts for equipment, materials, supplies, and services valued at over \$29,000, a percent of increase shall be added to a bid of a non-resident bidder that is equal to the percent of increase, that the bidder's State applies to non-resident bids.

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Procurement Contract Types

All purchase orders that will be placed referencing a State Term Contract that exceed the abnormal quantity amount identified for that contract or a convenience type contract (not mandatory), must be approved as outlined in the above procurement guidelines, based on dollar value. All purchase orders that will be placed referencing a State Term Contract that do not have an abnormal quantity amount, nor mandatory contract participation may be issued by the NCDOL Purchasing Office without additional approval, irrespective of monetary value. When exercising an extension option in a contract, the value of the total contract amount (original contract amount plus the cost of extension) shall determine the approval level needed. All waivers regarding emergency and pressing need purchases over NCDOL's P&C or DIT general delegations must be approved by the NCDOL Purchasing Office and the NCDOL's CFO or Deputy CFO. After the initial approval, the waiver request is forwarded to either P&C or DIT for final approval.

Contract Term and Determining Value

In accordance with 01 NCAC 05B.0301 and 09 NCAC 6B.0301, the contract term, or length, shall not be for more than three (3) years, including all extensions and renewals, without the prior approval of P&C or DIT. The determination will be based on whether the longer period would be advantageous to NCDOL. All requests for extended contract terms must be submitted for approval. Requests must be approved prior to posting. A contract's value shall be determined cumulatively. The value of the original contract period, along with any renewal options, extensions, and amendments shall be included in determining the contract's value.

Goods

In accordance with 01 NCAC 05A.0112, a good is defined as any tangible property, including all equipment, materials, supplies, and commodities being requested for purchase. A contract for goods is further defined as any agreement involving the procurement of goods from a vendor, but which may also have an ancillary service aspect. Pursuant to 01 NCAC 05B.0602, if the acquisition of used equipment, materials, or supplies is in the public interest, competitive procedures shall be followed wherever feasible. Used goods may be sourced only when available on short notice, are needed for the disabled, or where waivers of competition, emergency, or pressing needs may be justified. The solicitation document may or may not include a request for prices on like new products, but in either case acquisition may be made on the basis of whichever is considered most advantageous for the intended purpose. Confirmation should be made that the price of the used equipment is reasonable with respect to its age and condition.

Services

In accordance with 01 NCAC 05A.0112, a service is defined as providing specified tasks or duties, including repair work or programs, undertaken by a vendor to fulfill requirements and specifications of a contract. Services may include, but not limited to, maintenance of buildings or equipment, auditing, employee training, and food service, etc. provided the service is not primarily for review, analysis, or advice in formulating or implementing improvements in programs or services, in which case rules relating to consultant contracts shall be applicable. A service contract may also include incidental goods such as new parts or reports.

- **General Service Contract:** Any agreement for compensation involving services and requiring a particular or specialized knowledge, experience, expertise, or similar capabilities in the vendor. Includes contracts for consultant services and personal services and may also involve the ancillary purchase of goods.

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- **Rental Contract:** An agreement for the right to use a good or product for a period of time, usually with payments made at intervals over the usage period, and normally providing short notice for cancellation. Contracts for the rental of goods shall be handled pursuant to the same rules applying to the outright purchase of goods. Rental agreements shall not include an option or obligation to purchase the goods.
- **Lease Purchase Contract:** Utilized when the decision for outright ownership is uncertain or when delays of ownership are intended. Options or obligations to purchase before or at the end of the contract term shall be provided. Third party financing is not used. Ownership transfers only if goods are purchased. Contracts may include an option to upgrade goods during lease periods without rebidding the contract. Outright purchases shall employ the same rules as lease purchase contracts.
- **Installment Purchase Contract:** Term used only when ownership of a commodity at time of possession is intended. Third party financing is used in most cases. It creates a security interest in the property purchased to secure payment of the purchase price to the seller or to an individual or entity advancing money or supplying financing for the purchase transaction. If the commodity is on a term contract and third-party financing is being utilized, then the commodity is to be purchased from that contract. If the commodity is on a term contract but third-party financing is not being utilized, the commodity would not be considered on the contract since some form of financing would be necessary. The purchase of the commodity would be handled by the NCDOL Purchasing Office if valued less than P&C's or DIT's general delegation or if valued more than the NCDOL's general delegation. When third party financing is involved and the commodity is not on a term contract, the contract for the commodity is handled first and must include a provision that award of the contract is contingent upon obtaining satisfactory financing. The financing contract should also include an option for early payment without penalty.

Award of Procurement Contracts

Care shall be exercised in the preparation, evaluation, and award of contracts. The preparation of the solicitation and specifications, along with the evaluation and award, must be conducted in a fair and accurate manner. Unduly restrictive specifications, insufficient or confusing requirement criteria, favoritism or mistakes can be very costly to NCDOL, both in time and money. Price is not the only consideration when determining the contract awards. In addition to price, service, and quality, the general reputation of the vendor may be used in determining awards. Life-cycle cost of ownership may be considered as well. All criteria to be used in the evaluation of offers shall be identified in the solicitation. Then the criteria identified must be used during the evaluation in the award recommendation. NCDOL staff from the bureaus or offices should be included in the evaluation. The lowest responsive and responsible offer should be the determining factor.

Monitoring of Procurement Contracts

In accordance with NCGS §143-49, any contract which results from the award of an Invitation for Bid (IFB) shall include contract monitoring as a regular process of evaluating post award vendor contract performance based on measurable deliverables and verifying vendor compliance with the terms and conditions in the contracts. P&C has established a contract monitoring checklist for services which shall be completed by NCDOL's bureau or office upon request of the assigned contract administrator. The NCDOL Purchasing Office will submit the form to the NCDOL's bureau or office that shall be completed and returned back to the NCDOL Purchasing Office and placed in the bid file.

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Legal Review

To ensure that contracts for supplies, materials, printing, and equipment utilize the proper legal form, contain all clauses required by law, are legally enforceable, and accomplish the intended purpose of the proposed contract, the NC Attorney General's Office or designee is authorized to review all proposed contracts. All bid solicitations between \$1,000,000 and \$5,000,000 shall be reviewed by NCDOL Legal Affairs Division prior to the posting of bid documents. For bid solicitations \$5,000,000 and above, the NC Attorney General's Office shall review the solicitation document prior to the posting of bids in accordance with NCGS's §114-8.3, §143-49(3a) and §143-50.1.

Special Note: The NCDOL Purchasing Office shall engage the NCDOL Legal Affairs Division for assistance or review on any bid solicitation or any other procurement document that requires legal advice or guidance, regardless of the dollar value. Any modifications to the terms and conditions should be reviewed by NCDOL Legal Affairs Division and must not conflict with P&C's or DIT's General Terms and Conditions.

Compliance Reviews

In accordance with 01 NCAC 05B.1605 and 09 NCAC 06B.1305, both P&C and DIT are authorized to conduct compliance reviews of NCDOL's procurement practices. Compliance reviews shall determine whether the NCDOL Purchasing Office is complying with North Carolina procurement laws and regulations and whether NCDOL's delegations should be adjusted. Both P&C and DIT shall also conduct a compliance review whenever NCDOL requests a delegation increase to evaluate whether the increase is appropriate. A copy of the compliance report shall be provided to the NCDOL Commissioner, the State Auditor, and the State Budget Officer.

P&C and DIT compliance staff may enter the premises and obtain NCDOL's purchasing records for the purpose of the compliance review. The NCDOL Purchasing Office shall cooperate with P&C or DIT compliance staff, providing the requested records, adequate office space for conducting the review, and the appropriate NCDOL procurement staff for discussion of purchase transactions. P&C or DIT compliance staff shall not unnecessarily require of the agency any more than is needed to complete the review.

P&C and DIT may lower, or raise if requested, NCDOL's general delegation, if the results of a compliance review merit such action as determined by the P&C or DIT compliance staff. P&C and DIT may lower the delegation to any level, including the complete removal of the delegation, depending on the nature of any violations found.

Special Note: In March 2020, P&C conducted a compliance review on NCDOL; and one (1) finding was issued for direct payments being utilized instead of issuing purchase orders through E-Procurement as required by NCGS §143-48.3 and 01 NCAC 05B.1903. The use of direct payments for purchases covered by the NCGS, Chapter 143, Article 3, lacks the necessary transparency required in public procurement, and per 01 NCAC 05B.1903, all purchases must be properly documented to ensure that NCDOL activities are transparent and above reproach. All State agencies are required to utilize E-Procurement in order to allow P&C to gather accurate spending data, enabling P&C to establish the most effective and efficient State Term Contracts.

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Waiver and Emergency Purchases and Pressing Needs

Waiver of Competition Overview

In accordance with 01 NCAC 05B.1401 and 09 NCAC 06B.0901, there are times when there will be a need to waive the competitive bidding procedure (refer to P&C and DIT rules for a list of waiver reasons). In all cases where the value of the purchase is over \$50,000, prior approval by P&C is required. In all cases where the value of the purchase is over \$25,000, prior approval by DIT is required.

When seeking a waiver, the request shall identify those specific facts or circumstances that support a waiver; simply repeating the language of the applicable category is not sufficient. A clear justification should include information around the applicable waiver condition with supporting evidence of why the waiver applies to the specific procurement endeavor, indicating the business purpose of the good/service, who will use the good/service, and options for not obtaining the specific waiver. A waiver should also be supported by any manufacturer documentation and market research.

The NCDOL Purchasing Office shall try to seek competition under the State's standard terms and conditions. This may be accomplished via RFQs. If competition is not available or time does not permit solicitation, a justification shall be documented on the required approval form and forwarded for approval by P&C or DIT. In cases where the vendor disagrees with the State's standard terms and conditions, it should be brought to the attention of P&C or DIT for resolution. Once the purchase is approved (including P&C or DIT approval if required), a purchase order is issued via E-Procurement.

Special Note: All requests for waivers of competition are forwarded to either P&C or DIT for final approval when the purchase exceeds \$50,000 (P&C) or \$25,000 (DIT) respectively.

Waiver of Competition Conditions

Pursuant to 01 NCAC 05B.1401 and 09 NCAC 06B.0901, NCDOL may waive competition when any the following has occurred:

- Performance or price competition is not available.
- A needed product or service is available from only one source of supply.
- Emergency action is indicated.
- Competition has been solicited but no satisfactory offers received.
- Standardization or compatibility is the overriding consideration.
- A donation predicates the source of supply.
- Personal or particular professional services are required.
- A particular medical product or service, or prosthetic appliance is needed.
- Additional goods or services are needed to complete an ongoing job or task.
- Products are bought for "over the counter" resale.
- A good or service is needed from a Non-Profit Work Center for the Blind or Severely Disabled and there are overriding considerations for its use.
- Goods are subject to rapid price fluctuation or immediate acceptance.
- Equipment is already installed, connected, in service, and is determined advantageous to purchase it.

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- A particular good or service is desired for educational, training, experimental, developmental or research work.
- There is evidence of resale price maintenance or other control of prices, lawful or unlawful, or collusion on the part of companies which thwart normal competitive procedures.
- The amount of the purchase is too small to justify soliciting competition or a purchase is being made and a satisfactory price is available from a previous contract.
- The requirement is for an authorized cooperative project with another governmental unit(s) or a charitable non-profit organization(s).
- Used good(s) is available on short notice and subject to prior sale.
- Depending on the dollar value, competition may also be waived by P&C or DIT if the waiver is deemed to be in the public interest.

Special Note: All requests for waivers of competition under NCDOL's general delegation that exceed \$5,000 will require the approval of NCDOL's CFO or Deputy CFO.

Emergency Purchases

In accordance with NCGS §143-57 and 05 NCAC 05B.1602, there are times when an emergency will arise. An emergency is a situation that endangers lives, property, or causes the immediate discontinuation of a vital program such as those essential for health and safety and which can be rectified only by immediate on-the-spot purchase (or rental) of goods or services.

In an emergency, the NCDOL Purchasing Office should negotiate with potential vendors in an effort to acquire the quality of a good or service needed at the best possible price, delivery, terms, and conditions. A solicitation document requesting or inviting an offer must be issued, including standard terms and conditions, unless circumstances prohibit this use. When an emergency action is necessary and the expenditure exceeds the NCDOL's general delegation, prior verbal approval should be obtained from P&C and DIT, if time permits. Subsequently, whether or not prior approval was possible, an explanation of the emergency purchase shall be reported in writing to P&C or DIT if the expenditure is over NCDOL's general delegation. If under NCDOL's general delegation, documentation shall be included within the NCDOL Purchasing Office's procurement file. In case of any emergencies where the value of the good or service is over \$29,000 for P&C and \$25,000 for DIT, prior approval by the NCDOL's CFO or Deputy CFO is required before the purchase is made.

Pressing Need

In accordance with NCGS §143-57 and 05 NCAC 05B.1602, there are times when a pressing need will happen, making it necessary to obtain in the open market any necessary supplies, materials, equipment, printing, or services for immediate delivery to NCDOL. A pressing need is something occurring or arising from unforeseen causes including, but not limited to, delays by contractors, delays in transportation, breakdown in machinery, or an unanticipated volume of work. Lack of reasonable forethought or planning is not justification for a pressing need. When a pressing need action is necessary, and the expenditure is over NCDOL's general delegation, prior verbal approval shall be obtained from P&C or DIT, if time permits. Circumstances demonstrating the pressing need must be described in the request. Subsequently, whether or not such prior approval was possible, if the expenditure is over NCDOL's general delegation, an explanation of the pressing need purchase shall be reported in writing to either P&C or DIT. If under NCDOL's general delegation, documentation shall be included within the NCDOL Purchasing Office's procurement file.

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NCDOL should negotiate with potential vendors in an effort to acquire the quality of a good or service needed at the best possible price, delivery, terms, and conditions. A solicitation document requesting or inviting an offer must be issued, including standard language, and terms and conditions issued by P&C or DIT, unless circumstances prohibit this use. In a pressing need situation, NCDOL bureau or office managers may purchase equipment, materials, and supplies necessary to alleviate an immediate emergency. During a pressing need situation where the value of the good or service is over \$29,000 for P&C and \$25,000 for DIT, prior approval by NCDOL's CFO or Deputy CFO is required before the purchase is made.

Rules on Emergency Purchases and Pressing Needs

NCDOL's bureau or office managers in concert with NCDOL Purchasing Office must determine if a required purchase fits the criteria of an emergency or pressing need with the following considerations in mind:

- A bureau or office manager may desire the goods or services on an expedited basis, but if an emergency or pressing need does not actually exist, the requisitioner must initiate a normal requisition through E-Procurement.
- Poor planning and/or scheduling will not constitute an emergency or pressing need.
- Emergency or pressing need purchases shall be made only in quantities needed to alleviate the emergency.
- Quantities in excess of the amount necessary to alleviate the emergency shall be ordered through the normal requisitioning process through E-Procurement.
- Abuse of emergency or pressing need policies and procedures may result in disciplinary action and will be considered "Unacceptable Personal Conduct" that does not require any previous written warning.

Special Note: The NCDOL Purchasing Office may issue a confirming purchase order to respond to emergency situations and natural disasters for Homeland Security. Confirming purchase orders should not be transmitted to the supplier; however, if the purchase order is transmitted to the supplier, then the purchase order should be marked accordingly to advise the supplier of the previous placement.

Emergency Procedures During Business Hours (Monday-Friday 8:00 a.m. to 5:00 p.m.)

- NCDOL staff shall immediately notify the NCDOL Purchasing Office for help, prior to making the purchase.
- The NCDOL Purchasing Office will provide assistance in alleviating the emergency condition.
- In most instances, the requisitioner will be asked to initiate a requisition through E-Procurement. The vendor's contact information and/or quotes should be attached to the requisition and forwarded upon request to DOL.Purchasing@labor.nc.gov group email address.

Emergency Procedures After Business Hours

- After normal business hours, NCDOL staff shall pursue whatever course necessary to eliminate the emergency or pressing need, including prior verbal approval from NCDOL's CFO or Deputy CFO before the purchase is made.
- NCDOL's bureau or office manager shall provide complete documentation of the circumstances surrounding the Emergency or Pressing Need to the NCDOL Purchasing Office no later than the second (2) business day following the purchase.
- NCDOL's bureau or office manager shall provide a detailed list of purchases made to alleviate the emergency or pressing need to the NCDOL Purchasing Office no later than the second (2) business day following the purchase.

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Solicitation Types and Methods

Written Quotes

Hard-copy quotes (offers) are required for all procurement. Quotes should contain vendor logo, contact information, item or service description, quoted prices, delivery terms, freight/shipping costs, and date of quote. All quotes shall be scanned into E-Procurement and attached to the corresponding purchase requisition.

Collaborative Requisitions

Collaborative Requisitioning is a new functionality within E-Procurement that can be utilized for the informal quoting and pricing requests when purchasing goods and services not covered by a State Term Contract, Correction Enterprises or a Non-Profit Work Center for the Blind or Severely Disabled. When purchasing quantities of items over the typical purchasing threshold for normal buying policies, but under the \$29,000 threshold for a formal bidding process, the requisitioner can utilize the Collaborative Requisitioning process to obtain quotes for goods and services from multiple vendors at the same time.

Special Note: NCDOL's requisitioners should take advantage of this new E-Procurement functionality to purchase goods or services from a variety of businesses in order to obtain the best value for purchasing goods and services not covered by STC. The [Collaborative Requisitioning training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

Determining the Appropriate Solicitation Document

When developing a solicitation, it is critical to determine the appropriate procurement method because it will be a major factor in the planning process. For example, the average procurement lead time for an Invitation for Bid (IFB) can differ significantly from a Request for Proposals (RFP). The decision to issue an IFB or RFP depends on whether the goods or services required are clearly defined by the purchasing agency or whether the agency is looking to the vendor to propose a solution.

Special Note: The NCDOL Purchasing Office is responsible for using the latest P&C and DIT approved templates which include contract terms and conditions. The solicitation documents described below are to be used for both IT and non-IT goods and services. Templates for DIT and P&C must be accessed from the respective websites. P&C and DIT both have different templates and contract terms and conditions.

Request for Quote (RFQ) – The RFQ is an informal solicitation document that is most commonly utilized for non-advertised procurements. This document contains instructions for vendors, specifications, and terms and conditions. The RFQ may be used to solicit vendor responses pursuant to a waiver of competition, or it may be used for informal purchases that are valued at less than the NCDOL's general delegation. The RFQ cannot be used as the basis for award when competitive bidding is required, such as for formal purchases that exceed the NCDOL's general delegation. The RFQ is issued to the intended vendors, using email, for response. The RFQ timeline is flexible since there is no required posting or response time. The timelines within RFQs should account for the complexity of the request. NCDOL must manage the timeline of expected award to allow for required review and approval by P&C or DIT.

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Invitation for Bid (IFB) – The IFB is a formal, written solicitation document used for seeking competition and obtaining offers for easily defined goods and simple services. This document contains the specifications, instructions to vendors, standard terms and conditions, and any additional information the vendor may need to provide a bid response. This document is typically used for open market bids, Agency Specific term contracts, and State Term Contracts. The IFB is typically used with a "lowest price that meets the specifications" evaluation where cost is the most relevant factor, and an in-depth "best value" analysis is not needed. The IFB is required to be posted in the E-Procurement system in order to solicit vendor responses. The IFB timeline is typically four to six weeks, depending on the complexity. NCDOL must manage the timeline of expected award to allow for required review and approval by P&C or DIT.

Request for Proposals (RFP) – The RFP is a formal, written solicitation document used for seeking competition and obtaining offers for a solution-based proposal for goods and services, rather than just looking for pricing, as found in an IFB solicitation. This document contains a defined scope of work, instructions to vendors, standard terms and conditions and any additional information the vendor may need to provide a proposal response. The RFP should be used when NCDOL is relying on the vendor to propose a solution that will meet the requested needs and where price is not the only determining factor for award. This document is typically used for open market bids, Agency Specific term contracts, and State Term Contracts. The RFP is typically used with a best value trade-off evaluation and must identify the evaluation criteria on which the evaluation will be based. The RFP is required to be posted to the E-Procurement system in order to solicit vendor responses. The RFP timeline can be six to twelve weeks, depending on its complexity and often this timeline can be extended for various reasons (i.e., complex questions and negotiations). NCDOL must manage the timeline of expected award to allow for required review and approval by P&C or DIT.

Request for Information (RFI) – The RFI is an informal document used to gather information from potential suppliers of a good or service. The RFI is used primarily as a planning and information gathering tool. The RFI is also used to identify industry standards, best practices, potential performance measures, and cost or price structures, or to generally ascertain the level of interest of prospective respondents.

NCDOL is not required to use this information in developing future solicitations but may find vendor responses useful in that regard. When using RFI responses to develop solicitations, NCDOL should take care to avoid developing specifications that favor the vendors that responded to the RFI. While vendor-supplied information may be used to develop a solicitation, the solicitation document should not be directly based on any of the vendor's specifications, marketing data, or RFI response text so that no advantage is provided to any particular vendor. Provide as much information as practical to define the type of information that is being sought. For example, do not cut-and-paste information from a vendor's RFI response into the solicitation. The RFI should:

- Indicate it is not a solicitation, request for offer, or an offer; and that responding shall not result in a contract award.
- Does not include the North Carolina General Terms and Conditions because no contract formation is intended.
- Should include the following sections:
 - An overview of the desired good or service to be provided
 - Information requested from the vendor
 - Response expectations

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Memorandum of Agreement (MOA)

This type of contract should only be used in situations that involve agreements between State entities. Exceptions should be approved by the NCDOL's CFO in conjunction with NCDOL Legal Affairs. When using these types of agreements, competition is normally not pursued. It may also be referred to as a Memorandum of Understanding (MOU).

Contract Pricing Structures

There are several types of contract pricing structures available to procurements depending on the nature of a solicitation. The most common are discussed below.

Fixed Price Contracts

A fixed price contract is where firm unit or total prices are established upon contract award for goods or services. A fixed price contract may result from bidding or negotiation processes. These are used when specifications are clear, and costs are predictable. There is minimal risk to NCDOL when firm fixed price contracting is utilized because the financial requirements are known. This type of contract encourages efficient performance and is the least costly to administer. The use of firm fixed price contracting may be inappropriate if requirements or specifications are unclear or indefinite.

Fixed Price with Escalation or De-Escalation

This type of fixed price agreement provides for price adjustments up or down if specified contingencies occur. This type of contracting may result from bidding or negotiation processes. It is used to minimize fluctuations in vendor's prices due to unstable markets. The contract period is typically over a long period of time. The use of fixed price contracts with escalation or de-escalation reduces the need for contractors to inflate the cost of goods to offset unstable markets or economic conditions. The risk of cost increases or decreases is partially transferred to the buyer. Administrative costs may be increased as a result of the greater contract administration efforts that are required for this type of contract. Normally, any upward price adjustment should be justified and approved by the NCDOL Purchasing Office, P&C or DIT prior to its effectiveness.

Time and Materials

Time and materials agreements for goods or services are based on billable hours, which include overhead, profit, and materials. The details of the work are known, but the extent of the work may be unknown. Time and materials contracts are suitable for maintenance, design, engineering, and emergencies, among others. Competition is sought on the basis of the labor-hour rate. These types of contracts may be expensive to administer. Whenever NCDOL utilizes a cost reimbursement agreement such as time and materials to acquire needed goods or services, it is essential that the cost structure builds in deliverable milestones and retainage percentages to allow for accountability in performance. Billed costs should be analyzed (and challenged when appropriate) prior to the approval for payment. Pursuant to NCGS §143-52(c), contracts in which payment is calculated as cost-plus-a-percentage-of-cost are prohibited.

When a time and materials agreement is used, NCDOL must request a detailed job estimate which should include the amount and type of contract labor with associated rates and itemized material costs to allow evaluation of the reasonableness of its cost elements before authorizing the work to be performed. If it is determined that the estimate is not reasonable or in accordance with the terms of the contract, negotiation or the solicitation of additional estimates may be considered, if permitted by the solicitation.

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Blanket Purchase Orders

Blanket purchase orders are contractual relationships to obtain small dollar value expendable operating supplies or services for which low or erratic demand usage exists. A set of terms and conditions are agreed upon between the buyer and seller wherein the seller will deliver, or permit pick up of, supplies ordered by the requisitioner who has received authorization via E-Procurement from the NCDOL Purchasing Office. The prevailing market price, less any trade or volume discounts, as may be agreed upon, is charged, and invoiced on a consolidated basis. The principal advantage of a blanket purchase order is the ability to delegate ordering authority to the requisitioner level, resulting in quicker access to the goods or services. Consolidated invoices are processed, which reduces the paper flow and administration. The success of this arrangement is dependent upon the establishment and enforcement of proper controls to monitor contract usage.

Best Value Trade-Off Method

In accordance with NCGS §143-135.9, the best value procurement method of award is a trade-off method of source selection that is utilized when it is in NCDOL's best interest to award to a response other than the lowest priced offer. Best value procurement method is determined by evaluating which vendor response provides the best trade-off between price and performance, where quality is considered an integral performance factor. For a solicitation using a trade-off source selection method, the following shall apply:

- All evaluation factors that will affect the contract award decision and the relative importance shall be clearly stated in the solicitation.
- Price must be considered as an evaluation factor in the selection process. The solicitation shall state the importance or numerical weight of all evaluation factors including price.
- Offers are ranked using the evaluation factors and the relative importance or weight as defined in the solicitation document. The relative overall ranking of any offer may be adjusted up or down when considered with, or traded-off against, other non-price factors.
- For example, an offer with the lowest price when compared to other offers would normally receive the best ranking in the price evaluation category. However, if other non-price evaluation factors received low rankings, the overall ranking of the offer would be reduced.
- The evaluation criteria must be clear and concise regarding the ranking and how the evaluation will be performed (i.e., points or narrative of strengths and weaknesses).
- If applicable, clarifications, communications, and negotiations may be permitted after receipt of the offer.

Pursuant to NCGS §143-52, the following factors for award are also provided:

- Prices offered.
- Best Value, as the term is defined in NCGS §143-135.9(a)(1).
- Quality of the articles offered.
- General reputation and performance capabilities of the bidders.
- Substantial conformity with the specifications and other conditions set forth in the request for bids.
- Suitability of the articles for the intended use.
- Personal or related services needed.
- Transportation charges.
- Date or dates of delivery and performance.
- Such other factor(s) deemed pertinent to the purchase in question.

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Additional award criteria may be included in the solicitation document, including the following examples:

- Location and availability of service, repair facilities, and personnel.
- References provided.
- Demonstration of proposed equipment, if required.

Evaluation Criteria

Evaluation criteria for an award should either be based on the lowest cost technically acceptable methodology or the best value trade-off method. Other factors to be considered must be identified in the solicitation document.

Lowest Cost Technically Acceptable Method

For this evaluation method, the solicitation shall specify that the award will be made on the basis of the lowest evaluated price of those bids that meet or exceed the technical requirements. The solicitation shall provide the specifications that establish technical acceptability.

- Trade-offs between price and non-price factors are not permitted.
- Vendor responses are evaluated for acceptability but are not ranked using the non-price factors.
- If applicable, clarifications, communications, and negotiations may be permitted after receipt of the offer.

Personal Service Contracts

In accordance with NCGS §143-48.6, personal service contracts are for services provided by professional individuals as an independent contractor on a short-term basis. This does not include the engagement of experts or expert witnesses who are to be involved in the planning, prosecution, or defense of any State litigation. Personal services contracts shall be subject to the same review and approval requirements as service contracts. Such services may include but are not limited to maintenance of buildings or equipment, auditing, film production, employee training, and food service. Personal service contracts are with individuals, not sole proprietor businesses or corporations. Personal service contracts shall be limited, at which time a new contract will have to be initiated for additional services. Competition should be sought whenever practicable. The following procedures must be followed when requesting a personal service contract:

- First, use the personal services template provided by the NCDOL Legal Affairs Division that shall include the scope of work, deliverables, and payment terms.
- The personal services template shall follow NCDOL's proper chain of command in each bureau or office for obtaining the appropriate levels of review and approval prior to requesting the review and approval of the NCDOL Purchasing Office, the NCDOL CFO or Deputy CFO and the NCDOL Legal Affairs Division.
- Once a personal service contract has been properly executed by the contractor, the signed agreement shall be sent to the NCDOL Purchasing Office to be maintained in the purchasing file.
- The NCDOL Purchasing Office will forward a copy of the fully executed contract via email to the DOL.AccountsPayable@labor.nc.gov and DOL.LegalAffairs@labor.nc.gov.

Special Note: It is highly recommended, whenever possible, to employ these individuals through Temporary Solutions as temporary employees instead of utilizing personal service contracts. The most common occurrence is NCDOL retirees returning to testify on OSH contested cases. For tax purposes and NCGS compliance, NCDOL retirees can be employed through Temporary Solutions for this short-term need.

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Professional Service Contracts

In accordance with 01 NCAC 05A.0112, a professional service is defined as contracted work or tasks performed by a vendor or independent contractor possessing specialized knowledge, experience, expertise, and professional qualifications, who provides ongoing services. These services may include (by way of illustration, not limitation), the ongoing services performed by a doctor, attorney, hearing officer, engineer, architect, scientist and production or program service providers performing a distinct service deliverable, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services, in which case the rules relating to consultant contracts shall be applicable.

Consultant Service Contracts

In accordance with 01 NCAC 05D.0102, a consultant is defined as an individual possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis, or advice in formulating or implementing improvements in programs for services. This includes, but it is not limited to, the organization, planning directing, control, evaluation and operation of a program, agency, or department. This type of contract requires a unique approval process set forth in 01 NCAC 05D.0203. The Request for Proposals (RFP) template must be utilized for consultant contracts and shall be reviewed for approval by the NCDOL Purchasing Office, the NCDOL CFO or Deputy CFO and the NCDOL Legal Affairs Division prior to P&C and Governor's Office submission. The NCDOL Purchasing Office shall request any consultant services by submitting a letter of endorsement by the Commissioner of Labor and a written justification to P&C that must contain the following information:

- What services does the agency desire to secure?
- Can the work to be performed by the consultant cannot be reasonably accomplished by NCDOL staff?
- How the work to be performed relates to the proper functions of NCDOL?
- What benefits does NCDOL expect to receive from the consultant's services?
- What NDOL estimates to be the cost of the services sought?
- What potential sources of consultant services, if any, NCDOL has identified?

In accordance with 01 NCAC 05D.0203, if NCDOL is requesting authority to contract for consulting services outside of State government, it shall also detail what potential sources of those services exist within State government and explain why the desired services are not available from those sources. P&C and the Governor's Office shall approve outside consultants prior to contract solicitation and again prior to contract award. All requests for consultant contracts must be submitted for approval. Approval must be received prior to posting.

Review of Consultant Service Requests

In accordance with 01 NCAC 05D.0204, any documents submitted by NCDOL requesting authority to retain consultants will be reviewed by P&C. Upon completion of this review, NCDOL will be advised, subject to such conditions as may be prescribed by the governor or designee, to do the following:

- Canvass additional sources within State government.
- Solicit proposals from a private contractor.
- Execute negotiated contracts without competitive proposals if P&C and the governor have determined any of the following:

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- Performance or price competition is not available.
- The service is required for an authorized cooperative project conducted with governmental units, or public or private nonprofit organizations.
- Abandon the project for being outside the scope of NCDOL's responsibilities or for having insufficient financial benefit to NCDOL relative to the potential expenditure of funds.

Contracting for Consultant Services

In accordance with 01 NCAC 05D.0205, NCDOL shall solicit proposals for consultant services in the following manner:

- Prepare the appropriate solicitation document in accordance with the rules and disseminate it among prospective service providers.
- Circulate the solicitation document to the consultant service sources that could be identified by both P&C and NCDOL.
- The NCDOL Purchasing Office must publicly open all proposals received.
- Upon receipt of proposals, NCDOL must submit a copy of each proposal received to P&C.
- Review all proposals received on the basis of evaluation criteria significantly related to the function to be performed and equally applied to all proposals received.
- The NCDOL Purchasing Office must forward the award recommendation and supporting documentation to P&C for review.
- After P&C's review, the recommendation shall be forwarded to the Governor's Office for approval, and NCDOL shall be notified in writing by the Governor's Office based on either of the following:
 - The Commissioner of Labor or their designee is authorized to execute contracts with one or more approved service providers; or
 - All proposals have been rejected pursuant to 01 NCAC 05D.0205.

Negotiated Consultant Contracts

In accordance with 01 NCAC 05D.0204(3) and 01 NCAC 05D.0206, if NCDOL is seeking authorization to enter into negotiated contracts for consultant services without soliciting competitive proposals, the NCDOL Purchasing Office shall submit the proposed contracts to P&C for review and approval prior to executing the contract, utilizing the same process as a waiver of competition. Upon completion of this review, NCDOL shall be notified in writing by the Governor's Office that the approved contract(s) may be executed by the Commissioner of Labor or their designee.

Legal Review Thresholds

To ensure that contracts are legally sound and to protect NCDOL from unnecessary risk, legal review of solicitations may be required. North Carolina General Statute provides for legal review under certain circumstances. In addition to changes in standard terms and conditions or other triggers that may be addressed in this manual, legal review is required for:

- Contracts exceeding \$1 million
- Non-competed contracts exceeding \$5 million



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The appropriate legal counsel should be included in the solicitation as early as practical. P&C will not approve award recommendations until any required legal review is complete. P&C interprets contract value to include all potential extensions and renewals. Thus, the value of the contract is the cumulative total amount for which NCDOL is seeking approval to spend under the contract.

Special Note: The NCDOL Purchasing Office shall engage the NCDOL Legal Affairs Division for assistance or review on any bid solicitation or any other procurement document that requires legal advice or guidance, regardless of the dollar value. Any modifications to the terms and conditions should be reviewed by NCDOL Legal Affairs Division and must not conflict with P&C's or DIT's general terms and conditions.

Contracts Exceeding \$1 Million Threshold

Pursuant to NCGS §143-50.1, all contracts that cumulatively are expected to exceed \$1 million shall be reviewed by P&C before approving the award recommendation including STC's that exceed \$1 million threshold. There are no exceptions to this requirement.

Pursuant to NCGS §114-8.3(c), the NCDOL Purchasing Office is required to report to P&C when NCDOL intends to enter into a contract expected to exceed \$1 million for record keeping purposes. P&C has developed an e-form for this purpose. Contracts that are processed through the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#), do not have to be separately reported through the e-form.

Non-Competed Contracts Exceeding \$5 Million Threshold

Pursuant to NCGS §143-49(3a), proposed non-competed contracts for goods or services estimated to exceed \$5 million shall be reviewed by the Attorney General's Office or their designee prior to contract award. The Attorney General's Office checklist and certification shall be completed before final contract approval.

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Procurement of Goods and Services

Scope of Work or Purchase Specifications

The primary purpose of a scope of work or purchase specification is to provide a basis for obtaining goods or services that will satisfy a particular need at an economical cost. Scopes of work or purchase specifications define the needs and specifications of a particular procurement and determine the appropriate procurement method. North Carolina's procurement program is built on the principles of competition and transparency. Pursuant to 01 NCAC 05B.0314 and 09 NCAC 06B.0302, for each procurement request, NCDOL must adhere to the following:

- Seek competitive offers from qualified and responsible supply sources, unless exempted by North Carolina General Statute or Administrative Rule.
- Encourage competition in the open market, resulting in the best possible contract for the needed goods or services.
- Develop specifications that are designed to reasonably satisfy NCDOL's needs but are not unduly restrictive and will maximize competition.
 - Specifications are the physical or functional characteristics of the goods or services offered by the vendor.
 - Specifications should not be confused with requirements, which prescribe the process or procedure that a vendor must comply with to be deemed responsive and further considered for award.

Special Note: Please refer to the [Scope of Work Request](#) template located on the NCDOL intranet. If additional assistance is needed in completing this template, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

Specifications

In accordance with 01 NCAC 05A.0112 and 09 NCAC 06B.0201, a specification is defined as any description of the physical or functional characteristics of, or the nature of, the goods or services to be procured. Specifications can either enhance or inhibit competition depending on how the solicitation is written. Goods and services specifications must be written to meet NCDOL's needs while maximizing competition and should not be overly restrictive or descriptive in favor of a particular vendor's product. Several specification categories are listed herein and outlined below is the preferred order of use.

- Generic (performance and design)
- Brand Name or Functional Equivalent
- Brand Specific

In accordance with NCGS §143-49(2) and §143-53, the preparation of suitable specifications is required. A specification is a clear, concise, and accurate statement of the technical requirements to be satisfied by a product, material, or process. Sometimes when a new requirement arises, a great deal of specification development must be done by the end-user and the NCDOL Purchasing Office to ensure the correct good or service is procured.

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Detailed specifications may include but not be limited to engineered drawings or technical makeup descriptions. Samples may be required for compliance testing. Pilot models (exact replicas based on specifications) may be required prior to award of contract and must be approved at manufacturing facility prior to additional units being produced. P&C and DIT have developed standard specifications that must be used on certain commodities. There are several types of specifications:

- Performance - function and use of the product needed are the basic definitions.
- Design - particular dimensions and physical requirements of the product and the arrangement are the basic definitions.
- Qualified Products List - actual products that have been tested or examined and qualified prior to seeking prices.
- Brand Specific - bidding is limited to a single product and only that product will meet an intended need.
- Brand Name or Equivalent - products that have comparable characteristics of the item desired.

Special Note: Brand specific rationale can be used only when the requirement can be met by the exact specifications offered by a particular piece of equipment made by the manufacturer. A brand specific justification must explain why the product is singularly able to meet the requirements of the user and most conclusively support the determination that no other product can fulfill the end user's needs. Common examples include standardization and compatibility with existing equipment and/or systems or where a specific product is required to complete an ongoing task.

Generally speaking, performance type specifications are the most desirable. These types of specifications tend to be less restrictive, which encourages design and production efficiency on the part of the manufacturer which creates value in the bid. Unduly restrictive specifications can add to the bid cost if other comparable makes, brands, or models are available.

Therefore, in seeking competition on products which are designed and marketed by the sellers, the NCDOL Purchasing Office must determine a level of suitability which establishes appropriate constraints (minimums and maximums). Too much or insufficient detail in specifications can impair competition and result in incorrect bid evaluation. The particular product or service acquired, and the supplier of such product are determined by evaluating competitive bid proposals through compliance with specifications.

Generic (Performance and Design)

The NCDOL Purchasing Office must analyze incoming procurement requests with a view towards soliciting the requirement on a generic specification basis. Generic specifications are as follows:

- Performance specifications are set forth in the performance requirements.
- Design specifications are set forth in the essential characteristics of the item being solicited.

Brand Name or Functional Equivalent

When it is impractical to develop a generic specification, a brand name may be used to convey the intended style, type, character, and quality of the article desired. Unless otherwise provided in the solicitation document, the name of a certain brand, make, or manufacturer does not restrict bidders to the specific brand or manufacturer named. Brand names are used to indicate general performance and quality levels.

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It should be clearly stated that other brands or models will be accepted on a functionally equivalent or equal basis. If a potential bidder does not know which of the products is comparable to the designated brand names, then the vendor may not bid intelligently or may not bid at all. Any offering which NCDOL, in its sole discretion, determines to be the equivalent of that specified, considering quality, workmanship, economy of operation, and suitability for the purpose intended, shall be accepted. The solicitation should inform vendors, however, that the vendor must identify the equivalent product it intends to supply in its response.

Brand Specific

A brand specific specification restricts the acceptable products to those of one or more specified manufacturers. Brand specific rationale must only be used when the requirement can only be met by the exact specifications offered by a particular piece of equipment made by the manufacturer.

Use of a brand specific specification must be approved in advance based on a written justification. Approval from P&C and DIT is required if the solicitation is expected to exceed NCDOL's general delegation. The NCDOL Purchasing Office must internally approve the justification if the procurement is valued less than NCDOL's general delegation. The approval should be documented in the official procurement file. Brand specific specifications would be appropriate in situations such as the following:

- When the desired product must be compatible with or is an integral component of the existing equipment or products, or where prequalification of products is necessary to support specific needs of a program.
- When a product is covered by a patent or copyright, or when the product must yield absolute continuity of results.
- When the product is one with which an end user has had extensive training and experience, and the use of any other similar piece of equipment would require considerable reorientation and training.
- Upon solicitation, every effort must be made to obtain full competition among the resellers which carry a manufacturer's product. Protests may occur if written solicitations are ambiguous or inconsistent. The NCDOL Purchasing Office must use caution when developing specifications in order to minimize the possibility of a bid protest.

Preparing the Written Solicitation Document

The solicitation documents are mechanisms through which NCDOL will seek vendors to provide needed goods and services. In accordance with 01 NCAC 05B.0314 and 09 NCAC 06B.0201, the solicitation document is the key document in any procurement by providing the basic information of who, what, when, where, why, and how, which should be conveyed in a clear, concise, and logical sequence. The solicitation document must provide information about the procurement process, the goods and services being procured, and contract performance expectations if the vendor is selected for an award. At a minimum, the following information shall be included in the solicitation:

- Specifications, requirements, terms and conditions, and delivery information
- Agency name
- Buyer name
- Buyer contact information
- Solicitation identification number
- Title (a short description of the good or service)

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- Opening date, time, and location (street address, office, room number)
- Additional information required by the solicitation

If the solicitation includes a conference or site visit for potential vendors to attend, this information shall also be furnished with the advertisement, to include:

- Mandatory or non-mandatory attendance
- Date, time, and location
- Contact persons and phone number
- Other requirements, such as number of attendees allowed, preregistration requirements, and virtual conference access information, if relevant.

P&C and DIT solicitation document templates provide the framework and are required for use in all informal and formal procurements. In accordance with 01 NCAC 05B.1903 and 09 NCAC 06B.1402, a copy of the posted solicitation document and each bid received will be included in an official procurement file that will be maintained by the NCDOL Purchasing Office.

Solicitation Bidding Process

Implementation of E-Procurement system's new Sourcing Tool module enables vendors to respond to specific solicitations electronically, with the intention of saving time and money by eliminating the need to print and ship paper proposal packages. All bid solicitations for NCDOL shall be handled by the NCDOL Purchasing Office and processed through [E-Procurement's Sourcing Tool](#). The NCDOL Purchasing Office will receive all bid solicitation information from NCDOL requisitioners via a requisition in the E-Procurement system with the proper scope of work and any supporting documents attached to the requisition prior to posting bids electronically.

Product Samples

Requirements for product samples shall be clearly indicated in the solicitation document. Vendors shall furnish samples of items offered upon request, at no cost to NCDOL (including shipping). Samples that are not destroyed shall be returned upon written request at the vendor's expense. Samples not returned to the vendor shall become property of NCDOL. Samples shall be managed as follows:

- Samples should be labeled with the:
 - Requisitioner's Name
 - Commodity
 - Solicitation Number
 - Term contract number or quote number.
 - The projected disposal date for the samples.
- Where testing is required, the person in possession of the test samples should return to the vendor as soon as possible after testing has been completed or dispose of the samples in accordance with the instructions provided in this section.
- Sample items for State Term Contracts shall be held for ninety (90) calendar days following expiration of the contract.
- The prompt return of samples to the vendor shall be the responsibility of the NCDOL Purchasing Office, if

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the vendor requests the samples be returned.

- Samples released to NCDOL by the vendor or unclaimed after ninety (90) calendar days from completion of delivery shall be either put into use within NCDOL, transferred to another State entity, recycled, sold through State Surplus Property Agency, or discarded as trash.
- The disposition of samples shall be documented in the NCDOL Purchasing Office official procurement file.

Pre-Bid/Pre-Proposal Conferences or Site Visits

When necessary, NCDOL should hold conferences or site visits with potential vendors as the first process of the timeline of the solicitation. While these conferences provide opportunities to emphasize and clarify complex or critical solicitation requirements, eliminate ambiguities or misunderstandings, and permit vendor input, the NCDOL Purchasing Office should consider whether attendance is required for a vendor to understand the solicitation and submit responses.

- Conferences or site visits should be conducted with potential vendors when issuing solicitations for complex or critical requirements. Any conference or site visit requirements must be included in the solicitation document. Attendance at conferences or site visits should be either of the following:
 - Mandatory
 - Urged and cautioned (optional)
- At the conference or site visit, a sign-in roster shall be provided by the NCDOL Purchasing Office.
 - The NCDOL Purchasing Office and other NCDOL staff shall sign the attendance roster.
 - Only attendees who have arrived on time shall sign the attendance roster.
 - Attendees shall indicate on the sign-in sheet all of the parties being represented.
 - Late-comers may attend but shall not sign the attendance roster.
 - For mandatory site visits, only vendors who are represented on the attendance roster and who attend for the required duration of the site visit will be deemed to have met the attendance requirement.
- Addenda shall be issued to address vendor questions and any agency modifications to the solicitation resulting from the site visit.
- If adverse circumstances dictate, virtual conferences may be utilized. The NCDOL Purchasing Office must ensure that accurate attendance is maintained for the virtual conference. For example, vendors may be asked to put name and contact information in the chat function, which can then be exported and saved to the official procurement file.

Vendor Presentations and Product Demonstrations

If specified in the solicitation document, evaluators may request oral presentations or discussions with vendors to clarify the materials or services presented in the vendor's response. Presentations shall not be used to materially alter or expand the scope of the solicitation, and evaluators are not required to request clarification from, but may do so at the vendor's option. Failure to perform requested demonstrations may be grounds for disqualifying the response from further consideration.

The NCDOL Purchasing Office may require vendors or other authorized representatives to demonstrate the exact offered models to ensure products are suitable for the intended use before contracts are awarded. Demonstrations shall be performed upon request at NCDOL's facility free of charge to the State. Demonstration results shall be documented in the file and be considered in the evaluation process.

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References

NCDOL may require that vendors responding to a solicitation provide a list of past customers for which similar goods and services have been provided as those being sought in the solicitation. The NCDOL Purchasing Office may contact these references to determine bid acceptability and may consider this information in the evaluation. The solicitation document should indicate whether references will be considered in the evaluation.

Terms and Conditions

In accordance with 01 NCAC 05B.0301 and 09 NCAC 06B.0301, contracting requirements for both P&C and DIT must maintain and provide the North Carolina General Terms and Conditions for use in NCDOL contracts. These terms are written broadly in order to provide legal protection in a variety of procurements. All solicitations valued at more than \$29,000 for P&C and \$25,000 for DIT shall contain the North Carolina General Terms and Conditions. In certain instances, the standard terms and conditions may be modified and such modifications to terms and conditions shall be approved as follows:

- Contracts valued less than NCDOL's general delegation for both P&C and DIT can be authorized by NCDOL's Legal Affairs Division.
- Contracts valued more than NCDOL's general delegation for both P&C and DIT must be authorized by either P&C's or DIT's Contract Management Sections.

Confidentiality

In accordance with NCGS §132-1 and 01 NCAC 05B.0103, certain types of procurement information must be kept confidential. NCDOL must promote maximum competition and protect the public competitive procedure from being used to obtain information that would normally not be available otherwise. The NCDOL Purchasing Office must maintain the confidentiality of trade secrets and like information, as determined by North Carolina General Statute, and as deemed necessary by P&C or DIT to ensure the integrity of the public purchasing process. Trade secrets that the bidder does not wish to be disclosed shall be identified on each page of the bid solicitation in boldface at the top and bottom as "CONFIDENTIAL – TRADE SECRET".

Response Time

In accordance with 01 NCAC 05A.0112 and 01 NCAC 05B.0305, certain procurements require sealed offers, which are defined as offers that remain unopened until the public opening time stated in the solicitation document. Sealed offers are required for formal solicitations, but informal solicitations may also require sealed offers at NCDOL's choosing.

In accordance with 01 NCAC 05B.0316(a), when sealed offers are required, the solicitation document will state the deadline for vendor responses to be received. The bid opening dates should provide vendors with ample time to respond. Sealed bid opening dates shall be no less than ten (10) calendar days from the date the solicitation is posted. Complex requirements may require longer preparation times and should provide sufficient time for vendors to prepare a response.

Acceptance Period

In order to allow NCDOL time to conduct the bid evaluation and any negotiations, vendors must agree to hold the bid open for a certain period of time. During this time the vendor must honor the terms of its bid submission, including pricing, if NCDOL selects the vendor for contract award.

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Bids must be valid for a minimum of sixty (60) calendar days unless otherwise noted in the solicitation documents or the vendor's bid response. The acceptance period should be adjusted based on the subject matter of the procurement and whether negotiation is anticipated. Complex negotiations with vendors can take weeks or months to complete.

Access to Vendor Records (Non-IT Purchases Only)

Effective June 1, 2008, a new cover sheet was implemented for the RFQ, IFB and the RFP templates that provide for the bidder to put the Federal Identification or Social Security number on the cover sheet only. Once the award is made, the cover sheet with this information must be shredded. For existing files where this information is already part of the file, the following procedure shall be followed when the public file is requested for viewing:

- Redact documents
- Make one (1) copy of the original document.
- Redact the protected information on the copy by using a black marker.
- Detach the redacted page from the copy and re-copy the page redacted (this should be done because the ink on the copy may still be visible even when blacked out using a marker).
- Attach the copy of the redacted page to the copy of the original.
- If the bidder desires to keep Executive Order No. 50 answers to questions 2. A, B, and C confidential by indicating "yes", then detach this protected information before public viewing of bid file.
- Original(s) should be returned to the original file after the public viewing is complete. The public should not be permitted in the file storage areas.

The most common information that may have to be redacted in a procurement file is the following:

- Social Security Numbers
- Federal Taxpayer Identification Numbers
- Bank account or credit card information
- Financial Documents
- Information marked "Confidential"

The NCDOL Purchasing Office shall inspect, prior to release of the bid file, any sensitive information to include but not be limited to federal identification numbers, social security numbers, and/or any information which may jeopardize public safety. Cost information shall not be deemed confidential. Information that has been deemed confidential in nature shall be removed from the file by the NCDOL Purchasing Office and placed in the bid file inside an envelope with the file number written on the outside along with the award date. Prior to inspection by the public, the NCDOL Purchasing Office shall remove all sealed confidential information from the bid file.

Insurance Coverage

Providing and maintaining adequate insurance coverage is a material obligation of the vendor under the contract. Vendors shall be responsible for providing and maintaining commercial insurance, of the type and amount listed in the below chart. The default insurance coverage requirements vary based on contract value, as reflected below and in the North Carolina General Terms and Conditions from either P&C or DIT.

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The required coverage amounts listed in the below chart are minimums, which may be increased where there is a high risk of loss based on the subject matter of the contract. Any modification of the required insurance coverage should be based on a risk assessment and documented in the official procurement file. A risk assessment template is available from P&C for this purpose. The increased amounts should be provided in the solicitation document, so vendors are aware of the requirements. The insurance coverage provided for in the North Carolina General Terms and Conditions are not exhaustive, and other types of coverage may be needed for a specific procurement, such as cyber insurance or errors and omissions (E&O) coverage.

The solicitation document should include any additional types of coverage required. The NCDOL Purchasing Office may request proof of insurance coverage from the vendor prior to contracting the award.

Minimum Coverage(\$)				
Contract Value	Worker's Compensation Employer's Liability	Commercial General Liability	Automobile Liability	
Small Purchase	As required by North Carolina law	As required by North Carolina law	As required for risks involved in the procurement	
More than Small Purchase, but less than \$1 Million	\$250,000.00	\$500,000.00	<i>Bodily Injury and Property Damage</i>	\$250,000
			<i>Un/Underinsured</i>	\$250,000
			<i>Medical Payment</i>	\$2,500
Greater than \$1 Million	\$500,000.00	\$1 Million	<i>Bodily Injury and Property Damage</i>	\$500,000
			<i>Un/Underinsured</i>	\$500,000
			<i>Medical Payment</i>	\$5,000

Conditional Grant Funding

In accordance with 01 NCAC 05B.1506, whether a grant, donation, or special discount is predicated upon making a purchase from the grantor, the proposed transaction shall be explained in writing and shall receive prior approval by P&C. Prior to approval, P&C shall consider the conditions placed on the grant, donation, or special discount. Factors to consider include how this will affect NCDOL and the State, the cost of agreeing to such conditions, and the market conditions. A purchase or lease may be made without prior approval of P&C or the Commissioner of NCDOL when a donation from a private source is predicated upon making the purchase or lease from a specific source. This only applies if the donation from the private source covers 100% of the purchase price.

Funds from Different Sources

All expenditures of public funds, irrespective of the source, whether special, federal, local, gifts, bequests, receipts, fees, etc., or State appropriated, used for the purchase, rental, lease, lease-purchase, and installment purchase of equipment, materials, supplies, and services are to be handled under the provisions of Article 3 of Chapter 143 of the NCGS and in accordance with 01 NCAC 05B.1505.

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Competitive Sealed Bidding

Overview of Competitive Sealed Bidding

In accordance with 01 NCAC 05B.0301, competitive sealed bidding is required where the total expenditure for goods and services exceeds NCDOL's general delegation. For all procurements that exceed NCDOL's general delegation for P&C, sealed offers will be solicited by NCDOL. P&C must review and approve the solicitation prior to posting and prior to award.

Special Note: DIT will continue advertising solicitations that exceed NCDOL's general delegation.

Advertising Solicitations

NCDOL shall advertise formal solicitations that exceed the P&C general delegation of \$50,000 via the [E-Procurement Sourcing Tool](#). When advertisement is required, the NCDOL Purchasing Office shall advertise the solicitation for a minimum of ten (10) calendar days prior to the designated bid opening date. Pursuant to 01 NCAC 05B.0316, does not prevent the supplemental solicitation of offers to encourage competition by other means, including direct mailings, phone calls, or advertisement.

Solicitation Addenda

Addenda should be issued when it is necessary to make changes to the solicitation that will be applicable to all bidders, such as extending the bid opening or modifying bid submission requirements. Addenda shall also be prepared as necessary to respond to questions received from potential vendors during the question-and-answer period. The details about the question-and-answer period should be provided in the solicitation document. There are two (2) types of addenda that can be issued:

- **Mandatory** – the addenda must be signed and returned with the vendor's bid submission in order for the vendor to be considered responsive and further eligible for award.
- **Non-mandatory** – if the addenda does not need to be returned by the vendor and does not affect vendor responsiveness.

The addenda shall indicate whether it is mandatory and must be executed and submitted with the vendor's response to the solicitation. Any addenda issued shall be posted in the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#) using the same procedures as the original solicitation posting.

Sealed Bid Opening Procedures

Pursuant to NCGS §143-52 and 01 NCAC 05B.0305(a) and 01 NCAC 05B.0301, where sealed bidding is required, it is important to record the bid opening results to be transparent and follow the process as outlined below:

- Bids shall be received prior to the bid opening date and time specified in the solicitation. Late bids shall not be opened or considered. Bids may not be sent by email or fax.
- Bid openings shall be opened publicly and occur at the location, date, and time specified in the solicitation.
- At least two (2) purchasing staff members shall attend the bid opening to satisfy the witness requirement.
- All vendors in attendance shall sign the attendance sheet, indicating which party or parties are being represented.
 - If a bid opening is held virtually, use a screenshot or other method to capture a list of attendees.

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- Ensure vendors understand that during the evaluation period absolutely no contact is allowed with NCDOL staff other than the NCDOL Purchasing Office representative listed on the solicitation.
- Explain to all the evaluation process and the only information that will be shared publicly at this time is:
 - Bidder names
 - Manufacturer/Make
 - Model number
 - Delivery timeframe
 - Pricing (unless negotiation is anticipated)
- The NCDOL Purchasing Office shall not comment about addenda received or not received unless the pricing, make, model, or delivery has been changed through an addendum.
- Ensure vendors know how to access bid tabulations in the [NC electronic Vendor Portal \(eVP\)](#).
- A tabulation of vendors responding to the solicitation shall be prepared.
- Tabulations must be posted in [NC electronic Vendor Portal \(eVP\)](#) as soon as practical. Do not post pricing until after award if negotiating.

Special Note: The NCDOL Purchasing Office will only conduct sealed bid openings virtually.

Sealed Bid Opening

In accordance with 01 NCAC 05B.0305, bids and proposals shall be opened publicly at the location, date, and time listed in the solicitation document. Only those responses that are received by the deadline shall be opened and may be further considered for award. At the time of bid opening, bidder names, manufacturer information, model numbers of offered items, delivery timeframes, and pricing that is not subject to negotiation or two-step opening shall be announced to vendors and other persons attending the opening. This includes all timely bids received, including those that may later be deemed non-responsive. Late bids are not opened. If negotiation is anticipated, pricing may not be made public until the award.

One-Step or Two-Step Sealed Bid Opening

In accordance with 01 NCAC 05B.0305, sealed bid openings may be conducted as either a one-step or two-step process. The process required depends on the type of solicitation document used and the method of evaluation. The evaluation criteria and bid opening method must be included in the solicitation document.

One-Step (IFBs or RFPs): The vendor submits one sealed package. At the date and time specified in the solicitation, bids from each responding vendor will be opened publicly, and the name of the vendor and costs offered will be announced. If negotiation is anticipated, pricing may not be made public until the award in accordance with 01 NCAC 05B.0305.

Two-Step (RFPs): The vendor submits two (2) sealed packages containing a technical proposal and a cost proposal. At the date and time specified in the solicitation, technical proposals from each responding vendor will be publicly opened and the name of each vendor announced publicly. A notation will also be made indicating whether a separate sealed cost proposal has been received. Cost proposals will be placed in safekeeping until publicly opened at a later date. Vendors shall be given at least two (2) working days advanced notice of the date and time for the public opening of cost proposals.

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Cancellation of Advertised Solicitation Prior to Opening

NCDOL's bureau or office manager that desires to cancel the advertisement must notify the NCDOL Purchasing Office in writing including the reasons for the cancellation. The NCDOL Purchasing Office will complete the addendum and post via the [E-Procurement Sourcing Tool](#) stating that the solicitation has been cancelled. A hard copy to shall be retained in the procurement file.

Cancellation of Advertised Solicitation After Opening

All individual bid documents are re-sealed and labeled as cancelled bids. The NCDOL Purchasing Office should date and sign the bid cancellation form. If applicable, complete a bid cancellation form for P&C signature to obtain final approval. Bids are retained in the bid files.

Withdrawn, Voided, or Recalled Offers

In accordance with 01 NCAC 05A.0112(51), a withdrawn bid is defined as a bid that is rescinded by the vendor prior to the bid opening. Vendors or their authorized agents may withdraw offers in writing. Withdrawn offers should remain unopened in the bid file along with the withdrawal letter. The NCDOL Purchasing Office does not need to notify P&C of withdrawal requests made prior to bid opening. In accordance with 01 NCAC 05A.0112(49), a voided bid is defined as an electronic bid that was submitted by a vendor in connection with an electronic solicitation that has been cancelled, leaving the bids voided and not opened electronically. In accordance with 01 NCAC 05A.0112(29), a recalled bid is defined as a bid that is rescinded by the vendor after the bid opening but prior to a contract being awarded. Recalls should be requested in writing after bids are opened. When a vendor seeks to recall its bid, the NCDOL Purchasing Office must do the following:

- Review the reasons given for any recall request to ensure that allowing the recall would not compromise the procurement process.
- Inform P&C of the reason for the request and whether it was allowed.

Acceptance Time Extensions on Offers

In accordance with 01 NCAC 05B.0306 and 01 NCAC 05B.0308, when using an IFB or RFP, no contract can be awarded if the acceptance time has expired. A request to extend the acceptance time may be sent to the responsive and responsible bidder(s). Extensions of acceptance time shall be confirmed in writing by the vendor.

Late Offers

Bidders are solely responsible for having the bid offer delivered at the correct date, time, and location, regardless of delivery method. Late offers or modifications shall not be accepted unless the NCDOL staff involved in the solicitation is directly responsible for the delay.

Bid Tabulation

In accordance with 01 NCAC 05B.0305, once the bid opening has occurred the NCDOL Purchasing Office must create a tabulation of the publicly available information and post it in the [E-Procurement Sourcing Tool](#). Tabulations are normally available in the [NC electronic Vendor Portal \(eVP\)](#) within one (1) working day after the bid opening except for the following circumstances:

- Lengthy tabulations may not be available in the [NC electronic Vendor Portal \(eVP\)](#).
- Requests for tabulations or tabulation information (such as pricing) that is not publicly available cannot be honored until after the award.

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Evaluations and Negotiations Overview

After the bid posting process, all information and documentation relative to development of a contractual document for a proposed procurement shall be deemed confidential in nature, except as deemed appropriate by the NCDOL Purchasing Office. Such material shall remain confidential until successful completion of the procurement process. During the period of evaluation and prior to award, only the information provided in the posted bid tabulation is public record. Only individuals within NCDOL (and/or P&C or DIT, if involved) who are responsible for handling the offers and accompanying information, and others determined necessary by NCDOL, shall possess offers, including any accompanying information submitted with the offers for the purpose of evaluation and award of contract.

Any communication with a bidder that may be necessary for the purpose of clarification of its offer shall only be conducted by NCDOL Purchasing Office, P&C or DIT. Bidder participation in the evaluation process shall not be permitted except as deemed necessary by the NCDOL Purchasing Office to clarify offers or engage in negotiations. After award of the contract or when the need for the item or service is cancelled, all information contained in the bid file shall be available to any interested party except sealed confidential information.

Evaluations and Negotiations

The evaluation method and criteria are critical to the procurement process. The evaluation method and criteria should be tailored to each specific procurement and be included in the solicitation document. The evaluation method and criteria dictate how vendor responses to a solicitation will be evaluated and a vendor selected for award. When developing the evaluation sections of a solicitation, consider how the responses will be assessed in a fair and consistent manner and ensure that the resulting contract will be in the best interest of NCDOL.

Only offers deemed responsive after the completed administrative review can be considered for evaluation and award. Prior to evaluations, it is essential to ensure that both the offer and the vendor are eligible for an award. This involves assessment of whether the offer is responsive, and not debarred, prior to evaluation. After vendor selection, in certain circumstances, negotiation may be needed to secure better pricing or finalize the terms and conditions of the contract.

Determining Responsiveness

Before the evaluation can proceed, each offer received must be reviewed to determine whether it is responsive before it can be further considered for award. In accordance with 01 NCAC 05A.0112(32), a responsive offer is defined as an offer that meets all of the requirements of bid submission, including bid execution, submittal of all required information and completed attachments, and receipt by the bid submission deadline.

In accordance with 01 NCAC 05A.0112(5), 01 NCAC 05B.0307, 01 NCAC 05B.0309(c), bids with material deficiencies are non-responsive and cannot be considered for award. For example, failure to submit pricing or a technical approach is a material deficiency, since the response cannot be properly evaluated. Submission of a response with material deficiencies cannot be cured by clarification. An issue with a response that does not create a material issue, such as a vendor providing two (2) copies of its bid instead of three (3) copies, can be waived as a minor informality or technicality. In certain instances where all responsive vendors have made the same material mistake, that requirement may be waived for all vendors.

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Non-responsive vendors may not be evaluated or considered for an award, so responsiveness must be determined prior to evaluation. Examples of omissions that would result in a vendor being deemed non-responsive:

- Failure to provide required references
- Failure to sign the bid or proposal
- Failure to complete all required attachments
- Failure to return all mandatory addenda
- Failure to submit pricing
- Failure to attend a mandatory site visit or conference
- Failure to meet delivery requirements
- Late bid submission

Signed Bid

All received bids must be signed (executed) by the vendor to be accepted for consideration. A signature indicating that the document is the vendor's offer is necessary to create a binding contract. In certain instances, a vendor will include a signed cover letter that reflects that the vendor intends to be bound by the terms of the solicitation document. Depending on the specific language of the cover page, the signed cover page may be able to replace the signed solicitation execution page. Specific cover letter language is required for this substitution.

Determining Responsibility

In addition to submitting a responsive offer, a vendor must be responsible to be eligible for an award. In accordance with 01 NCAC 05A.0112(5), a responsible vendor is defined as one who is able to satisfactorily perform the work. A contract may not be awarded to a vendor if that vendor is not responsible. A vendor is determined to be responsible by reviewing the information provided in response to the solicitation to determine if there is the capacity to perform the technical and contractual requirements of the contract.

Debarred Vendors

In accordance with 01 NCAC 05B.1520, debarred vendors are not entitled to enter into contracts with NCDOL. It is critical to check whether a potential vendor is listed on the State's debarred vendor list before a potential vendor is selected for award. If a solicitation is funded by federal grants, consulting the federal debarred vendor list may also be required.

Confidentiality During Evaluation

During the period of evaluation and prior to award, only the information provided in the posted bid tabulation is public record. If negotiation is anticipated, pricing does not need to be posted in the bid tabulation and may not be available until after award. Access to information about specific offers, including any accompanying information submitted with the offers, shall be limited to persons in the NCDOL Purchasing Office who are responsible for handling the bid evaluation and contract award. Vendor participation in the evaluation process shall not be permitted. NCDOL should limit vendor communications to those necessary to clarify offers or engage in negotiations. After award of the contract or when the need for the item or service is cancelled, the complete file shall be available to any interested party with the exception of confidential information.

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Evaluation Methods and Criteria

Responsive vendors shall be evaluated to determine and document which offer is the most advantageous to NCDOL based on the evaluation method and criteria in the solicitation document. The evaluation criteria define the selection process and how offers will be evaluated and awarded. When appropriate, also provide for value analysis in selecting the most advantageous proposal by considering other factors besides price, such as performance history, experience, technical approach, and other related factors. Contracts are awarded based on what is most advantageous to NCDOL.

Evaluations may be based on either cost, numerical weighting, or narrative trade-off. Whichever approach is used, the evaluation must be thoroughly documented and included in the official procurement file. All responsive offers shall be considered for award. All evaluation factors and criteria and the relative importance must be stated clearly in the solicitation document. Unless the solicitation provides otherwise, the relative importance is determined by the order in which the factors are listed. Specific percentages for the weight of each factor are not required, but if used, must be disclosed in the solicitation document. Relative strengths, deficiencies, weaknesses, and risks supporting the evaluation must be documented for each vendor and saved in the procurement file. The evaluation team shall determine the final ranking of all offers under consideration using only the criteria set forth in the solicitation document. All vendors are ranked from most advantageous to least advantageous to NCDOL. Only criteria listed in the solicitation shall be considered in the evaluation and cannot change during the evaluation phase. The following evaluation methods may be used when appropriate:

- **Lowest Price Technically Acceptable**
 - Typically used with an IFB
 - Awards shall be made to the responsive and responsible vendor with the lowest price whose bid meets the specifications of the solicitation.
- **Best Value**
 - Typically used with an RFP
 - Specific criteria define how offers are evaluated and awarded.
 - Provide value analysis for selecting the most advantageous proposal factors beyond price. Stated criteria may include past performance, qualifications, experience, staffing plans, proposed technical approach, and other related factors.

Lowest Price Technically Acceptable

If the lowest price method is used, award must be made to the responsive and responsible vendor with the lowest price, if the bid meets the specifications of the solicitation (i.e., is technically acceptable). Trade-offs between price and performance are not allowed. Clarifications and vendor negotiations may be used with this method of award.

Best Value

In accordance with NCGS §143-52(a) and §143-135.9, the intent of best value procurement method is to enable vendors to offer, and NCDOL to select, the most appropriate solution to meet the business objectives defined in the solicitation and to keep all parties focused on the desired outcome of the procurement rather than price. The following information describes the best value procurement methodology:

Procurement Policy and Procedure

- A committee evaluates offers in accordance with the stated evaluation factors to determine which proposal offers the best trade-off between price and performance.
- Specific evaluation criteria are provided in the solicitation document. The evaluation may only consider those factors and the statutory factors in the evaluation for award.
- For solicitations being evaluated, which use best value procurement method for vendor scoring and ranking must be determined by using consistent rating methodologies, such as narrative, qualitative, quantitative, or numerical rankings.
- The evaluation team must identify the strengths, deficiencies, weaknesses, and risks supporting the evaluation and document within the procurement file.
- Evaluation committees shall use only solicitation criteria to determine final ranks of offers, from most advantageous to least advantageous to NCDOL. Narrative evaluations assess the strengths of an offer, and how the vendor offer supports the business objective, the weaknesses and/or risks, and how the weakness and/or risks may implicate the business objective. The resulting justification of which offer is most advantageous to NCDOL shall be done by consensus of the committee.

Example Evaluation Criteria

Selection of appropriate evaluation criteria is a critical component of the solicitation document. It defines the selection process and guides how offers will be evaluated and awarded. It also provides for value analysis in selecting the most advantageous proposal by considering other factors besides price, such as past performance history, qualifications, experience, and technical approach used in the proposal. Common evaluation criteria include the following:

- Cost
- Delivery and implementation schedules
- Conformity with the specifications
- Vendor experience
- Technical approach
- Staffing plan

If financial information will be evaluated, the solicitation document must state the requirement and inform the vendor of what documentation must be submitted. The vendor's financial information, statements, and/or documents submitted with its response shall be evaluated to determine whether the vendor the following:

- Has sufficient ability to perform the contract.
- Is able to meet its short-term obligations, debts, liabilities, payroll, and expenses.
- Has provided complete, reliable, and accurate financial information regarding its business operation.
- Is financially solvent.
- Has sufficient cash flow and/or available financing from a financial institution to perform the proposed contract for an extended period without receiving payment from NCDOL.

Clarifications or negotiations may be conducted with the vendor after receipt of offers as appropriate. In those cases where negotiation is required, best and final offers (BAFOs) may be needed to document negotiated changes to the initial offer.

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Narrative Evaluation

In accordance with NCGS §143-52 and §143-135.9, the narrative process of evaluating and incorporating the best value procurement method into the evaluation criteria from the solicitation. The strengths and weaknesses of a vendor's proposal relative to those factors along with the specifications of the solicitation, gives priority to those factors weighted more highly. The evaluation should discuss each vendor's strengths or weaknesses relative to the evaluation criteria. The evaluation should never include any opinions or feelings.

Extensively listing strengths and weaknesses of vendors in a table and then concluding without discussion that a particular vendor should receive the award is subject to protest. As such, the use of the narrative evaluation requires a written explanation of the strengths and weaknesses of each proposal and a subsequent justification of why the recommended awardee provides the best value procurement method to NCDOL. Many narrative evaluations fail to connect the dots and explain the conclusion reached after evaluation of the award criteria.

If using a narrative evaluation process, the evaluation committee should come to a decision by consensus and be clear in its written evaluation about the basis for its evaluation and decision. Arguably, a clear and well-written narrative evaluation that has a rational basis should have an advantage over a numerical evaluation in any legal challenge to the award.

Numerical Evaluation

A numerical evaluation shall be based on measurable and objective criteria. The weight value and scoring methodology must be spelled out in the solicitation document. The results of the evaluation shall be in writing and preserved as a public record after award, which shall include individual scores from each evaluation team member or consensus scores agreed to by the team as a whole. Cost should be weighted and scored, as well as technical approach, qualifications, resources, experience, and any other criteria identified. Vendors are ranked from most advantageous to least advantageous to NCDOL.

Evaluations shall be based on measurable and objective criteria. The solicitation document shall clearly identify weight value and scoring methodology, though these values may vary between solicitations. Scoring values are not standardized and can be developed as needed to maintain well-defined, fair, and equally measured evaluation criteria. Offers are ranked using the evaluation factors and on relative importance or weight as defined in the solicitation document. The relative overall ranking of any offer may be adjusted up or down when considered with, or traded-off against, other non-price factors.

For example, an offer with the lowest price would normally receive the best ranking in the price evaluation category. However, if other non-price evaluation factors received low rankings, the overall ranking of the offer would be reduced. Clarifications and negotiations are allowed, as needed. The cost evaluation is calculated based on the lowest cost receiving the maximum points.

The next ranking vendor(s) will receive a percentage of the maximum points; the formula is based on the vendor's lowest cost divided by the vendor's cost. Weighted evaluations can be scored and derived either by consensus or individually. Weighted evaluations should be supported with an explanation of the point distribution.

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Two-Step Competitive Sealed Bidding

Two-step competitive sealed bidding separates the technical evaluation from the cost evaluation. Under a two-step process, technical and cost proposals are submitted separately, although both must be received by the bid deadline. Solicitations must give notice that each component of the response must be distinct and must not include information relevant to the other:

- The technical proposal shall not contain cost information.
- The cost proposal shall not contain technical information.

Each proposal shall be dated and signed by an authorized official. Unsigned proposals must be rejected. The NCDOL Purchasing Office shall notify bidders at least two (2) working days prior to the cost opening. Technical and cost proposals shall be opened publicly with accepted bidders at the date, time, and location specified in the solicitation.

Step 1

Technical proposals are opened and evaluated first. Cost proposals are held in safekeeping but are not opened and do not become public record until the technical offers have been evaluated.

Step 2

If a vendor's technical proposal was accepted, then the cost proposal can be opened. Vendor names and prices are then tabulated.

Posting Bid Tabulations

A bid tabulation should be posted in the [NC electronic Vendor Portal \(eVP\)](#) within one (1) business day of the bid opening. The tabulation should list, at a minimum, the names of the vendors that submitted a response. The tabulation should also include the make and model of the item offered and the delivery time where appropriate.

If negotiation is anticipated, the pricing is not included as part of preliminary tabulation but is included in the final tabulation once an award is made. If the "amounts bid" is not adaptable to being summarized, or if a summary would be misleading, a manual tabulation shall be prepared by the NCDOL Purchasing Office upon request and indicated in the comment section of the [NC electronic Vendor Portal \(eVP\)](#) tabulation.

Communications with Vendors

During evaluation, communications with vendors should be limited. The NCDOL Purchasing Office may clarify offers or negotiate with vendors after offers are received. BAFOs shall be signed to document the contract changes resulting from negotiations. Evaluators may request oral presentations or discussion with vendors to clarify the offers received.

Tie Bids

When the evaluation of two (2) or more competitive solicitation responses results in a tie, the awarded vendor shall be selected by a coin toss. Coin tosses shall be witnessed by the NCDOL's CFO and Deputy CFO and documented in the procurement file by the NCDOL Purchasing Office.

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Basis for Rejecting Offers

In accordance with 01 NCAC 05B.0501, vendor offers may be rejected in part or whole, and the bases for rejection may include the following:

- When the offer does not meet the specifications in the solicitation regarding quantity, quality, delivery, price, or service.
- Cancellation or changes in the intended project or other determination that the proposed requirement is no longer needed.
- When the offer does not comply with the requirements set forth in the solicitation document.
- When the NCDOL Purchasing Office determines there is a lack of competition.
- When the solicitation contains errors.
- Cancellation or changes in the intended project or other determination that the proposed requirements are no longer needed.
- Dual or similar offers which prevent a best value procurement method to be determined.
- Limitation or lack of available funds.
- Any determination that rejecting offers is in the best interest of NCDOL.

Negotiation

In accordance with 01 NCAC 05B.0112, negotiations between NCDOL and potential vendors aim to achieve mutually satisfactory objectives and benefits and reconcile differences on pricing and contract terms and conditions. Negotiations are conducted with vendors to allow for modifications to the terms and conditions, the pricing, or both.

In accordance with 01 NCAC 05B.0503, NCDOL may negotiate with one or more responsive vendors or reject all offers and negotiate with one or more sources of supply that may be capable of satisfying the requirement. Negotiations may also be conducted with suppliers who merit a waiver of competition. Negotiations shall be conducted by NCDOL if the procurement is valued less than its general delegation. Appropriate assistance may be sought from NCDOL Legal Affairs or P&C, depending on contract value and any relevant general delegation, special delegation, or exemption. Additional terms and conditions may be needed for specific procurements and should be part of negotiations as needed.

Offers and counteroffers may be made as necessary with each vendor to secure mutually agreeable contracts. After negotiations, the NCDOL Purchasing Office will select the vendor(s) with the most advantageous proposal. Vendors shall submit written confirmation of modifications and final terms and conditions of the proposal. BAFO documents shall be used to document changes made through negotiation unless, for instance, a revised RFQ is issued after negotiation.

Negotiation Tips and Guidelines

Successful negotiation is based on knowing the objective of the negotiation and deciding on the tactics to use in achieving that objective. Negotiation plans for internal reference should be made beforehand and should guide the process to the desired outcome. These typically include the following:

- What are the issues to be negotiated?
- What terms or modifications is NCDOL not able to accept?

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- What specific outcome is desired on each issue?
- What is the least acceptable outcome?
- What issues are deal-breakers if negotiations are not successful?
- Why is NCDOL seeking the change?
 - This should persuade vendors to agree but does not necessarily disclose all aspects of NCDOL's situation, motivation, or needs.

Award Recommendation

In accordance with 01 NCAC 05B.0309, once evaluations and negotiations have been completed with one or more selected vendors, the NCDOL Purchasing Office must prepare a written narrative summarizing the rationale for the selected offer as well as the reasons for non-selection of other offers. The summary shall address the merits of the offer relative to the solicitation document and shall address positive or negative attributes as well as weak or non-supportive factors. When numerical points and/or percentages are used in the solicitation document, numerical and/or percentage criteria must be used in the evaluation exactly as noted in the solicitation document. Often each criterion is weighted, giving certain areas of the criteria more value relative to the award determination. NCDOL must be sure that the final scores correctly reflect that weighting.

Partial and Multiple Awards

Pursuant to NCGS §143-52.3, some contracts require making an award to more than one vendor. This shall be limited to the number of vendors needed to reasonably satisfy the contract requirements. Care should be exercised to protect the character and principles of competition. Unless otherwise stated in the solicitation, partial, progressive, or multiple awards may be made in the following circumstances:

- Due to insufficient funds.
- As a result of legislative mandates.
- Where it is advantageous to award separately by items.
- Where more than one vendor is needed to provide the contemplated requirements as to the following:
 - Quantity
 - Quality
 - Delivery
 - Services
 - Geographical Areas

Notification of Award

Awarded vendors shall be notified of the contract award. If the solicitation was advertised in the [E-Procurement Sourcing Tool](#), then the award notice shall be posted there as well. Posted award notices shall identify the contract and award information, awarded vendors, and pricing. Award notifications shall be posted to the [E-Procurement Sourcing Tool](#) within three (3) calendar days of award or within one (1) day after execution of the contract, whichever is later.

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Post-Award Overview

Notices to Vendor

Once bid evaluations are complete and a vendor has been selected, the NCDOL Purchasing Office should notify the selected vendor(s) of the contract award. This notification should be provided prior to issuance of a purchase order. For competitive sealed bidding, award information shall be posted publicly to the E-Procurement system.

Release of Confidential Information After Award

Pursuant to NCGS §132-1.2 and 01 NCAC 05B.0103, all information and documentation relative to the development of a solicitation document for a proposed procurement or contract shall be deemed confidential in nature, except as deemed necessary by the purchaser to develop a complete contractual document. Such material shall remain confidential until the award of a contract or until the need for the procurement no longer exists. This confidentiality requirement includes all information and documentation relative to the development of a specification until the adoption of that specification or award of a contract, whichever is later.

After contracts are awarded, or when there is no longer a need for the good or service, complete files shall become public record and made available to interested parties, with the exception of trade secrets or other information a vendor appropriately deemed confidential in its response. As a condition to confidential treatment, each page of the vendor's response containing trade secret information shall be identified in boldface at the top and bottom as "CONFIDENTIAL" by the vendor, with specific trade secret information enclosed in boxes, marked in a distinctive color or by similar indication. Cost information shall not be deemed confidential under any circumstances. Regardless of what a vendor may label as a trade secret, the determination of whether certain information is or is not entitled to protection is determined in accordance with NCGS §132-1.2. Confidential information must be redacted if documents are produced in response to a public records request.

Review of Services for Acceptance

The NCDOL Purchasing Office shall ensure that services comply with applicable codes, statutes, local ordinances, policies, and safety requirements. The NCDOL Purchasing Office shall compare actual performance against performance measures, goals, deliverables, and objectives to determine whether all required work has been completed. Performance should be considered complete when the services are approved as acceptable by NCDOL's bureau or office unless otherwise stated in the contract.

Review of Goods for Acceptance

Receiving is the act of taking possession and inspecting goods for acceptance based on the specifications of the solicitation document. When goods are received from a vendor, it is important the items are reviewed to ensure compliance with the contract and the purchase order and to confirm that the goods are not damaged. Goods shall be inspected at the time of receipt and compared against the packing slip, if possible. Prompt acceptance of goods received is important to prevent any vendor claims that goods were "deemed accepted" by NCDOL without actual inspection and acceptance by NCDOL.

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Freight on board (FOB) destination should be required in the solicitation document, so the risk of loss or damage to the goods will not pass to NCDOL until delivery. If all the specifications of the order are met and no damages are found, the item is received. All packing slips and any necessary paperwork should then be submitted to the proper NCDOL requisitioner so the invoice can be paid. When damages or discrepancies are discovered, the vendor is to be immediately notified with specific information of the discrepancy. Damage should be documented by a dated photograph. Partial shipments shall be documented and raised with the vendor immediately upon discovery.

Inspection and Testing

The NCDOL requisitioners and other appropriate NCDOL staff should inspect and test goods promptly upon receipt consistent with the following:

- Inspect goods upon delivery to ensure compliance with contract requirements and specifications.
- Ensure that goods comply with applicable codes, statutes, local ordinances, policies, and safety requirements.
- Contact vendors about delivered products that fail to meet contract specifications or requirements and document these communications in the procurement file.
- The NCDOL Purchasing Office may authorize revisions and cost adjustments as needed after inspections are completed to account for discrepancies in quantity, quality, or deviations from the specifications. If an increase in cost results in the total contract value exceeding NCDOL's general delegation, then prior approval from P&C is required.

Quality Acceptance Inspection List

In accordance with 01 NCAC 05B.0901, it is the responsibility of NCDOL to inspect all materials, supplies, and equipment upon delivery to ensure compliance with the contract requirements and specifications, unless the solicitation requires P&C to conduct the inspection. P&C's quality acceptance inspections list determines if the commodity being bought will require a P&C quality acceptance representative inspection. This inspection is required prior to payment being authorized. The NCDOL Purchasing Office shall include the statement calling for the [quality acceptance inspection report](#) in the Invitation for Bids (IFB) or Request for Quote (RFQ) and furnish a copy of the IFB or RFQ to P&C, upon request.

Damaged Goods

Procurement processes may be delayed if damaged goods are received. Sometimes damages are not discovered until packaging is opened, items are installed, or equipment is put into service. Vendors shall be notified as soon as damage is discovered and potential impacts on NCDOL are documented. The NCDOL Purchasing Office must determine where a subsequent damage claim is to be filed based on the terms specified in the contract or purchase order. Vendors must be notified of any potential impacts NCDOL may incur due to the damaged goods.

Inaccurate Orders

When a discrepancy in part number(s) and/or products occurs, vendors may be placed in default if justified by the contract terms. Vendors should be notified immediately of order discrepancies, so the vendor is afforded the ability to timely resolve these issues.

Procurement Policy and Procedure

Inaccurate orders often create inaccurate invoices that compound the problem and ultimately require a meeting between the NCDOL Purchasing Office and the vendor to discuss vendor performance. The NCDOL Purchasing Office may counsel vendors with multiple order discrepancies on how the vendor plans to improve its performance so the vendor may be eligible for future contracts.

Inaccurate Quantities

NCDOL requisitioners and the NCDOL Purchasing Office must work together in resolving inaccurate quantities with vendors by either obtaining credit or replacement of goods that were shorted from the shipment. NCDOL requisitioners should notify the NCDOL Purchasing Office of the nature and type of quantity discrepancies which may include the following:

- Too many/too few items.
- Shipping the wrong part number or wrong manufacturer part.
- Case quantities instead of the amount ordered, e.g., reams of paper versus cases of paper. Requisitioners should document this for future reference when ordering this same item.

Vendor Complaints

The appropriate P&C or DIT vendor complaint forms will be completed by the NCDOL Purchasing Office when a problem has been detected with the product or service being purchased. A copy of the form is retained in the bid file and the cover letter addressed to P&C or DIT is attached and forwarded to P&C or DIT for action. Any action taken by either P&C or DIT shall be documented and placed in NCDOL's purchasing file. (This applies to over NCDOL's general delegation). When the associated purchase is within NCDOL's general delegation, the vendor is contacted by the NCDOL Purchasing Office, or their designee, and advised via a "[Notification of Complaint](#)" letter. The vendor is given an opportunity to submit a corrective action plan to resolve the issue. Failure to do so will result in a formal complaint to P&C within ten (10) calendar days. The NCDOL Purchasing Office is responsible for making note of the date and time the vendor's response is received.

Once the corrective action plan is received from the vendor, a copy is forwarded to P&C or DIT as a matter of record. The NCDOL Purchasing Office shall inform the vendor of the plan and monitor accordingly. If the problem persists, a 'Notification of Complaint' letter may be sent to the vendor via certified mail by P&C or DIT. A copy of the letter is to be retained in the bid file as a matter of record by the NCDOL Purchasing Office. Information regarding vendor performance is very important in evaluating and awarding future contracts. This information is used to determine whether a vendor is performing responsibly. Unresolved vendor complaints are a part of a vendor's general reputation and may be used to deny an award of contract.

Contract Closeout Checklist

It is the responsibility of the NCDOL Purchasing Office to ensure that the work under the contract has been completed prior to final payment. Once that has been determined, the NCDOL Purchasing Office should perform contract closeout processes. The purpose of the contract closeout is to verify that both parties to the contract have fulfilled the contractual obligations and there are no responsibilities remaining. In addition, contract closeout is the time to assess the success of the contract and determine if there are any lessons learned for future contracting. The contract closeout file should contain all necessary documentation relative to the agreement at the time of closeout. Contracts with active warranties shall not be closed out or receive final contract performance reviews until the warranty expires.

Procurement Policy and Procedure

With the exception of ongoing warranties, final payment should never be made until all work is complete and all deliverables are received and accepted. A contract is ready for closeout when the following circumstances occur:

- All goods and services have been received, completed, and accepted by NCDOL.
- All monitoring issues have been resolved.
- All deliverables, including reports, have been delivered and accepted by NCDOL. The NCDOL Purchasing Office must compare actual performance against performance measures, goals, and objectives to determine whether all required work has been completed.
- Vendor performance has been evaluated by comparing work completed against contract goals and objectives.
- Final acceptance from the NCDOL bureau or office management has been received (if applicable).
- The vendor is aware of, and in compliance with, records retention requirements and a plan has been developed for contract file maintenance.
- Any deficiencies found as part of the closeout process are documented, and resolved, if possible.
- Final payment has been issued.

In practice, many contracts cannot be closed out immediately after the date the above items are all completed because the warranty period is effective well beyond such a date. Therefore, the contractor may not have satisfactorily performed all required contractual obligations until the end of the warranty period. Furthermore, sometimes even at that point, the contract cannot be fully closed out because it may, for example, require the contractor to have repair parts available for years after the contract is awarded. It is recommended that the NCDOL Purchasing Office have a closeout process for contracts that allows sufficient time to finalize closeout procedures, including completion of all final obligations and issuance of payments. Good contract management and administrative procedures require that contracts be closed out and filed, not open, or is unresolved for an extended amount of time beyond the expiration date.

Performance and Default

When performance issues arise in a contract, the performance issue should be resolved at the lowest possible level to have the performance remedied quickly and satisfactorily. If one or more material issues are not resolved, NCDOL may find a vendor in default on the contract for failing to perform in accordance with the contract requirements and terms and conditions. The NCDOL Purchasing Office has several documents that are frequently used to document performance issues and exercise contract default clauses:

- Requests to Cure letter is utilized to issue a formal complaint regarding the performance of a vendor, to document vendor performance failures, and to obtain a response from the vendor on how this will prevent the issue from reoccurring.
- Notice of Default and Request to Cure letters are utilized to provide formal notice to a vendor that the vendor is in default of a provision in a contract and require the vendor to cure that default within a specified timeframe or the contract will be terminated for cause.
- Notice of Termination and Remedies letters are utilized to provide formal notice to a vendor that the vendor is being held in default under the contract and that the contract is being terminated. The letter may also advise the vendor of the remedy being sought, such as the additional cost of obtaining substitute goods or services.

Procurement Policy and Procedure

For purchases of goods, NCDOL may immediately purchase replacement goods on the open market and charge those expenses to vendors who are found in default for failing to perform in accordance with the contract's terms pursuant to NCGS §25-2-712.

Debarred Vendors

In accordance with 01 NCAC 05B.1520, debarment means a vendor shall not be entitled to enter into a contract for goods or services, shall be placed on a debarred vendor list, and shall be removed from any distribution lists which may be utilized by P&C. Vendors may only be debarred in limited circumstances, such as the following:

- Pursuant to NCGS §143-59.2, if the vendor or any officer, director, or owner is convicted of any violation under NCGS §78A, the Securities Act of 1933 or the Securities Exchange Act of 1934.
- For failure to pay required E-Procurement fees.
- By P&C upon the finding of fraud, misrepresentation, or other deceptive acts or practices while doing business with a State entity, found during an audit by the State Auditor in accordance with NCGS §147-64.6(c)(21) or found after an internal audit by an internal auditor in accordance with NCGS §143-746(f). After a finding by the State Auditor or NCDOL Internal Auditor, P&C will make a determination whether to debar a vendor based on the following factors:
 - The severity of the conduct identified in the findings and any recommended actions by the State Auditor or NCDOL Internal Auditor.
 - The vendor's history of performance on one or more contracts.

Contract Renewals and Extensions

Contracts may need to continue after the expiration of the initial contract term. Contract renewals and extensions allow for contract performance to continue under the same terms and conditions as the original contract period. The NCDOL Purchasing Office must consider and document the factors provided in 01 NCAC 05B.0321 prior to exercising a renewal or seeking a contract extension.

In accordance with 01 NCAC 05A.0112, contract renewals are provided for in the solicitation document. The contract renewal may be exercised by NCDOL as a matter of right and does not require the vendor to execute an additional contract document or otherwise agree to the extended contract term. A notification must be sent from the NCDOL Purchasing Office to the vendor informing the vendor that NCDOL has chosen to exercise a renewal option from the contract.

In accordance with 01 NCAC 05A.0112, contract extensions are another mechanism for extending the life of a contract. Unlike renewals, contract extensions are not provided for in the original contract document. Both NCDOL and the vendor must agree to a contract extension, and a contract extension (or amendment) document must be drafted and executed by both parties.

In accordance with 01 NCAC 05B.0319, P&C approval must be received for a contract term that exceeds three (3) years. This approval must be received before NCDOL can enter into a contract extension. P&C approval for an extended contract term is required regardless of contract value. After the contract extension has been executed by NCDOL and the vendor, the NCDOL Purchasing Office must post a public notification of the extension in the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#) as required pursuant to 01 NCAC 05B.0320.

Procurement Policy and Procedure

Bid Protest Overview

In accordance with 01 NCAC 05B.1519A, a bid protest is a process by which a vendor wishing to protest an award by NCDOL can present for consideration the vendor's request for relief. A vendor initiates a bid protest by sending a written request to protest the award to the correct receiving entity, based on the contract amount. The protest letter must be received within thirty (30) calendar days of the contract award, or the protest is untimely and will not be heard. Pursuant to 01 NCAC 05B.1519 and 01 NCAC 05A.0112, vendors are permitted to submit a bid protest. A vendor is defined as a contractor, supplier, bidder, company, independent contractor, firm, corporation, partnership, individual or other entity submitting a response to a solicitation. Thus, a vendor must have submitted a response to the procurement at issue in order to submit a bid protest.

Bid Protest Procedures

To ensure fairness to all vendors and to promote open competition, the NCDOL Purchasing Office and P&C shall actively follow up and be consistent in responding to a vendor's protest concerning contract awards. Protests of contracts that exceed NCDOL's general delegation are heard by P&C. Protests of contracts valued less than NCDOL's general delegation are handled by the NCDOL Purchasing Office. Pursuant to 01 NCAC 05B.1519, the following procedures have been established to handle vendor protests for contracts valued below NCDOL's general delegation.

Protest Process Under General Delegation

Protests for contracts valued under NCDOL's general delegation shall be heard by the NCDOL Purchasing Office. The below process shall be as follows:

- Vendor submits a written request for a protest meeting to the NCDOL Purchasing Office within thirty (30) calendar days from the date of award. The vendor's request shall contain the reasons why it has a concern with the award and any supporting documentation.
- Within five (5) calendar days from receipt of the protest letter, the NCDOL Purchasing Office shall submit a copy to P&C.
- If a meeting is refused: Within ten (10) calendar days from the date of receipt, the NCDOL Purchasing Office shall notify the vendor in writing that its protest met at least one (1) of the below conditions. A copy of the NCDOL Purchasing Office's decision letter shall be forwarded to P&C indicating one (1) of the following.
 - It was not timely.
 - It did not contain the required information.
 - It was meritless, and a meeting would have served no purpose.
- If a meeting is granted: The meeting must be scheduled within thirty (30) calendar days from receipt of the protest, unless mutually agreed.
- Within ten (10) calendar days after the meeting, the NCDOL Purchasing Office shall notify the vendor of the results of the protest meeting and the appeal rights under Article 3 of NCGS §150B. A copy of the NCDOL Purchasing Office's decision letter shall be forwarded to P&C.
- If there is any further administrative or judicial review of the contract award, the NCDOL Purchasing Office shall notify P&C in writing.

Procurement Policy and Procedure

Protest Process Over General Delegation

Protests for contracts that exceed NCDOL's general delegation shall be heard by P&C. The below process shall be as follows:

- Vendor submits a written request for a protest meeting to P&C within thirty (30) calendar days from the date of award. The vendor's request shall contain reasons why it has a concern with the award and any supporting documentation.
- If a meeting is refused: Within ten (10) calendar days from the date of receipt, P&C shall notify the vendor in writing that its protest met at least one (1) of the following conditions:
 - It was not timely.
 - It did not contain the required information.
 - It was meritless, and a meeting would have served no purpose.
- If a meeting is granted: The meeting must be scheduled within thirty (30) calendar days from receipt of the protest, unless mutually agreed.
- Within ten (10) calendar days after the meeting, P&C shall notify the vendor of the results of the protest meeting and the appeal rights under Article 3 of NCGS §150B.
- If there is any further administrative or judicial review of the contract award, P&C shall notify NCDOL in writing.

Bid Protest Meeting

Bid protest meetings are typically about one (1) hour in length, but the duration may be adjusted due to complexity of the issues raised in the bid protest letter. The protest meeting is an informal, non-adversarial meeting in which the protesting vendor has the opportunity to further explain its position to NCDOL or P&C. The awarded vendor may attend the protest meeting and provide a response to the protest allegations but is not required to do so. Each party will be given a set period of time in which to present their side. Because it is an informal process, not a hearing, evidence does not need to be presented, and witnesses do not need to be called. NCDOL Legal Affairs staff may attend and present on behalf of the protesting or awarded vendor but is not required to do so. The bid protest meeting is an opportunity for the protesting vendor to further explain its position, for the awarded vendor to provide any comments in response, and for NCDOL or P&C to ask questions to further clarify the issues. The protesting vendor and the awarded vendor shall direct any comments to NCDOL or P&C and not to one another. NCDOL or P&C is not required to defend its position or answer vendor questions in the protest meeting.

Procurement Policy and Procedure

Procedures and Recordkeeping

Procurement File Maintenance

In accordance with 01 NCAC 05B.1901 and 01 NCAC 05B.1903, a procurement file should be created for each procurement by the NCDOL Purchasing Office. All purchasing records shall be maintained for a period of five (5) years after the expiration date of the contract. Each file shall be identified individually so it can be readily located and referenced. If assigned an IFB or RFP number, the closed file shall be filed in the appropriate bid or proposal file area. All contract files shall be filed and maintained within the Financial Services Division and retained for the appropriate retention period. Each procurement file should contain all documents related to the procurement request, including as applicable:

- Original offers received
- A written, dated, and signed justification for award or cancellation
- Worksheets and evaluations
- A written, dated, and signed justification for waiver or emergency purchase
- Tabulation of offers received
- Related correspondence
- Reasons for receiving only one (1) offer in response to a solicitation
- Negotiated contracts
- Reasons for not accepting technical proposals
- Verification that debarment status was checked.
- Selection justification or reason for solicitation cancellation
- Check to determine if reciprocal preference is applicable
- Required approvals to post and award the solicitation
- Copies of requisitions, purchase orders, terms and conditions, and freight bills
- Copies of any inspection reports (if applicable)

Public Records and Confidentiality

In accordance with 01 NCAC 05B.0103, the solicitation information and documentation shall be confidential until a contract is awarded, except when deemed necessary by the NCDOL Purchasing Office to develop a complete contractual document. During evaluations, only tabulation information shall be public record. Pricing may be withheld from the tabulation where negotiation is anticipated. After contracts are awarded, but before the contracts become public, the NCDOL Purchasing Office shall review and redact information marked confidential by the vendor. Pricing shall not be confidential.

Public Records Requests

Pursuant to NCGS §132-1, the public may request to see an awarded or cancelled procurement. This is formally called a public records request. Public records are defined as all documents or materials made or received pursuant to law (or ordinance where municipalities are concerned) in connection with the transaction of public business by agencies of North Carolina government or its subdivisions. "Agency of North Carolina government or its subdivisions" shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority, or other unit of government of the State or of any county, unit, special district, or other political subdivision of government.

Procurement Policy and Procedure

The public records and public information compiled by the North Carolina government, or its subdivisions, are the property of the people. Therefore, it is the policy of the State of North Carolina that the people may obtain copies of public records and public information free or at minimal cost. "Minimal cost" means the actual cost of reproducing the public record or public information. Public records requests should be referred to the [NCDOL public website](#) for assistance.

Public Record Categories	
<ul style="list-style-type: none"> • Documents • Emails • Papers • Letters • Maps • Films • Artifacts • Books 	<ul style="list-style-type: none"> • Photographs • Sound Recordings • Magnetic or other tapes • Electronic data processing records • Materials made or received pursuant to law or ordinance in connection with the government or its subdivisions

NCDOL is required to make procurement files available as a public record. The following procedures are applicable when making files available to the public:

- The public or individual should submit a formal request for the desired documents.
- Legally required redactions, including removal of information appropriately marked confidential shall be completed prior to public viewing.
- Pricing or total award costs are always a public record and shall not be marked confidential.
- A minimal cost should be charged for the use of NCDOL's paper, toner, and equipment. This charge cannot be more than the actual cost to copy the records.
- Pursuant to NCGS §132-6.2(e), NCDOL is not required to create or compile a record that does not exist. The NCDOL Purchasing Office may voluntarily elect to create or compile a record upon the approval of NCDOL's CFO or Deputy CFO in which the cost must comply with the existing [NCDOL Copy Cost Policy](#).
- Cancelled solicitations that are anticipated to be reissued in the near future shall remain confidential until after an award is made.
- Dollar amounts awarded to specific vendors are available on the [E-Procurement Sourcing Tool](#) and [NC electronic Vendor Portal \(eVP\)](#) are public information.
- Vendor complaint records are also public; requests for copies will be handled in the same way as copies from procurement files.

Redacted Information

Procurement files may need to be redacted to protect sensitive information before information is provided to the public. The public should not be permitted in file storage rooms or otherwise be allowed to view files without an NCDOL staff member present.



Procurement Policy and Procedure

Personally Identifiably Information (PII) is the most common category of redacted information. NCGS §75-61 and §14-113.20 provides more information regarding PII. For procurement purposes, commonly redacted information includes:

- Social security numbers (SSN)
- Federal taxpayer identification numbers (EIN)
- Bank account or credit card information
- Information marked "CONFIDENTIAL"
- Vendor-submitted financial documents

Record Retention

Except where North Carolina law provides to the contrary, procurement documents shall be maintained for five (5) years after contract expiration dates, plus one (1) additional year after the conclusion of any litigation, even if beyond the five (5) year period. Files shall be maintained individually for easy reference, whether maintained electronically or as hardcopy files. The NCDOL Purchasing Office should retain contracts for the duration of any applicable warranty. NCDOL should consult the North Carolina Department of Natural and Cultural Resources, State Archives for any specific procurement items not covered in [NCDOL Electronic and Digitized Records Policy](#).

Procurement Policy and Procedure

Leases

Real Property

Pursuant to NCGS §146-22, §146-27 and §143-341, the Department of Administration's State Property Office is responsible for acquiring and disposing of real property by lease for all State Universities, agencies, and all Boards and Commissions. The State Property Office, through the Leasing Section, administers the acquisition and disposition of real property by lease process. It is the responsibility of the NCDOL Purchasing Office to coordinate all lease requests with the State Property Office. Any requests for leased space must be submitted to the State Property Office through NCDOL's chain of command. The specific information required depends on the class of lease (refer to class of leases).

Normal day-to-day maintenance and repair issues can be handled by local staff, which shall keep detailed records of all maintenance requests and responses. If the property owner does not respond to requests or if the local office does not feel that the needs have been met, local staff shall follow NCDOL's chain of command procedures and contact the NCDOL Purchasing Office. Local staff shall keep the real property manager informed of any service issues so that the official NCDOL file is complete. NCDOL staff shall not address letters to the property owner. All written correspondence to the property owner must be generated by the State Property Office.

All fire, wind, flood, or other property damage must be reported by local staff to the property owner, as well as to the NCDOL Purchasing Office through NCDOL's chain of command. NCDOL's CFO or Deputy CFO of the Financial Services Division is responsible for notifying the Department of Insurance, and the State Property Office is responsible for discussing any problems with the landlord. The NCDOL Purchasing Office will follow-up with the State Property Office to ensure the property owner is handling landlord responsibilities.

Classes of Leases

For all classes of leases, pursuant to the Council of State resolution of September 1, 1981, as affirmed by the Council of State resolution of November 7, 1984, no permanent improvements shall be made on leased property without the prior approval of the Department of Administration, State Property Office.

Lease Categories and Requirements

Category 1: Leases with a greater than \$40,000 annual rent or a lease term exceeding three (3) years, including renewals, must be advertised in local paper and bids submitted from prospective property owners. Council of State approval must be obtained. Advertisement, negotiation, and lease execution are handled by the State Property Office.

Category 2: Leases with a greater than \$5,000 but lower than \$40,000 annual rent and a term not to exceed three (3) years, including renewals, must be approved, and executed by the State Property Office.

Category 3: Leases with a \$5,000 or less annual rent amount, must not exceed three (3) years, including renewals. These leases can be executed by the NCDOL Purchasing Office. However, the State Property Office reviews these leases for compliance with State policy.

Procurement Policy and Procedure

Lease Request Procedures

The NCDOL bureau or office manager shall initiate a lease request by submitting the appropriate documentation through the appropriate NCDOL chain of command to the NCDOL Purchasing Office. At the same time, a requisition shall be submitted through E-Procurement. The requisition comments shall include the needs of the bureau or office and utilization of the space. An organizational chart shall be included in the supporting documentation sent to the NCDOL Purchasing Office. The positions should be highlighted on the organizational chart that will be located in the space being requested.

Requests for leases over \$40,000 should be submitted six (6) months in advance of the lease commencement date. Requests for leases under \$40,000 should be submitted four (4) months in advance of the lease commencement date. The supporting documentation to the NCDOL Purchasing Office shall include the following information:

- Space needs.
- Utilization or purpose of the space including the number and type of positions - do not include positions for which space is provided by the county under North Carolina law.
- Length of time the lease will be needed (i.e., requested lease term).
- Commencement date of lease.
- Desired renewal options if lease will exceed \$40,000 annually.
- Special requirements from the requester (this may include any special space, location, or security requirements).
- A local contact for the NCDOL.
- Recommendation/justification (renewal and new lease).
- Current owner name and address.
- Maintenance/janitorial issues.

If the lease is under \$40,000, the requester shall state whether NCDOL is aware of any vacant space that would meet office needs or the desire to remain at the present location. Local NCDOL staff shall make no commitments or engage in discussions of price with the landlord. The State Property Office in conjunction with NCDOL's CFO or Deputy CFO of the Financial Services Division and the NCDOL Purchasing Office will handle negotiations of price and terms and conditions of the lease.

NCDOL's bureau or office manager will be responsible for ensuring that all maintenance, fire and life safety, and security issues are addressed prior to accepting the lease. Any unresolved issues at the time of lease recommendation will be sent to the State Property Office by the NCDOL Purchasing Office, shall be noted in the recommendation letter, and may become conditions of the lease.

For lease categories two (2) and three (3), if requesting to remain at the existing location, a leased property fire and life safety checklist shall be attached to the supporting documentation being submitted to the NCDOL Purchasing Office.

For all lease categories, the NCDOL's CFO or the Deputy CFO of the Financial Services Division in conjunction with the NCDOL Purchasing Office, shall submit a completed (PO-1 form) to the State Property Office to initiate the property lease process.



Procurement Policy and Procedure

Lease - Disposition

The Department of Administration may lease or rent the vacant and un-appropriated lands, swamplands, and lands acquired by the State by virtue of being sold for taxes, at such times, upon such consideration, in such portions, and upon such terms as it may deem proper. Every lease or rental of such lands by NCDOL shall be approved by the State Property Office.

Acquisition by Deed

Every acquisition of land on behalf of the State or any State agency, whether by purchase or condemnation, shall be made by the State Property Office, reported to the Joint Legislative Committee for Governmental Operations, and approved by the Governor and Council of State.

The NCDOL's CFO or Deputy CFO in conjunction with the NCDOL Purchasing Office, shall submit a completed (PO-1 form) to the State Property Office to initiate the property purchase process. If, after investigation, the State Property Office determines that it is in the best interest of the State that the land be acquired, the State Property Office shall proceed to negotiate with the owners of the desired land for its purchase. The State Property Office will order all appraisals, surveys, environmental assessments, and other reviews. If a settlement can be reached with the property owner, the State Property Office will report to the Joint Legislative Committee for Governmental Operations and seek Council of State approval. If approved, the Attorney General's office will handle the property transfer. All conveyances of purchased real property shall be made to "the State of North Carolina," and no such conveyance shall be made to a particular agency, or to the State for the use or benefit of a particular agency.

If negotiations for the purchase of the land are unsuccessful, or if the State cannot obtain a good and sufficient title thereto by purchase from the owners, then the State Property Office may request permission of the Governor and Council of State to exercise the right of eminent domain and acquire any such land by condemnation.

Procurement Policy and Procedure

E-Procurement System Overview

E-Procurement System

In accordance with NCGS §143-48.3, E-Procurement provides an innovative, cost-saving, and efficient method of purchasing. E-Procurement allows government entities to aggregate the purchases to obtain better prices from suppliers. Additionally, E-Procurement allows greater visibility into NCDOL's procurement information, allowing the NCDOL Purchasing Office to negotiate term contract savings.

E-Procurement provides suppliers with increased access to markets (without additional supplier marketing efforts), a single point of access for North Carolina government organizations, a faster and more efficient method for quoting, and increased order accuracy through receipt of electronic orders (with a consistent purchase order format). E-Procurement helps realize processing, marketing, and administrative cost savings.

All goods and services shall be entered as a requisition into E-Procurement unless policy specifically allows for an exception. All vendors shall be registered in E-Procurement and any new vendors wishing to register in order to receive purchase orders from the State of North Carolina will need to complete the registration process through the [NC electronic Vendor Portal \(eVP\)](#). The NCDOL Purchasing Office will contact any reluctant vendors directly and the decision to enter a reluctant vendor into the system is made pursuant to the [P&C Vendor Registration Policy for Reluctant Vendors](#). This procedure is used as a means for getting necessary data into E-Procurement when all other means have been exhausted.

Any updates or changes to existing E-Procurement users will be completed on the user maintenance form that must contain the assigned North Carolina Identity Management (NCID) information and the supervisor's NCID information. Any new E-Procurement requisitioners will complete the new user form that must contain the NCID information and the supervisor's NCID information. To gain access into the E-Procurement system, the new requisitioners shall complete the E-Procurement training course that can be found in the Learning Management System (LMS). Once the new requisitioner has completed this training course, the certificate of completion must be sent to the NCDOL Purchasing Office for processing. Both E-Procurement users forms must be sent via email to the DOL.Purchasing@labor.nc.gov in order to finalize these requests.

E-Procurement Purchase Orders

E-Procurement purchase orders from State Term Contracts shall have the contract number shown in the comments section or title of Requisition/Purchase Order. If an abnormal quantity is ordered, the written approval from P&C or DIT shall be scanned in as an attachment. All other E-Procurement purchase orders shall comply with the following:

- Documentation of the competition (vendor quotes or RFQ) received, or waiver justification shall be scanned as attachments.
- Documentation must consist of the solicitation number of the RFQ, IFB, or RFP. If there is an emergency, pressing need or waiver, the approval form signed by the NCDOL Purchasing Office shall be scanned in as an attachment.
- If over NCDOL's general delegation, formal competition will be sought using an RFQ, IFB, or RFP and forwarded to P&C or DIT for review and approval if applicable. A solicitation number from either NCDOL, P&C, or DIT will be assigned to the solicitation document.

Procurement Policy and Procedure

E-Procurement Purchase Order Payment Types

There are three (3) different methods in which invoices may be paid:

Receipt Based – Most purchases for goods are processed for payment using the receipt basis. Under this method, the purchase order stipulates shipment of goods, at a specific quantity and price to NCDOL's bureau or office making the request. The invoice should be sent directly to the Accounts Payable Section for payment or emailed to DOL.AccountsPayable@labor.nc.gov.

Payment cannot be made by NCDOL Accounts Payable until items are formally received in E-Procurement. The receipt must be based on the actual quantity received, not on the amount ordered or invoiced. NCDOL Accounts Payable will pay based on the amount actually received in the E-Procurement system and will resolve discrepancies between the invoiced amount received with the quantity received by the requisitioners, NCDOL Purchasing Office, and/or vendor.

Signature Based – As indicated, this method is based on proper receipt of an authorized signature before payment is permitted. While this is not the preferred method of payment, in some cases the industry standard for delivery allows a plus or minus percentage of the quantity ordered for the commodities being purchased. It is generally more efficient for the requisitioner to receive the packing slip and ensure it matches with the receipt documentation. Adjustments may be made to purchase orders to accurately account for the receipt of the item.

Once quantities received match the invoice and the purchase order has been adjusted for charges over or under the amount previously approved, the invoice will be approved by the requisitioner or supervisor for payment and then scanned or forwarded directly onto the Accounts Payable Section for payment or emailed to DOL.AccountsPayable@labor.nc.gov.

Purchase Order Based – Also commonly referred to as an "open" or "blanket" purchase order, the purchase order-based method is used primarily for the purchase of industrial chemicals, laboratory services and other services where the cost cannot be readily determined in advance. If requested, the invoice can be provided to the requisitioners by NCDOL Accounts Payable. Payment will not be made by NCDOL Accounts Payable until the requisitioner formally "receives" the goods or service into E-Procurement with an invoice number and any other pertinent information relating to the purchase in the comments section.

Requisitioners must base the receipt on the actual quantity received, not on the amount ordered or invoiced. NCDOL Accounts Payable will be paid based on the amount actually received in the E-Procurement system and will resolve discrepancies between the invoiced amount with the quantity received by the requisitioners, NCDOL Purchasing Office, and/or vendor. The invoice should be sent directly to the NCDOL Accounts Payable Section for payment or emailed to DOL.AccountsPayable@labor.nc.gov.

Buying Entities

When submitting requisitions through E-Procurement, the buying entities shall be as follows:

- 11EG – utilized for goods
- 11ES – utilized for services

Procurement Policy and Procedure

Verification and Confirmation of Quotes

In accordance with NCGS §143-49, §143-51, §143-55 and 01 NCAC 05B.0102, NCDOL requisitioners for goods and services that are not listed on State Term Contracts or available with Correction Enterprises, **shall attempt to obtain at least three (3) quotes for the goods or services being requested; and if available, at least one (1) quote should be from a [Historically Underutilized Business \(HUB\)](#) vendor.** All quotes and quote attempts must be attached to the requisition prior to submission approval in E-Procurement. This will ensure the NCDOL Purchasing Office clearly understands what is to be purchased, which will assist in expediting the process. The NCDOL Purchasing Office may execute purchase orders issued through E-Procurement for goods and services that do not exceed \$29,000 for P&C and \$25,000 for DIT.

Commodity Codes

The State of North Carolina utilizes the United Nations Standard Products and Services Code (UNSPSC), which is the global standard of commodity and service codes. It is very important to utilize the most appropriate commodity code when entering requisitions because selecting the incorrect commodity code can adversely impact whether the vendor is charged an E-Procurement transaction fee or not. Vendor charge disputes will often come back to the NCDOL Purchasing Office for resolution. There is a [UNSPSC Commodity Code](#) search feature that can provide requisitioners assistance in determining the most appropriate six-digit commodity code. Correct commodity code usage will promote accuracy in reporting and provide P&C and DIT with the vital statistics needed to determine contract usage and vendor participation. Use of correct commodity codes is also a factor considered in P&C and DIT compliance reviews.

Special Note: The first digit in each commodity code represents whether the purchase will be either a good or service, which is further described below.

- Goods (11EG) will begin with a 1, 2, 3, 4, 5 or 6 digit
- Services (11ES) will begin with a 7, 8 or 9 digits

Transaction Fee

A 1.75% transaction fee supports the development and ongoing operations of E-Procurement. This transaction fee is applied to vendors on orders for commodities (goods) only. This E-Procurement transaction fee is not assessed on orders for services. Goods and services must be clearly broken out on the requisition to avoid transaction fee mischarges. This transaction fee is applied once the supplier receives payment on the purchase order issued from NCDOL. There is no registration fee or annual fee to participate in E-Procurement.

Transportation/Freight Charges

NCDOL must require no cost for the freight on board (FOB) destination as the transportation/freight shipment method in the solicitation, unless in rare cases circumstances require an alternate method. FOB is an acronym shipment term used to indicate whether the seller or the buyer is liable for goods that are damaged or destroyed during shipping. FOB destination means the seller retains the risk of loss until the goods reach the buyer. Including anything other than FOB destination in a contract could result in NCDOL being responsible for the goods lost during shipping and having to pay for the goods even if the items are never received. If the goods are destroyed in transit, NCDOL may also have to pay for replacement goods and could, in effect, end up paying twice.

Procurement Policy and Procedure

When goods are shipped, purchase order numbers must be shown on packages and shipping manifests to ensure proper identification and payment of invoices. Shipments shall include complete packing lists. NCDOL's requisitioners must ensure that these requirements are in the solicitation document and any resulting contract, so the vendor is aware of the requirements. Suppliers shall not ship products until the official purchase order has been received from E-Procurement. NCDOL's requisitioners must review charges and compare these costs against award documents to determine if shipping costs are accurate and may be approved for payment.

FOB Destination – It is the policy of the State of North Carolina to solicit bids for goods FOB destination, which means that the seller owns and assumes all risk for the goods until the items are accepted at the designated delivery point. The cost of shipping the goods should be included in the quoted price or by the bidder or offeror as a separate line item, but the invoice amount cannot be more than the total bid price.

FOB Origin – FOB origin means that NCDOL takes ownership at the seller's location and would be responsible for filing claims if the goods are damaged during shipment.

Special Note: Before approving an invoice for payment, NCDOL requisitioner must review the invoice and compare the cost to the award document to determine if the shipping costs are accurate. If a charge on the invoice is not accounted for in the bid, it cannot be approved for payment. Please contact the DOL.Purchasing@labor.nc.gov for assistance in resolving these types of issues.

Special Note: The E-Procurement transaction fee is not assessed on freight charges that are clearly broken out on the requisition. All quotes should be requested from suppliers for freight on board (FOB) destination on all purchases. NCDOL requisitioners should enter freight charges in E-Procurement as a separate non-catalog line-item. Freight/delivery line-items should be assigned to either the freight commodity code 781018 for the transportation of goods (freight) or the delivery service commodity code 781216. Either commodity code will utilize general ledger (GL) account 52840002. It is important to use a freight commodity code for freight charges to make sure that it is correctly identified. For purchases in which freight is included in the cost of the goods purchased, freight charges should not be broken out onto a separate line.

Sales Tax Exemption

NCDOL is a tax-exempt entity and is not required to pay North Carolina sales and use tax on qualifying goods (refer to [NC Sales Tax Exemption Certificate](#) located on the NCDOL intranet). When dealing with vendors, the requisitioner must ensure that North Carolina sales and use tax is not charged on purchases that qualify for the tax exemption. When required, the requisitioner will provide the vendor the tax-exempt number listed on the NCDOL Sales Tax Exemption Certificate. The requisitioner must verify that quotes and invoices received do not include North Carolina sales and use tax charge. If the quote or invoice does have sales tax, the NCDOL requisitioner must request revised quotes and invoices from the vendor.

Payment Terms

Invoices shall be paid on time as agreed, typically no later than thirty (30) calendar days after receipt of a correct invoice or acceptance of goods and services, whichever is later. NCDOL is responsible for all payments to the contracted vendor. Solicitation payment terms shall comply with policies established by the North Carolina Office of State Controller (OSC).

Procurement Policy and Procedure

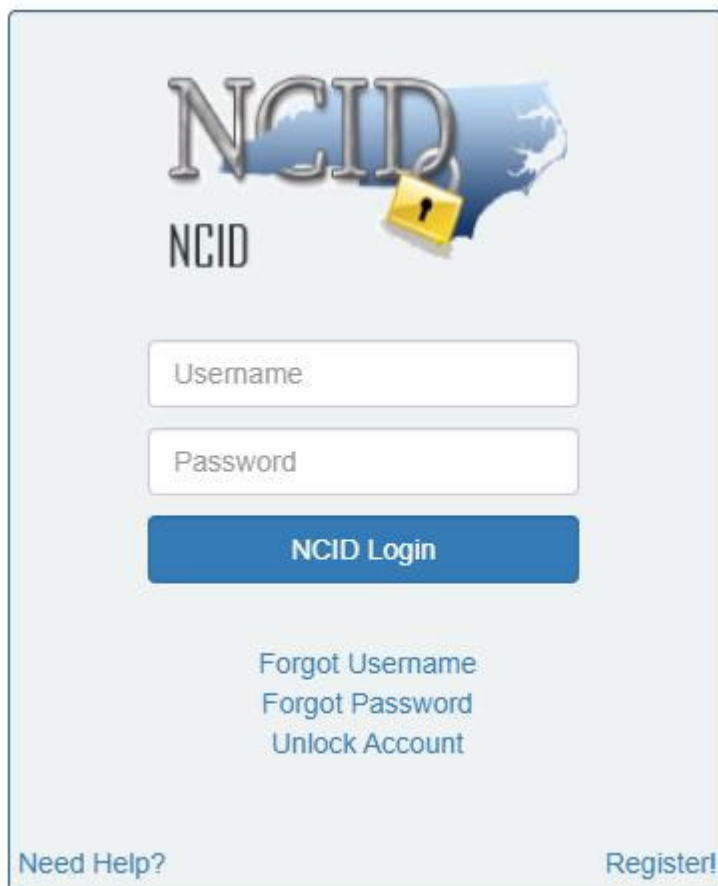
E-Procurement System – Getting Started

E-Procurement is a user-friendly, online purchasing system that offers cost savings and an efficient purchasing process to government users. It can be accessed by users in North Carolina Agencies, Community Colleges, School Systems, and local governments. E-Procurement utilizes the cloud platform of SAP Ariba Procurement software for purchasing functions. E-Procurement is designed to enable users to complete a variety of procurement functions based on business and job needs. It provides users with a more efficient approval process, more purchasing options, and easier access to catalogs, contracts, and reports. E-Procurement is accessible through two (2) layouts – Guided Buying and Expert View. Both access the same system, but there are differences in appearance as well as minor variances in function.

Special Note: [Getting Started in E-Procurement training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

Logging In

To access E-Procurement, users will click the link from the E-Procurement website and then be asked to enter NCID credentials. Remember that NCID User IDs and passwords are case-sensitive.



The image shows the NCID login interface. At the top, there is a logo with the text 'NCID' in large, stylized letters, with a blue map of North Carolina and a yellow padlock icon integrated into the design. Below the logo, the text 'NCID' appears again in a smaller font. There are two input fields: 'Username' and 'Password'. Below these fields is a blue button labeled 'NCID Login'. Underneath the button are three links: 'Forgot Username', 'Forgot Password', and 'Unlock Account'. At the bottom left is a link 'Need Help?' and at the bottom right is a link 'Register!'.

Procurement Policy and Procedure

Guided Buying Tour

After logging in, users will be brought to the “Guided Buying” landing page. Guided Buying is one of two layouts available to access E-Procurement. It has a familiar on-line shopping appearance designed to make routine purchases easier for basic users, especially from State Term Contract catalogs.



There are three (3) icons at the top right of the above screen:

Bell: This is where notifications, such as the need to approve or receive a requisition will appear.

Shopping Cart: Items that have been added to the requisition are represented here.

Initial: This icon brings up a menu of options where users can change profile information, delegate authority, and change email notification preferences. It is also where users should go to logout.

The “Catalog Search” bar appears in the upper, middle section of the page where users can search directly for catalog items. Just below, there are four (4) tabs:

Shop: This tab has categories of items represented by square pictures called “Tiles” that organize products that are on State Term Contract catalog so these can be added to the shopping cart. It is the default tab for many users.

Your Favorites: Users can mark certain catalog items that are purchased frequently as “favorites” and then find these marked items to easily purchase on this consolidated page.

Your Requests: Users can view requisitions and check the status. (NCFS Only: From here users can also view purchase orders that are pending desktop receipt and take action to receive on those items.)

Your Approvals: Requisitions pending approval will appear in this tab. Some users may default to this tab if these users do not have the ability to create a purchasing requisition.

On the right-hand side of the page is the “Right Rail” with more options:

Request Ad-Hoc Item: Requesters that would like to purchase something that is not available on a State Term Contract catalog, also called a “Non-Catalog” item, can click to enter the item information manually.

Procurement Policy and Procedure

On Behalf Of: To create a purchase requisition on behalf of another user, click “On Behalf Of” and select the user by email address, name, or ID in the window that appears. A blue line will appear to indicate that the user is acting on behalf of someone else.

Recent Requests: Purchase requisitions that were recently created appear in this section. Clicking “See All” will take the user to the “Your Requests” tab.

Special Note: Clicking E-Procurement in the top left corner will reset the search and return the user to the Guided Buying landing page.

The center of the page is made up of “Tiles”:

Tiles: Tiles are set up based on the most commonly purchased items that are on State Term Contract. These are organized in hierarchies to make it easier to find the items a user is trying to find.

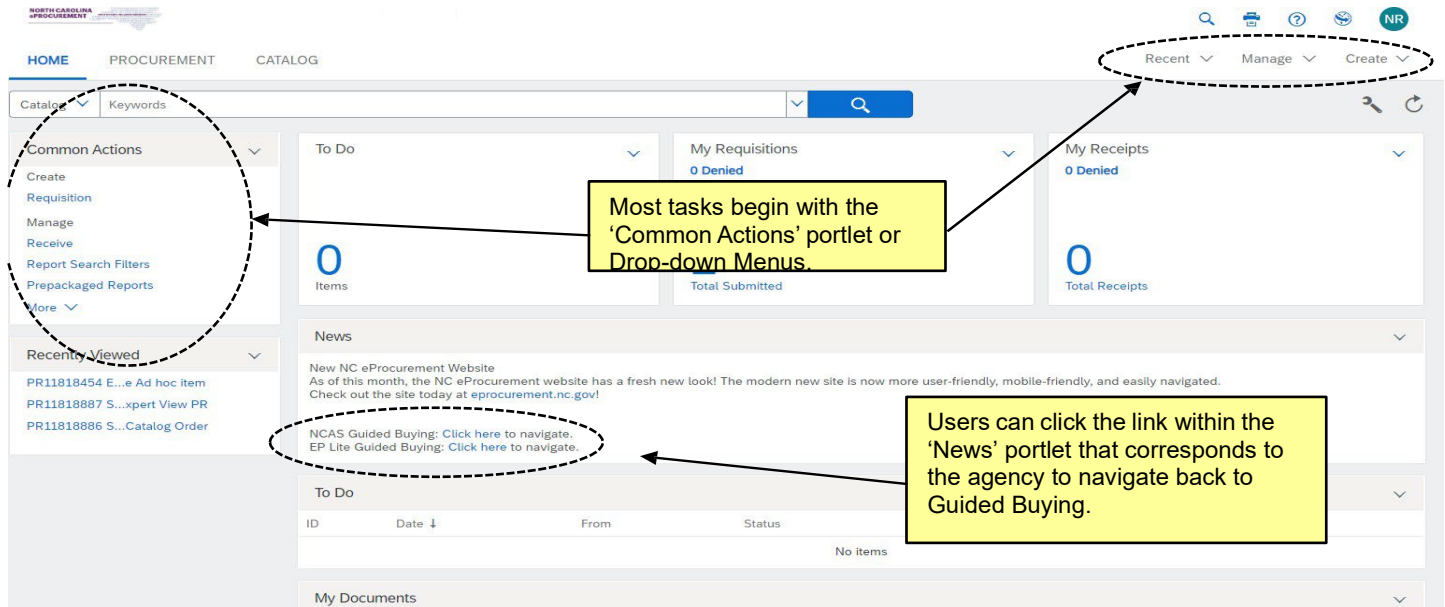
Sub-tiles: Clicking a ‘Tile’ will bring you to the “Sub-tiles” that are associated with the “Tile” selected. “Sub-tiles” may lead users to punchout catalogs or standard catalog items.

Expert View Tour

Expert View is geared towards all actions of the purchasing cycle instead of focusing on the creation of Purchase Requisitions (PR) as is the case in Guided Buying. All users have access to this view because some information can only be updated in Expert View. A PR that is created in Guided Buying can be viewed in Expert View and vice versa. It is a different layout of the same E-Procurement system. To access Expert View, scroll through the “Tiles” in Guided Buying and find the “Expert View” Tile. Users will be brought to the Expert View “Home” tab.



Procurement Policy and Procedure



There are five (5) Icons in the upper right-hand corner:

Search: Clicking the search icon will open a menu with options for document types to search.

Print: Offers a printer-friendly view of the information on the Expert View “Home” tab.

Help: Takes users to the SAP Ariba Help Center.

Site: Displays the site name.

Initials: This icon brings up a menu of options where users can delegate authority to another team member, change the user profile, modify email notification preferences, reset default preferences pertaining to visual screen displays, or logout.

The Drop-down Menus just below the icons allow users to access different types of information:

Recent: Access the most recently viewed or worked-on documents.

Manage: Manage documents or business processes.

Create: Create documents will display only a document type the user is authorized to create.

Search: Search for documents. Displays only a document type the user is authorized to view or process.

Recent: Access the most recently viewed or worked-on documents.

Preferences: Delegate authority to another team member, change the user profile, modify email notification preferences, and reset default preferences pertaining to visual screen displays.

The Expert View “Home” tab also contains a number of content items. The content items are customizable depending on a user’s preferences, but the following list includes some of the more important features:

Common Actions: Displays links to common actions to create and manage documents and provides another option to access the same functions as the “Create” or “Manage” drop-down menus.

Procurement Policy and Procedure

Search Bar: Search for documents using the drop-down menu to select the type of document and the keyword to specify. If additional filters or information are necessary, select the document type and click the blue “Search” button to access the advanced search page.

Action Tiles: The default Action Tiles are My Requisitions, My Receipts, and To Do and offer the user a quick update on E-Procurement activity.

Special Note: If the ‘Search’ button is clicked without selecting a document type, the default is “Catalog,” and the user will be sent to the Expert View “Catalog” tab. These can be customized by clicking the down arrow and selecting the appropriate option.

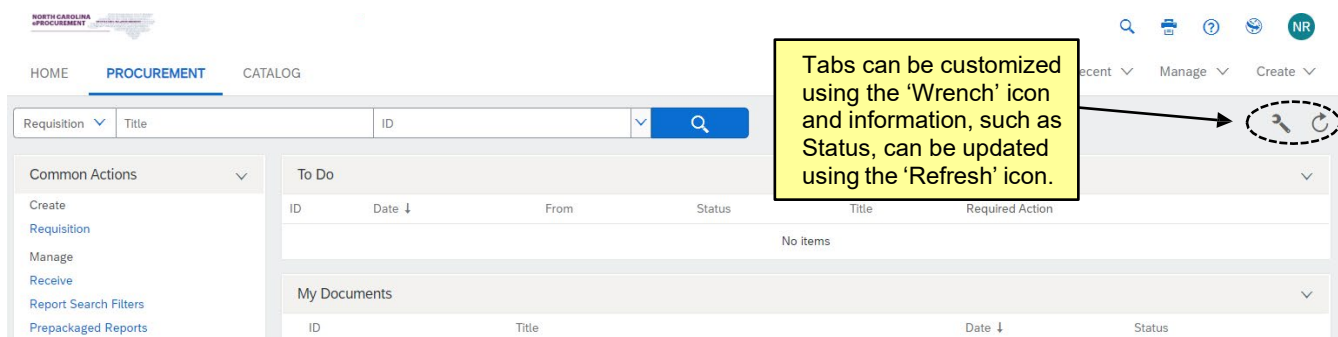
To Do: The “To Do” Portlet lists the documents that require action. Click the document icon or the document title to open the documents and proceed accordingly. The “View All...” link in the lower right corner provides access to all documents by Document Type or Required Action. Click any column header to sort the list by that column’s contents (for example, sort by “Status”). An arrow in the column header indicates the column by which you are sorting, and whether the sort is ascending or descending.

My Documents: The “My Documents” Portlet displays the most recent documents created. Click the document icon or the document title to open the document and review and complete the document, if required. The “View All...” link in the lower right corner provides access to all documents by Document Type. Click any column header to sort the list by that column’s contents (for example, sort by “Status”). An arrow in the column header indicates the column by which you are sorting, and whether the sort is ascending or descending.

Recently Viewed: The “Recently Viewed” Portlet displays the five (5) most recent documents accessed either to review or to work on.

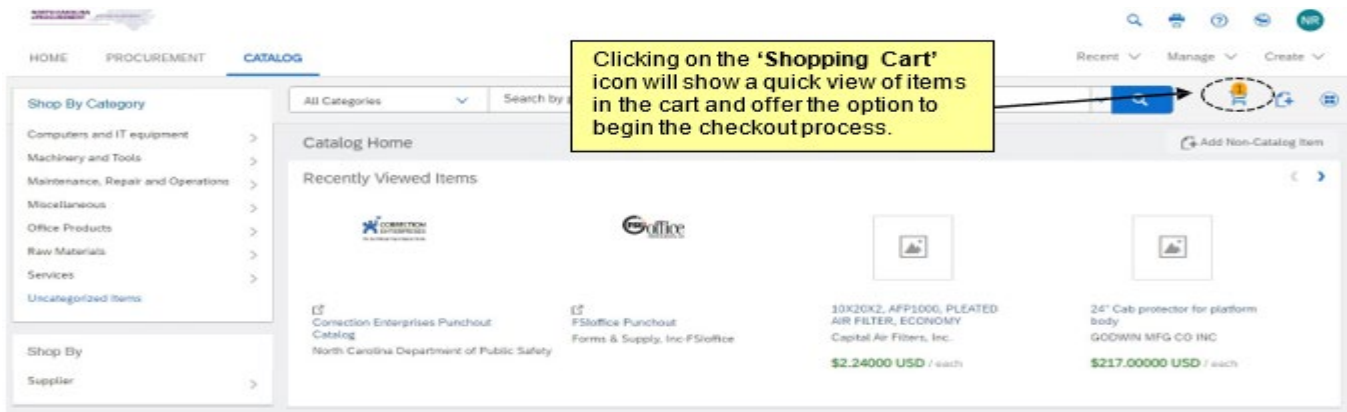
News: Contains updates sent out by E-Procurement. It also contains the link to get back to Guided Buying.

The Expert View “Procurement” tab contains the portlets most relevant to procurement. It does not have the “Action Tiles” or “News” portlet by default but those can be added. If a user logs out of E-Procurement from the “Procurement” tab the user will automatically be taken to this tab the next time Expert View is accessed. All content on the tabs can be moved or changed using the down arrows next to the portlet name to remove items and the “Wrench” icon to add or configure content. The “Refresh” icon next to the “Wrench” icon will force an update of all information in the portlets.



Procurement Policy and Procedure

The Expert View “Catalog” tab provides the quickest way to search State Term Contract items in Expert View. Users can search using keyword, Contract ID, or supplier. The panel on the left-hand side can help refine results. Items can be added to the shopping cart, which automatically begins a purchase requisition for users that have the appropriate permission. The checkout process for the requisition can be started by clicking “Checkout” after clicking the “Shopping Cart” icon.



Status of Requisitions and Purchase Orders

Purchase Requisition:

- In the beginning of the E-Procurement purchasing lifecycle, items are added to the Cart in Guided Buying, or a purchase requisition (PR) is created in Expert View, and the PR has a status of “Composing.”
- Once the information for the PR has been entered, it is “Submitted” for approval and pre-encumbrance.
- A designated approver(s) reviews the PR. If approval is granted, the PR is sent to NCFS to encumber funds. A purchase order is then generated in E-Procurement and the status is updated to “Ordered.” If the PR is denied or fails pre-encumbrance in NCFS, then the status of the PR is set to “Denied.”

Purchase Order:

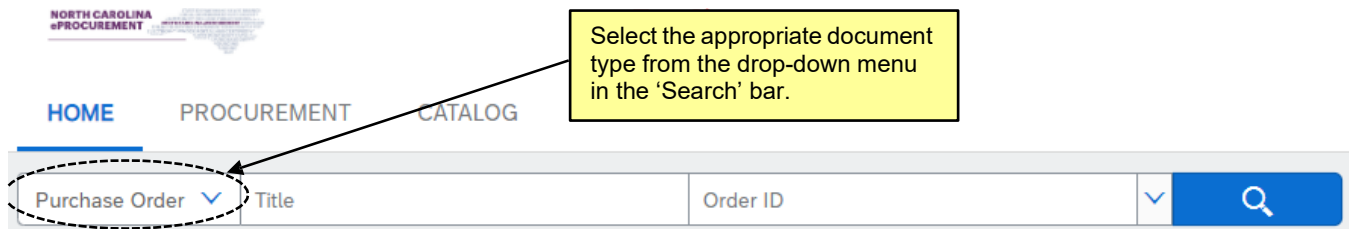
- The Purchase Order (PO) is electronically transmitted to the supplier(s) via email or the Ariba Network.
- If the purchase order needs to be edited after it has been updated to “Ordered” status, users may create a change order by clicking the “Change” button in the purchase order summary.
- Once the items have been physically received, the purchase order is ready to be received by the user in E-Procurement. This begins the Receiving phase of the E-Procurement purchasing lifecycle.
- Once all line-items in the order have been verified and accepted, the order completes the E-Procurement purchasing lifecycle with a status of “Received.” A PO can be cancelled by clicking the “Cancel” button before anything has been received.

Searching

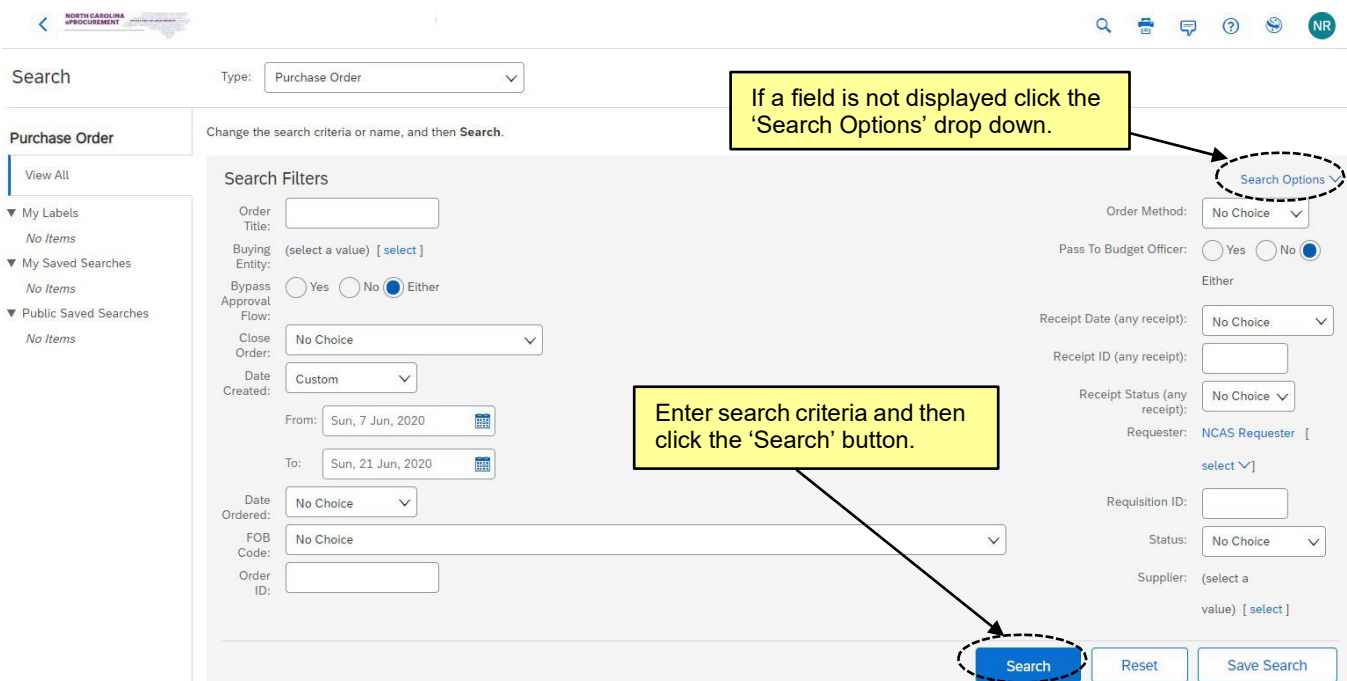
The system search functionality gives users the ability to search E-Procurement to locate and view purchase requisitions, purchase orders, receipt information (NCFS only), user profile changes, and catalog items. The system search functionality is a quick and easy way to locate needed information. System searching offers a range of search criteria so users can conduct a search with minimal information. For example, users can search by requester, commodity code, creation date, and/or supplier name. Searching is best done in Expert View.

Procurement Policy and Procedure

For similar or frequent searches, use the Saved System Search functionality. This allows users to directly access a previous system search quickly without entering specific search criteria again. Select the type of search you would like to conduct using the drop-down menu in the “Search” Bar and click the blue magnifying glass/ “Search” button.



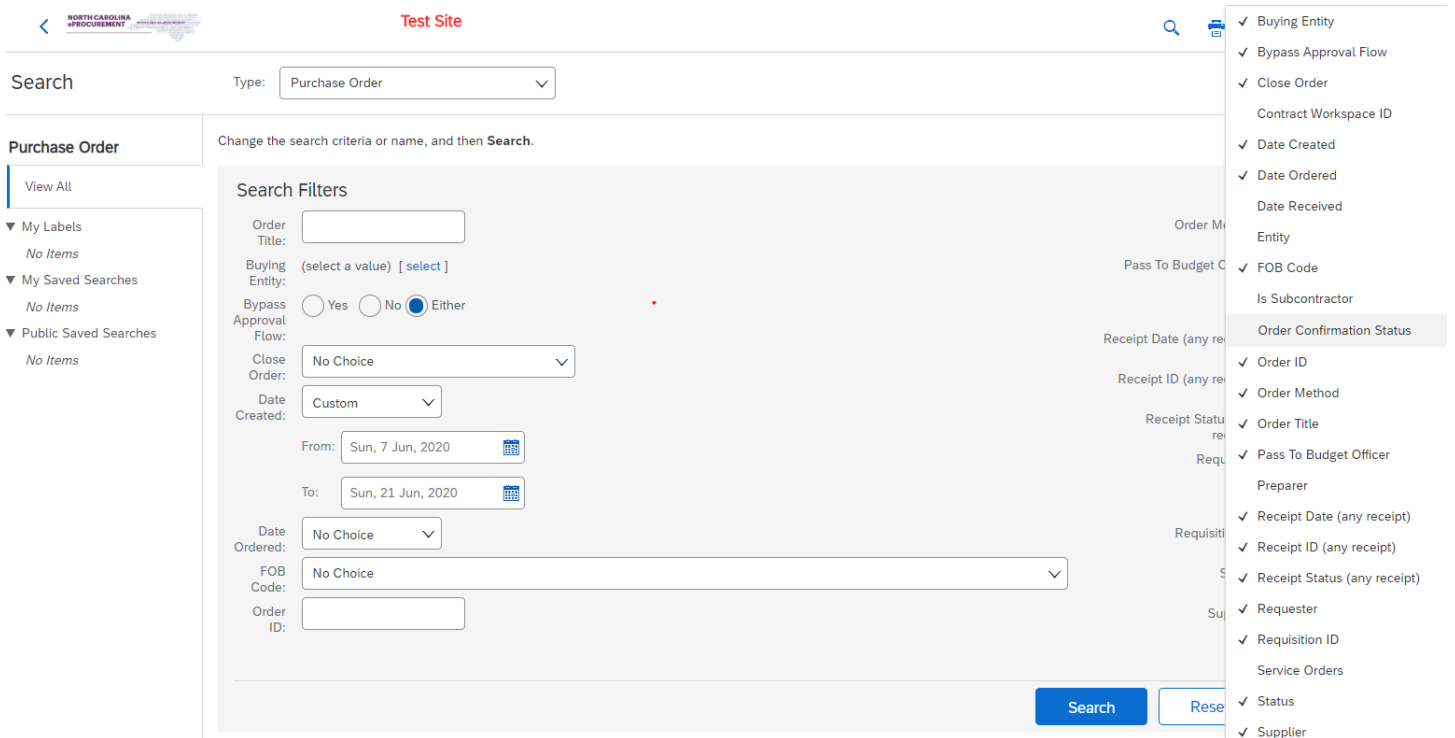
Enter the necessary search criteria in the appropriate fields to conduct a system search. Add or remove search filters, as necessary, by clicking the “Search Options” link.



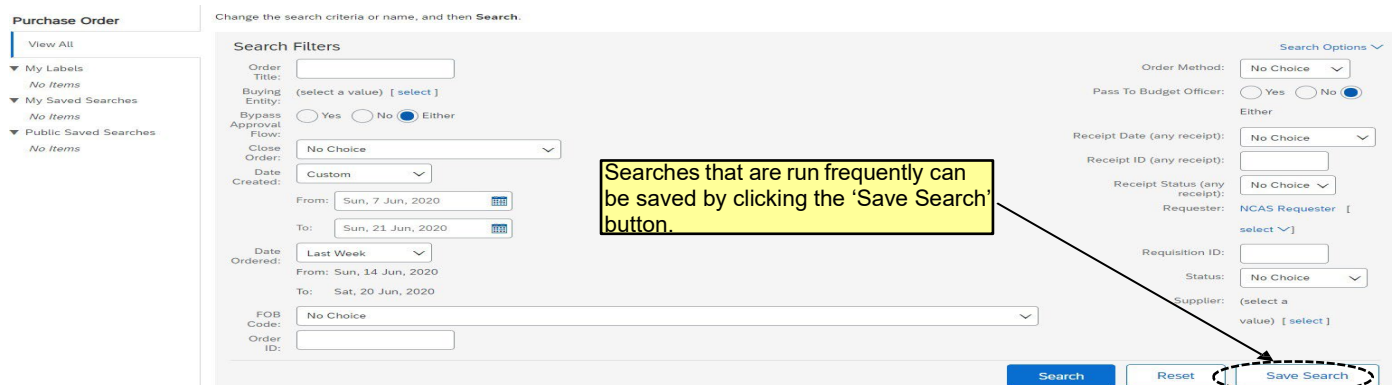
- Users with the appropriate permissions can change the “Type” listed at the top of the “Search” page. Commonly searched Types to include Requisition, Purchase Order, Receipt, and User Profile. Select the appropriate category to return the desired transaction type.
- The “Requester” field will automatically default to the user currently logged into E-Procurement unless the user has the Global Reporting Role. For users with the Global Reporting Role, this field will default to (select a value). Users can update this field, but if the user does not have the Global Reporting Role, the search results will not contain anything for other users.
- The “Entity” field will automatically default to the entity associated with the current user. This value can only be changed for users with cross-entity reporting permissions. All other users can only search for transactions associated with themselves or the assigned entity.

Procurement Policy and Procedure

- Once “Search Options” has been clicked, users can add or remove search filters by selecting the desired search filter from the “Search Options” pop-up window.
- Only the fields selected from the ‘Search Options’ pop-up window appear on the “Search Filters” page.



After entering the appropriate information in the search fields, click the “Search” button to complete the system search. Running searches that are too broad (such as starting a purchase requisition search without setting any filters, which would attempt to return all purchase requisitions in E-Procurement) can be slow and return too much data, making it difficult to find the actual data needed. Utilizing the concept of smart searching can help lessen the amount of time it takes to perform a search. It is usually best to start with a narrow search, using as many filters as may apply, and broaden the search as needed. To save this search for future use, click the “Save Search” button.



Procurement Policy and Procedure

Enter a search name in the “Search Name” field. Then click “OK”.

Save Search

OK

Cancel

Save the search to use again at a later time. If you have the required permission, you can save the search as a system search for use by all users.

Search Name:

Search Category: Purchase Order

Search Filters: Ordered Date = Last Week (between Sun, 14 Jun, 2020 and Sat, 20 Jun, 2020), On Behalf Of = NCAS Requester, Date Created between Sun, 7 Jun, 2020 and Sun, 21 Jun, 2020

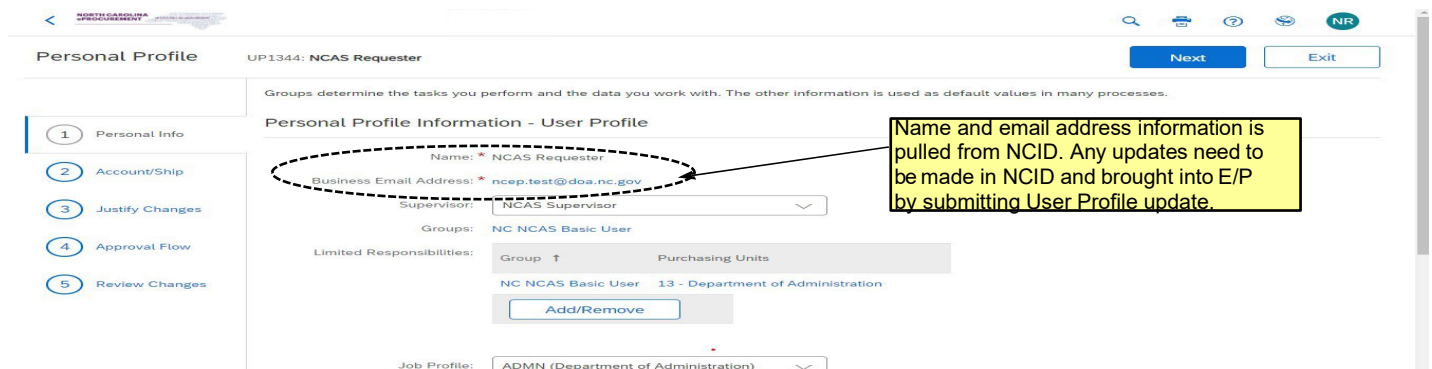
Saved searches will appear on the Shortcut Menu for the specific Type of search that was saved (e.g., Requisition or Purchase Order). To delete a saved search, click the top “Delete” button while viewing the saved search. To edit a saved search, click the “Refine” button. A saved search may also be added as a Portlet on an Expert View tab by clicking “Configure Tabs” and select “Add Content” on a tab.

Personal Profile

A personal profile or user profile is a set of information that contains a specific user’s information, preferences, and settings. When a user logs in, the system recognizes the user and displays information, according to the preferences as set in the user profile.

- Click the “Initials” icon in either Guided Buying or Expert View and select “Change your profile.”
- Changes to a “Bill To” and “Supervisor” can be made on the “Personal Info” page.

The name and email address fields cannot be edited on this page. To update these fields, contact your NCID Administrator and request that the information be changed in NCID. Once the changes have been made in NCID, the information will update automatically when you click “Change Your Profile.” You will need to submit the User Profile change in E-Procurement in order for the update to take place. When a supervisor change is made through the personal profile, the user’s existing supervisor as well as the new supervisor must approve the request before the change is made in the system. If the supervisor listed has left the agency, please contact the FSD Security Administrator to make this update. The FSD Security Administrator can make this change without approval being required. Groups, Roles, and Permissions can only be updated by an FSD Security Administrator. In addition to using “Next” or “Previous,” you can also navigate through the profile change using the navigation field on the left side of the screen.



Procurement Policy and Procedure

Default purchase requisition values for accounting, shipping and delivery information can be set on the “Account/Ship” page. The entity cannot be updated on this page. Please refer to the “Entity Change” Process Document for instructions on how to change the entity. The values set in the personal profile are default purchase requisition values. These values can be changed on individual purchase requisitions. The default ship-to address is a required field within the user’s profile; however, users do not have to specify default account information. The “Company,” “Account” and “Cost Center” fields shown are specific for NCFs.

Personal Profile UP1345: NCAS Requester Prev Next Exit

The accounting and shipping information is used as the default account to which the items you order are charged, and the default address to which the items [More](#)

1. Change your accounting information:

Company: (no value)

Bill To: 13PT

Cost Center: (no value)

Entity: 13 - Department of Administration

Account: (no value)

Tax Amount: \$0.00000 USD

2. Change your shipping and delivery information:

Ship To: 437

Deliver To:

Click “Next” to add comments and/or attachments on the “Justify Changes” page.

Personal Profile UP1345: NCAS Requester Prev Next Exit

Enter comments explaining why you are changing your personal profile.

Comments - Entire User Profile

Comments:

Attachments - Entire User Profile

[Add Attachment](#)

Click “Next” to go to the “Approval Flow” page. Users can view the system generated approval flow and manually add approvers, if necessary. The approval flow displayed is not the approval flow for Purchase Requisitions created within E-Procurement. This approval flow is specific to the user profile update.

Personal Profile UP1345: NCAS Requester Prev Next Exit

Review the approvers assigned to review the request. Add and delete approvers as necessary, depending on your permissions.

Approval Flow - User Profile

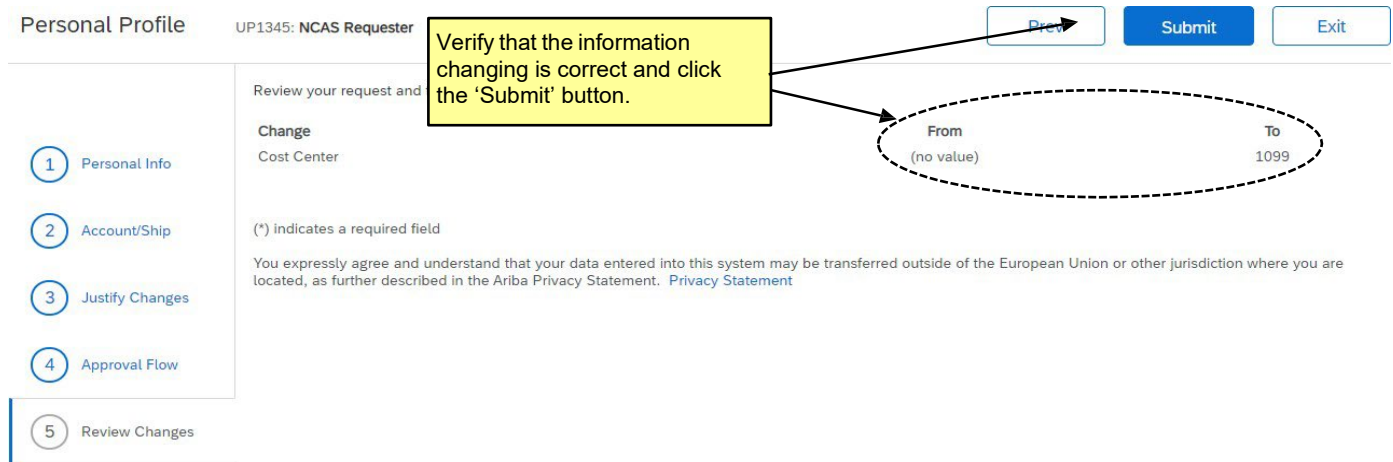
Submitted → Pending (NC User Maintenance eForm) → Approved

(*) indicates a required field

You expressly agree and understand that your data entered into this system may be transferred outside of the European Union or other jurisdiction where you are located, as further described in the Ariba Privacy Statement. [Privacy Statement](#)

Procurement Policy and Procedure

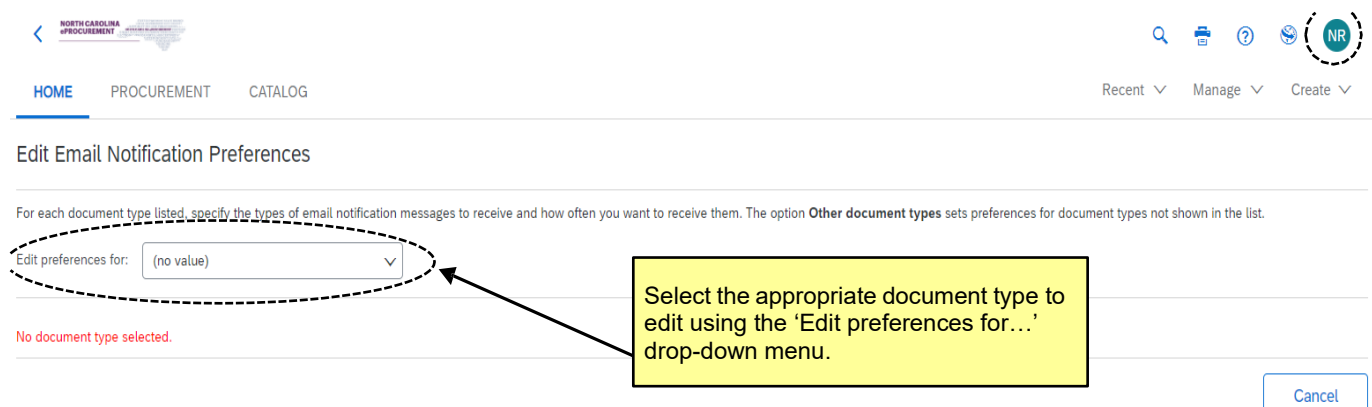
Click “Next” to review changes and submit the user profile change. Personal profile changes are applied in the system once all required approvals on the request have been completed.



Editing Email Notification Preferences

Notifications are email messages that E-Procurement automatically sends to preparers, requesters, approvers, and security administrators to keep individuals informed of the progress and status of active approvals. Every notification message describes the purpose of the notification, and most include a link to the relevant request or document in E-Procurement so that users can quickly access information or take action. Users may edit the frequency and subject matter of email notifications.

Click the “Initials” icon in either Guided Buying or Expert View and select “Change email notification preferences.” Select the appropriate document type to edit using the “Edit preferences for...” drop-down menu. Email notification preferences must be set independently for each document type. There are many options in the drop-down menu but the most common is Requisition for users or approvers.



Procurement Policy and Procedure

The “Edit Email Notification Preferences” page will automatically appear when a document type is selected. In this example, “Requisition” has been chosen from the drop-down menu.

Edit Email Notification Preferences

For each document type listed, specify the types of email notification messages to receive and how often you want to receive them. The option **Other document types** sets preferences for document types not shown in the list.

Edit preferences for: Requisition

Notification Method

When I am an approver: Send individual emails

When I am a watcher: Send individual emails

Notification Frequency

Send email each time my document is approved: ☒

Send email when my document is fully approved: ☒

When I need to approve a document: Send once

When my approval is overdue: Send once

When I am a watcher: Send once

Save

Cancel

“Notification method” allows the user to select whether to receive separate email notifications immediately for each approvable (i.e., “Send individual emails”) or to receive all email notifications for the day as one daily email summary (i.e., “Send consolidated email”). “When I am an approver” specifies the frequency at which the user wishes to receive email notifications when the user is a required approver in an approval flow. “When I am a watcher” specifies the frequency at which the user wishes to receive email notifications when the user is a watcher in an approval flow.

Notification Method

When I am an approver: Send individual emails

When I am a watcher: Send individual emails

Using the drop-down menu, select ‘Send individual emails’ or ‘Send consolidated email.’

“Notification frequency” allows the user to select when and how often email notifications are received. Click “Save” to save the updated preferences. Click “Cancel” to return to the E-Procurement Dashboard without changing the preferences.

Notification Frequency

Send email each time my document is approved: ☒

Send email when my document is fully approved: ☒

When I need to approve a document: Send once

When my approval is overdue: Send once

When I am a watcher: Send once

Check or uncheck the ‘Send email’ box to indicate a preference.

Using the drop-down menu, users may click ‘Never send,’ ‘Send once,’ or ‘Send repeatedly.’

Procurement Policy and Procedure

- “Each time the document is approved” – when the user is a preparer or watcher of an approvable, checking this box specifies whether the user wants to be notified each time an approver approves the document.
- “When the document is fully approved” – when the user is a preparer or watcher of an approvable, checking this box specifies whether the user wants to be notified when the document is fully approved.
- “When I need to approve a document” – specifies how often the user wants to be notified when a document is awaiting approval. The user can choose to never receive email notifications, receive one notification, or to receive notifications repeatedly on a daily basis.
- “When my approval is overdue” – specifies how often the user wants to be notified when an approval is overdue. The user can choose to never receive email notifications, receive one notification, or to receive notifications repeatedly on a daily basis.
- “When I am a watcher” – when the user is a watcher, specifies how often the user wants to receive each watcher notification. The user can choose to never receive email notifications, receive one notification, or to receive notifications repeatedly on a daily basis.

Delegating Approval Authority

Approvers can delegate the approval authority to another user. A delegation of approval authority is a temporary change, typically set up to handle approvals/denials when the original approver is out of the office (e.g., vacation). The delegation of approval authority can be set at any time from any computer with Internet access.

Click the “Initials” icon in either Guided Buying or Expert View and select “Delegate Authority.”



Use the drop-down menu to select the name of the person to whom approval authority will be delegated.

Use the calendar icons to pick the dates in which approval authority will be delegated.

Delegate: Select the user’s name from the drop-down menu that will be responsible for approving the purchase requisitions while the normal approver is out of the office. If the user’s name is not in the dropdown menu, select “Search for more...” to search for the user. The individual being delegated to must have the same or greater delegation amount as the delegator.

Delegation Start Date: Use the calendar icon to enter the date on which the delegation should begin.

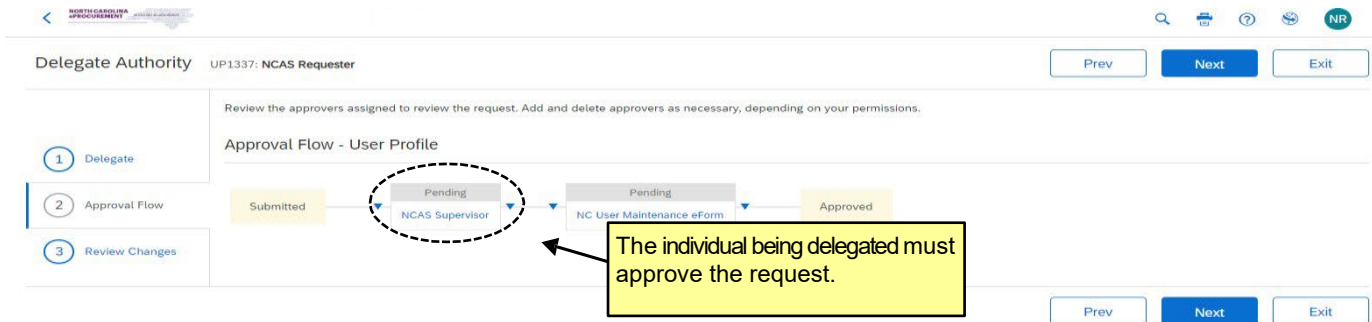
Delegation End Date: Use the calendar icon to enter the date on which the delegation should end.

Delegation Reason: Enter comments as to why this delegation request is being entered.

Notification: Users have the option to continue to be notified of approval requests throughout the delegation period. To do so, check the box next to “Continue to notify me by email of approval requests.”

Procurement Policy and Procedure

Click “Next” to continue. The user to whom the approval authority is being delegated must approve all delegation requests. In some cases, the user’s supervisor must approve the request as well. Review changes and click “Submit.”



If the original approver logs into E-Procurement during the period that has a set delegation of approval authority, an Active Delegation of Authority page displays. This page reminds the approver of the individual’s name who is now designated to approve work on the behalf of and the timeframe for the delegation of authority. It also gives the approver the option to continue or stop using the delegation. In either case, the approver has the ability to approve/deny purchase requisitions. When the approver selects to stop the delegation of approval, the delegated approval authority is deactivated. Delegating authority also applies to users that receive orders.

Procurement Policy and Procedure

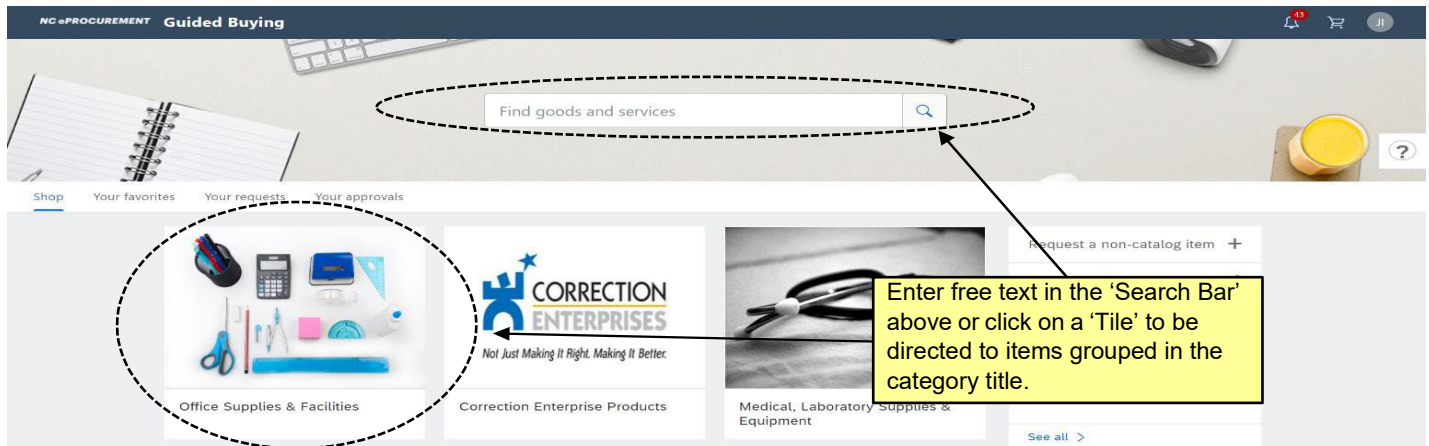
E-Procurement System – Creating Purchase Requisitions

This process guide provides instructions on the functional steps to create a Purchase Requisition (PR) in the Guided Buying view of E-Procurement. A PR is a request to buy goods or services that are created electronically. Users can add items from State Term Contract (STC) using the catalogs and Punchout catalogs or request an item that is not on STC, which is called a non-catalog item.

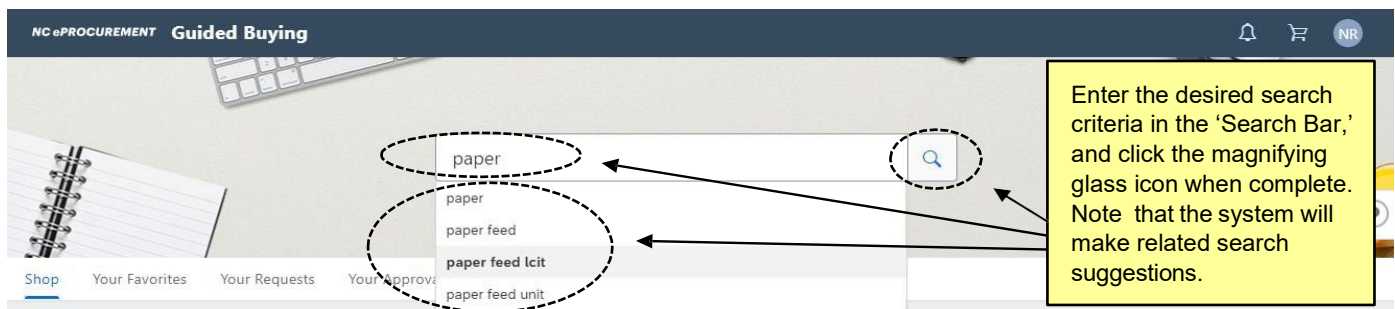
Special Note: [Creating Purchase Requisitions training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

Adding Catalog Items

If an item appears in the E-Procurement catalogs, then it is on a State Term Contract (STC) negotiated on behalf of the State of North Carolina's buyers by P&C. Users may add catalog items to the PR by utilizing the catalog search functionality. There is no need to initiate a PR in Guided Buying; users just need to search for the item(s) being purchased and add the items to the shopping cart. Catalog items can be searched for by using the "Search Bar" or "Tiles."

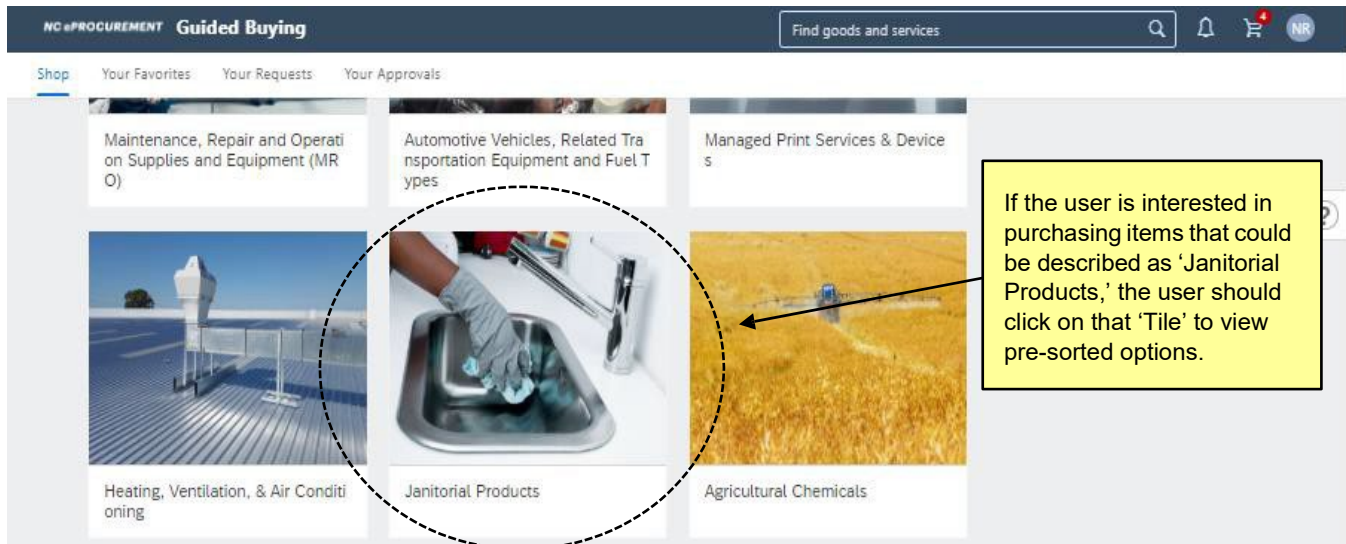


If using the "Search Bar," enter the desired search criteria (i.e., "Keyword," "Supplier Part #," "Manufacturer," "Statewide Contract ID," or "Category") and click the magnifying glass or press "Enter." The "Search Bar" will suggest results based on what's been entered before the search is complete and has a "fuzzy" nature to it, meaning that the system will attempt to return results that sound like the entered search criteria, not just match the results to the exact text of the search.



Procurement Policy and Procedure

If beginning a search via “Tiles,” click on the “Tile” that best represents the type of item desired.



A sub-screen will appear with additional, more-specific “Tiles” to direct the purchase. Click on the one that, again, best represents the type of item desired.



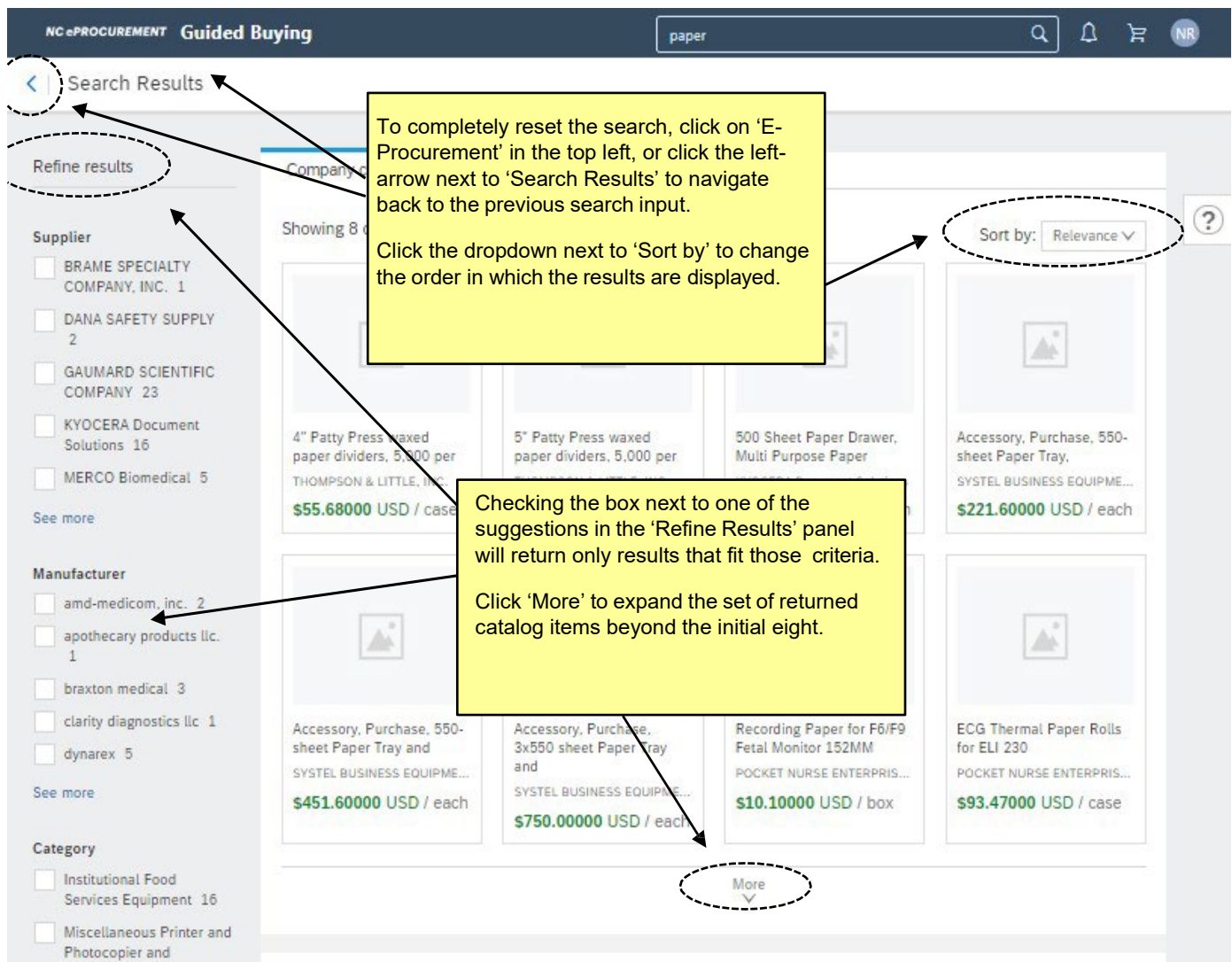
After conducting the search, the results page will be displayed. It will provide further options for refining the search and evaluating the results. The “Refine Results” panel on the left will provide options to allow users to refine results. Those options will automatically appear and are dependent on the search results. Select an option from this menu to view only those results matching the specified criteria. The possible fields include “Supplier,” “Manufacturer,” “Category,” “Keyword,” or “Price,” and the subsequent number indicates the number of options that will display if the box next to the suggestion is checked.

Clicking the drop-down menu next to “Sort By” allows users to sort the search results based on “Relevance,” “Price high to low,” or “Price low to high.”

Procurement Policy and Procedure

- “Relevance” places the items with the best or most complete match near the top.
- “Price high to low” places the most expensive items closer to the top.
- “Price low to high” places the least expensive items closer to the top.

Click the blue left-arrow next to “Search Results” to return to the previous page of results or click on “E-Procurement” in the top left of the screen to reset the search results altogether. A maximum of eight (8) catalog items will be displayed on the results page. To unveil more results, click on “More” beneath the last result.



NC ePROCUREMENT Guided Buying paper Search Notifications Shopping Cart NR

[← Search Results](#)

[Refine results](#)

Supplier

- ☐ BRAME SPECIALTY COMPANY, INC. 1
- ☐ DANA SAFETY SUPPLY 2
- ☐ GAUMARD SCIENTIFIC COMPANY 23
- ☐ KYOCERA Document Solutions 16
- ☐ MERCO Biomedical 5

[See more](#)

Manufacturer

- ☐ amd-medicom, inc. 2
- ☐ apothecary products llc. 1
- ☐ braxton medical 3
- ☐ clarity diagnostics llc 1
- ☐ dynarex 5

[See more](#)

Category

- ☐ Institutional Food Services Equipment 16
- ☐ Miscellaneous Printer and Photocopier and...

Showing 8 of 16 items

4" Patty Press waxed paper dividers, 5,000 per THOMPSON & LITTLE, INC. **\$55.68000 USD / case**

5" Patty Press waxed paper dividers, 5,000 per **\$55.68000 USD / case**

500 Sheet Paper Drawer, Multi Purpose Paper **\$221.60000 USD / each**

Accessory, Purchase, 550-sheet Paper Tray, SYSTEL BUSINESS EQUIPME... **\$221.60000 USD / each**

Accessory, Purchase, 550-sheet Paper Tray and SYSTEL BUSINESS EQUIPME... **\$451.60000 USD / each**

Accessory, Purchase, 3x550 sheet Paper Tray and SYSTEL BUSINESS EQUIPME... **\$750.00000 USD / each**

Recording Paper for F6/F9 Fetal Monitor 152MM POCKET NURSE ENTERPRIS... **\$10.10000 USD / box**

ECG Thermal Paper Rolls for ELI 230 POCKET NURSE ENTERPRIS... **\$93.47000 USD / case**

[More](#)

Sort by: Relevance ?

To completely reset the search, click on 'E-Procurement' in the top left, or click the left-arrow next to 'Search Results' to navigate back to the previous search input.

Click the dropdown next to 'Sort by' to change the order in which the results are displayed.

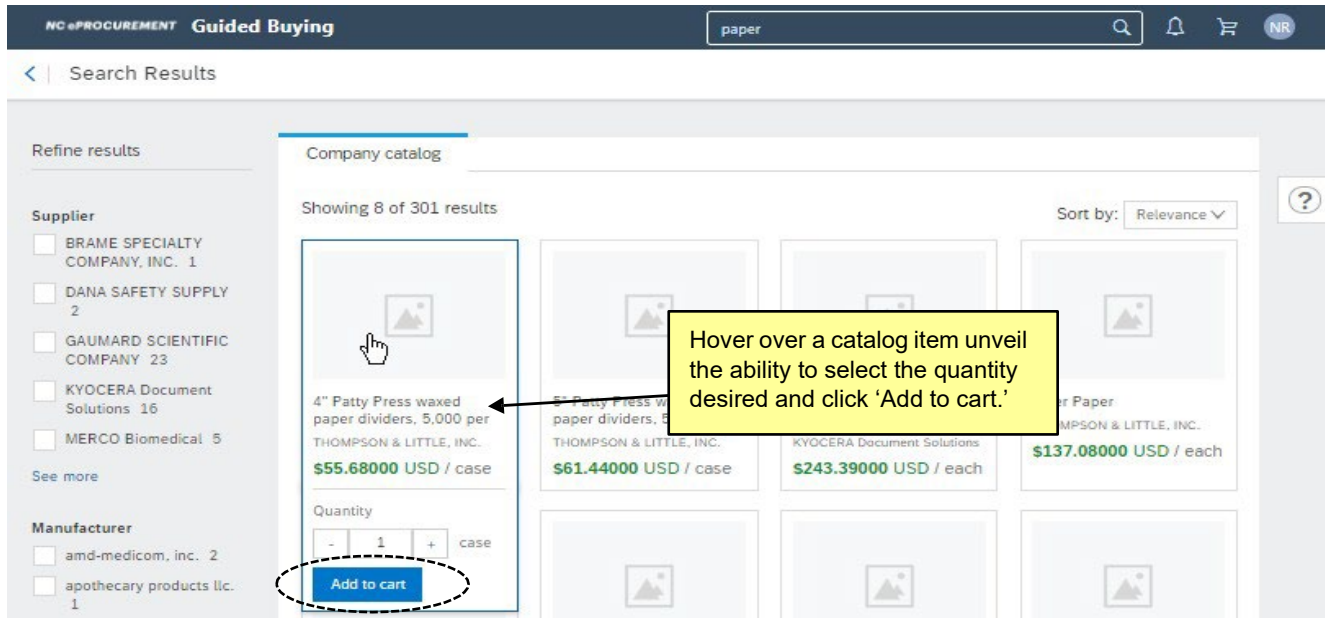
Checking the box next to one of the suggestions in the 'Refine Results' panel will return only results that fit those criteria.

Click 'More' to expand the set of returned catalog items beyond the initial eight.

Each catalog item on the results page will provide a description of the item, the supplier of the item, the price of the item, and the unit of measure for the item. Suppliers can provide pictures for the catalog items, but not all items will have a picture.

If the user hovers the cursor over a catalog item, it will be surrounded by an expanded blue rectangle with an option to select the quantity desired and then click the “Add to cart” button.

Procurement Policy and Procedure



NC ePROCUREMENT Guided Buying

Search Results

Refine results

Supplier

- ☐ BRAME SPECIALTY COMPANY, INC. 1
- ☐ DANA SAFETY SUPPLY 2
- ☐ GAUMARD SCIENTIFIC COMPANY 23
- ☐ KYOCERA Document Solutions 16
- ☐ MERCIO Biomedical 5

See more

Manufacturer

- ☐ amd-medicom, inc. 2
- ☐ apothecary products llc. 1

Company catalog

Showing 8 of 301 results

Sort by: Relevance

4" Patty Press waxed paper dividers, 5,000 per THOMPSON & LITTLE, INC. \$55.68000 USD / case

Quantity: - 1 + case

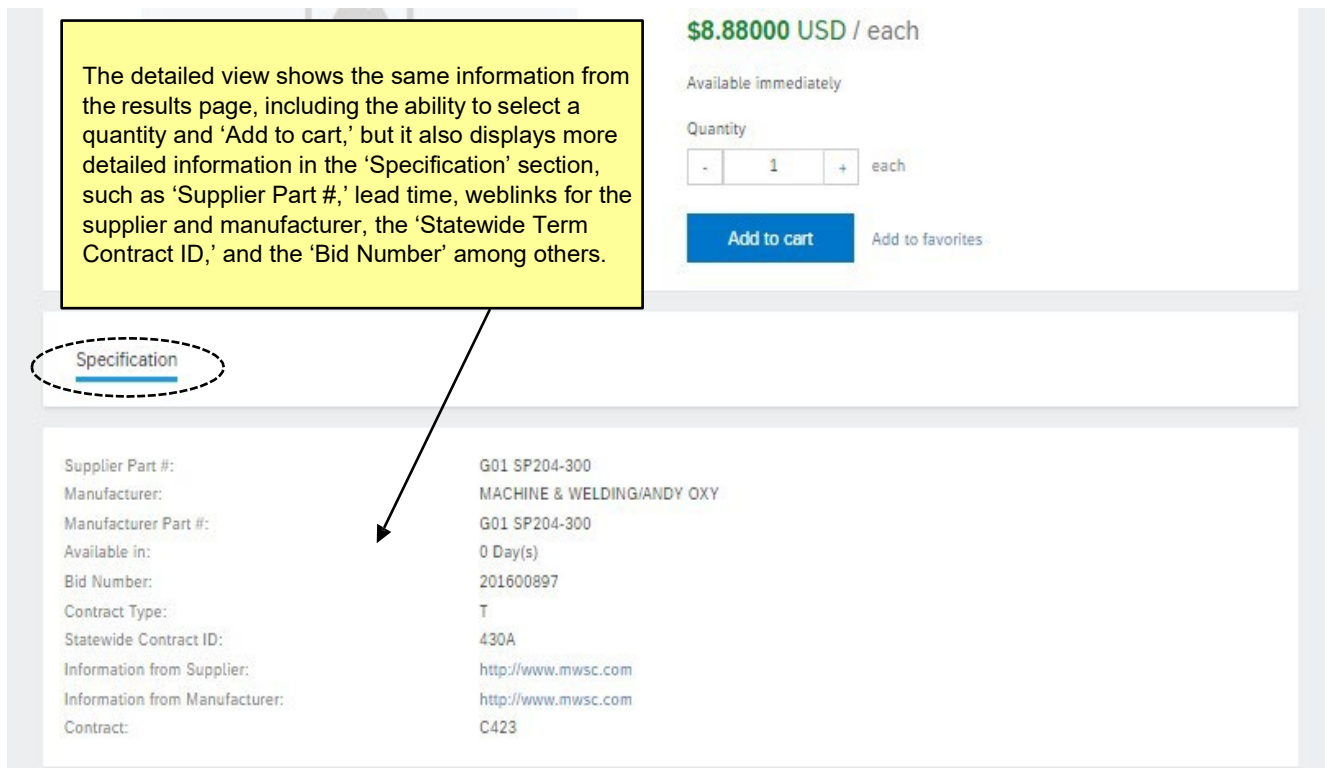
Add to cart

5" Patty Press waxed paper dividers, 5 THOMPSON & LITTLE, INC. \$61.44000 USD / case

KYOCERA Document Solutions THOMPSON & LITTLE, INC. \$243.39000 USD / each

6" Paper THOMPSON & LITTLE, INC. \$137.08000 USD / each

For more information about the item, click on it to display a detailed view.



\$8.88000 USD / each

Available immediately

Quantity: - 1 + each

Add to cart Add to favorites

Specification

Supplier Part #: G01 SP204-300

Manufacturer: MACHINE & WELDING/ANDY OXY

Manufacturer Part #: G01 SP204-300

Available in: 0 Day(s)

Bid Number: 201600897

Contract Type: T

Statewide Contract ID: 430A

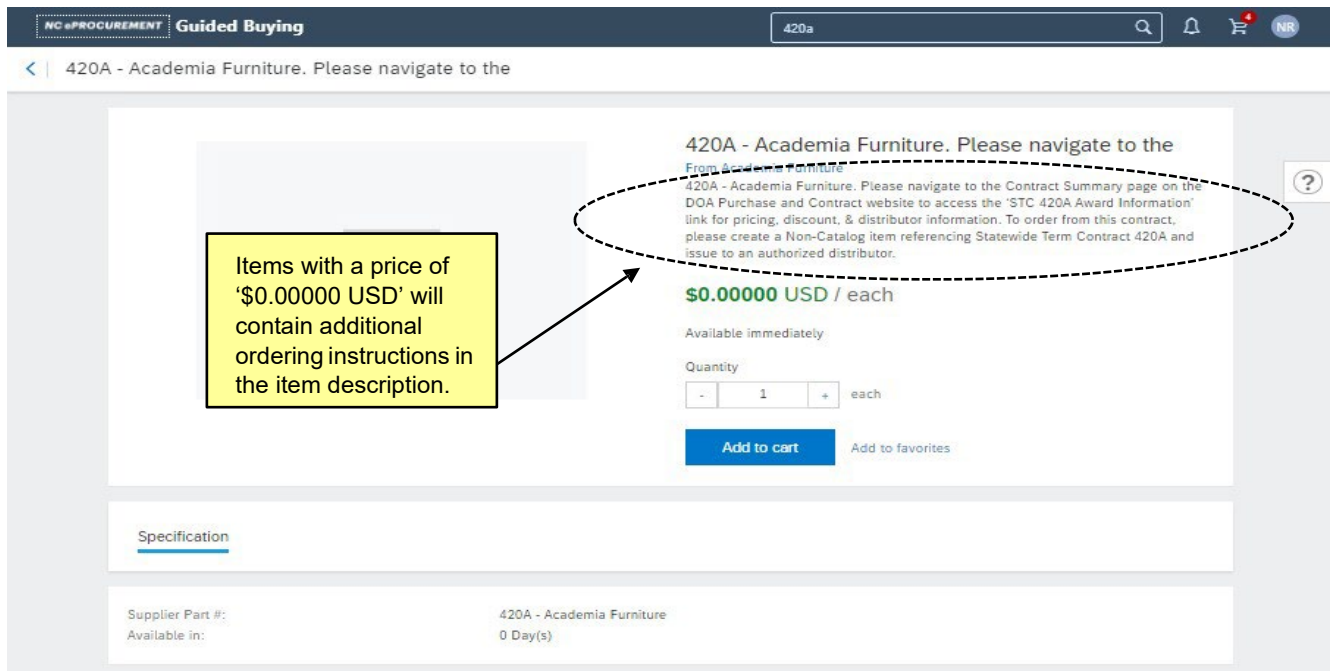
Information from Supplier: <http://www.mwsc.com>

Information from Manufacturer: <http://www.mwsc.com>

Contract: C423

Some catalog items are placeholders for additional ordering instructions. Items containing additional ordering instructions will reflect a price of "\$0.00000 USD" and will contain the necessary steps in the item description. Users should refer to those instructions when adding this type of item to the PR.

Procurement Policy and Procedure



NC ePROCUREMENT Guided Buying 420a

< | 420A - Academia Furniture. Please navigate to the

420A - Academia Furniture. Please navigate to the Contract Summary page on the DOA Purchase and Contract website to access the 'STC 420A Award Information' link for pricing, discount, & distributor information. To order from this contract, please create a Non-Catalog item referencing Statewide Term Contract 420A and issue to an authorized distributor.

\$0.00000 USD / each

Available immediately

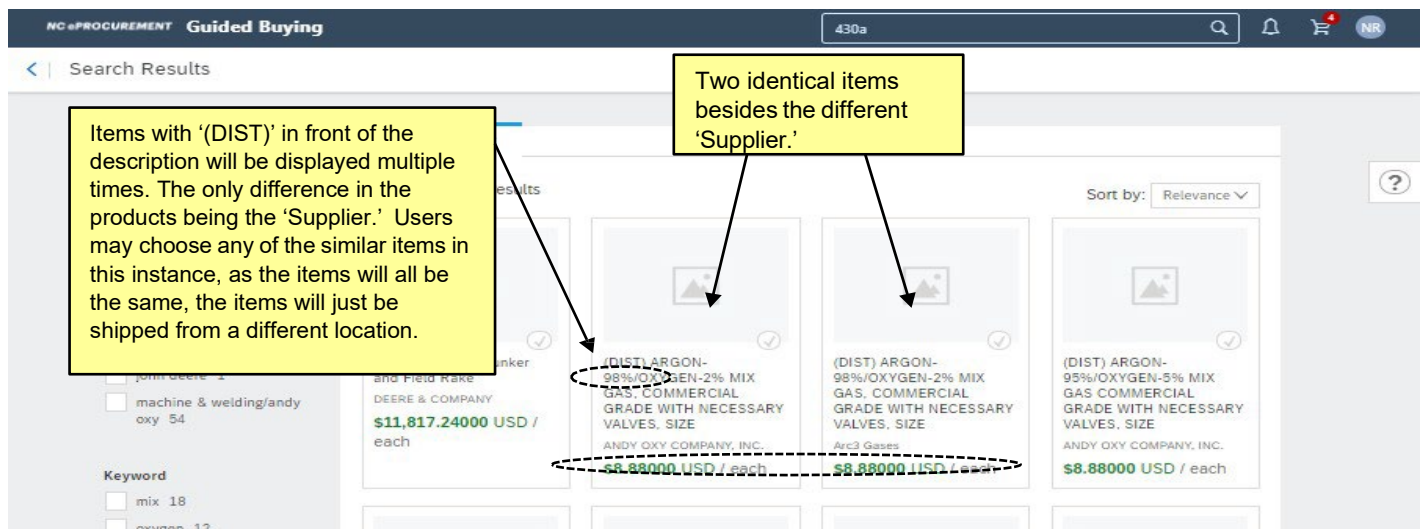
Quantity: - 1 + each

Add to cart Add to favorites

Specification

Supplier Part #: 420A - Academia Furniture
Available in: 0 Day(s)

Items with “(DIST)” in front of the description indicate that the item is supplied by a distributor, not necessarily the STC vendor. Multiple seemingly identical catalog items will appear for the same product but will have different suppliers listed. The user may choose any of the items as these are the same, but these will be delivered from a different location. In essence, the user will be choosing based on the “Supplier” listed, perhaps taking proximity to the distributors’ locations into account.



NC ePROCUREMENT Guided Buying 430a

< | Search Results

Sort by: Relevance

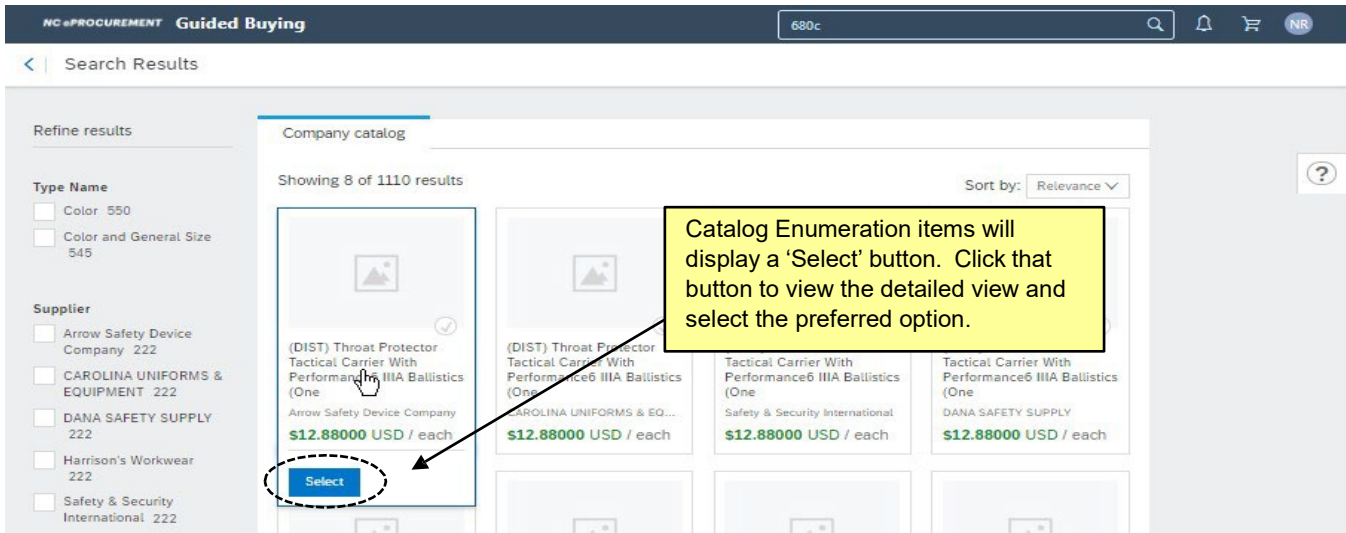
(DIST) ARGON-98%/OXYGEN-2% MIX GAS, COMMERCIAL GRADE WITH NECESSARY VALVES, SIZE
ANDY OXY COMPANY, INC.
\$8.88000 USD / each

(DIST) ARGON-98%/OXYGEN-2% MIX GAS, COMMERCIAL GRADE WITH NECESSARY VALVES, SIZE
Arc3 Gases
\$8.88000 USD / each

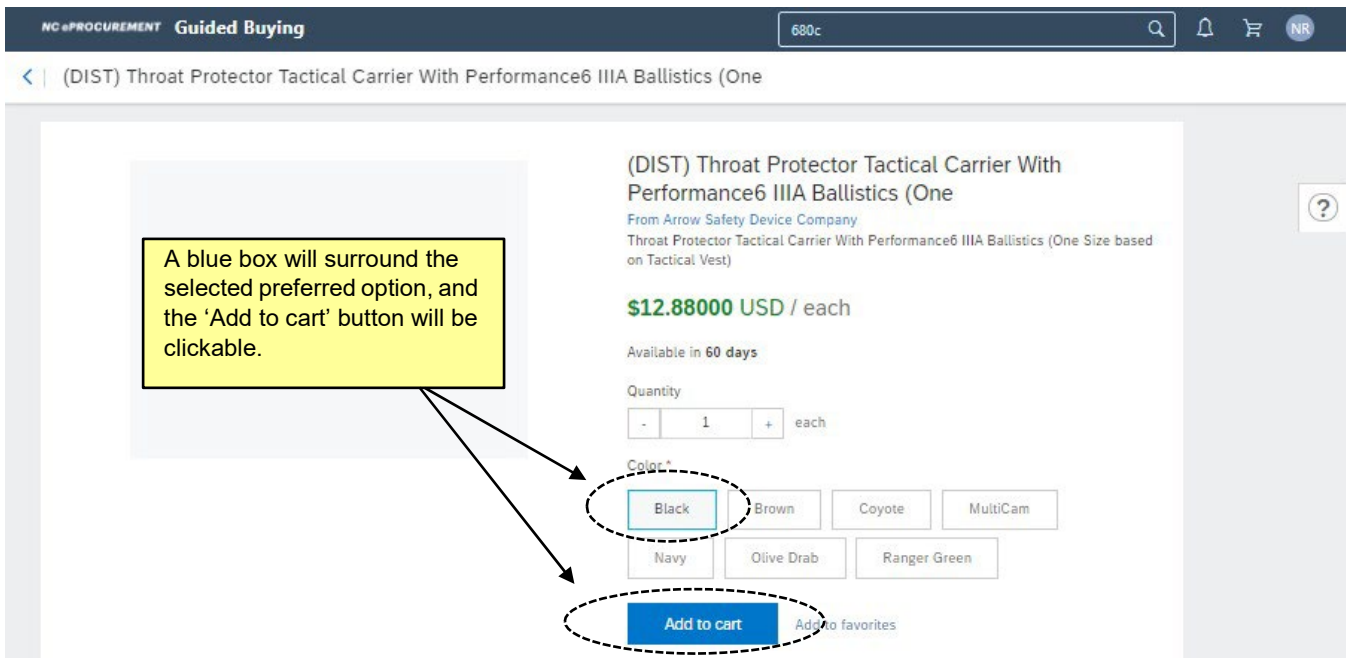
(DIST) ARGON-95%/OXYGEN-5% MIX GAS COMMERCIAL GRADE WITH NECESSARY VALVES, SIZE
ANDY OXY COMPANY, INC.
\$8.88000 USD / each

Enumerations are STC items that have specific attributes associated internally and that require the user to select a preferred option before the item is added to the Purchase Requisition (e.g., size, color, delivery options). When an Enumeration item is returned in a search, the user will not have the option to “Add to cart,” but rather to “Select.” On the subsequent item details page, the system will display the options for the user to choose. The user will need to select the preferred option before clicking “Add to cart.”

Procurement Policy and Procedure

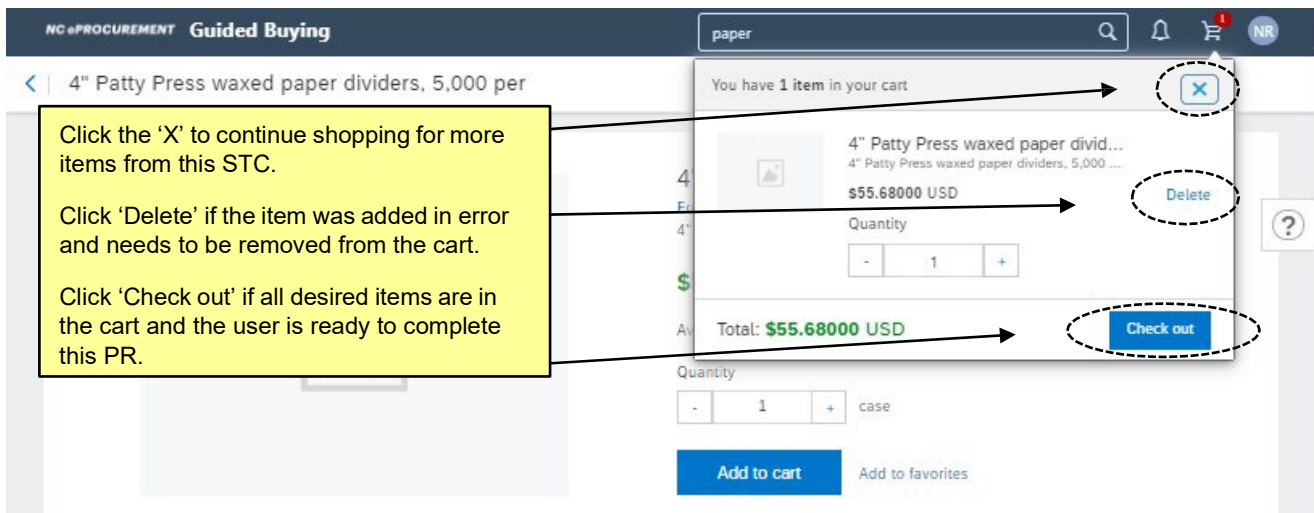


Within the detailed view, select the preferred option (in this case "Color"). A blue border will surround the selection. The user can now click "Add to cart" without receiving an error message.

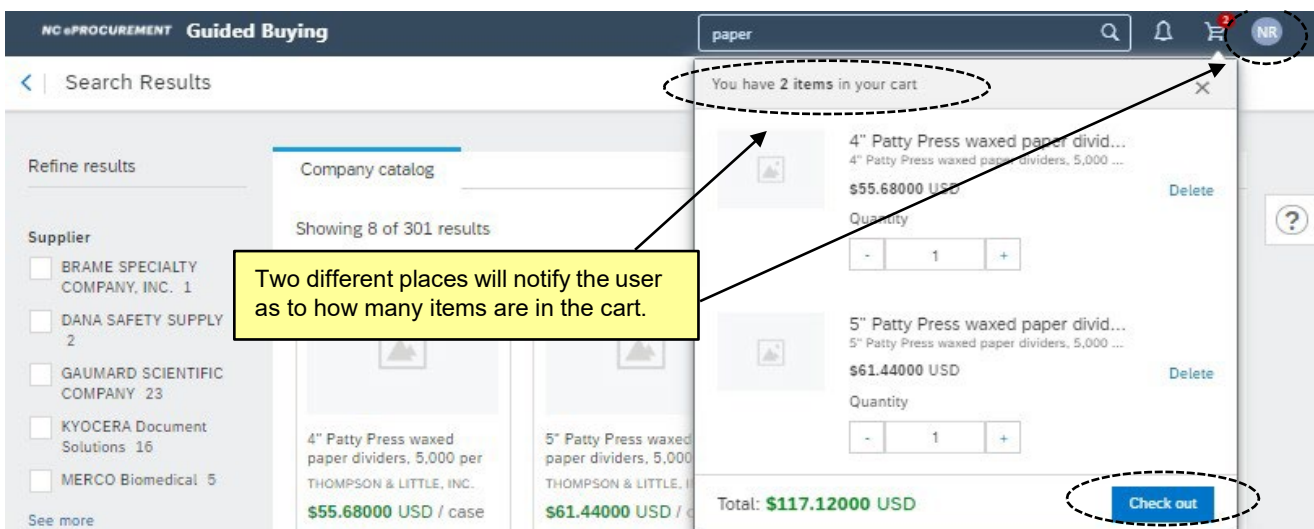


If a user finds the desired item and clicks "Add to cart" (from either the results page or the detailed view), a red bubble indicating the number of items the user has in the cart will display above the shopping cart icon in the upper right. A drop-down menu will give the user an opportunity to "Check out" and complete the purchase if that is the only item intended for inclusion on this PR, or the user can click the "X" to continue shopping for another item on this particular STC or click "Delete" if the item was added in error.

Procurement Policy and Procedure



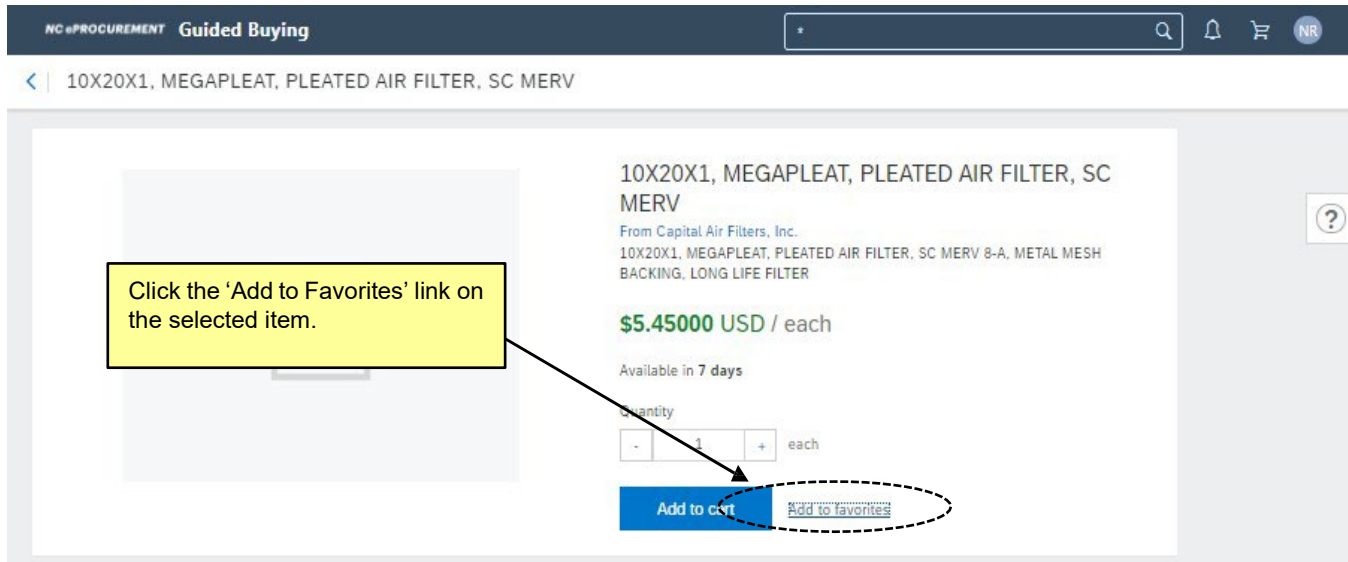
If multiple items are added to the cart, it will be reflected in the red bubble above the shopping cart icon and in the drop-down menu. By clicking “Check out” at this point, all items listed will be added to the PR. If the user does not click “Check out” at this point, the items will remain in the cart until either deleted or the user clicks “Check out” at a later time. Multiple catalog items can be added to the same PR, but the items have to be from the same STC. The system will prevent items from more than one STC to be included on the same PR, and the user will be notified with an error message. For this reason, a “Non-catalog item” cannot be added to a PR with a catalog item already on it.



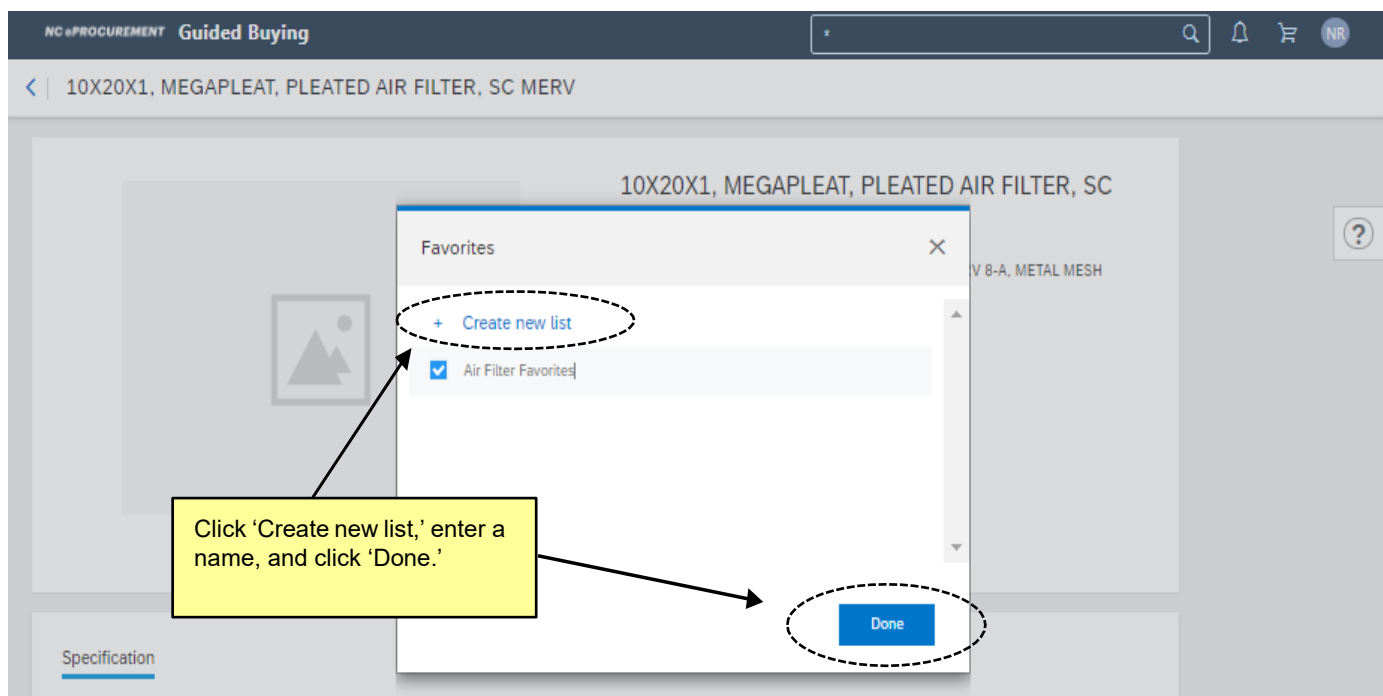
Adding Catalog Item Favorites

Users may add specific State Term Contract (STC) items to a favorites list for quick reference. Catalog items saved as favorites are updated as the catalog item is updated (e.g., price, description). To utilize catalog Favorites, users must first define “Favorites Lists.” Specific catalog items can then be added to a defined Favorites List. “Favorite Items” from Expert View do not carry over into Guided Buying and vice versa. To define a “Favorites List,” execute a catalog search for the desired item. Click the “Add to Favorites” link.

Procurement Policy and Procedure

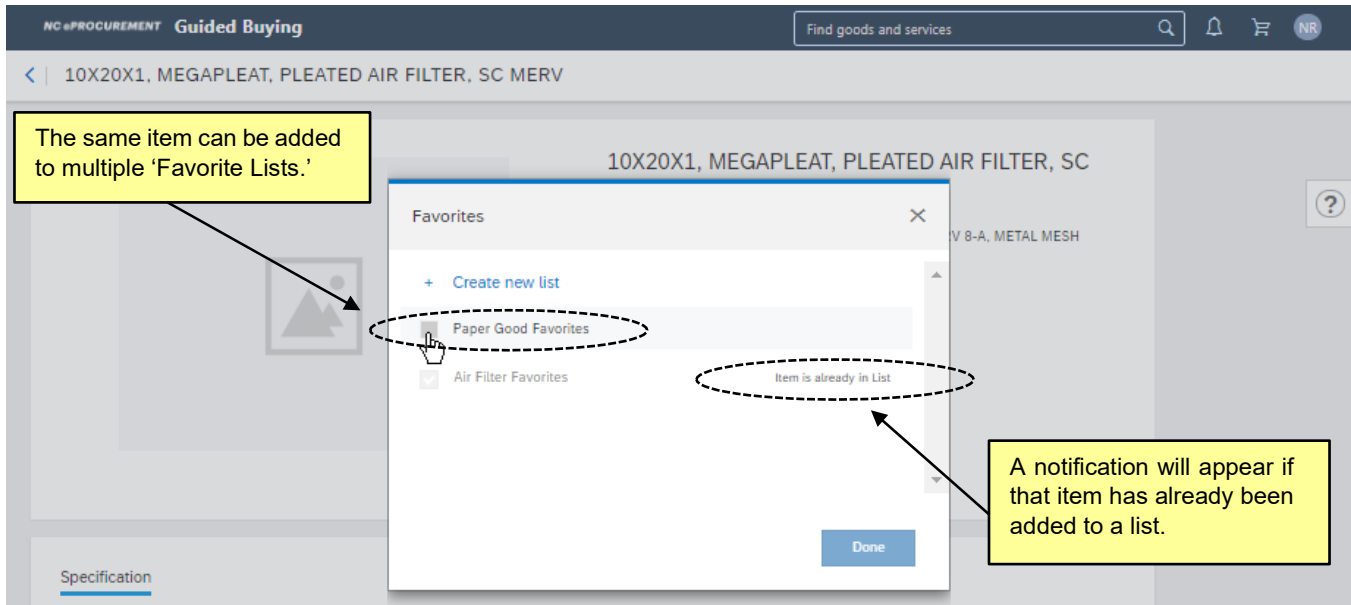


The “Favorites” popup will display. Click “Create new list,” type the name of the list, and click “Done.” The item will be added to that list.

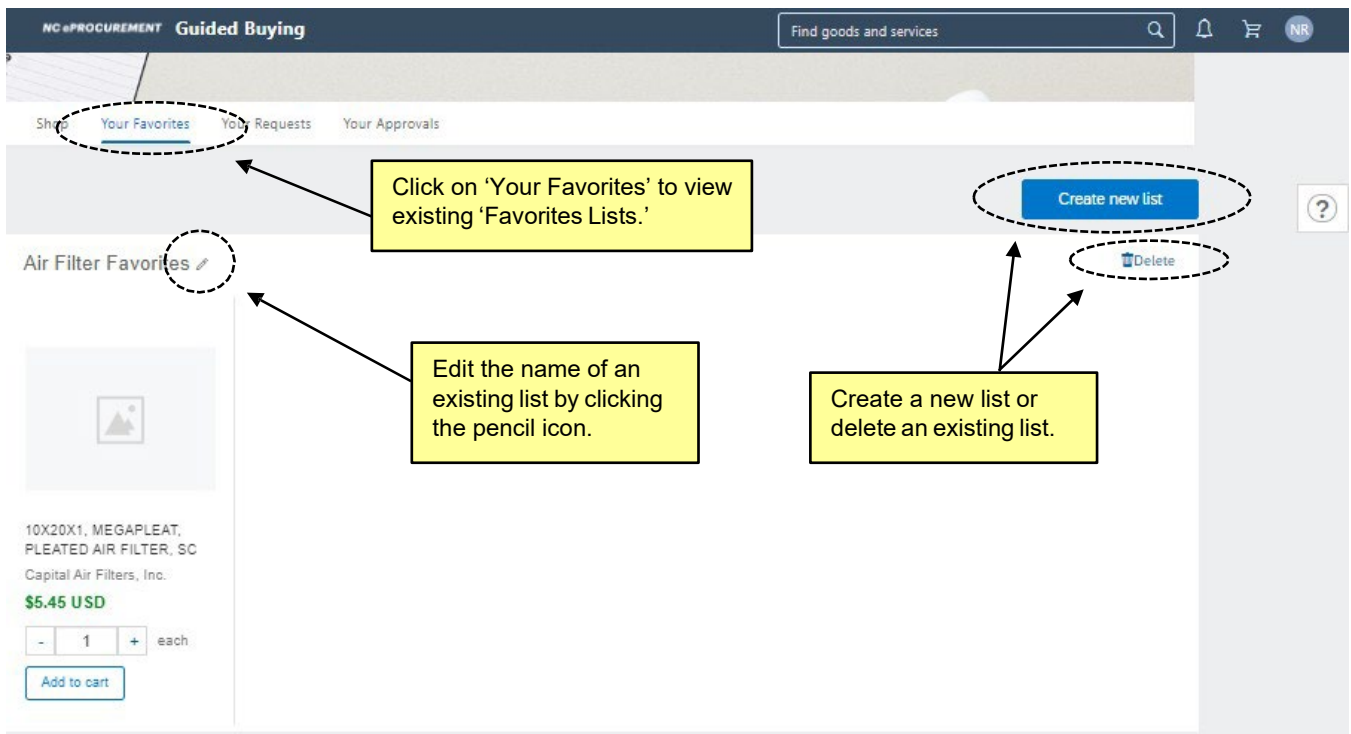


The same item may be added to multiple lists by checking the box next to each list and clicking the “Done” button. If the item already exists in a list, the user will receive a notification that the “Item is already in List” and that list will be unable to be selected.

Procurement Policy and Procedure

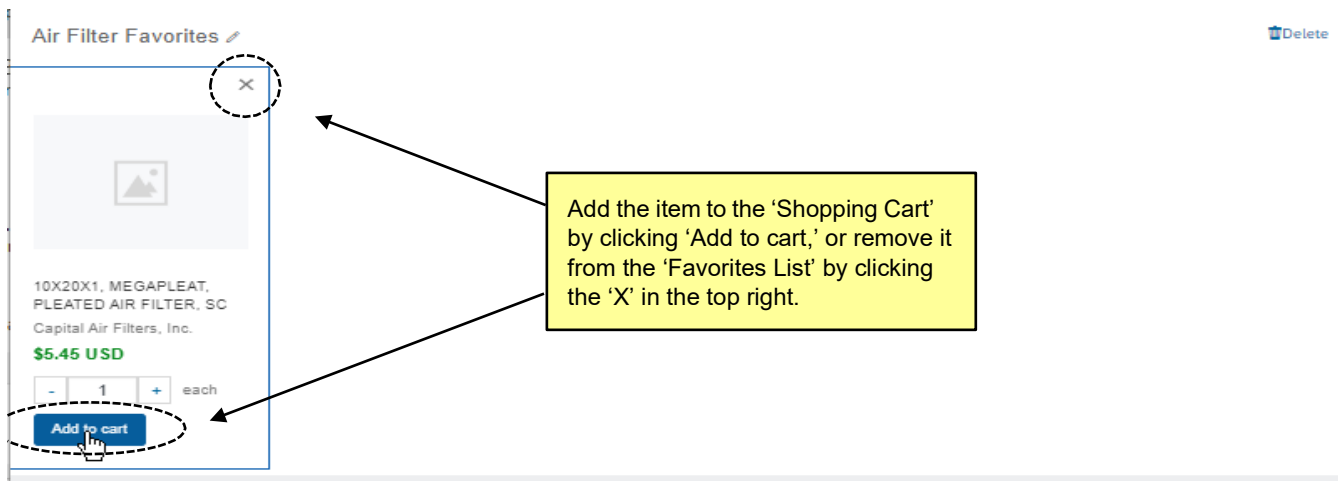


Users can manage the “Favorites Lists” by clicking on “Your Favorites” near the top of the page. New lists can be added from this page by clicking “Create new list,” the names of existing lists can be edited by clicking the pencil icon, or lists can be permanently deleted by clicking on “Delete” in the top right of each list.



Add an item from a “Favorites List” to the cart by clicking “Add to cart,” or delete the item from the list by clicking the “X” in the top right corner of the item. A confirmation screen will appear asking the user would like to remove the item from the list, to which the user can click “Yes” or “Cancel.”

Procurement Policy and Procedure



Adding Punchout Catalog Items

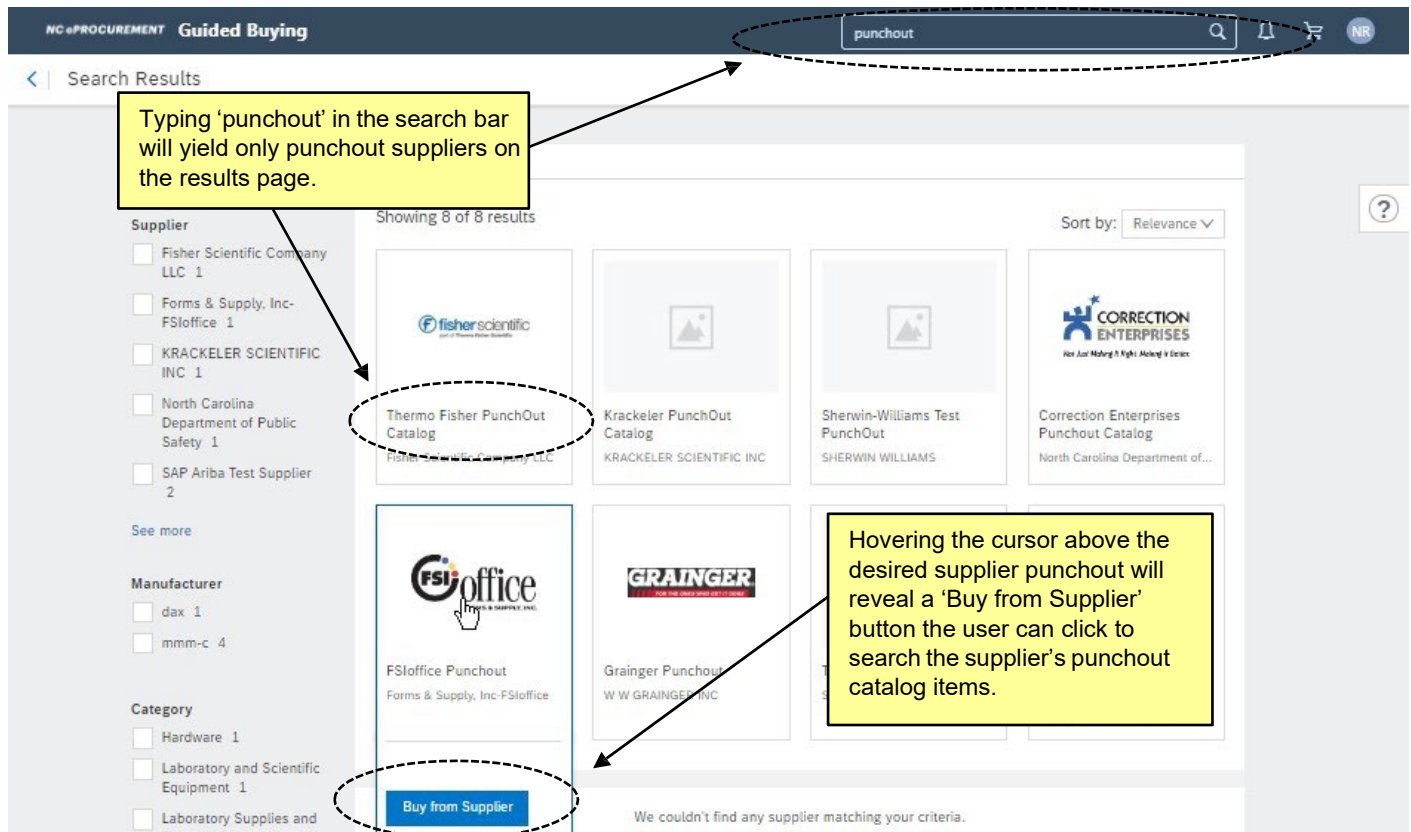
Some State of North Carolina State Term Contract (STC) suppliers have created punchout websites containing negotiated term contract items. These punchout sites are accessible through the E-Procurement term contract catalogs. A punchout site is a website created and maintained by the supplier specifically for the State of North Carolina. Users do not need to enter a new user ID or password to enter the supplier's punchout site. The supplier's website will automatically recognize users from E-Procurement, and after the buyer has selected items on the supplier's website, the items are automatically transferred into E-Procurement as line items on the Purchase Requisition (PR). Once completed, the purchase order will be delivered to the supplier through E-Procurement. There is no need to initiate a punchout catalog purchase in Guided Buying; users just need to search for the item(s) being requested for purchase and add the items to the shopping cart. Catalog items can be searched for by using the "Search Bar" or "Tiles."



If using the "Search Bar," users can enter the desired search criteria and click the magnifying glass or press "Enter." Searches by "Category" (ex: Office Supplies), "Supplier" (ex: FSI), or "Statewide Contract ID" (ex: 615A) will return results that may lead the user to a punchout catalog. Alternatively, if the user enters the keyword "Punchout" in the "Search Bar," the only results returned will be links to punchout catalog sites.

Procurement Policy and Procedure

Punchout catalog results will not show individual items with prices like standard catalog items. A tile with the supplier's name followed by "Punch Out Catalog" will display for every available punchout catalog. If the user hovers the cursor over the punchout catalog tile to be purchased from, it will be surrounded by an expanded blue rectangle and an option to click "Buy from Supplier" which will take the user to the supplier's punchout catalog.



NC ePROCUREMENT Guided Buying

Search Results

Showing 8 of 8 results

Sort by: Relevance

Supplier

- ☐ Fisher Scientific Company LLC 1
- ☐ Forms & Supply, Inc- FSloffice 1
- ☐ KRACKELER SCIENTIFIC INC 1
- ☐ North Carolina Department of Public Safety 1
- ☐ SAP Ariba Test Supplier 2

See more

Manufacturer

- ☐ dax 1
- ☐ mmm-c 4

Category

- ☐ Hardware 1
- ☐ Laboratory and Scientific Equipment 1
- ☐ Laboratory Supplies and Equipment 1

Thermo Fisher PunchOut Catalog

Krackeler PunchOut Catalog

Sherwin-Williams Test PunchOut

Correction Enterprises Punchout Catalog

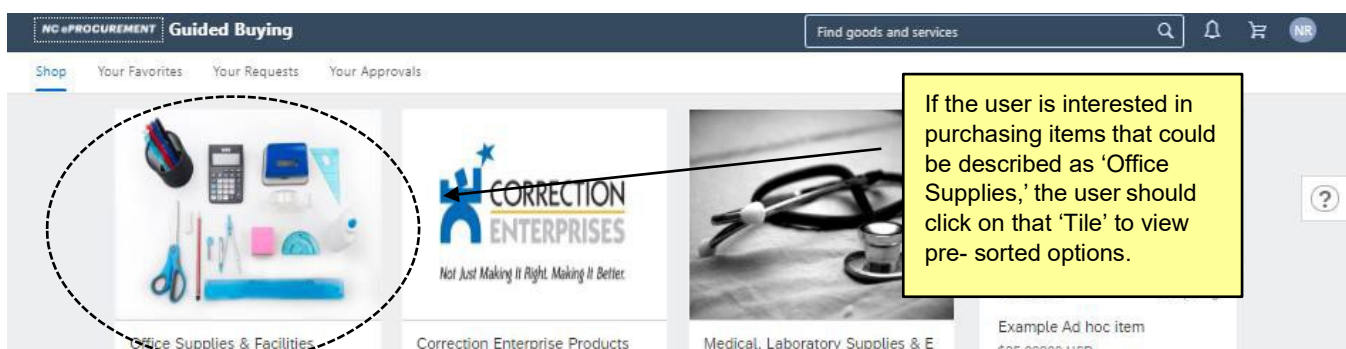
FSIoffice Punchout

Grainger Punchout

Buy from Supplier

We couldn't find any supplier matching your criteria.

If beginning a search via "Tiles," click on the "Tile" that best represents the type of item desired.



NC ePROCUREMENT Guided Buying

Find goods and services

Shop Your Favorites Your Requests Your Approvals

Office Supplies & Facilities

Correction Enterprise Products

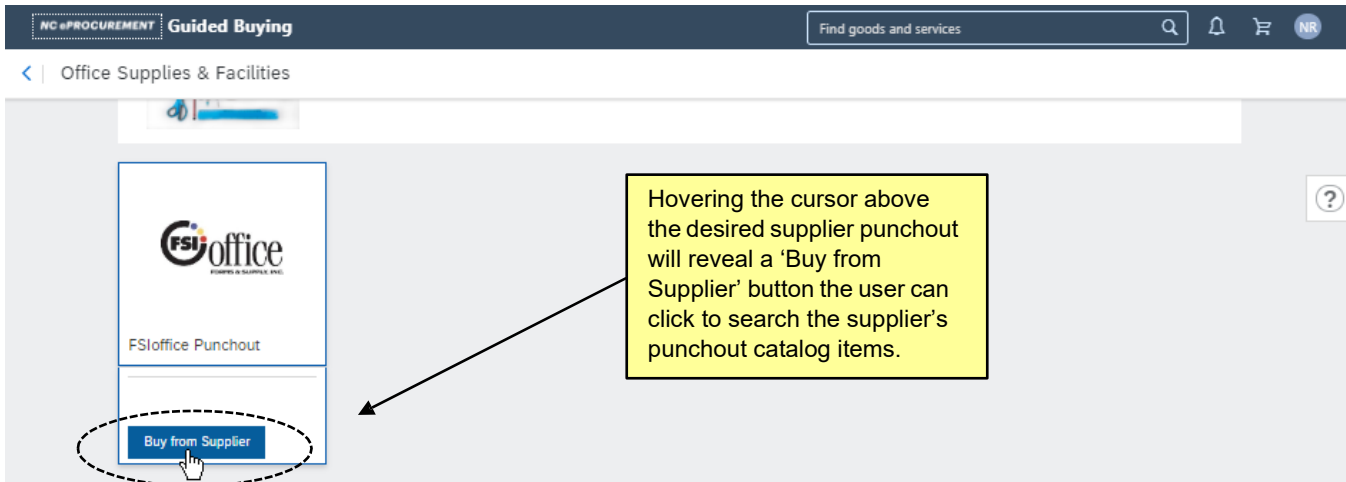
Medical, Laboratory Supplies & E

Example Ad hoc item

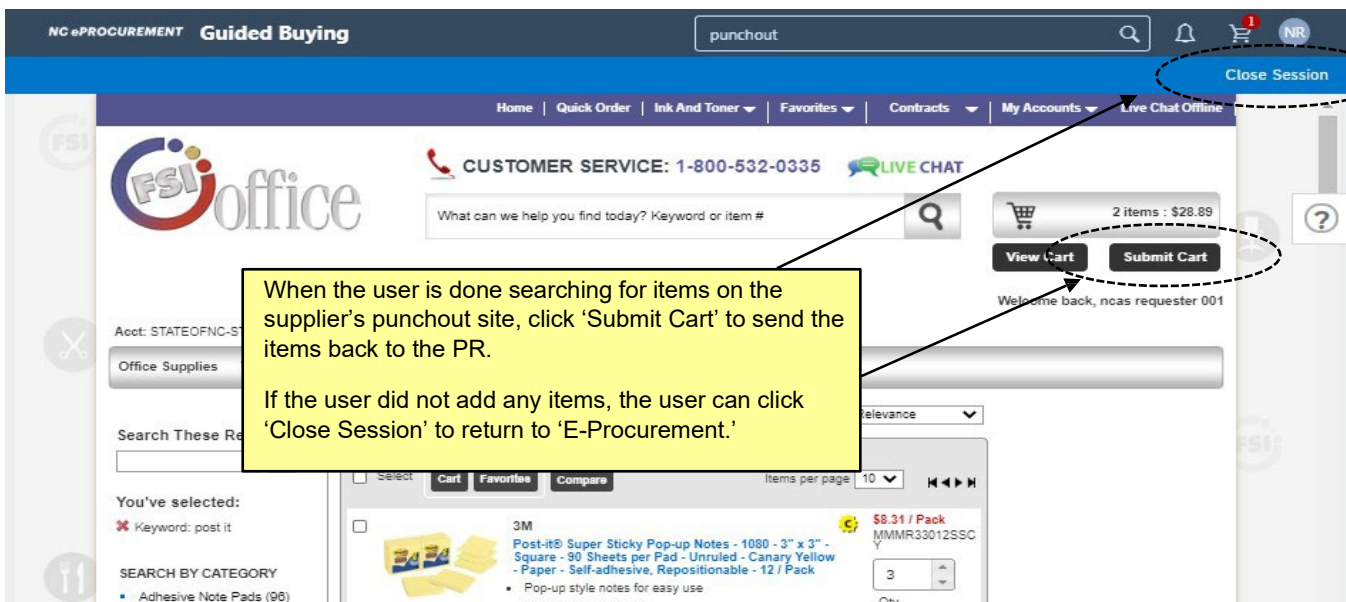
\$25.00000 USD

A sub-screen will appear with additional, more-specific "Tiles" to direct the purchase. If a punchout tile appears, hover the cursor above the tile and click "Buy from Supplier" to be taken to that supplier's punchout catalog.

Procurement Policy and Procedure

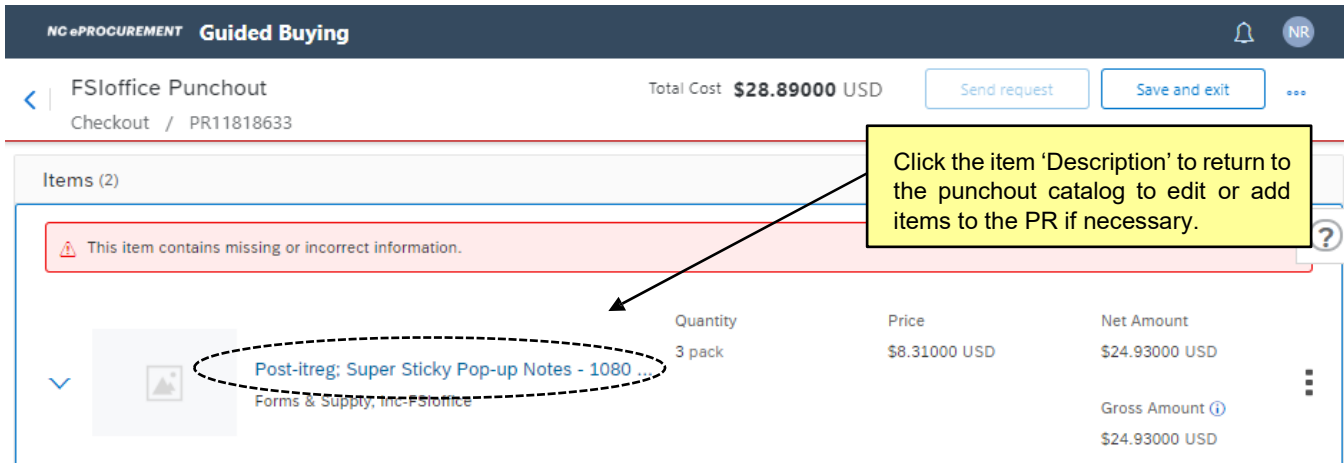


The user will be directed to the supplier's punchout catalog site. The page will still be branded with "E-Procurement" at the top, but the content of the site will be maintained by the supplier. Since the individual supplier creates a unique punchout site, each site may differ in appearance and navigation; however, each site will have the same basic logic. When shopping on a punchout site, users will add the desired items to the shopping cart on that site, then click "Submit" to automatically send the selected items back to the "E-Procurement" shopping cart. If a buyer decides to end a punchout shopping session before any items are selected, the user may return to the PR by clicking on "Close Session."



Once the punchout item(s) have been added to the PR, if there is a need to edit the quantity of the item or to add additional punchout items from that catalog, the user will have to make those edits back on the supplier's punchout catalog site and re-submit the cart. To access the site directly from the PR, click on the "Description" of any of the line-items.

Procurement Policy and Procedure



NC ePROCUREMENT Guided Buying

FSIoffice Punchout

Checkout / PR11818633

Total Cost **\$28.89000 USD**

Send request Save and exit

Items (2)

This item contains missing or incorrect information.

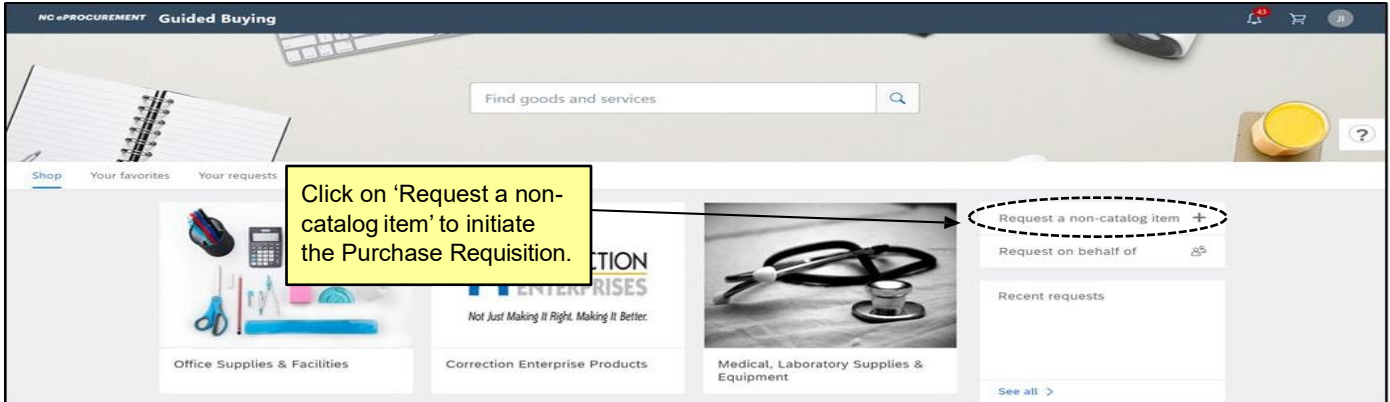
Quantity	Price	Net Amount
3 pack	\$8.31000 USD	\$24.93000 USD
		Gross Amount <i>(i)</i>
		\$24.93000 USD

Post-itreg: Super Sticky Pop-up Notes - 1080 ...
Forms & Supply, Inc-FSIoffice

Click the item 'Description' to return to the punchout catalog to edit or add items to the PR if necessary.

Adding Non-Catalog Items

Users may manually add “non-catalog” items to a Purchase Requisition (PR) when a catalog item is not available or when the user is ordering from a vendor that is not on a State Term Contract (STC). From the Guided Buying home page, click on “Request non-catalog item” to enter product information on the subsequent “Non-catalog request” page.



NC ePROCUREMENT Guided Buying

Find goods and services

Shop Your favorites Your requests

Click on 'Request a non-catalog item' to initiate the Purchase Requisition.

Request a non-catalog item

Request on behalf of

Recent requests

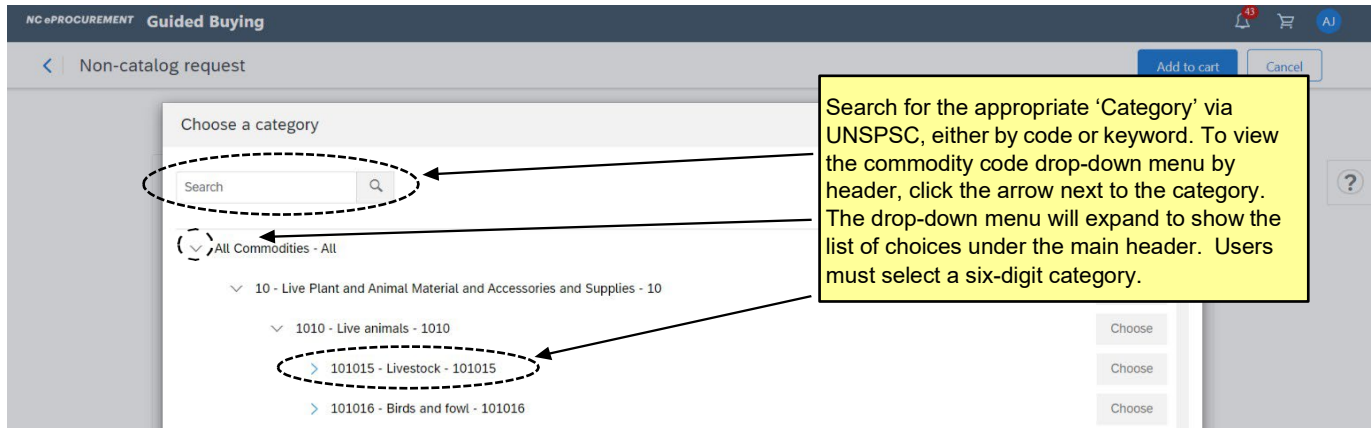
See all >

Product Name: Enter the Product name for the item being requested.

Category: Locate the appropriate category that describes the item being purchased by using the dropdown menu. “Category” at this point translates to what is commonly referred to as a “Commodity Code.” If a desired category is not listed in the drop-down menu, select “Browse all” to search for the appropriate code. Users may search by category number or keyword.

It is important to select the appropriate “Category” as the State of North Carolina uses this for reporting purposes. The codes listed are part of the United Nations Standard Products and Services (UNSPSC) commodity code structure. Codes that begin with a “7,” “8,” or “9” describe service type categories. These codes should not be used when purchasing goods. It is required that users enter a category out to the sixth digit. Adding a two or four-digit code will not be prohibited when selecting, but the user will receive an error on the “Checkout” page if the selection does not have six digits. Please refer to the [UNSPSC Commodity Code](#) search feature for further guidance.

Procurement Policy and Procedure



Search for the appropriate 'Category' via UNSPSC, either by code or keyword. To view the commodity code drop-down menu by header, click the arrow next to the category. The drop-down menu will expand to show the list of choices under the main header. Users must select a six-digit category.

Description: Enter a description of the item being purchased. Be sure to enter as much detail as necessary for the supplier to accurately fulfill the item (e.g., color, dimensions, etc.).

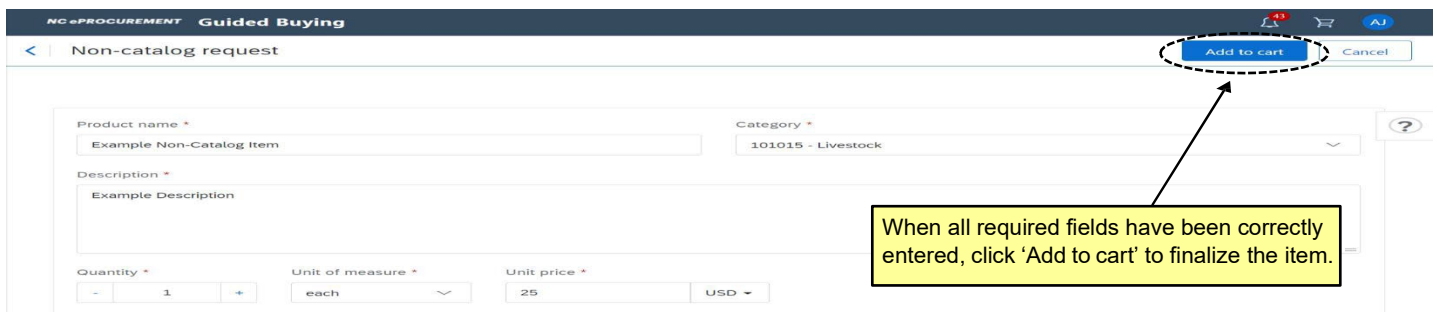
Quantity: Enter the appropriate Quantity. Add or subtract from the quantity by using the “+” or “-” buttons to either side of the free-text field.

Unit of Measure: Locate the appropriate Unit of Measure in the drop-down menu if the default value of “each” is not correct. If the desired Unit of Measure is not listed in the drop-down menu, choose “Browse all” to find the appropriate value.

Unit Price: Enter the price of the item in USD.

Supplier: Locate the supplier from the selector by clicking “View all suppliers.” The “Choose a supplier” popup will be displayed. Suppliers will be organized by ascending “Supplier ID” number, or the user can enter part of the supplier’s “Name,” “Address,” “City,” “State,” or “Country” in the search bar to return filtered results. Click the “Choose” button for the desired supplier to add the supplier to the PR.

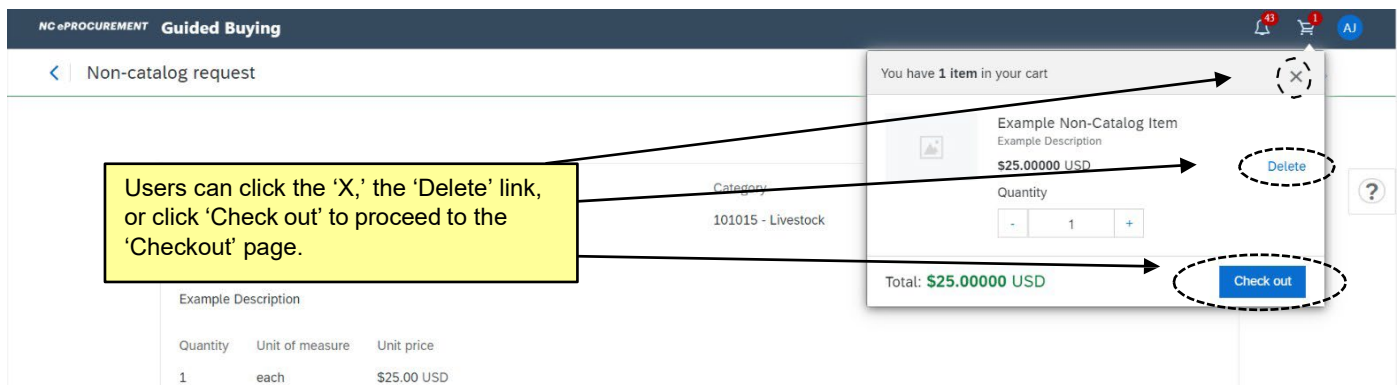
When all required fields are complete, the user can click the “Add to cart” button. If a field is incorrect or incomplete, it will be outlined in red and accompanied by an error message until it’s corrected.



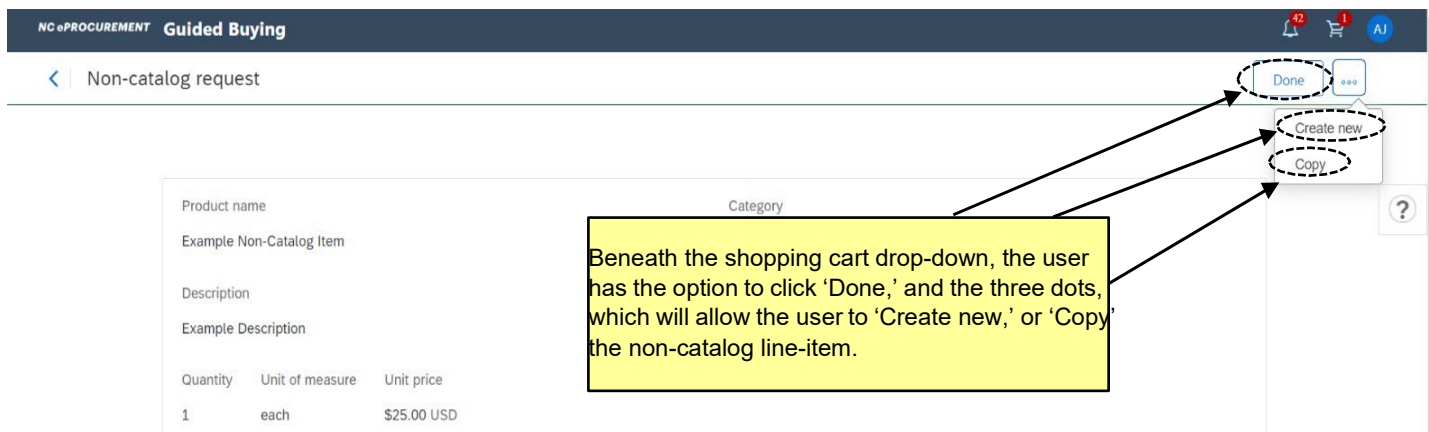
When all required fields have been correctly entered, click 'Add to cart' to finalize the item.

An item will appear in the shopping cart icon, and the drop-down menu will allow the user to click “X” in order to continue shopping, click “Delete” to remove the item from the cart, or click “Check out” to go to the “Checkout” page for that item.

Procurement Policy and Procedure



If the user clicks the "X," it will reveal two options in the top right of the screen. Clicking "Done" will take the user back to the Guided Buying home page and the item will remain in the cart. Clicking the three dots will display a drop-down menu option to "Create new," allowing the user to add an additional "Non-catalog item" to the cart, or "Copy" the line as an additional "Non-catalog item."



Selecting Unit of Measure for Non-Catalog Items

When entering a "Non-catalog item," users must follow the below "Unit of Measure" guidelines that differ based on whether the item is a "Blanket" or a "Non-Blanket" item, and whether it is classified as a "Good" or a "Service." If the values entered into the fields are not aligned correctly, an error message will display on the "Blanket Purchase Order" field until these are properly aligned. A "Good" or "Service" will be determined by the "Category" (Commodity Code) selected, and the "Blanket" or "Non-Blanket" status can be indicated in the "Others" subsection of the "Checkout" page.

Non-Blanket Good - When receiving this type of order, receive against the quantity ordered.

Set the "Quantity" to the total number of units to order.

Set the "Unit of Measure" to anything except "Dollar" or "Hour" (example: "Each").

Set the "Price" to the price of the individual unit.

Blanket Good - When receiving this type of order, receive against the dollar amount.

Set the "Quantity" to the total dollar amount of the order.

Set the "Unit of Measure" to "Dollar."

Procurement Policy and Procedure

Set the "Price" of the item to "\$1.00."
Mark the blanket purchase indicator to "Yes."

Non-Blanket Service - When receiving this type of order, receive against the dollar amount.

Set the "Quantity" to the total dollar amount of the service.

Set the "Unit of Measure" to "Dollar."

Set the "Price" of the item to "\$1.00."

Blanket Service - When receiving against this type of order, receive against the number of hours.

Set the "Quantity" to the total number of hours to hire.

Set the "Unit of Measure" to "Hour."

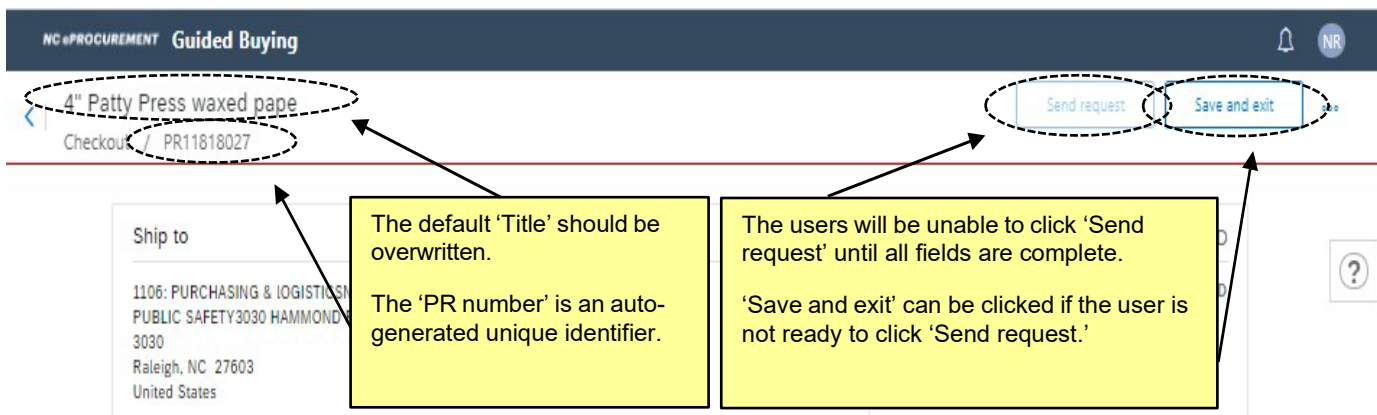
Set the "Price" to the price per hour.

Mark the "Blanket Purchase" indicator to "Yes."

Checkout Page

The "Checkout" page allows the user to enter or update the details required to finalize the Purchase Requisition (PR) before it is sent for approval. It displays once the user has clicked the "Check out" button in the shopping cart dropdown. Some fields are required while others are optional. Required fields with missing or incorrect information will be highlighted by a red border and an error message.

The top of the "Checkout" page will display a "Title" that is defaulted to the first 25 characters in the description of the first line-item on the PR. This "Title" can be edited by moving the cursor to it and overwriting the default. It is highly encouraged to change this "Title" to something descriptive of the items being purchased to make the PR easily identifiable. Below the "Title" the user will find the "PR number," a unique identifier beginning with "PR" that is automatically generated by the system. To the right of the screen, the "Send request" button (the button that passes the PR along for approval) will be grayed out and unable to be clicked until all required fields are completed in an adequate fashion. "Save and exit" can be clicked if the user is not ready to click "Send request" but will keep the information the user has already entered to complete later.



NC PROCUREMENT Guided Buying

4" Patty Press waxed paper
Checkout / PR11818027

Ship to
1106: PURCHASING & LOGISTICS
PUBLIC SAFETY3030 HAMMOND
3030
Raleigh, NC 27603
United States

The default 'Title' should be overwritten.
The 'PR number' is an auto-generated unique identifier.

The users will be unable to click 'Send request' until all fields are complete.
'Save and exit' can be clicked if the user is not ready to click 'Send request.'

Send request Save and exit

Below the top line are sections for "Ship to," "Charge to," and "Total Cost." Clicking on "Manage Locations" will allow the user to "Mass Edit" shipping information if there are multiple line-items on the PR and clicking "Manage Details" will allow for a "Mass Edit" of accounting information.

Procurement Policy and Procedure

< | 4" Patty Press waxed pape
Checkout / PR11818027

Send request Save and exit ...

Ship to	Manage locations	Charge to	Manage details	Total Cost	\$117.12000 USD
1106: PURCHASING & LOGISTICSNC DEPT OF PUBLIC SAFETY3030 HAMMOND BUS. PLACE STE 3030 Raleigh, NC 27603 United States		Company ((no value))		Net Amount	\$117.12000 USD
Need-by Date ⓘ	<div style="border: 1px solid red; padding: 5px;"> <p>Clicking 'Manage Locations' or 'Manage Details' will allow for a 'Mass Edit' of shipping or accounting information.</p> </div>				
<input type="text"/>					

st be set.

The Advanced options section below the area with “Total Cost” defaults to the expanded view, and a red border surrounds the “Deliver To” field directing the user to set a value. This free-text field indicates the recipient of the order and can be populated with any value, most commonly with the requester’s name. This field can be defaulted in the user’s profile so that it is automatically filled, in which case, the red border will not display.

The “Need-by Date” field is transmitted on the PR to the supplier as the date by which the items need to be delivered. The calendar icon next to the field may be used to select the appropriate date.

The “Ship To” field automatically defaults to the ship to location set up in the user’s profile. Users may choose a different option by selecting “Browse all” from the drop-down menu.

“Entity” defaults to the user’s entity and can’t be changed.

The “On Behalf Of” field will default to the requester’s name, but the field can be edited by clicking the drop-down menu arrow and clicking “Browse all” to search for and select another user on whose behalf the PR will be created. Additionally, the requester could have selected the “Request on behalf of” button on the Guided Buying home page to initiate the PR on behalf of another user from the start.

The “Delay Purchase Until” field, allows the PR to be submitted and approved but not distributed to the supplier until the date specified.

The “Suppress Order” field defaults to “No,” meaning that the purchase order, when created, **WILL NOT BE SUPPRESSED**, and will be sent to the supplier. If the selection is switched to “Yes,” the supplier will not receive a copy of the purchase order.

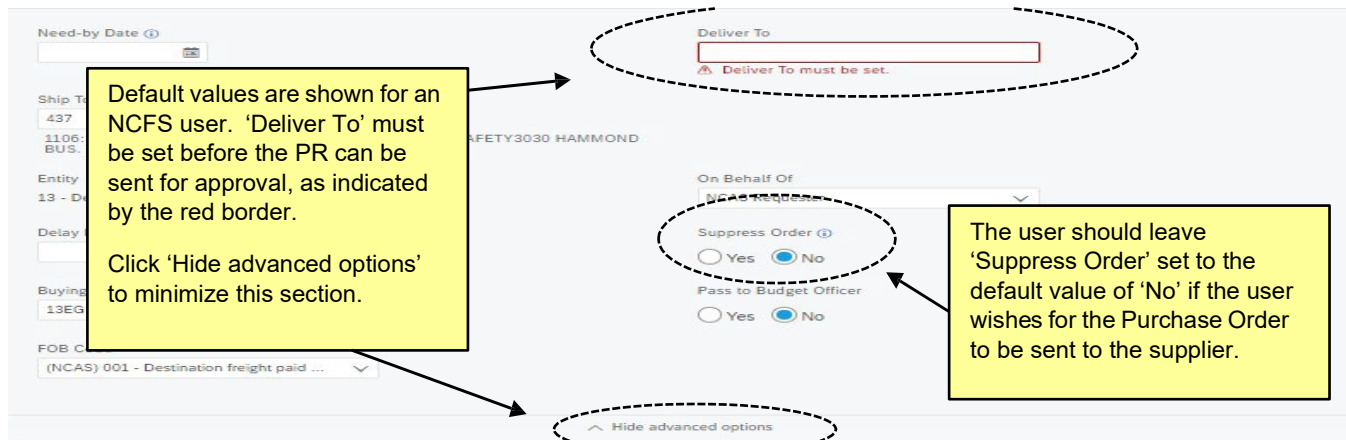
The “Buying Entity” field will default to the buying entity that is selected in the user’s profile. It can be updated using the “Buying Entity” drop-down menu. If the desired buying entity does not appear in the drop-down menu, select “Browse all” and search for the desired selection.

The “Pass to Budget Officer” field defaults to “No,” meaning the PR will stay on its normal approval path. If the selection is switched to “Yes,” the Override Budget Officer will be added in the approval flow to review the requisition and update the accounting information.

Procurement Policy and Procedure

The FOB (Freight on Board) reflects how freight charges for the order are paid. This value defaults to “(NCFS) 001.” Users may select a different option that better meets the agency purchasing policies by using the drop-down menu.

In order to minimize the expanded view of the Advanced options section, click on the “Hide Advanced Options” text at the bottom of the section.



Need-by Date (i)

Ship To: 437

Entity: 1106: BUS. SAFETY3030 HAMMOND

Delay: 13 - D

Buying: 13EG

FOB: (NCAS) 001 - Destination freight paid ...

Deliver To: Deliver To must be set.

On Behalf Of: NCFS REQUEST

Suppress Order (i): ☐ Yes ☒ No

Pass to Budget Officer: ☐ Yes ☒ No

Hide advanced options

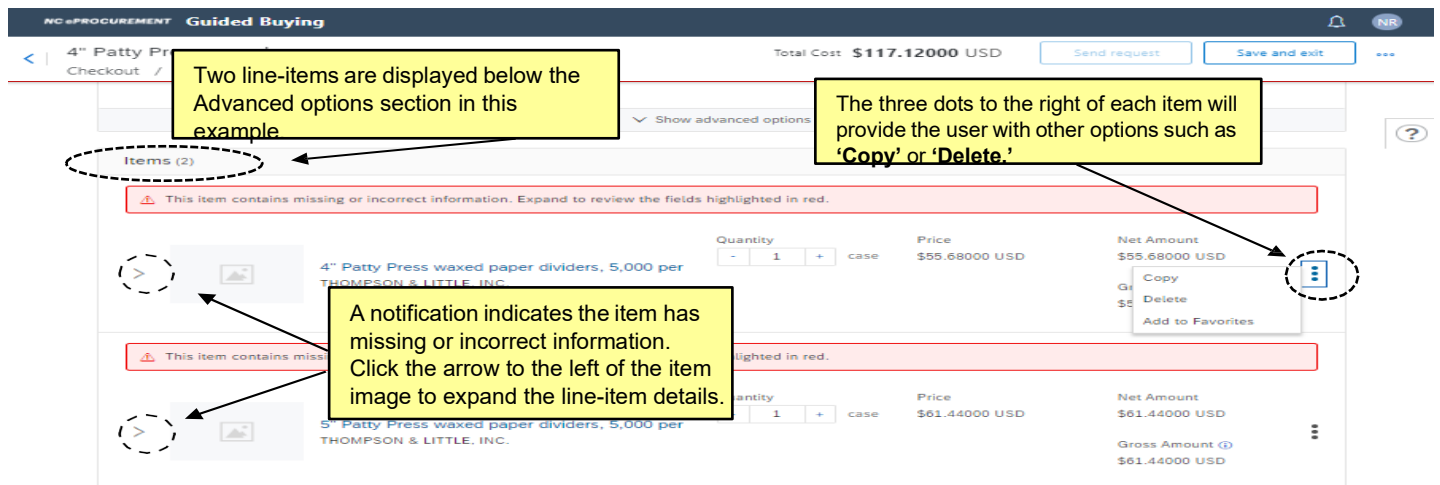
Default values are shown for an NCFS user. 'Deliver To' must be set before the PR can be sent for approval, as indicated by the red border.

Click 'Hide advanced options' to minimize this section.

The user should leave 'Suppress Order' set to the default value of 'No' if the user wishes for the Purchase Order to be sent to the supplier.

Below the Advanced options section, the line-item(s) will display. If there are fields that need to be completed, a red notification will indicate at the top of each line-item that there is missing or incorrect information. The user should click the arrow to the left of the item image to expand the line-item details to review and update.

By clicking the three dots to the right of the line-item, users will be presented with certain options depending on the type of line-item. Standard catalog items will display “Copy,” “Delete,” or “Add to Favorites.” Punchout catalog items will only have the option for “Delete.” Non-catalog items will display “Copy” and “Delete.”



NC PROCUREMENT Guided Buying

4" Patty Press waxed paper dividers, 5,000 per THOMPSON & LITTLE, INC.

5" Patty Press waxed paper dividers, 5,000 per THOMPSON & LITTLE, INC.

Total Cost: \$117.12000 USD

Send request Save and exit

Two line-items are displayed below the Advanced options section in this example

The three dots to the right of each item will provide the user with other options such as 'Copy' or 'Delete.'

A notification indicates the item has missing or incorrect information. Click the arrow to the left of the item image to expand the line-item details.

This item contains missing or incorrect information. Expand to review the fields highlighted in red.

This item contains missing or incorrect information. Expand to review the fields highlighted in red.

Copy Delete Add to Favorites

When a line-item is expanded to display the detail's view, the user will view five (5) subsections below information about the supplier. “Accounting,” “Shipping,” “Comments,” “Attachments,” and “Others.” Any of these subsections can be expanded by clicking the arrow to the left of each label.

Procurement Policy and Procedure



Quantity: 1 case Price: \$55.68000 USD Net Amount: \$55.68000 USD
Gross Amount: \$55.68000 USD

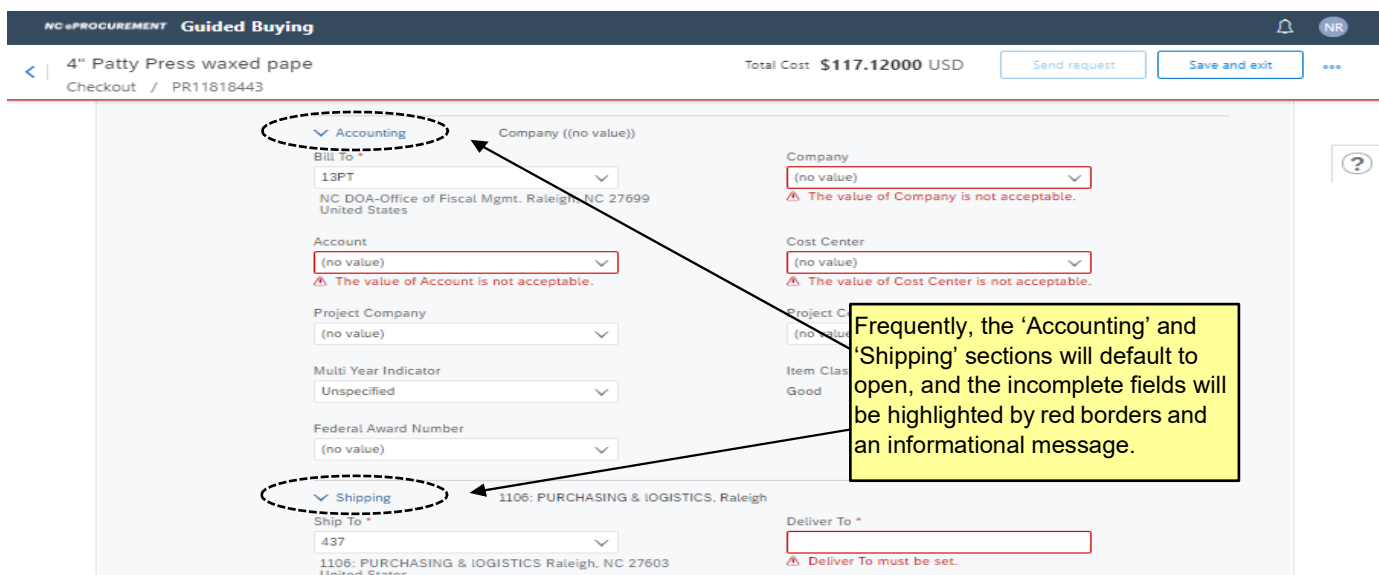
4" Patty Press waxed paper dividers, 5,000 per THOMPSON & LITTLE, INC.

Location: THOMPSON & LITTLE, INC. Supplier Part Number: PATTYPAPER4
Supplier Auxiliary Part ID

Accounting: Company ((no value))
Shipping: 1105: PURCHASING & LOGISTICS, Raleigh
Comments
Attachments
Others

Below information about the supplier, each line-item contains five subsections that can be expanded by clicking on the arrows next to each label to review and edit that section.

If a subsection contains incomplete or incorrect information, it will open by default once the user clicks into the line-item details. Typically, this will include the “Accounting” and “Shipping” subsections.



NC PROCUREMENT Guided Buying

4" Patty Press waxed paper Total Cost: \$117.12000 USD Send request Save and exit

Checkout / PR11818443

Accounting: Company ((no value))
Bill To: 13PT
NC DOA-Office of Fiscal Mgmt. Raleigh, NC 27699
United States
Account: (no value)
The value of Account is not acceptable.
Project Company: (no value)
Multi Year Indicator: Unspecified
Federal Award Number: (no value)
Shipping: 1105: PURCHASING & LOGISTICS, Raleigh
Ship To: 437
1105: PURCHASING & LOGISTICS Raleigh, NC 27603
United States
Deliver To:
Deliver To must be set.

Frequently, the ‘Accounting’ and ‘Shipping’ sections will default to open, and the incomplete fields will be highlighted by red borders and an informational message.

The NCFS budget/account coding fields can be defaulted on based on the values selected in the user’s profile. The default values can still be edited on each line-item if it is necessary to change this information. The NCFS budget/account coding fields are generated to ensure only valid NCFS general ledger accounting combinations are selected in the dropdowns. The values in these fields must match a valid accounting combination. The system will not prevent a user from selecting an invalid combination in the dropdowns, but an error message will immediately display if the combination is not valid. If the selected accounting combination is not valid, users may have to back out all information from subsequent fields by selecting “(no value)” from the “Search more” menu. A copy of the [NCDOL Chart of Accounts](#) can be located on the NCDOL intranet page.

Within the “Accounting” subsection, the user will find the following fields:

Bill To: Defaults from the user’s profile but can be modified using the drop-down menu. The “Bill To” Location code selected will determine the “Bill To” address that is printed on the line-item.

Procurement Policy and Procedure

The invoice will be delivered to the specified address.

Budget Fund: Defines a unique fund type within a reporting entity.

Account: Defines the purpose of the expenditure.

Agency Management Unit: Defines the type of expenditures made by an individual funding center.

Agency Program: Defines a unique fund type within a reporting entity for a purchase order that requires funds to be encumbered over multiple years.

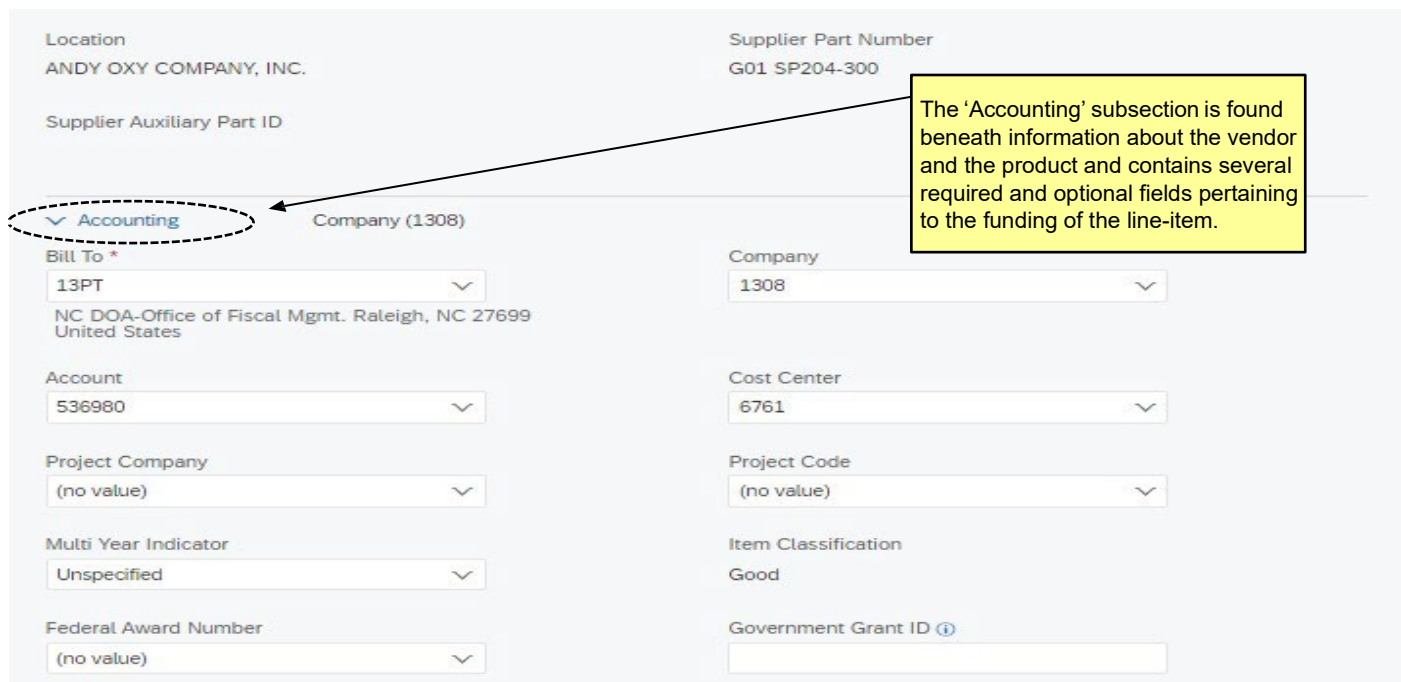
Project Code: Use the drop-down menu to select the appropriate project code.

Multi Year Indicator: Defines the fiscal year for which the funds on this PR should be encumbered.

Item Classification: Set by commodity code and cannot be changed. A “good” commodity code will set the Item Classification to “good,” and a “service” commodity code will set the Item Classification to “service.”

Federal Award Number: Select the applicable Federal Award Number from the drop-down menu or select “Browse all” to view a complete list of federal award numbers if applicable to the purchase.

Government Grant ID: This field is only present when certain accounting combinations are selected. It is a free text field where the user can enter in the details of any grants awarded to the organization if applicable to the purchase.



Location
ANDY OXY COMPANY, INC.

Supplier Part Number
G01 SP204-300

Supplier Auxiliary Part ID

Accounting

Company (1308)

Bill To *

13PT

NC DOA-Office of Fiscal Mgmt. Raleigh, NC 27699
United States

Account

536980

Project Company

(no value)

Multi Year Indicator

Unspecified

Federal Award Number

(no value)

Company

1308

Cost Center

6761

Project Code

(no value)

Item Classification

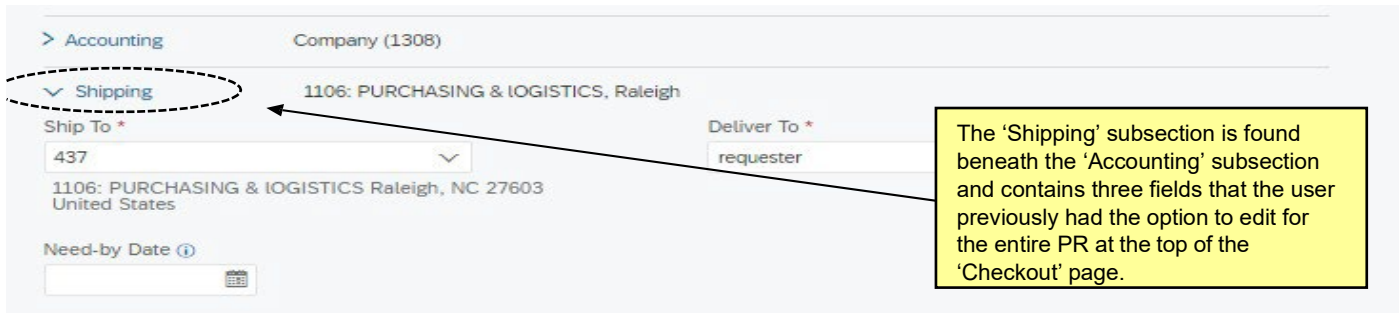
Good

Government Grant ID ⓘ

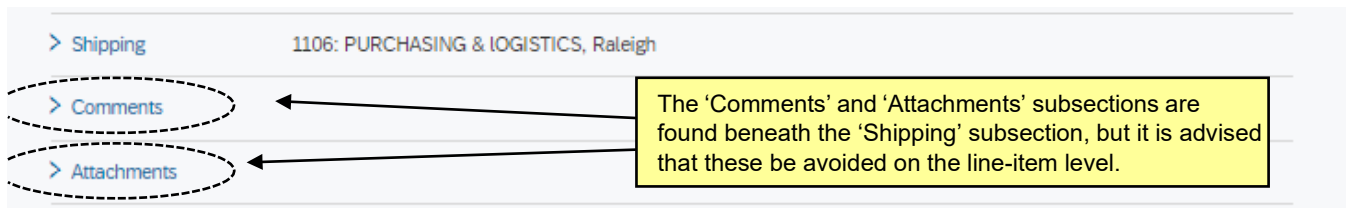
The 'Accounting' subsection is found beneath information about the vendor and the product and contains several required and optional fields pertaining to the funding of the line-item.

Within the “Shipping” subsection, the user will find the “Ship To,” “Deliver To,” and “Need-by Date” fields that the user had the option to previously fill out in the “Advanced Options” section at the top of the “Checkout” page. If the user needs to alter any of these on a per-line basis, it can be done here, but it is advised that these fields remain consistent across all line-items.

Procurement Policy and Procedure



It is possible to add “Comments” or “Attachments” in those respective subsections on a line-item level, but it is strongly advised that these comments or attachments are only added on the requisition level in order to make the comments more easily visible to the supplier. Within the “Others” subsection, the user will find the following fields. For catalog items, most fields in this subsection are not editable, while a Non-catalog line-item will have a few more, editable fields within “Others.”



Within the “Others” subsection, the user will find the following fields:

Terms of Payment: This field defaults to “N30” and can only be edited by the NCDOL Purchasing Office.

Commodity Code: This field is not editable for catalog items, but on Non-catalog items, it is editable and will populate with the value selected in the “Category” field on the initial “Non-catalog request” page.

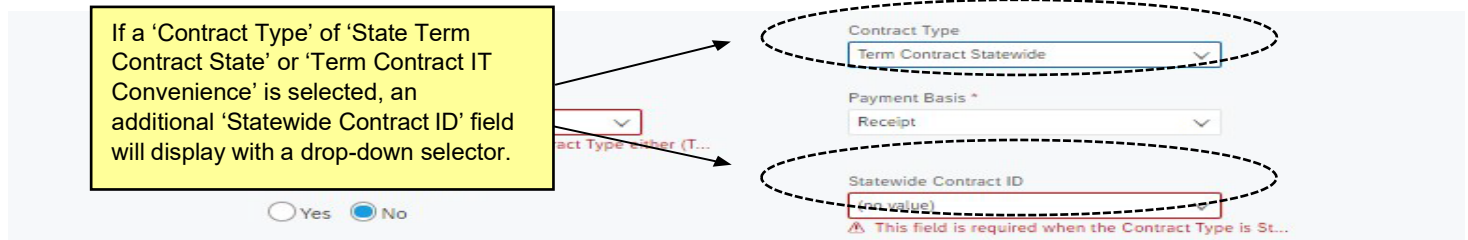
Contract: This field will only display on Non-catalog items, and it defaults to “(no value).” It cannot be edited.

Contract Type: This field is not editable for catalog items, but on Non-catalog items the user can select the appropriate contract type if applicable. The field will default to “No Choice,” which is fine if the item is not already on a STC. This will likely be the case for most Non-catalog items, but there may be instances in which a user needs to enter a contract item that is not available via catalogs as a Non-catalog item and selecting the correct “Contract Type” will be important. The options available in the drop-down menu are as follows:

- **State Term Contract:** A contract for goods or services negotiated by P&C and available to all State purchasers. These items can often be found via the catalogs.
- **Term Contract Agency Specific:** A contract for goods or services negotiated by a specific agency to cover a specific period of time. These items are not available via the catalogs.
- **Term Contract IT Convenience:** A contract for goods or services negotiated by DIT and available to all State purchasers. These items can often be found via the catalogs.
- **No Contract:** The item is not associated with any contract. This is the same as “No Choice,” so it is not necessary to select this if the user leaves “No Choice” as the default.
- **Agency Contract:** A contract for goods or services negotiated by a specific agency for a spot buy (nonrecurring) purchase. These items are not available via the catalogs.

Procurement Policy and Procedure

Selecting “State Term Contract” or “Term Contract IT Convenience” from the dropdown menu will add an additional “Statewide Contract ID” field to the page. Users may choose the drop-down menu in this new field and select “Browse all” to search for and select the STC from which the item is being purchased.



If a 'Contract Type' of 'State Term Contract State' or 'Term Contract IT Convenience' is selected, an additional 'Statewide Contract ID' field will display with a drop-down selector.

Contract Type: Term Contract Statewide

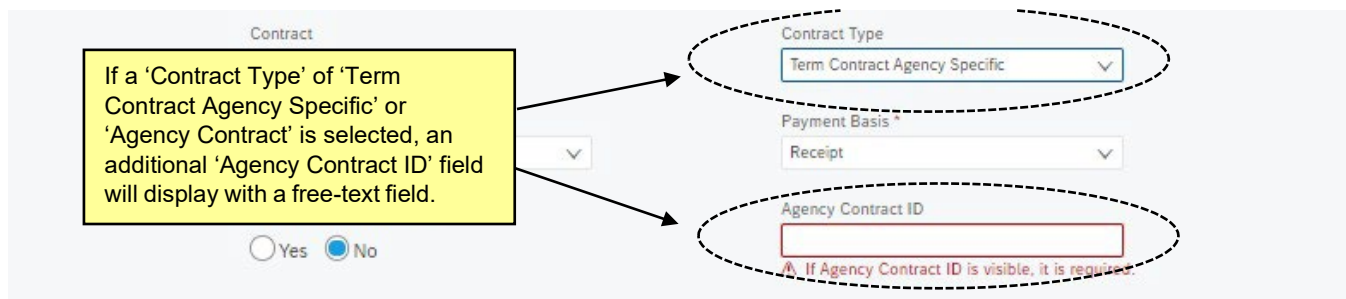
Payment Basis: Receipt

Statewide Contract ID: (no value)

This field is required when the Contract Type is St...

☐ Yes ☒ No

Selecting “Term Contract Agency Specific” or “Agency Contract” from the drop-down menu will also add an additional “Agency Contract ID” field to the page, but in this case, the field is a free text field where the user can key the appropriate information. Entering the correct contract information allows the State of North Carolina to accurately track and report against contract purchases.



Contract

If a 'Contract Type' of 'Term Contract Agency Specific' or 'Agency Contract' is selected, an additional 'Agency Contract ID' field will display with a free-text field.

Contract Type: Term Contract Agency Specific

Payment Basis: Receipt

Agency Contract ID: (no value)

If Agency Contract ID is visible, it is required.

☐ Yes ☒ No

Bid Number: This field is not editable for catalog items, but on Non-catalog items it will default to “(no value)” and is optional unless the user selects a “Contract Type” of “State Term Contract” or “Term Contract IT Convenience.” If the user does select one of those options, then select the appropriate “Statewide Contract ID” from that dropdown list. A red box around the “Bid Number” field will direct the user back to this field, where the user can click the drop-down menu arrow, click “Browse all,” and the user will have the bid number that corresponds with the specific “Statewide Contract ID” being selected. There should only be one option to select, and the use should add it to the PR by clicking “Choose.”

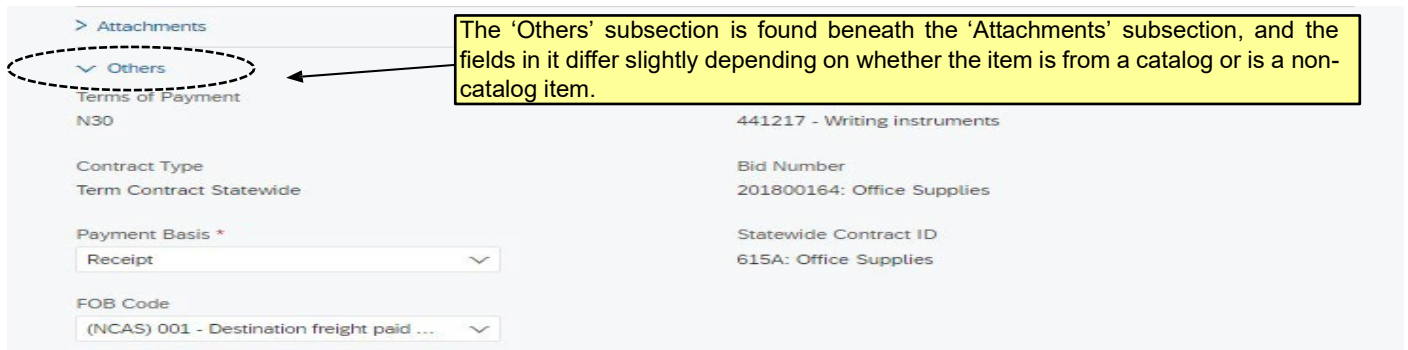
Payment Basis: Defaults to “Receipt” (for goods) or “Signature” (for services) based on the Unit of Measure specified. This information is passed to NCFS to determine the payment basis in NCFS.

Blanket Purchase Order: Choose whether the purchase is a Blanket order or a Non-Blanket order. This will default to “No” for Non-Blanket, but the selection can be switched to “Yes” if necessary.

FOB Code: This field defaults for all orders, and the user had the option to previously edit this for the entire PR in the “Advanced Options” section at the top of the “Checkout” page. If the user needs to alter this code on a per line basis, the user can do this here, but it is advised these fields remain consistent across all line-items.

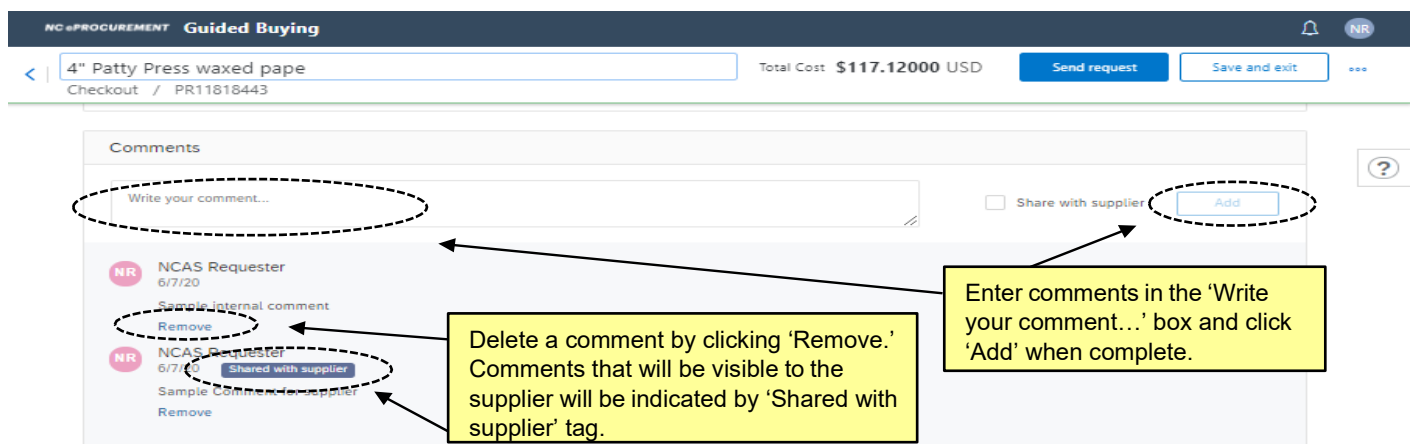
Recycled Content Indicator: This field is only visible for Non-catalog orders and defaults to “No.” It can be adjusted to indicate that the item being purchased is recycled.

Procurement Policy and Procedure



The 'Others' subsection is found beneath the 'Attachments' subsection, and the fields in it differ slightly depending on whether the item is from a catalog or is a non-catalog item.

To add a comment at the requisition level, the user should type a note in the “Write your comment...” box in the “Comments” section below the line-items. The “Add” button will become clickable, and the user should click in the “Share with supplier” box if the user wishes for the supplier to view the comment, otherwise it will only be visible internally. The user can add multiple comments to a single PR, and the comments will thread below with the most recent closest to the top. Comments can be deleted by the user by clicking “Remove.”



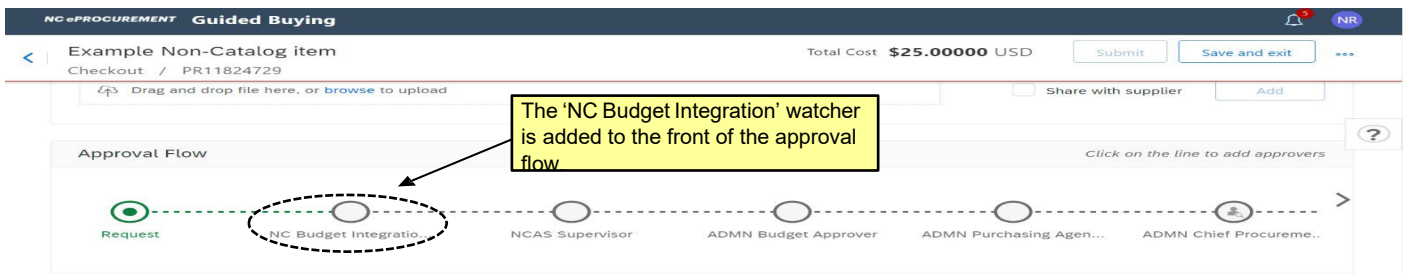
Enter comments in the 'Write your comment...' box and click 'Add' when complete.

Delete a comment by clicking 'Remove.' Comments that will be visible to the supplier will be indicated by 'Shared with supplier' tag.

Attachments may be added to the entire PR in the “Attachments” section below the “Comments” section. Users can either “Drag and drop” a file to upload it, or the attachments can click “browse” to search for files within the computer. Once a file has been selected, the “Add” button will become clickable, and the user should click in the “Share with supplier” box if the supplier needs to view the attachment; otherwise, it will only be visible internally. The user can add multiple attachments to a single PR. Attachments can be deleted by the user by clicking the “X” in the top right of the attachment icon. The following file types are acceptable as attachments: .bmp, .csv, .doc, .docx, .dotx, .gif, .htm, .html, .jpeg, .jpg, .pdf, .png, .potx, .ppsx, .ppt, .pptx, .ps, .rtf, .sldx, .txt, .xls, .xlsx, .xltx, .xml, and .zip. The maximum combined file size limit for attachments is 10MB.

The system generated approval flow will be visible in the “Approval Flow” section. The first object shown in the approval flow will always be “NC Budget Integration” (unless the user selects “Yes” for “Pass to Budget Officer”). This is a system-generated approval group that exists to check for pre-encumbrance with NCFS. If sufficient funding exists, this automated approver will take no action and the PR will immediately transfer to the next approver listed, in this case “NCFS Supervisor.” If the PR fails the pre-encumbrance check, the PR will go to “Denied” status and the user will have to click “Withdraw” then “Edit,” to make the necessary changes so that it can be reevaluated. This will be recorded in the “History” tab, as well as an auto-generated comment.

Procurement Policy and Procedure



NC ePROCUREMENT Guided Buying

Example Non-Catalog item
Checkout / PR11824729

Total Cost \$25.00000 USD

Submit Save and exit

Drag and drop file here, or browse to upload

Share with supplier Add

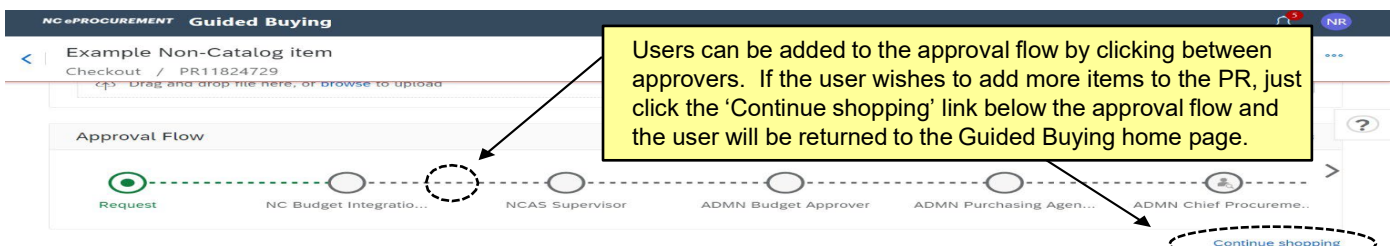
Approval Flow

Request NC Budget Integration NCAS Supervisor ADMN Budget Approver ADMN Purchasing Agen... ADMN Chief Procureme...

Click on the line to add approvers

The "NC Budget Integration" watcher is added to the front of the approval flow

Users can manually add additional approvers by clicking between existing approvers and selecting the desired approver from the dropdown. If the user needs to add additional items to this PR, the user can click the "Continue shopping" link at the bottom of the PR and be directed back to the catalog where the user can add additional items.



NC ePROCUREMENT Guided Buying

Example Non-Catalog item
Checkout / PR11824729

Drag and drop file here, or browse to upload

Approval Flow

Request NC Budget Integration... NCAS Supervisor ADMN Budget Approver ADMN Purchasing Agen... ADMN Chief Procureme...

Continue shopping

Users can be added to the approval flow by clicking between approvers. If the user wishes to add more items to the PR, just click the "Continue shopping" link below the approval flow and the user will be returned to the Guided Buying home page.

When all required information is correctly added, the red borders and notifications will disappear from the "Checkout" page, and the "Send request" button will appear in blue in the upper-right and become clickable. Click this button to send the PR to be reviewed and approved by the approval flow.



NC ePROCUREMENT Guided Buying

Example PR #1
Checkout / PR11818443

Send request Save and exit

Ship to Manage locations Charge to Manage details Total Cost \$117.12000 USD

1106: PURCHASING & LOGISTICS
Raleigh, NC 27603
United States

Company (1308)

Net Amount \$117.12000 USD

Items (2)

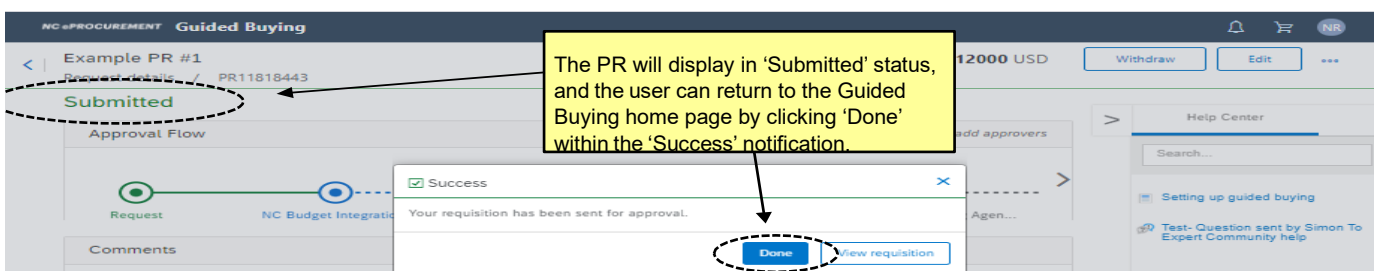
4" Patty Pre THOMPSON

Price \$55.68000 USD Net Amount \$55.68000 USD

Gross Amount \$55.68000 USD

"Send request" appears in blue and is now clickable once all required information has been correctly entered on each line-item.

A "Success" notification will display, and the PR status will be updated to "Submitted." Click "Done" to return to the Guided Buying home page, or "View requisition" to revisit the details of the PR.



NC ePROCUREMENT Guided Buying

Example PR #1
Submitted / PR11818443

Submitted

Approval Flow

Request NC Budget Integration

Comments

Success

Your requisition has been sent for approval.

Done View requisition

The PR will display in "Submitted" status, and the user can return to the Guided Buying home page by clicking "Done" within the "Success" notification.

Procurement Policy and Procedure

E-Procurement System – Receiving a Purchase Order Line-Item

Receiving is the process an agency uses to record goods and services that are delivered. In the E-Procurement process, receiving completes the purchase order lifecycle. A receipt is an acknowledgement that the goods have arrived and/or the service is complete. Receipt records ensure that all items on the purchase order were correctly received and accounted for in the financial system. Once items have been received in the system, the supplier can pay for the goods or services. Every purchase order line-item should be received in Ariba. Items that are Unit of Measure “Dollar,” however, do not transmit between E-Procurement and NCFS. Purchase order failures must be resolved before receiving can occur.

Special Note: [Receiving Orders in E-Procurement training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

At NCDOL, receiving occurs at the desktop of the requester, known as Desktop Receiving. Ariba allows for both methods of receipt. The ship-to address on the purchase order will determine the shipment’s destination and is also associated with a desktop receiving facility.

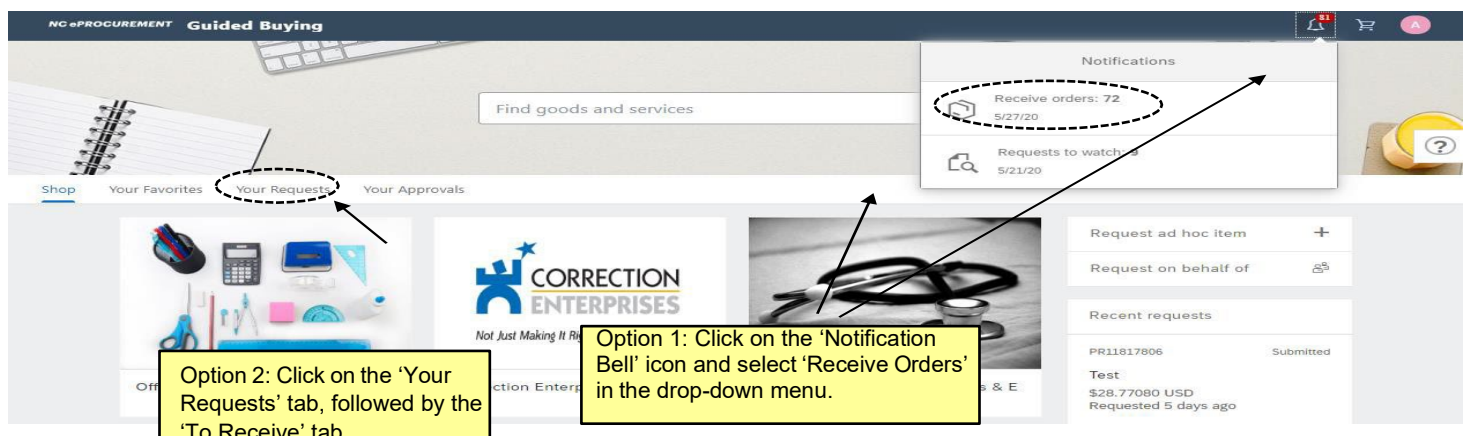
Desktop Receiving: The user listed as “On Behalf Of” on the Purchase Requisition receives the items at the desk. The user will open the package, check the product, and then go into E-Procurement to accept or reject the items in the order.

Receipt Email Notifications: An automated email message is sent to the receiver reminding the user to receive a specific order when the purchase order is generated. However, it is critical that the receiver must wait until the products have arrived and check the quality and quantity before receiving the order in E-Procurement.

Access Receiving through Guided Buying

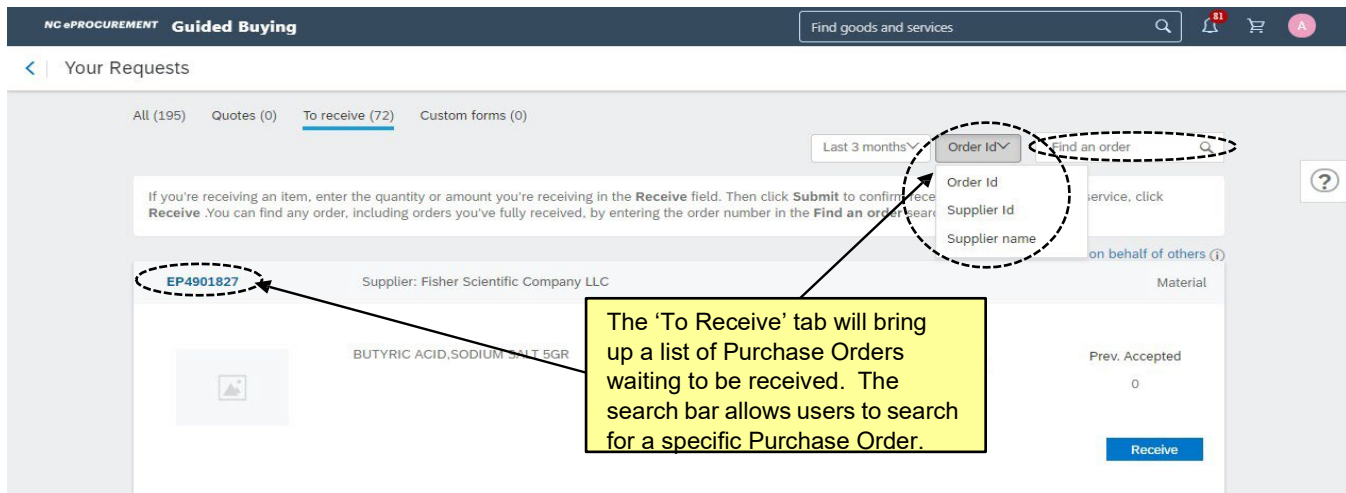
Receiving can be completed through both the Guided Buying View and Expert View of E-Procurement. From the Guided Buying Landing Page there are two (2) ways to access Receiving.

- Locate the “Notification Bell” icon on the top right of the screen and click on any orders that require receipt (if applicable).
- On the left side of the screen, click on the “Your Requests” tab. In the subsequent screen, select the “To Receive” tab at the top of the screen.



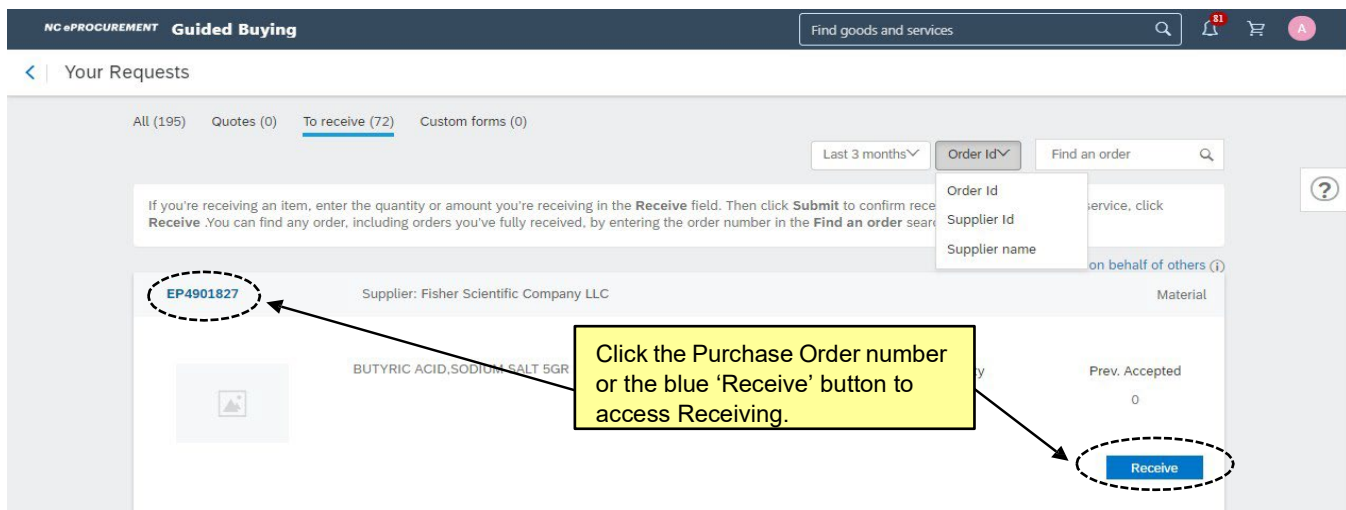
Procurement Policy and Procedure

In the “To Receive” tab, find the purchase order waiting to be received by looking through the list, or searching by Order ID, Supplier ID, or Supplier Name in the search bar in the top right of the screen.



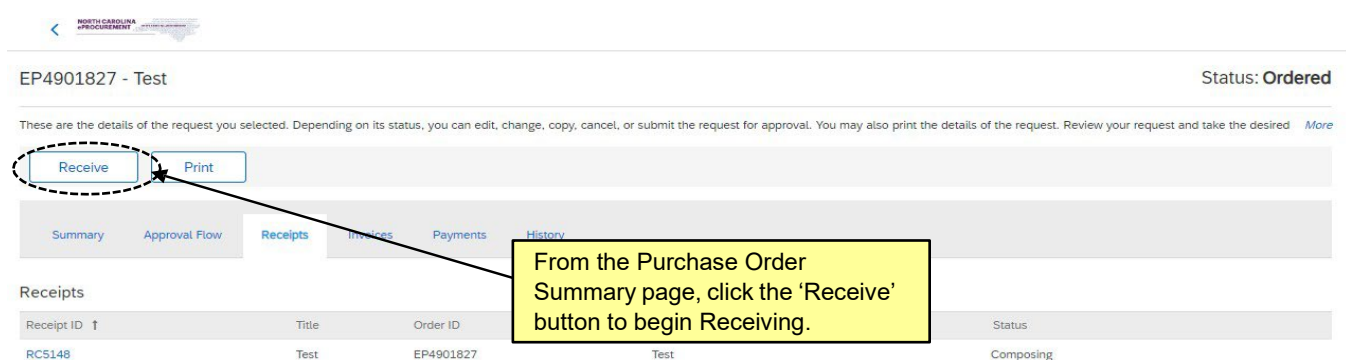
The “To Receive” tab will bring up a list of Purchase Orders waiting to be received. The search bar allows users to search for a specific Purchase Order.

Once the correct Purchase Order is located, select the Purchase Order link, or click the blue “Receive” button.



Click the Purchase Order number or the blue “Receive” button to access Receiving.

The Purchase Order summary page will display, with an option to “Receive” on the top left of the screen.



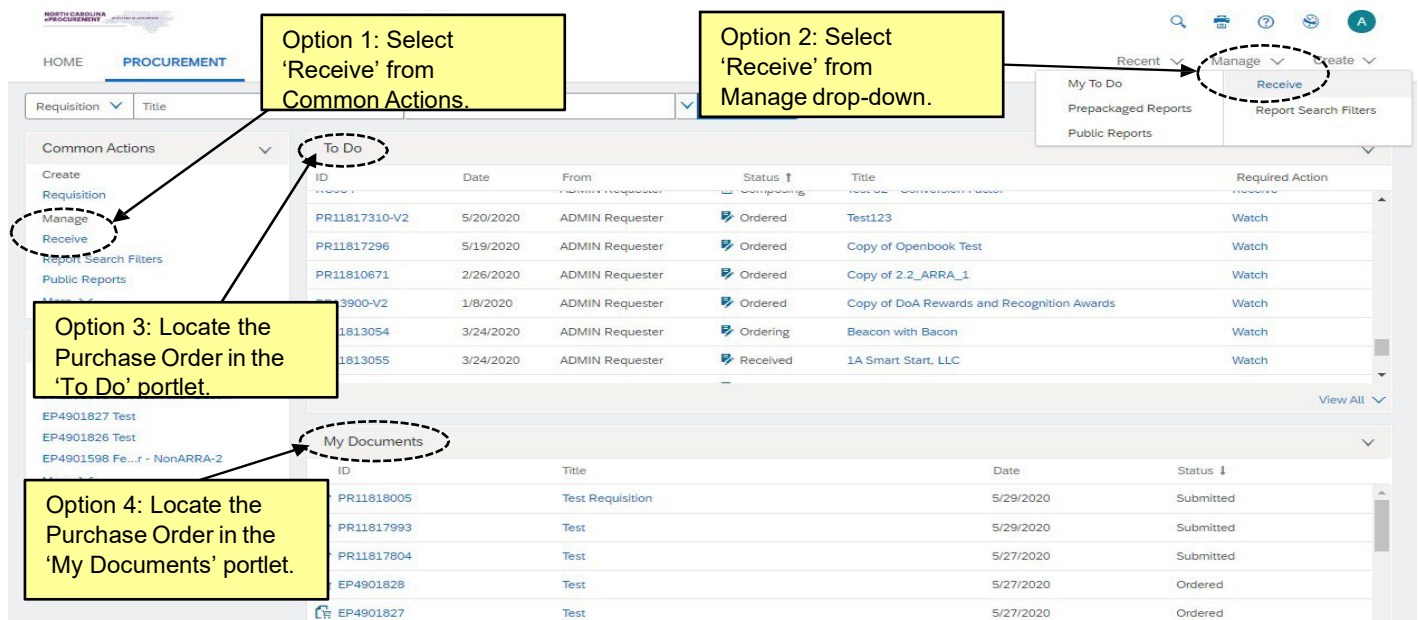
From the Purchase Order Summary page, click the “Receive” button to begin Receiving.

Procurement Policy and Procedure

Access Receiving through Expert View

To access Receiving through Expert View, there are multiple options:

- Select “Receive” in the “Common Actions” portlet on the left side of the screen within either the Home or Procurement tabs.
- In the upper right corner of the screen, click the “Manage” drop-down menu and select the “Receive” button.
- Locate the Purchase Order in the “My Documents” portlet.
- Locate the Purchase Order in the “To Do” portlet.

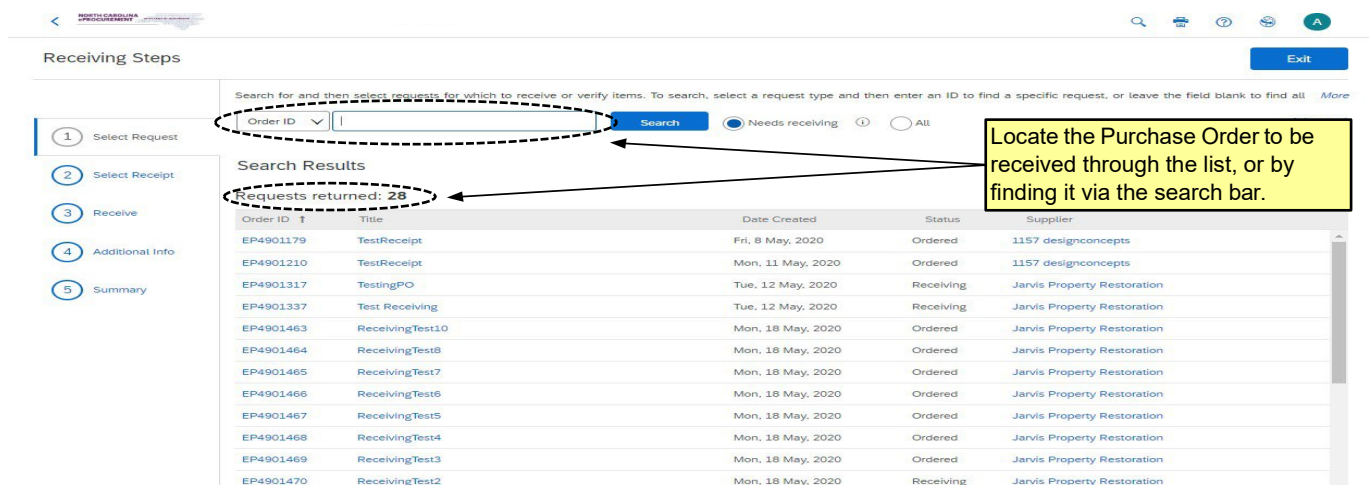


The screenshot shows the 'PROCUREMENT' tab selected. Four yellow callout boxes highlight different ways to access the 'Receive' function:

- Option 1:** Select 'Receive' from Common Actions. (Points to the 'Receive' button in the 'Common Actions' portlet on the left.)
- Option 2:** Select 'Receive' from Manage drop-down. (Points to the 'Receive' button in the 'Manage' drop-down menu in the top right corner.)
- Option 3:** Locate the Purchase Order in the 'To Do' portlet. (Points to the 'To Do' portlet on the left.)
- Option 4:** Locate the Purchase Order in the 'My Documents' portlet. (Points to the 'My Documents' portlet on the left.)

The main table displays a list of requisitions with columns: ID, Date, From, Status, Title, and Required Action. The 'Required Action' column shows 'Watch' for most items.

From the “Receiving Steps” page, locate the Purchase Order to be received by choosing from the list that appears, or searching via the search bar at the top of the screen by Order ID, Requisition ID, Receipt ID, or Contract ID.



The screenshot shows the 'Receiving Steps' page. A search bar at the top allows users to search for requests. Below the search bar, a list of results is displayed with columns: Order ID, Title, Date Created, Status, and Supplier. The 'Status' column shows 'Ordered' for most items.

Two yellow callout boxes highlight the search functionality:

- Option 1:** Search for and then select requests for which to receive or verify items. (Points to the search bar.)
- Option 2:** Locate the Purchase Order to be received through the list, or by finding it via the search bar. (Points to the list of results.)

Procurement Policy and Procedure

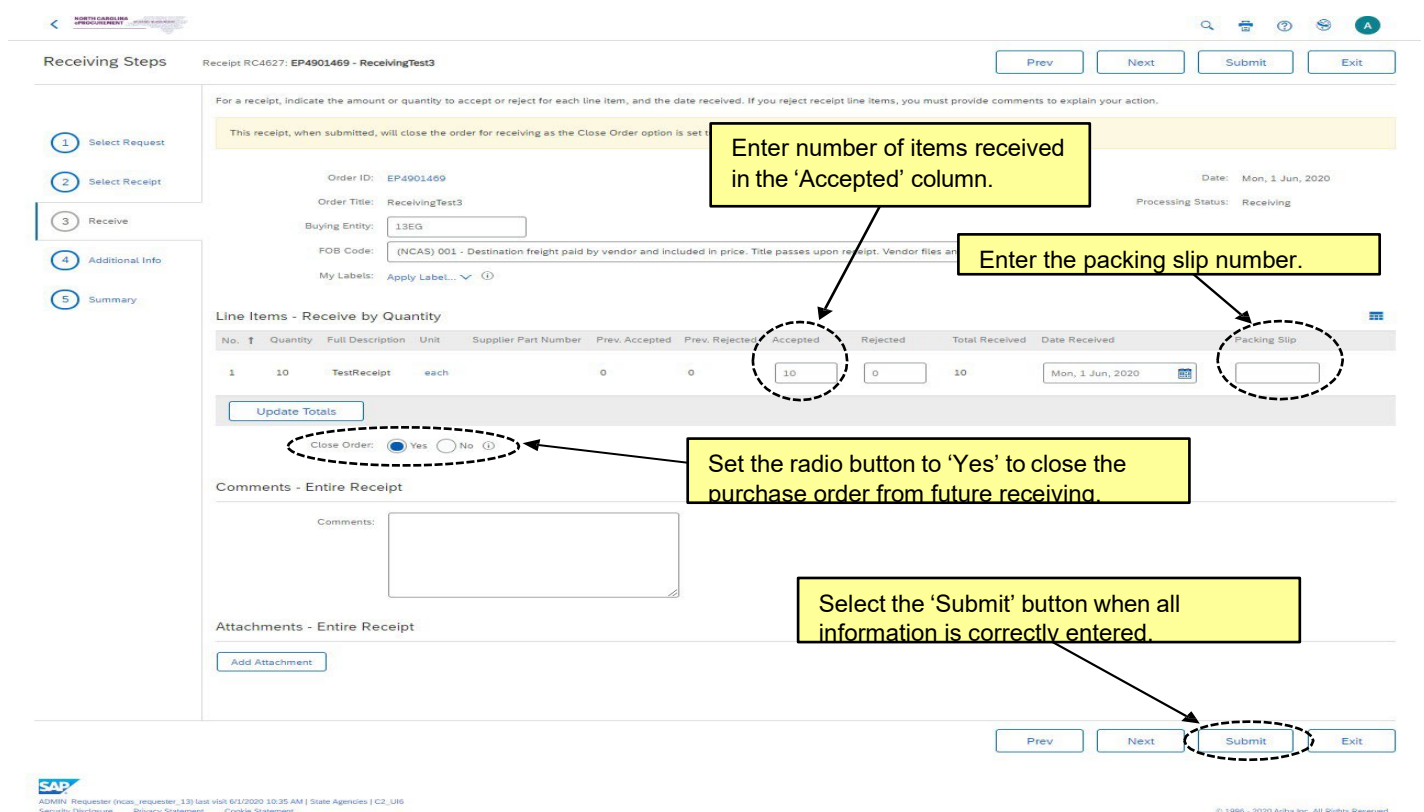
Accepting Line-Items

After selecting a purchase order to receive, the system will navigate through multiple Receiving Steps. First, enter the number of items received in the “Accepted” column. Be sure to enter the items received based on the appropriate unit of measure. For example, if the purchase order was issued for “10 each,” the receiver will receive based on that unit of measure (each). If the purchase order was issued for “12,500 dollars,” the receiver will receive based on that unit of measure (dollars). The unit of measure is displayed in a column next to the Full Description of the line-item.

Not all shipments will be received in full. Users may enter a partial receipt by entering the number of items received in the “Accepted” column. More than one receipt can be entered for the same purchase order. If all items have been physically received or the service order has been completed, users may use the “Accept All” button to automatically enter the full amount ordered for each line-item in the “Accepted” column. In some cases, users may physically receive more than what was ordered. In this case, the user may enter the amount ordered plus the receiving tolerance.

Next, enter the packing slip number in the “Packing Slip” field. The packing slip information is required for any unit of measure other than “Dollar.” Click the “Submit” button. If the purchase order will not require any future receiving, select the radio button for “Yes” under the “Close Order” option.

Special Note: It is extremely helpful to the NCDOL Purchasing and Accounts Payable staff to have access to the packing slip when researching discrepancies, so please upload the packing slip as an attachment when receiving the item into E-Procurement.



Receiving Steps Receipt: RC4627: EP4901469 - ReceivingTest3

For a receipt, indicate the amount or quantity to accept or reject for each line item, and the date received. If you reject receipt line items, you must provide comments to explain your action.

This receipt, when submitted, will close the order for receiving as the Close Order option is set to Yes.

Order ID: EP4901469
Order Title: ReceivingTest3
Buying Entity: 13EG
FOB Code: (NCAS) 001 - Destination freight paid by vendor and included in price. Title passes upon receipt. Vendor files and
My Labels: Apply Label...
Date: Mon, 1 Jun, 2020
Processing Status: Receiving

Line Items - Receive by Quantity

No.	Quantity	Full Description	Unit	Supplier Part Number	Prev. Accepted	Prev. Rejected	Accepted	Rejected	Total Received	Date Received	Packing Slip
1	10	TestReceipt	each		0	0	10	0	10	Mon, 1 Jun, 2020	

Update Totals

Close Order: ☒ Yes ☐ No

Comments - Entire Receipt

Comments:

Attachments - Entire Receipt

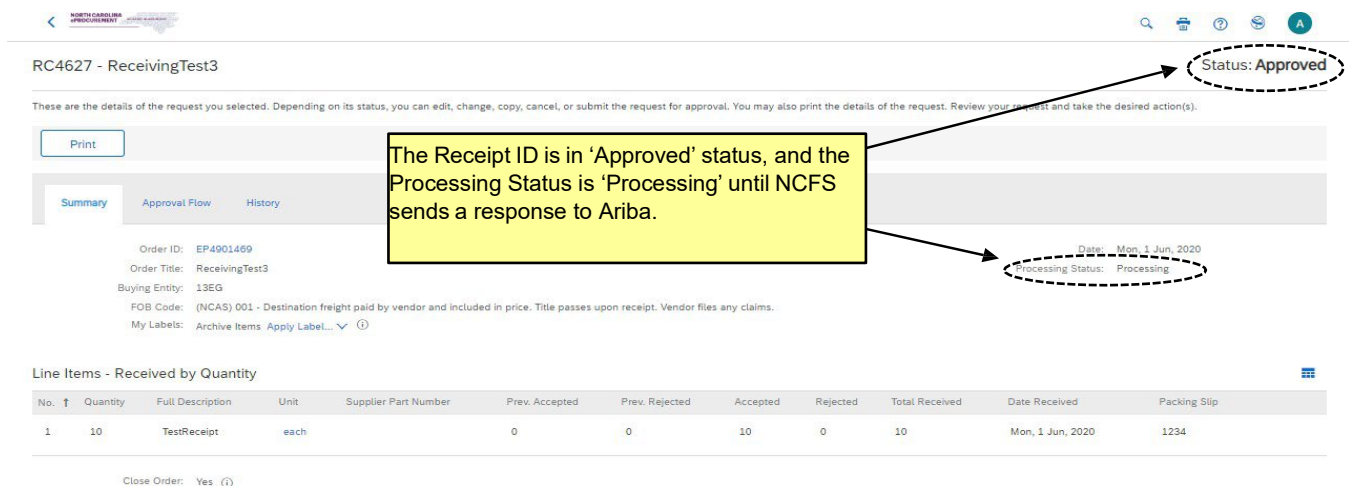
Add Attachment

Prev Next **Submit** Exit

Procurement Policy and Procedure

After the receipt has been submitted, it will be in “Approved” status, and the order will show a status of “Received”. If an order is fully received, the order status will be “Received” and the order will be closed, even if the “Close Order” button was set to “No.” If the receiver submits a partial receipt or sets the “Close Order” button to “No” then the status of the order will show “Receiving” instead of “Received.”

Users will receive an email after a receipt is transmitted to NCFS. If the receipt does not pass validation in NCFS, users may receive two emails. The first email is sent to let the user know the receipt has successfully transmitted to NCFS. The second means that the receipt failed to pass NFAS validation. Once a receipt is submitted, the subsequent Receipt ID is automatically created. This new Receipt ID will be in “Processing” status until NCFS sends a response to Ariba, which will switch the Receipt to “Processed” status.



RC4627 - ReceivingTest3

These are the details of the request you selected. Depending on its status, you can edit, change, copy, cancel, or submit the request for approval. You may also print the details of the request. Review your request and take the desired action(s).

[Print](#)

Summary | [Approval Flow](#) | [History](#)

Order ID: EP4901469
Order Title: ReceivingTest3
Buying Entity: 13EG
FOB Code: (NCAS) 001 - Destination freight paid by vendor and included in price. Title passes upon receipt. Vendor files any claims.
My Labels: Archive Items Apply Label... [?](#)

Line Items - Received by Quantity

No.	Quantity	Full Description	Unit	Supplier Part Number	Prev. Accepted	Prev. Rejected	Accepted	Rejected	Total Received	Date Received	Packing Slip
1	10	TestReceipt	each		0	0	10	0	10	Mon, 1 Jun, 2020	1234

Close Order: Yes [?](#)

Changing or Updating Orders

Occasionally, there will be a need for the modification of purchase orders. Change orders are initiated for the purposes of, but not necessarily limited to adjusting quantities, price changes, addition or deletion of items, account number corrections, cancellations, or other related changes. It is the responsibility of the requestor to modify the purchase order. All change orders should be conducted within NCDOL’s bureau or office and then filtered through the appropriate approval flow. Once the changes are made, the NCDOL Purchasing Office will determine if the authorized changes should be sent to the supplier.

If the invoice received differs from the original order received, the purchase order must be either modified or closed by the requisitioner. NCDOL Financial Services staff shall review the status in NCFS and close the order, if required. Adjusting the purchase order in E-Procurement is acceptable in the following circumstances:

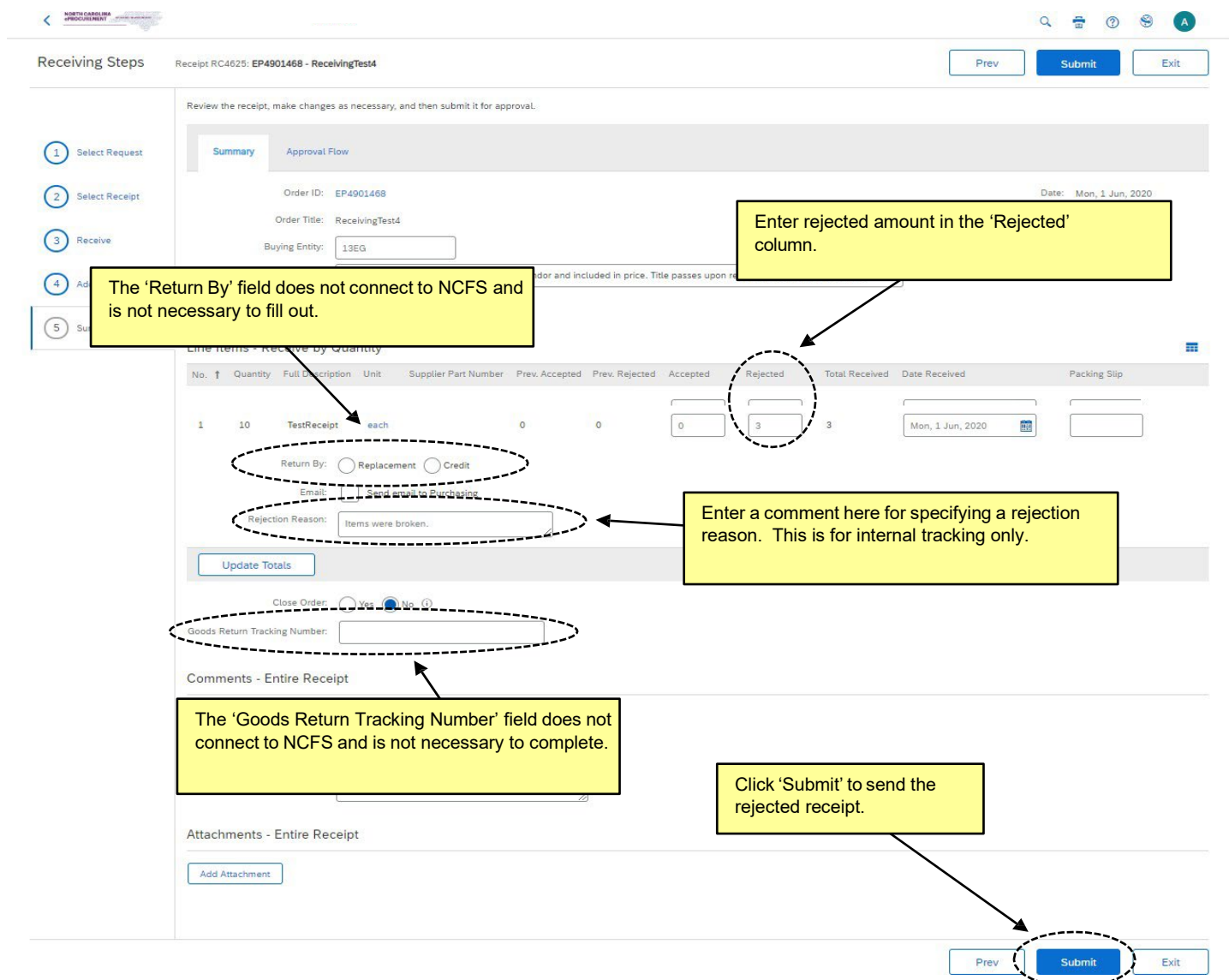
- When a purchase order is issued for an annual or blanket contract where usage is estimated.
- When a purchase order quantity needs to be revised due to the way the vendor packages the order.
- Pricing errors (due to E-Procurement catalogs not being updated).
- Dollar amount (services only).
- Correcting funding information (i.e., expenditure account, Fund/RCC/FRC).
- Adding line(s) to a purchase order when status is open.
- Adding or deleting a multi-year indicator (show in line number and comments sections).

Procurement Policy and Procedure

Rejecting Line-Items

If a receiver received damaged or incorrect products on an order, the user may opt to reject those items using the “Reject Items” functionality. The rejection field is not stored in NCFS and is strictly for internal tracking purposes only. This field may be referenced by users at a later date to determine why the full amount of the purchase order was not received. When rejecting a shipment, users can enter comments as to why the line-item is being rejected to serve as a reference in the future.

To reject an item, enter the amount to reject into the “Rejected” column in the Receiving Steps screen. Again, this information is not stored in NCFS. Do not enter a packing slip number when rejecting a line-item. Click the “Next” button. In the “Rejection Reason” field that appears, enter a comment as to why the items are being rejected (e.g., Items were broken). The “Return By” field does not connect to NCFS, so it is not necessary to fill out. The “Goods Return Tracking Number” also does not connect to NCFS and does not need to be filled out. Click the “Submit” button.



Receiving Steps Receipt RC4625: EP4901468 - ReceivingTest4

Review the receipt, make changes as necessary, and then submit it for approval.

Summary Approval Flow

Order ID: EP4901468 Date: Mon, 1 Jun, 2020

Order Title: ReceivingTest4

Buying Entity: 13EG

Enter rejected amount in the 'Rejected' column.

The 'Return By' field does not connect to NCFS and is not necessary to fill out.

No.	Quantity	Full Description	Unit	Supplier Part Number	Prev. Accepted	Prev. Rejected	Accepted	Rejected	Total Received	Date Received	Packing Slip
1	10	TestReceipt	each		0	0	0	3	3	Mon, 1 Jun, 2020	

Return By: ☐ Replacement ☐ Credit

Email: Send email to Purchasing

Rejection Reason: Items were broken...

Update Totals

Close Order: ☐ Yes ☒ No (1)

Goods Return Tracking Number:

Comments - Entire Receipt

The 'Goods Return Tracking Number' field does not connect to NCFS and is not necessary to complete.

Enter a comment here for specifying a rejection reason. This is for internal tracking only.

Click 'Submit' to send the rejected receipt.

Attachments - Entire Receipt

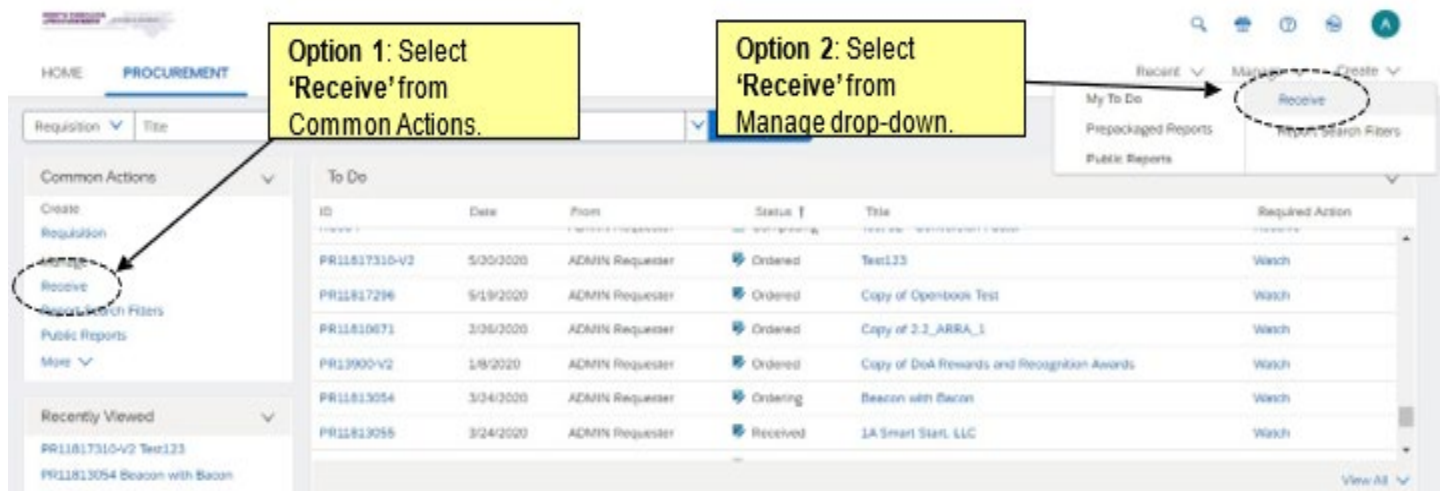
Add Attachment

Prev Submit Exit

Procurement Policy and Procedure

Reopening a Closed Order

Once an order has been fully received or the “Close Order” option has been set to “Yes” in E-Procurement, the status of the purchase order will be “Received.” This indicates that the order has been completed and is closed in E-Procurement. Users may reopen a closed order by following these steps. To begin reopening an order, select the “Receive” command from Expert View on either the Home Tab or the Procurement Tab.

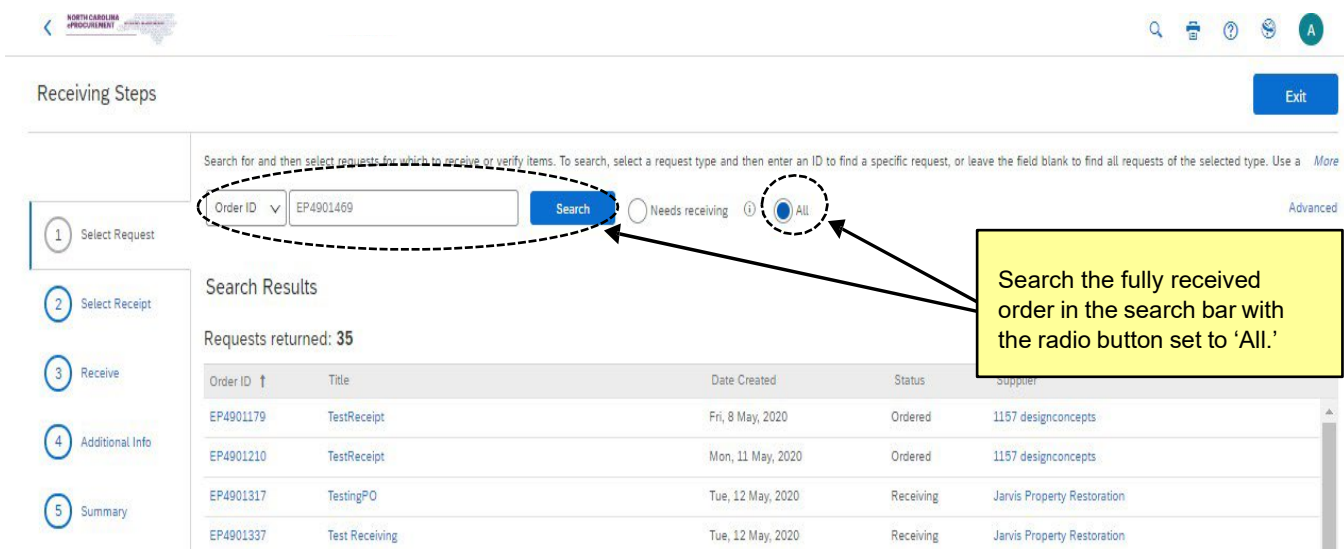


Option 1: Select 'Receive' from Common Actions.

Option 2: Select 'Receive' from Manage drop-down.

ID	Date	From	Status	Title	Required Action
PR11817310-V2	5/05/2020	ADMIN Requester	Ordered	Test123	Watch
PR11817296	5/19/2020	ADMIN Requester	Ordered	Copy of Openbook Test	Watch
PR11810671	3/06/2020	ADMIN Requester	Ordered	Copy of 2.2_ARRA_1	Watch
PR13900-V2	1/8/2020	ADMIN Requester	Ordered	Copy of Dock Rewards and Recognition Awards	Watch
PR11813054	3/04/2020	ADMIN Requester	Ordering	Beacon with Bacon	Watch
PR11813055	3/24/2020	ADMIN Requester	Received	LA Smart Start, LLC	Watch

Due to the purchase order being fully received and closed, it will not appear in the list of purchase orders that require receiving. Instead, receivers must use the search bar at the top of the “Receiving Steps” screen to locate the closed purchase order that needs to be reopened. Be sure to set the radio button to “All” so that the closed order will appear in the search results.



Search the fully received order in the search bar with the radio button set to 'All.'

Receiving Steps

Search for and then select requests for which to receive or verify items. To search, select a request type and then enter an ID to find a specific request, or leave the field blank to find all requests of the selected type. Use a [More](#)

Order ID: EP4901469 **Search** ☐ Needs receiving ☒ All [Advanced](#)

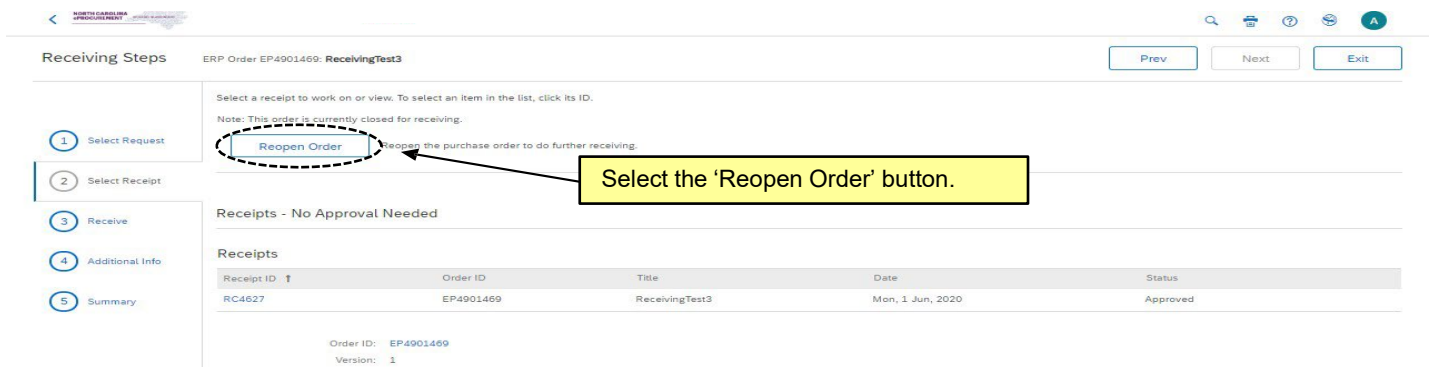
Search Results

Requests returned: 35

Order ID	Title	Date Created	Status	Supplier
EP4901179	TestReceipt	Fri, 8 May, 2020	Ordered	1157 designconcepts
EP4901210	TestReceipt	Mon, 11 May, 2020	Ordered	1157 designconcepts
EP4901317	TestingPO	Tue, 12 May, 2020	Receiving	Jarvis Property Restoration
EP4901337	Test Receiving	Tue, 12 May, 2020	Receiving	Jarvis Property Restoration

Select the Order ID and then click the “Reopen Order” button on the top of the screen. Doing so will change the status of the Purchase Order from “Received” to “Receiving.” Once the order is reopened, the receiver may then submit a receipt to unreceive items.

Procurement Policy and Procedure



Receiving Steps ERP Order EP4901469: ReceivingTest3

Select a receipt to work on or view. To select an item in the list, click its ID.
Note: This order is currently closed for receiving.
Reopen the purchase order to do further receiving.

Select the 'Reopen Order' button.

Receipts - No Approval Needed

Receipt ID	Order ID	Title	Date	Status
RC4627	EP4901469	ReceivingTest3	Mon, 1 Jun, 2020	Approved

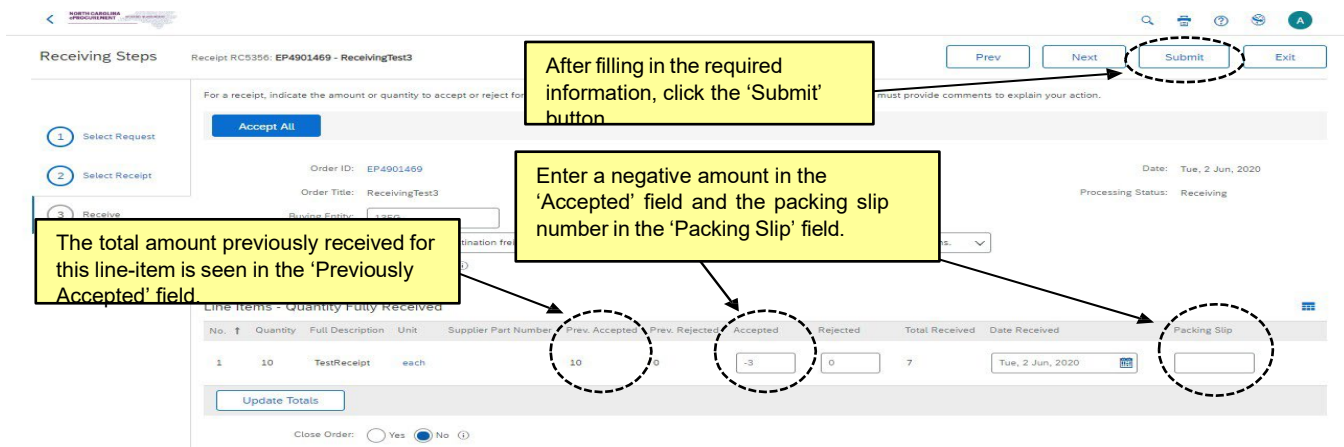
Order ID: EP4901469
Version: 1

Backing Out Previously Accepted Items / Unreceiving Items

If an incorrect amount was accepted or if a receiver needs to unreceive items for any reason, users will have the ability to back out the previously accepted line amount(s). This is also known as “negatively receiving” or “unreceiving” line-items. If an order is fully received, the receiver will need to reopen the closed order before following the unreceiving process. On the “Receiving Steps” screen, enter the amount on the line-item to unreceive as a negative number in the “Accepted” field (e.g., -3).

- Receivers cannot unreceive an amount greater than what has previously been accepted with the same packing slip. For example, if an order had one item accepted under Packing Slip #1 and two (2) goods accepted under Packing Slip #2, a receiver cannot unreceive three (3) goods against only one packing slip. In that instance, the receipt would fail.
- Rejecting and Unreceiving are not the same thing. When an item is unreceived or “negatively accepted,” this information is passed to NCFS, and the total quantity received in NCFS is reduced. Rejecting items is simply for internal purposes and does not transmit to NCFS.

Enter the packing slip number that was originally used to receive the item in the “Packing Slip” field. If the packing slip number is not known, the packing slip number can be found by looking at the history of the previous receipts, or by using an existing Public Report (Public Reports → Buying Reports → Receipt Reports → Receipts with Packing Slip). A packing slip number does not need to be entered when receiving or unreceiving line-items with the Unit of Measure set as “Dollar.” Then click on “Submit.”



Receiving Steps Receipt RC5356: EP4901469 - ReceivingTest3

For a receipt, indicate the amount or quantity to accept or reject for this line item. You must provide comments to explain your action.

Accept All

Order ID: EP4901469
Order Title: ReceivingTest3
Buying Entity: User

Date: Tue, 2 Jun, 2020
Processing Status: Receiving

Line Items - Quantity Fully Received

No.	Quantity	Full Description	Unit	Supplier Part Number	Prev. Accepted	Prev. Rejected	Accepted	Rejected	Total Received	Date Received	Packing Slip
1	10	TestReceipt	each		10	0	-3	0	7	Tue, 2 Jun, 2020	

Update Totals

Close Order: ☐ Yes ☒ No

After filling in the required information, click the 'Submit' button.

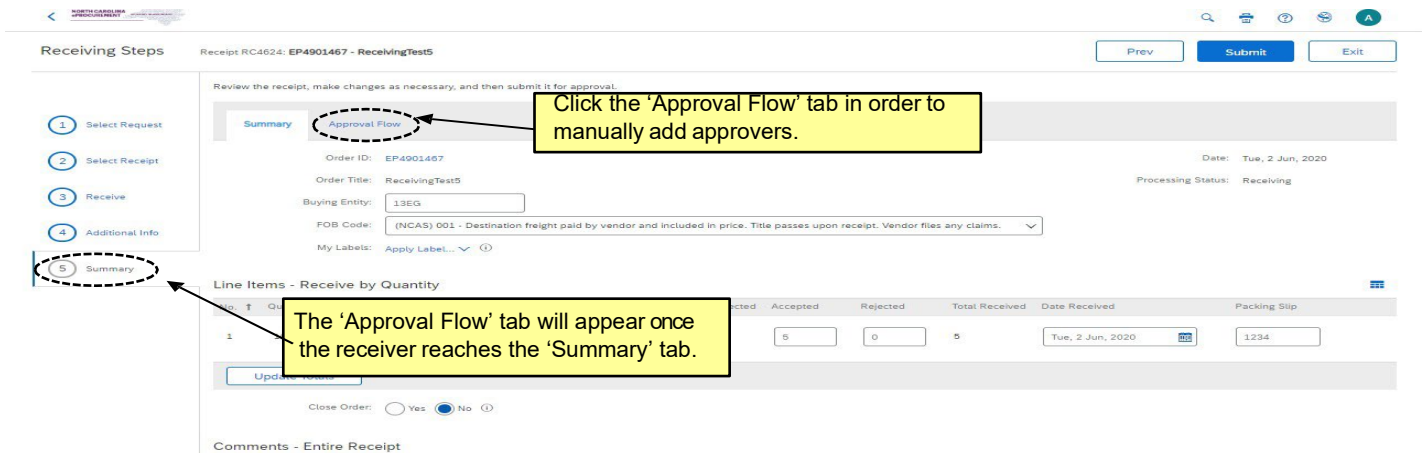
Enter a negative amount in the 'Accepted' field and the packing slip number in the 'Packing Slip' field.

The total amount previously received for this line-item is seen in the 'Previously Accepted' field.

Procurement Policy and Procedure

Adding Approvers to a Receipt

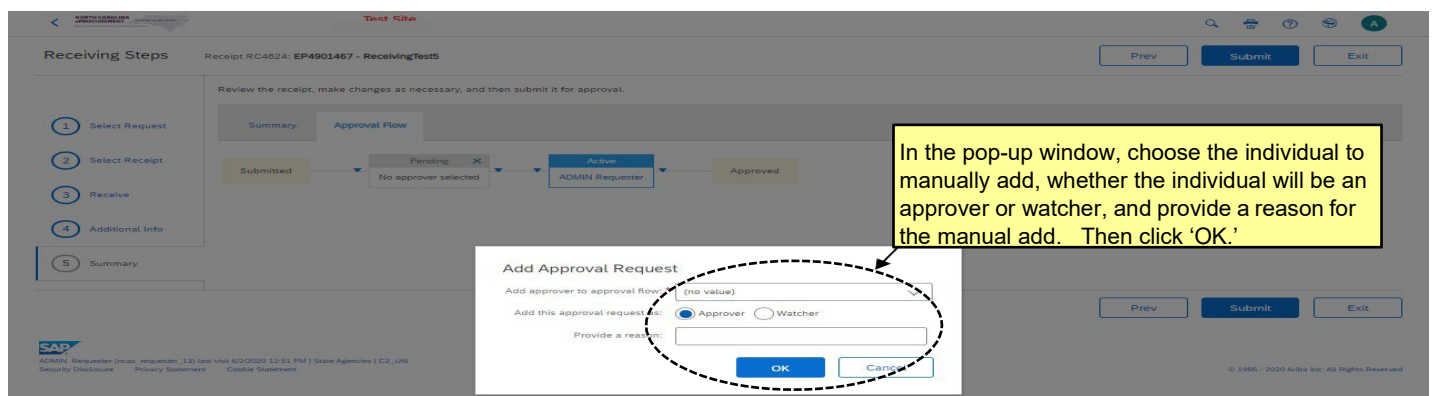
If a receiver has a reason to add an approver to a receipt, the receiver is able to do so manually. From the “Receiving Steps” page, and after entering the Accepted or Rejected amounts, the receiver will view the summary of the receipt that is about to be submitted. (on the left side of the screen). Click the “Approval Flow” tab at the top of the page before hitting the “Submit” button.



Click on a blue arrow to add an approver. If a receiver wants to add an approver in parallel, click on the first blue arrow in the approval flow. All other blue arrows will only allow the addition of serial approvers.



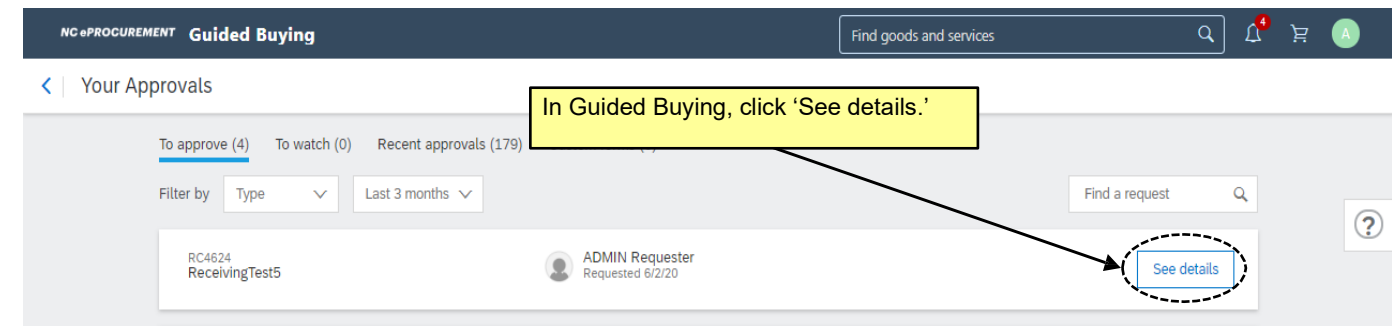
In the “Add Approval Request” pop-up window, select the approver to add, whether the request will be an approver or watcher, and a reason for adding the request. Then click “OK.”



Procurement Policy and Procedure

Approving or Denying Receipts

Receipt approvers can choose to approve or deny a receipt. Receipts that need to be approved will appear in the “To Do” portlet in Expert View, or in the “Your Approvals” tab in Guided Buying. In Guided Buying, click on the “See Details” button. In Expert View, click on the Receipt ID to bring up the Approve/Deny page.



NC ePROCUREMENT Guided Buying

Find goods and services

< | Your Approvals

To approve (4) To watch (0) Recent approvals (179)

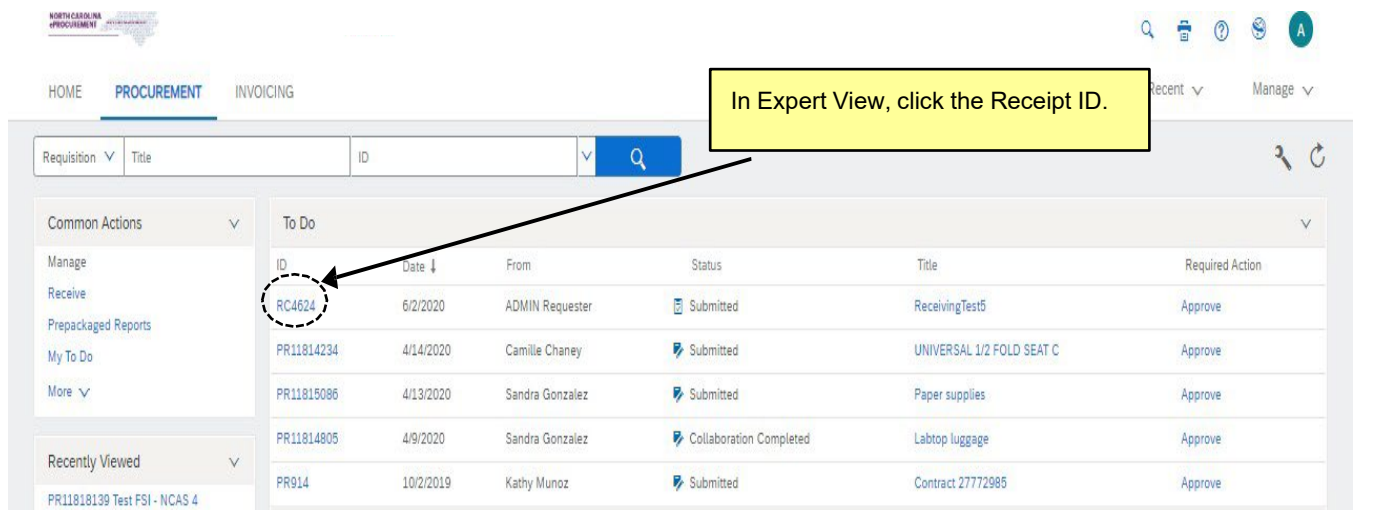
Filter by Type Last 3 months

RC4624 ReceivingTest5 ADMIN Requester Requested 6/2/20

Find a request

See details

In Guided Buying, click 'See details.'



NORTH CAROLINA ePROCUREMENT

HOME PROCUREMENT INVOICING

Requisition Title ID

Common Actions: Manage, Receive, Prepackaged Reports, My To Do, More

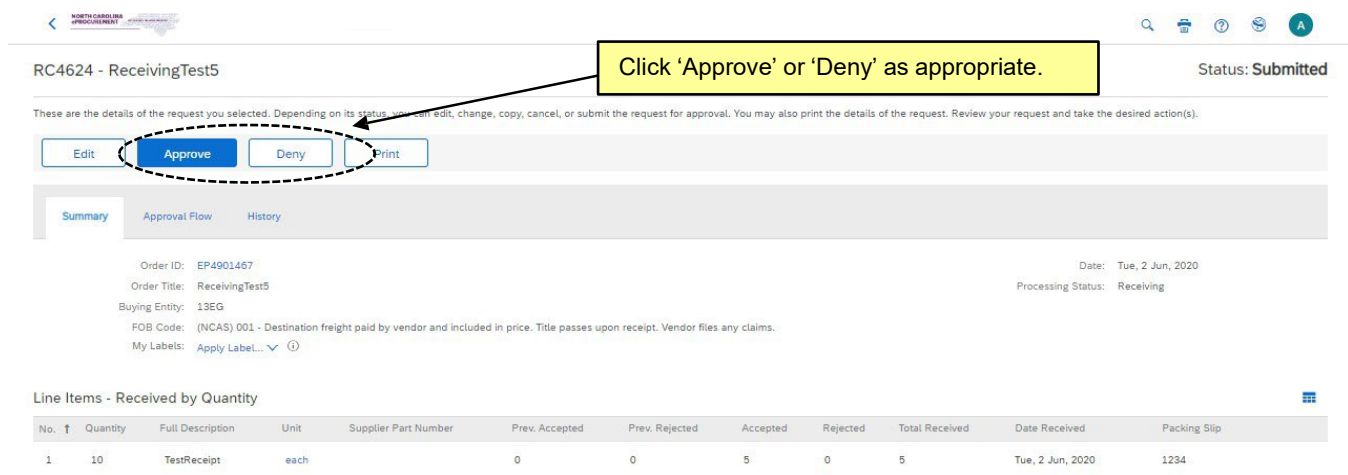
Recently Viewed: PR11818139 Test FSI - NCAS 4

To Do

ID	Date	From	Status	Title	Required Action
RC4624	6/2/2020	ADMIN Requester	Submitted	ReceivingTest5	Approve
PR11814234	4/14/2020	Camille Chaney	Submitted	UNIVERSAL 1/2 FOLD SEAT C	Approve
PR11815086	4/13/2020	Sandra Gonzalez	Submitted	Paper supplies	Approve
PR11814805	4/9/2020	Sandra Gonzalez	Collaboration Completed	Laptop luggage	Approve
PR914	10/2/2019	Kathy Munoz	Submitted	Contract 27772985	Approve

In Expert View, click the Receipt ID.

This brings up the Approve/Deny screen. Although approving or denying a receipt can be accessed through either Guided Buying or Expert View, the user will be diverted to this screen.



NORTH CAROLINA ePROCUREMENT

RC4624 - ReceivingTest5 Status: Submitted

These are the details of the request you selected. Depending on its status, you can edit, change, copy, cancel, or submit the request for approval. You may also print the details of the request. Review your request and take the desired action(s).

Edit Approve Deny Print

Summary Approval Flow History

Order ID: EP4901467
Order Title: ReceivingTest5
Buying Entity: 13EG
FOB Code: (NCAS) 001 - Destination freight paid by vendor and included in price. Title passes upon receipt. Vendor files any claims.
My Labels: Apply Label...

Date: Tue, 2 Jun, 2020
Processing Status: Receiving

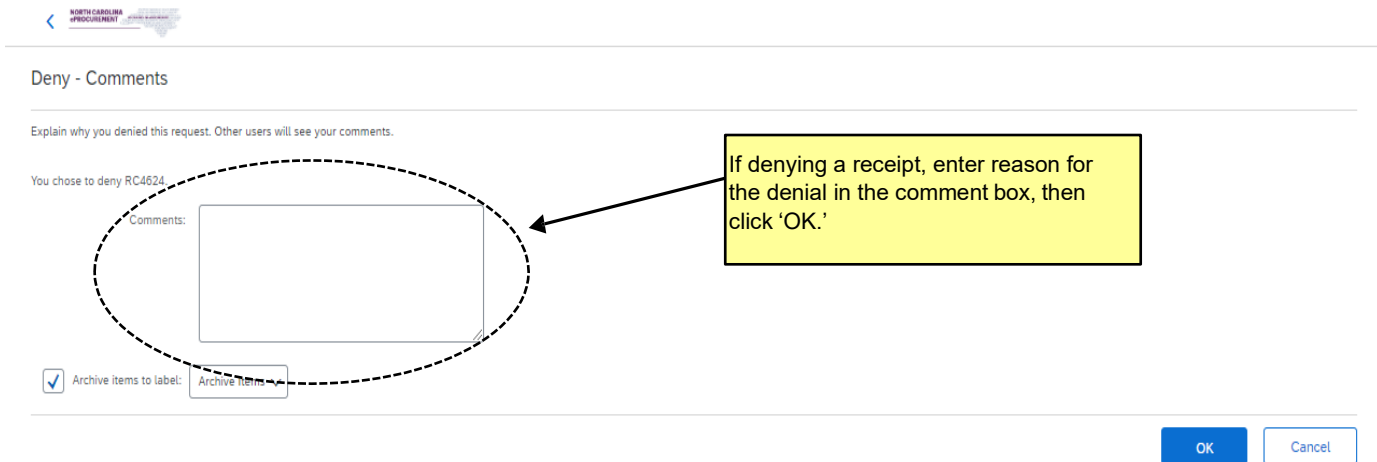
Line Items - Received by Quantity

No.	Quantity	Full Description	Unit	Supplier Part Number	Prev. Accepted	Prev. Rejected	Accepted	Rejected	Total Received	Date Received	Packing Slip
1	10	TestReceipt	each		0	0	5	0	5	Tue, 2 Jun, 2020	1234

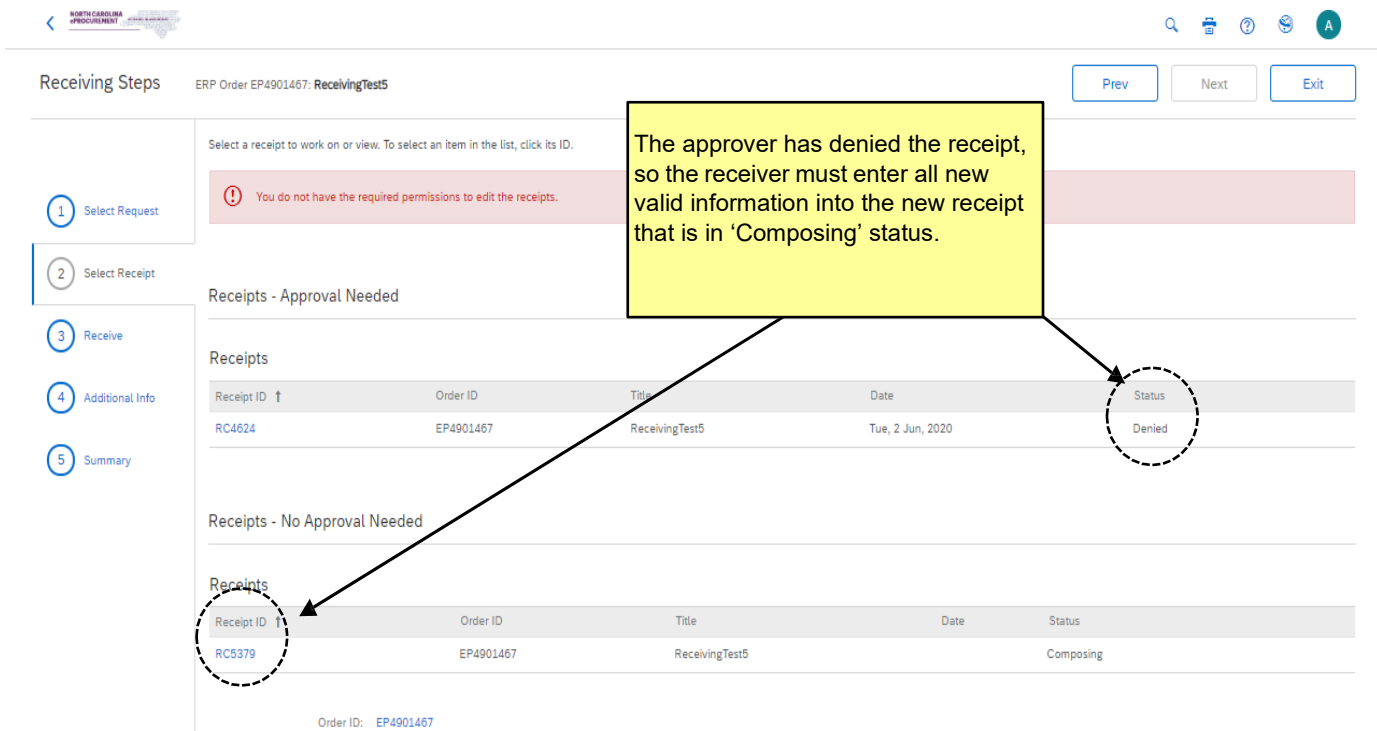
Click 'Approve' or 'Deny' as appropriate.

Procurement Policy and Procedure

Then click “Approve” or “Deny” accordingly. If a receipt is denied, comments on why the receipt was denied are required.



Once a receipt has been denied, it cannot be re-submitted. The “Denied” receipt should be left as-is and the receiver should enter valid information on the new receipt created in “Composing” status.



Manually Closing Orders

The NCDOL Purchasing Office is able to manually close an order without receiving against it. A user must have purchasing agent rights within the system or be granted access to the “NC Close PO” group. Navigate to the Purchase Order that is being closed using either the “My Documents” portlet or the Search bar.

Procurement Policy and Procedure

Collaborative Requisitioning

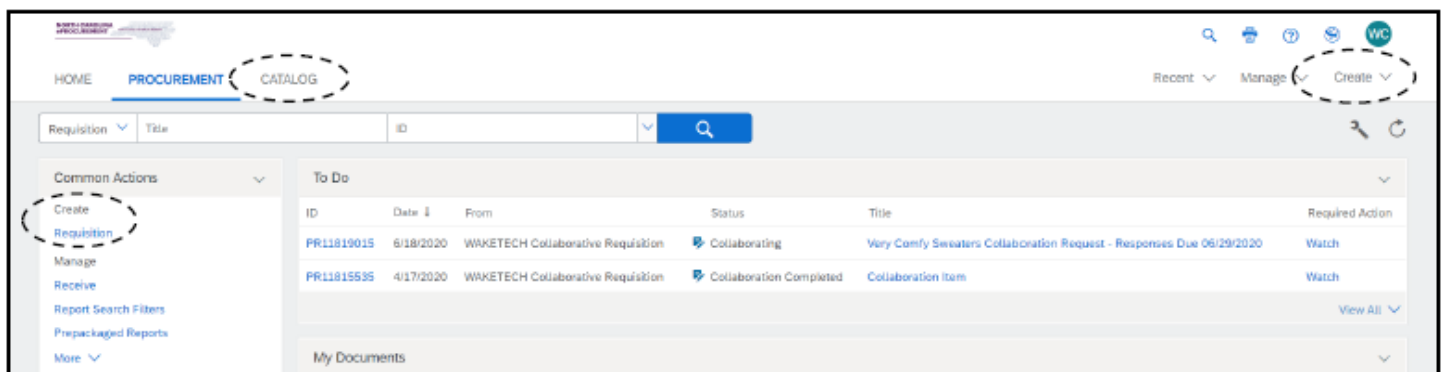
Collaborative Requisitioning is the informal quoting and pricing request function within the E-Procurement system. When purchasing quantities of items over the typical purchasing threshold for normal buying policies, but under the threshold for a formal bidding process, users can use Collaborative Requisitions to obtain quotes for goods and services from multiple vendors at the same time. Collaborations are started on individual line-items on a Purchase Requisition (PR), meaning that on a PR containing multiple line-items, you can have both collaborative and non-collaborative items as required. In addition, Collaboration can only be enabled while in Expert View.

Special Note: [Collaborative Requisitioning training and job aid](#) can be found on the NCDOL Intranet. If additional assistance is needed, please contact the DOL.Purchasing@labor.nc.gov for further assistance.

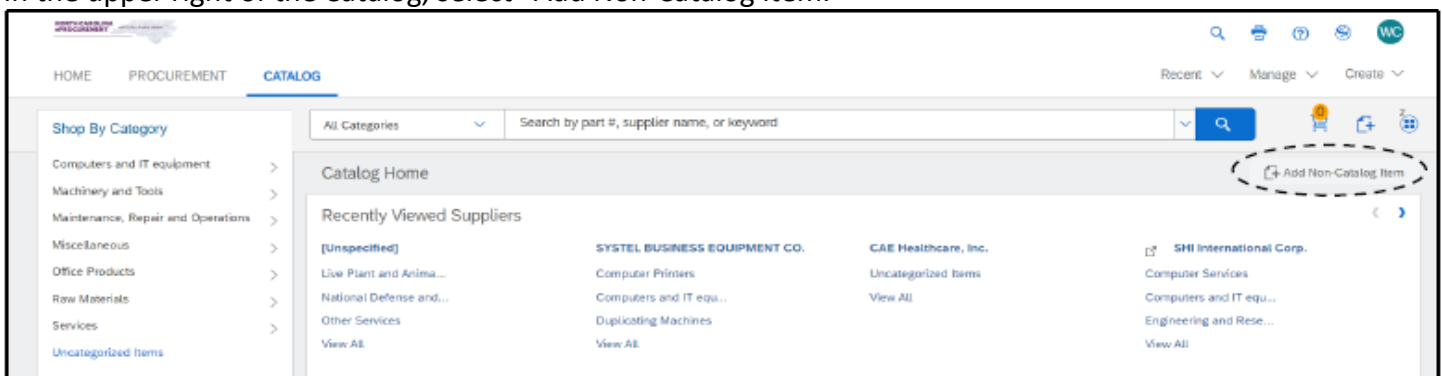
Entering Collaborative Item Details

Before starting collaboration with vendors, users will need to create a non-catalog item. To begin the process, users will need both the ability to create Purchase Requisitions (PRs) as well as the correct permissions to Enable Collaboration with vendors. Approvers with the Edit capability that would like to enable Collaboration on an already submitted PR, please refer to Enabling Collaboration as an Approver.

In Expert View, navigate to the Catalog by either selecting the tab on the top of the screen, or by using the “Create” drop-down menu and selecting “Requisition.”

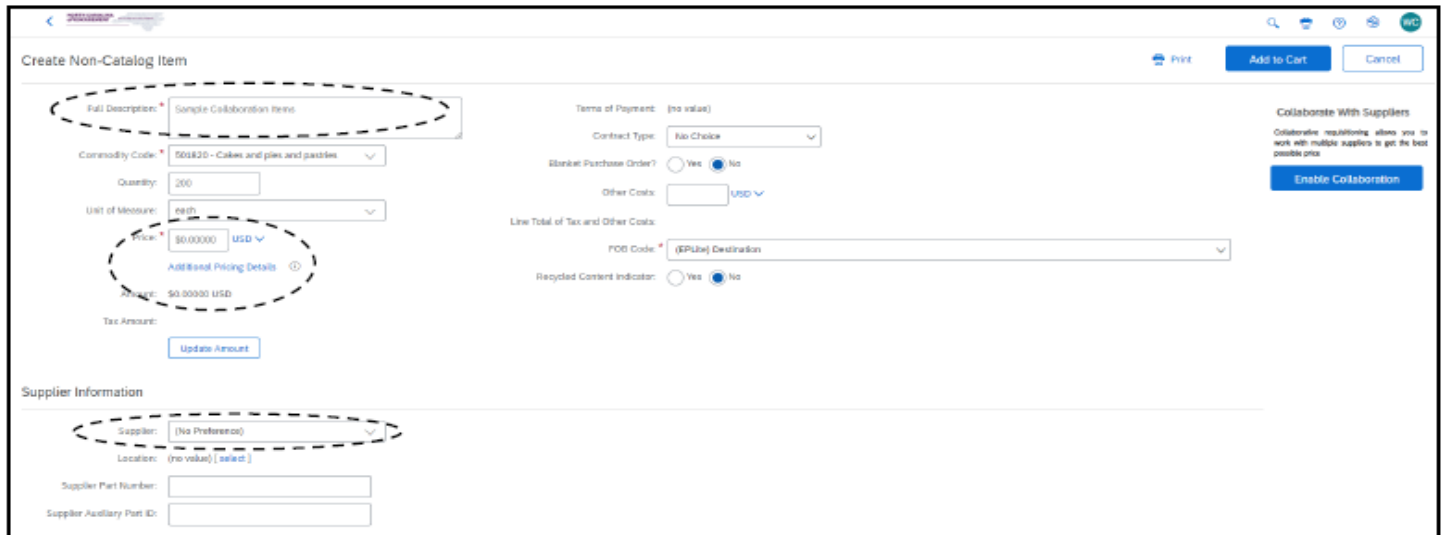


In the upper right of the Catalog, select “Add Non-Catalog Item.”



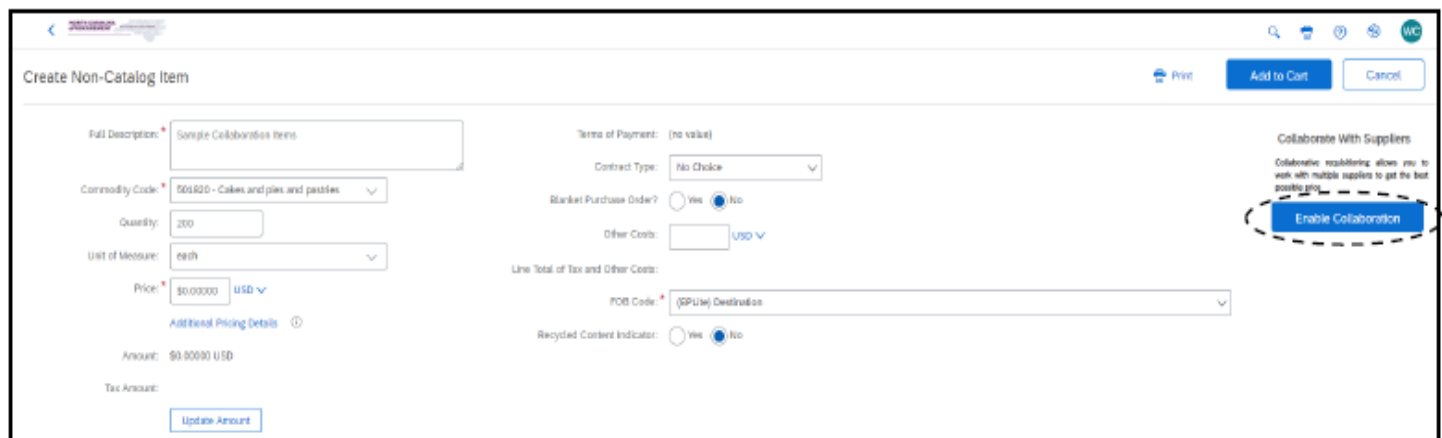
Procurement Policy and Procedure

Fill in all required line-item details. When creating a Collaborative line-item, users should leave the “Price” field at \$0. Leave the Supplier field blank. Suppliers will be selected after enabling Collaboration. Make sure that the “Description” has all details that a vendor will need in order to give you an accurate quote for the goods or services being requested. For more information regarding line-item creation, please reference the Expert View Purchase Requisitions guide.



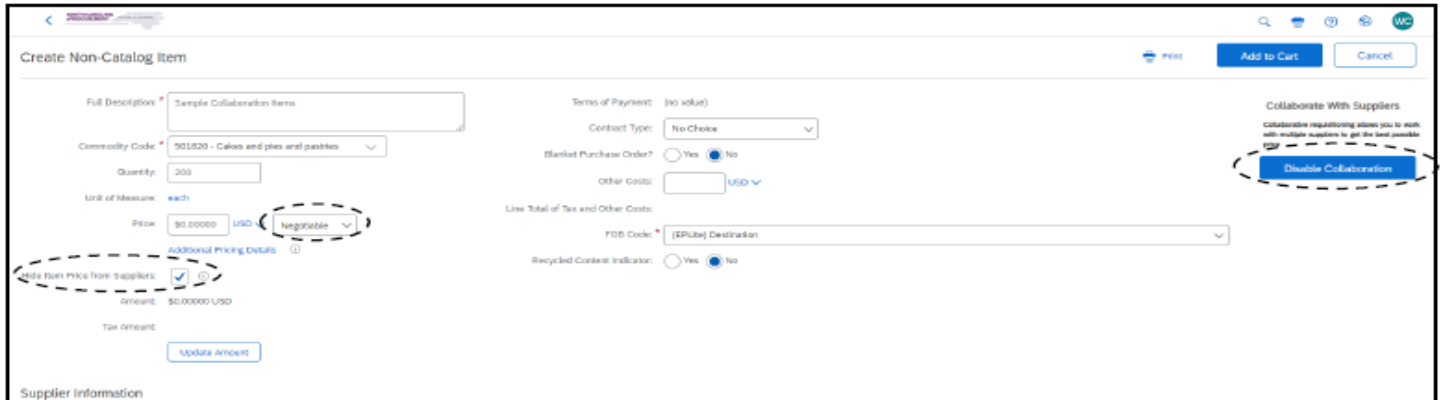
Beginning Collaboration as the Requester

Enabling Collaboration can only be done in Expert View. Enablement can be started on a new Purchase Requisition (PR), or on a Submitted PR that falls under the purchasing policy requirements to solicit quotes from vendors. On a newly created Non-Catalog Item, click the blue “Enable Collaboration” button on the right side of the screen to start the Collaboration process.

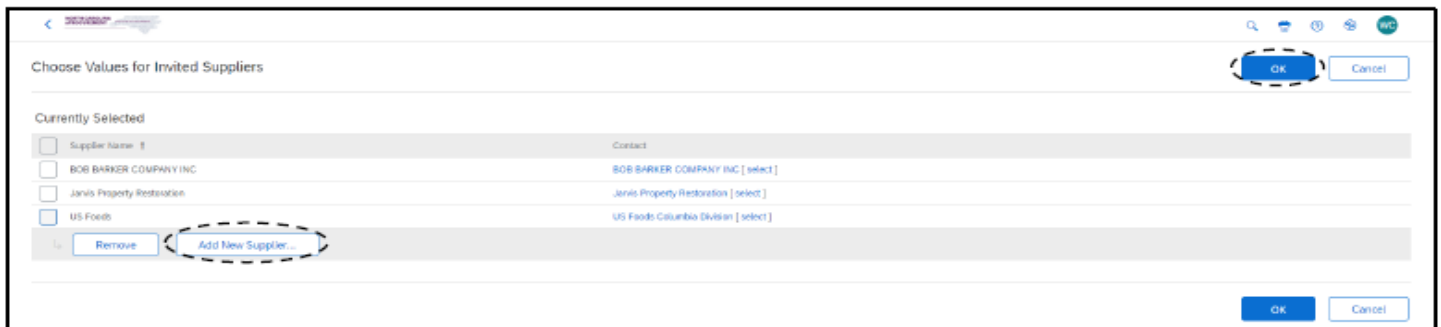


Once selected, the button will change to read “Disable Collaboration,” letting you know the Collaboration process has begun. Next to the “Price” field, a drop-down menu will appear. Leave this option on the default value “Negotiable.” Another new field, “Hide Item Price from Suppliers,” is located below Price. Check the box on this field to mask the item’s unit price from vendors that are participating in Collaboration.

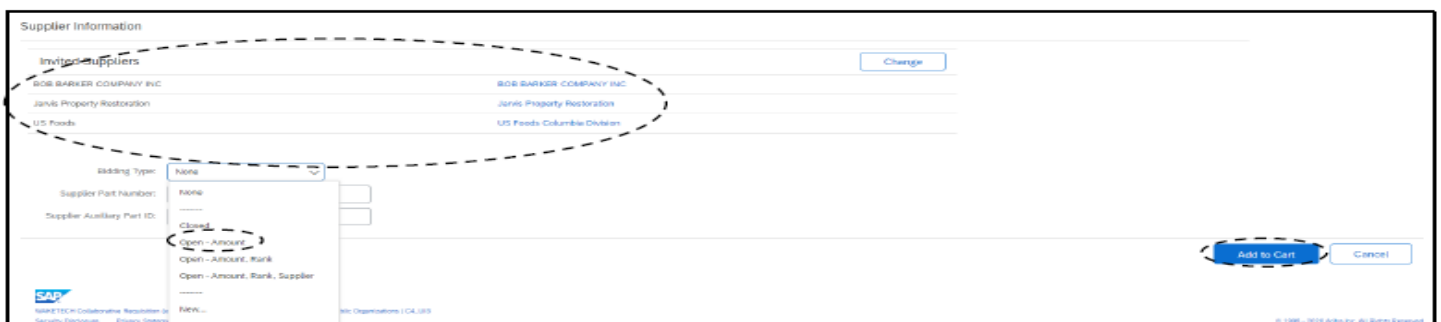
Procurement Policy and Procedure



To invite Suppliers to Collaborate, click the revealed “Change” button in the Supplier Information section. On the next page, click “Add New Supplier...” to open the list of currently active E-Procurement vendors in the system. To search, type the full or partial company name for a vendor listed in the [NC electronic Vendor Portal \(eVP\)](#). Any misspellings in the search will bring back incorrect results or no results at all. Some information, such as vendors with HUB status information, can also be found in the Supplier Search before enabling Collaboration. Choose a vendor to request Collaboration with by clicking the “Select” button to the right or click “Done” to close the pop-up. Add suppliers using the “Add New Supplier...” button until purchasing requirements are met and click “OK” to go back to the line-item page.

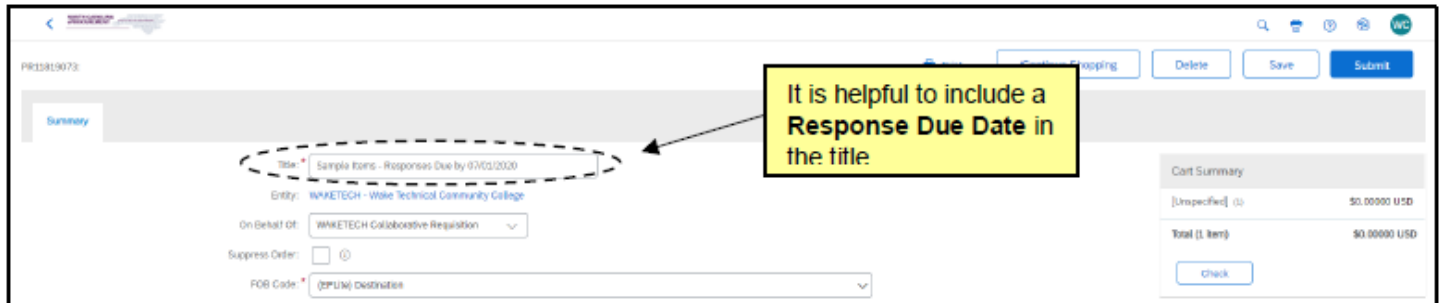


Confirm that the selected suppliers now appear under the Supplier Information section. Under the Supplier Information section, set the “Bidding Type” drop-down menu to “Open – Amount” to enable vendors to view the winning quote once Collaboration is completed. Do not create a “New” bidding type as that may cause system issues. When the line is ready to be submitted, click “Add to Cart.” Click “Proceed to Checkout” to go to the PR Summary page.

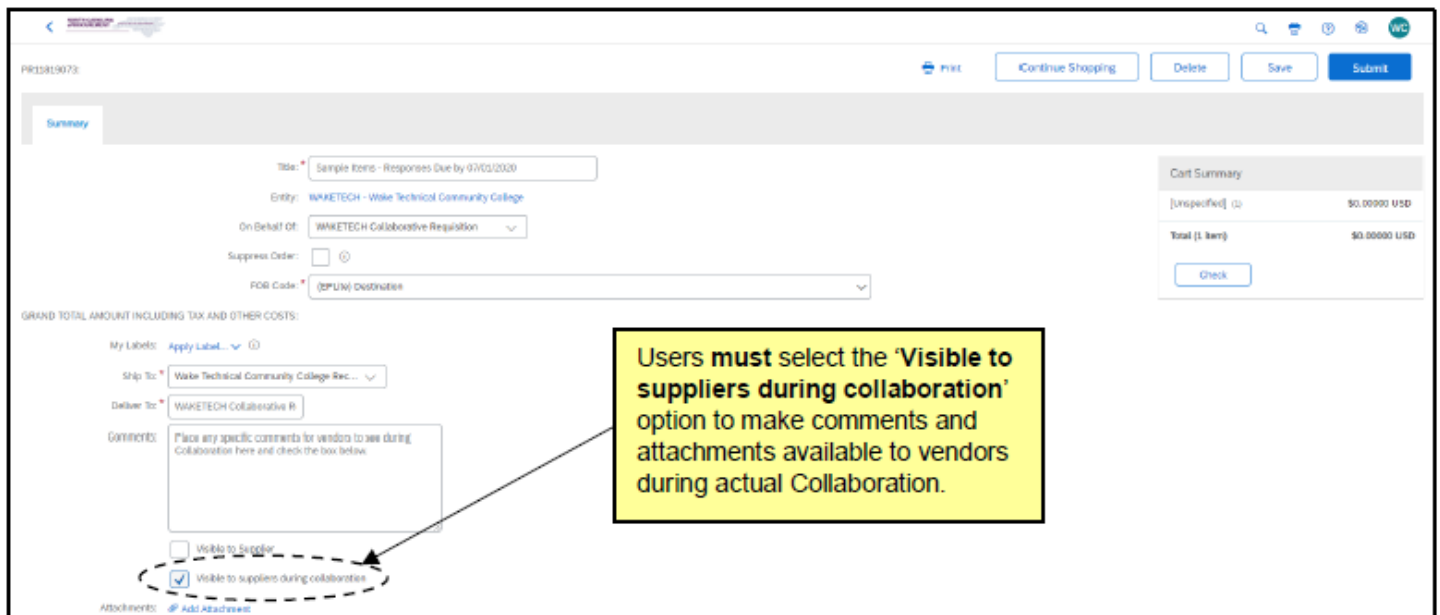


Procurement Policy and Procedure

When titling the PR, make sure to put a Response Due Date in the title, e.g., “Sample Items – Responses Due By 07/01/2022” to inform the vendor when quotes are due for submission. There is no Due Date field in Collaborative Requisitioning.



Comments and attachments can be added on the Summary tab. Designs, additional details, or specific terms and conditions can be linked in the comments or attached. For example, IT purchases may require additional language or information. Selecting the “Visible to supplier” option will send comments and attachments to vendors after the PR is fully approved, and after Collaboration is completed. To make comments and attachments available to vendors during Collaboration, check the “Visible to supplier during collaboration” box.



Navigate down to the line-item on the Summary page, check the box next to the line-item going into Collaboration, and use the “Actions” drop-down menu to edit the line and add accounting information, then click “OK” to go back to the PR Summary screen. Once all required fields are filled out, press “Submit.” Depending on the approval flow for your entity, the order will either move into Submitted or Collaborating status. Orders that do not move into Collaborating status after clicking “Submit” may need additional approval before being sent out for Collaboration. Check the Approval Flow to determine how many approvals are required before the PR reaches Collaboration status.

Procurement Policy and Procedure

▼ Approval Flow

Show Approval Flow

▼ Line Items

1 Item Total

No.	Type	Description	Qty	Unit	Price	Amount
1		Sample Collaboration Items	200	each	\$0.00000 USD	\$0.00000 USD

Invited Suppliers: Janela Property Restoration, BOB BARKER COMPANY INC, US Roads

Actions: More Import Accounting Update Total

Edit Details

Continue Shopping Delete Save Submit

PR11819073 - Sample Items - Responses Due by 07/01/2020

Status: Collaborating

End Collaboration Copy Print

Summary Collaboration Orders Receipts History

Title: Sample Items - Responses Due by 07/01/2020
Entity: WAKETECH - Wake Technical Community College
On Behalf Of: WAKETECH Collaborative Requisition
Suppress Order: ☐
Processing Agent: Not applicable
POB Code: (EMPL) Destination
GRAND TOTAL AMOUNT INCLUDING TAX AND OTHER COSTS:
My Labels: Apply Label
Ship To: Wake Technical Community College Receiving Department
Deliver To: WAKETECH Collaborative Requisition

Cart Summary

(unspecified) (1)	\$0.00000 USD
Total (1 item)	\$0.00000 USD

Enabling Collaboration as an Approver

As an Approver, enabling Collaboration can only be done in Expert View. Approvers will need both the ability to edit submitted Purchase Requisitions (PRs) as well as begin Collaboration on a submitted line-item. Not all users will have both capabilities. For further information on approving and editing line-items, please refer to "Approving a Requisition." In Expert View, select either the Purchase Requisitions "ID," "Title," or "Approve" link, then click the "Edit" button. Scroll down to the line-items on the Summary page, check the box next to the line that needs Collaboration with vendors, and use the "Actions" drop-down menu to select "Edit Details." In the upper right of the line-item details page, select the "Yes" radio button next to the "Collaborate with supplier(s) for this item" field.

PR11819073 - Sample Items Collaboration Request - Responses Due...

Line Item Details

No.: 1

Full Description: Sample Collaboration Items

Supplier Part Number:

Supplier Auxiliary Part ID:

Qty: 200

UOM: each

Price: \$0.00000 USD

Additional Pricing Details

Collaborate with supplier(s) for this item: ☒ Yes ☐ No

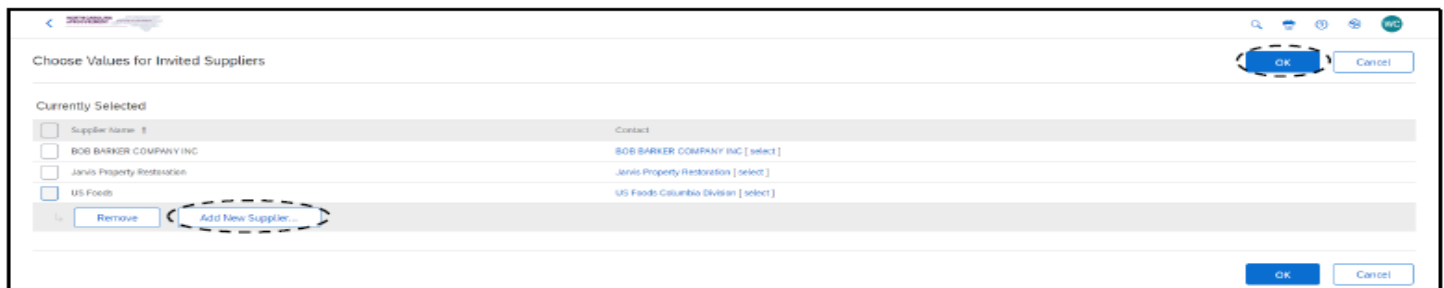
OK Cancel

Procurement Policy and Procedure

Once selected, several fields will be added to the line-item details, and the Invited Suppliers section will appear on the right. Set the “Price” field to \$0. Next to the “Price” field, a drop-down menu will appear. Leave this option on the default value “Negotiable.” Another new field, “Hide Item Price from Suppliers,” is located below Price. Check the box on this field to mask the item’s unit price from vendors that are participating in Collaboration. To invite Suppliers to Collaborate, click the revealed “Change” button in the Supplier Information section.



On the next page, click “Add New Supplier...” to open the list of currently active E-Procurement vendors in the system. To search, type the full or partial company name for a vendor listed in the [NC electronic Vendor Portal \(eVP\)](#). Any misspellings in the search will bring back incorrect results or no results at all. Some information, such as vendors with HUB status information, can also be found in the Supplier Search before enabling Collaboration. Choose a vendor to request Collaboration with by clicking the “Select” button to the right or click “Done” to close the pop-up. Add suppliers using the “Add New Supplier...” button until purchasing requirements are met and click “OK” to go back to the line-item page.

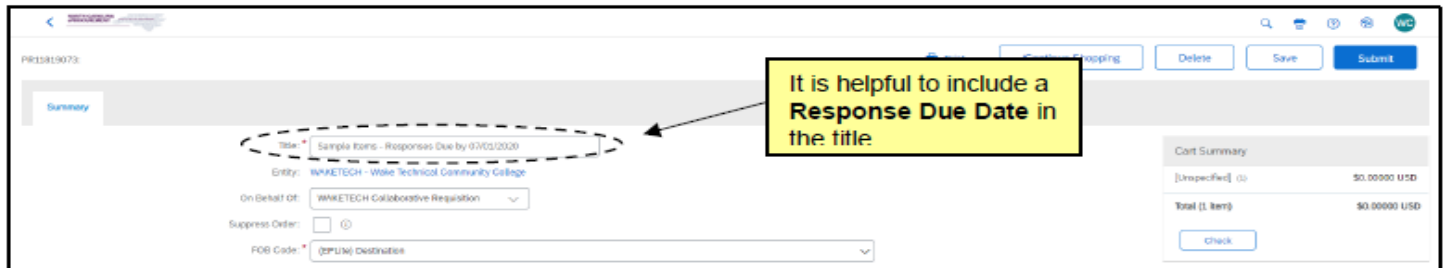


Confirm that the selected suppliers now appear under the Supplier Information section. Under the Supplier Information section, set the “Bidding Type” drop-down menu to “Open – Amount” to enable vendors to view the winning quote once Collaboration is completed. When finished with editing the line-item details, click “OK” to return to the PR Summary page.

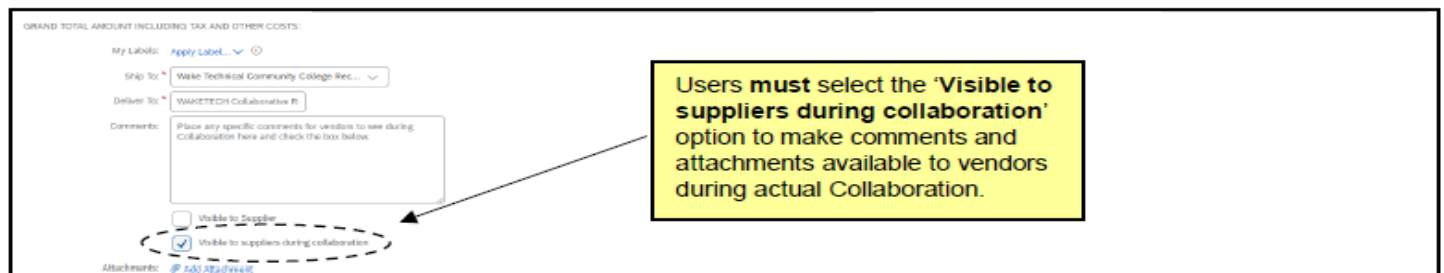


Procurement Policy and Procedure

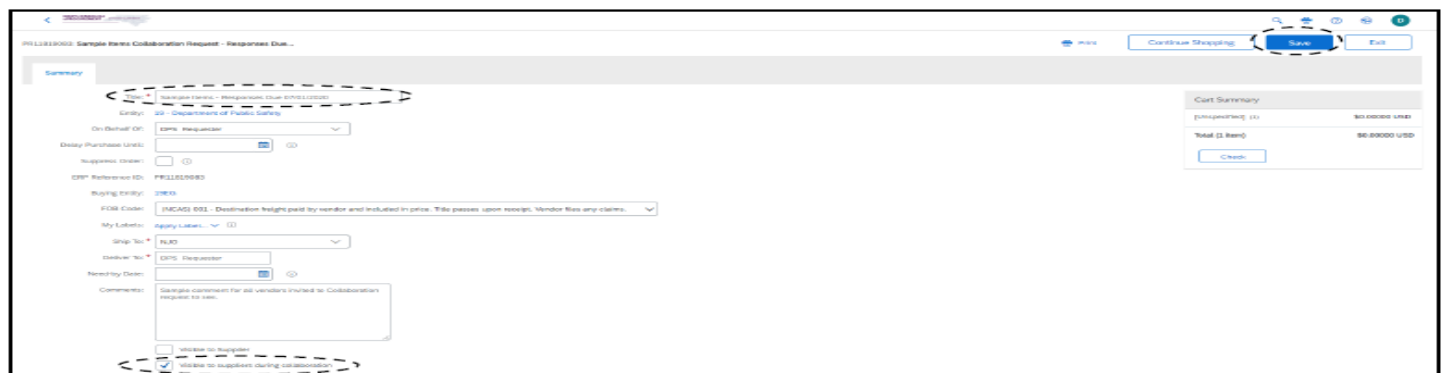
When titling the PR, make sure to put a Response Due Date in the title, e.g., “Sample Items – Responses Due By 07/01/2022” to inform the vendor when quotes are due for submission. There is no Due Date field in Collaborative Requisitioning.



Comments and attachments can be added on the Summary tab. Designs, additional details, or specific terms and conditions can be linked in the comments or attached. For example, IT purchases may require additional language or information. Selecting the “Visible to supplier” option will send comments and attachments to vendors after the PR is fully approved, and after Collaboration is completed. To make comments and attachments available to vendors during Collaboration, check the “Visible to supplier during collaboration” box.

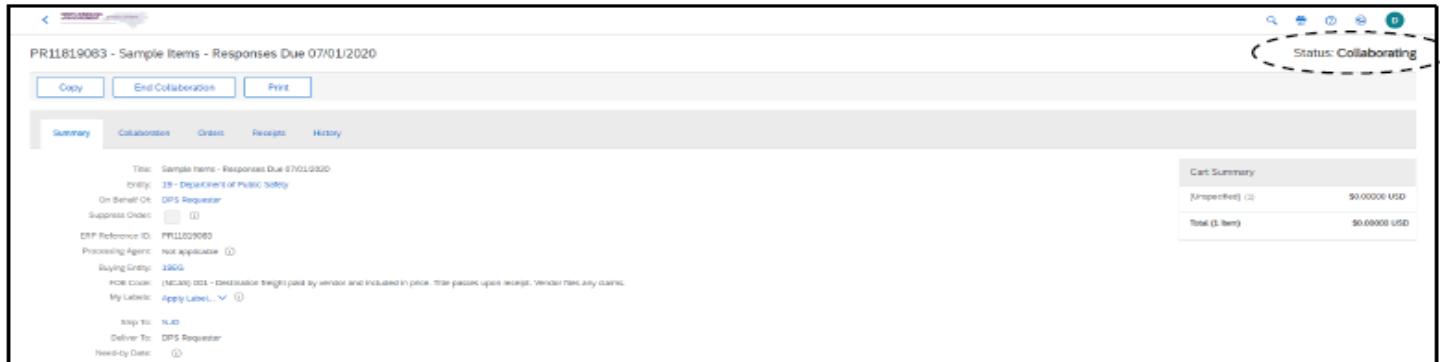


Once all required fields are updated to include the new Collaboration details, press “Save.” Depending on the approval flow for your entity, the order will either move into Submitted or Collaborating status.



To view the updated PR, use the “Recently Viewed” portlet on the Procurement tab. Orders that do not move into Collaborating status after clicking “Submit” may need additional approvals before being sent out for Collaboration. Check the Approval Flow to view how many approvals are required before the PR reaches the Collaboration step.

Procurement Policy and Procedure



PR11619083 - Sample Items - Responses Due 07/01/2020

Status: Collaborating

Copy End Collaboration Print

Summary Collaboration Orders Receipts History

Title: Sample Items - Responses Due 07/01/2020
 Priority: 35 - Department of Public Safety
 On Behalf Of: DPS Requester
 Support Order: ☐ ☐
 DRP Reference ID: PR11619083
 Processing Agent: Not applicable
 Buying Entity: 2505
 Role Code: (Select) - Taxation freight paid by vendor and included in price. This passes upon receipt. Vendor files any claims.
 My Labels: Apply Labels...
 Ship To: N/A
 Deliver To: DPS Requester
 Need-by Date:

Cart Summary

(Unspecified) (2)	\$0.00000 USD
Total (3 Item)	\$0.00000 USD

Using eVP to Find Vendors

Before creating a Collaborative Requisition, users may need to find active E-Procurement vendors that provide the goods and/or services being requested. The [NC electronic Vendor Portal \(eVP\)](#) Public Vendor Search is a convenient way to find and filter active vendors in the system capable of receiving Collaboration requests. Users can also use the “Public Vendor Search” tile link on the E-Procurement website. If the vendor’s name is known, populate the vendor’s name in the Search field. Click the “Filter” button and select “Active” in the “Registration Status” drop-down menu within the “E-Procurement” section to return only vendors who are currently active and able to accept purchase orders.



Vendor Name: *glass*

Vendor Status: Select

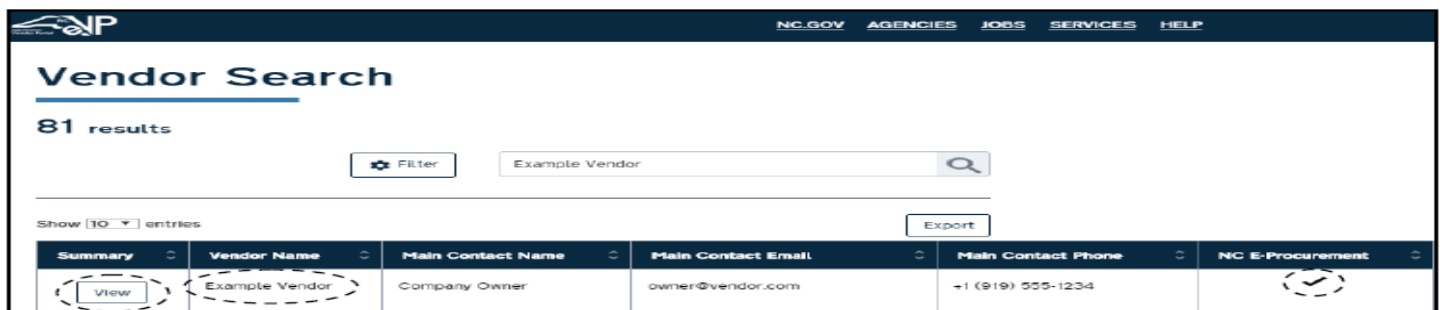
Customer Number:

NC E-Procurement

Registration Date Range: From: To:

Registration Status: Active

Click the magnifying glass to initiate the search. Click “View” in the “Summary” column of the desired Vendor to view more information. When selecting vendors for Collaboration, use the exact Vendor Name listed in the Public Vendor Search.



Vendor Search

81 results

Filter Example Vendor

Show 10 entries Export

Summary	Vendor Name	Main Contact Name	Main Contact Email	Main Contact Phone	NC E-Procurement
View	Example Vendor	Company Owner	owner@vendor.com	+1 (919) 555-1234	<input type="checkbox"/>

Vendors who have indicated interest in providing certain types of goods or services can be searched for based on the related [UNSPSC Commodity Codes](#). Scroll down the screen below the drop-down menu and free-text filters to the Commodity Code’s section. By expanding the arrows next to each heading, you can select areas in which Vendors have indicated interest in providing specific goods or services.

Procurement Policy and Procedure

Commodity Codes:

Apparel and Luggage and Personal Care Products

- ☒ Clothing - 5310
- ☒ Footwear - 5311
- ☐ Luggage and handbags and packs and cases - 5312
- ☐ Personal care products - 5313
- ☐ Sewing supplies and accessories - 5314

Building and Construction Machinery and Accessories

Clicking on the arrow next to each Commodity Code Section Header will expand that field to display the specific areas in which Vendors have indicated they provide goods or services.

Once all relevant [UNSPSC Commodity Codes](#) have been selected, a search can be executed by selecting the “Apply” button at the top of the page. Additional search filters can be used to search by specific criteria in order to find more focused results. Select “Certified” in the “Certification Status (HUB)” drop-down menu beneath this section will filter results to include only vendors who are currently Certified as a [Historically Underutilized Business \(HUB\)](#).

Certification Status (HUB)

Certified

Further down the page, there are five filters that can help target specific vendors by contact or geographical location. If vendor contact information is known, the “Contact Last Name” or “Contact Email” can be entered to return the associated vendor account. Selecting a specific County from the “Location County” drop-down menu will return only vendors who have entered an address located in that county. The “Location City” filter is a free-text field into which even more specific localized information can be entered. Filtering by County only works for North Carolina based vendors.

Contact Last Name

Contact Email

Location Name

Location City

Location County

Use a combination of fields to find vendors to begin the Collaboration request. Using fewer fields may result in more vendors, but less accurate results. Users should contact vendors to confirm that these vendors offer the requested goods/services before sending a Collaboration request. All vendors registered to receive purchase orders can be selected for Collaboration requests, but in order to respond to the request, the vendors will need to register for an Ariba Network supplier account. Vendors with questions on the Ariba Network account creation process should contact the vendor E-Procurement Help Desk.

Procurement Policy and Procedure

Handling Substitute Items

Vendors may not provide, or have available in inventory, the goods/services being requested. In this event, vendors may offer the requester an equivalent substitute instead. If a vendor would like to offer a substitute item, the vendor may edit the line-item details, part number, and quantity in addition to offering a price without informing the buyer beforehand. When reviewing Collaboration responses, be sure that all details match up to the original Collaboration request. All changes to the line(s), including adding or removing details, can be found on the Changes tab on the vendor proposal page.

Proposal PR11819073-P339 - Sample Items - Responses Due by 07/01/2020 Status: Submitted

These are the details of the request you selected. Depending on its status, you can edit, change, copy, cancel, or submit the request for approval. You may also print the details of the request. Review your request and take the desired action(s).

Accept Proposal Reject Proposal Actions ▾

Summary **Changes** History Previous Documents

Changes from PR11819073-R883: Sample Items - Responses Due by 07/01/2020

Field #	Action
Line Item 1	
Description	
Price	changed from \$0.00000 USD to \$29.00000 USD
Supplier Part Number	changed from (no value) to 12345

Vendors may also submit a substitute item as a completely new line-item instead of proposing a price for the initial Collaboration request, appearing on the Collaboration tab as a new line.

Summary **Collaboration** Orders Receipts History

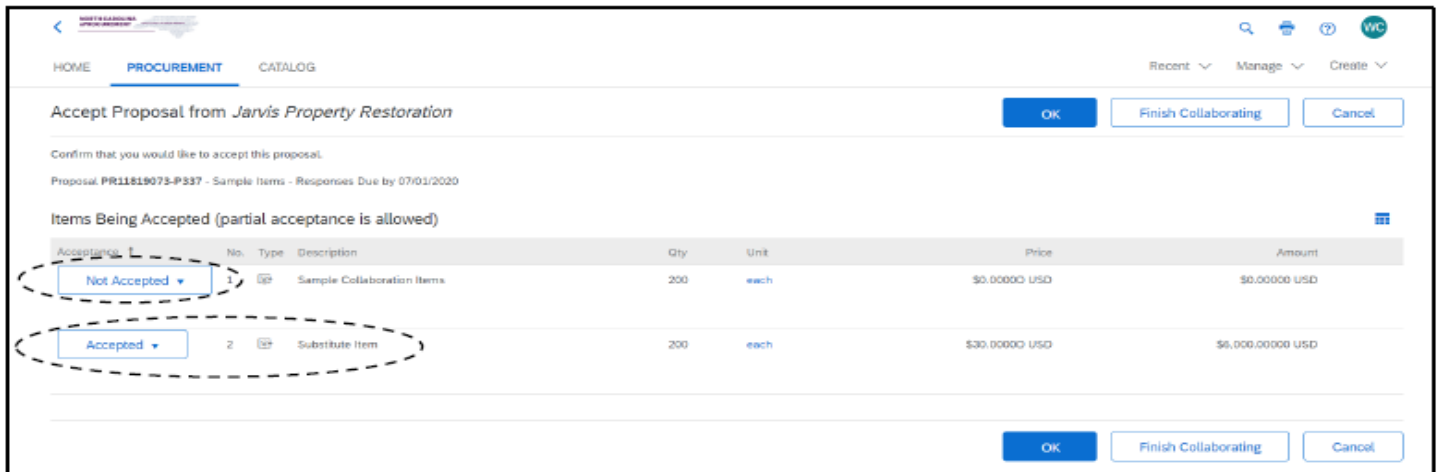
View by: ☒ Supplier ☐ Line Item

Proposals Hide Details

Name	Contact	Status	Qty	UOM	Price	Total
Jarvis Property Restoration	Jarvis Property Restoration	Proposal Received - Please Respond				\$6,000.00000 USD
1. Sample Collaboration Items			200	each	\$0.00000 USD	\$0.00000 USD
2. Substitute Item			200	each	\$30.00000 USD	\$6,000.00000 USD
US Foods	US Foods Columbia Division	Request Sent - Waiting For Response				\$0.00000 USD
1. Sample Collaboration Items			200	each	\$0.00000 USD	\$0.00000 USD

To accept the proposed substitute, choose “Accept Proposal” when finishing Collaboration with the vendor, and use the Acceptance drop-down menu to Accept the line(s) and finish Collaborating. Refer to “Finishing Collaboration” for more information on ending the Collaboration process.

Procurement Policy and Procedure



Acceptance	No.	Type	Description	Qty	Unit	Price	Amount
Not Accepted	1	GP	Sample Collaboration Items	200	each	\$0.00000 USD	\$0.00000 USD
Accepted	2	GP	Substitute Item	200	each	\$30.00000 USD	\$6,000.00000 USD

Communicating with Vendors During Collaboration

Users can communicate with vendors both via the “Send Message” Collaboration tool and “Comments” section on the Purchase Requisition (PR) Summary page during Collaboration. Users can also contact the vendor directly using information found in the [NC electronic Vendor Portal \(eVP\)](#) or given by the vendor themselves during Collaboration. For comments that should be seen by all vendors selected for Collaboration, users can use the Comments section on the PR Summary page. Either before or during active Collaboration, navigate to the Summary page. To add a new comment to the PR, click the “Add Comment” button or link. After writing any pertinent information for the supplier, check the “Visible to suppliers during collaboration” box and click “OK”. Vendors can view any designated comments on the same screen as the line-item details in the Ariba Network account.



Other users will see your comments.

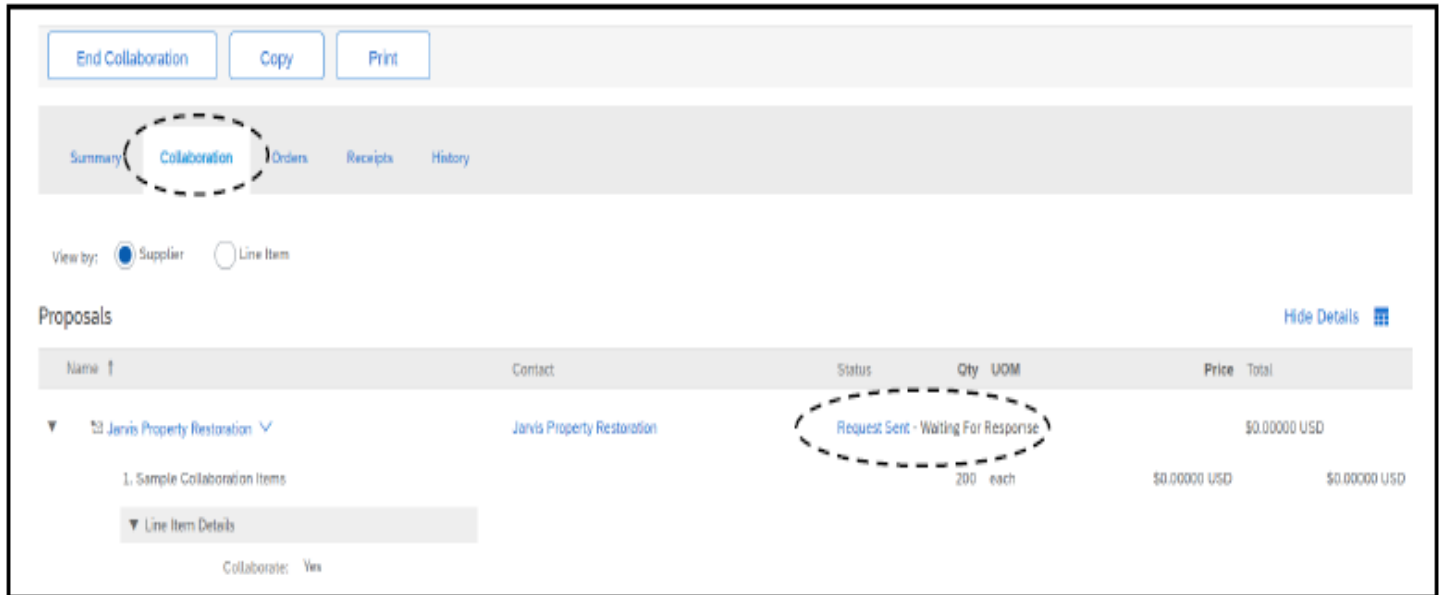
Comments:

☐ Visible to Supplier

☒ Visible to suppliers during collaboration

Users may also want to exchange messages with individual vendors using the “Send Message” tool once Collaboration has begun. Select the “ID,” “Title,” or “Required Action” of a PR currently in “Collaborating” status in the To Do portlet to be brought to the Collaborating tab. Click the “Request Sent” link for the chosen vendor under the Status column.

Procurement Policy and Procedure



End Collaboration Copy Print

Summary **Collaboration** Orders Receipts History

View by: ☒ Supplier ☐ Line Item

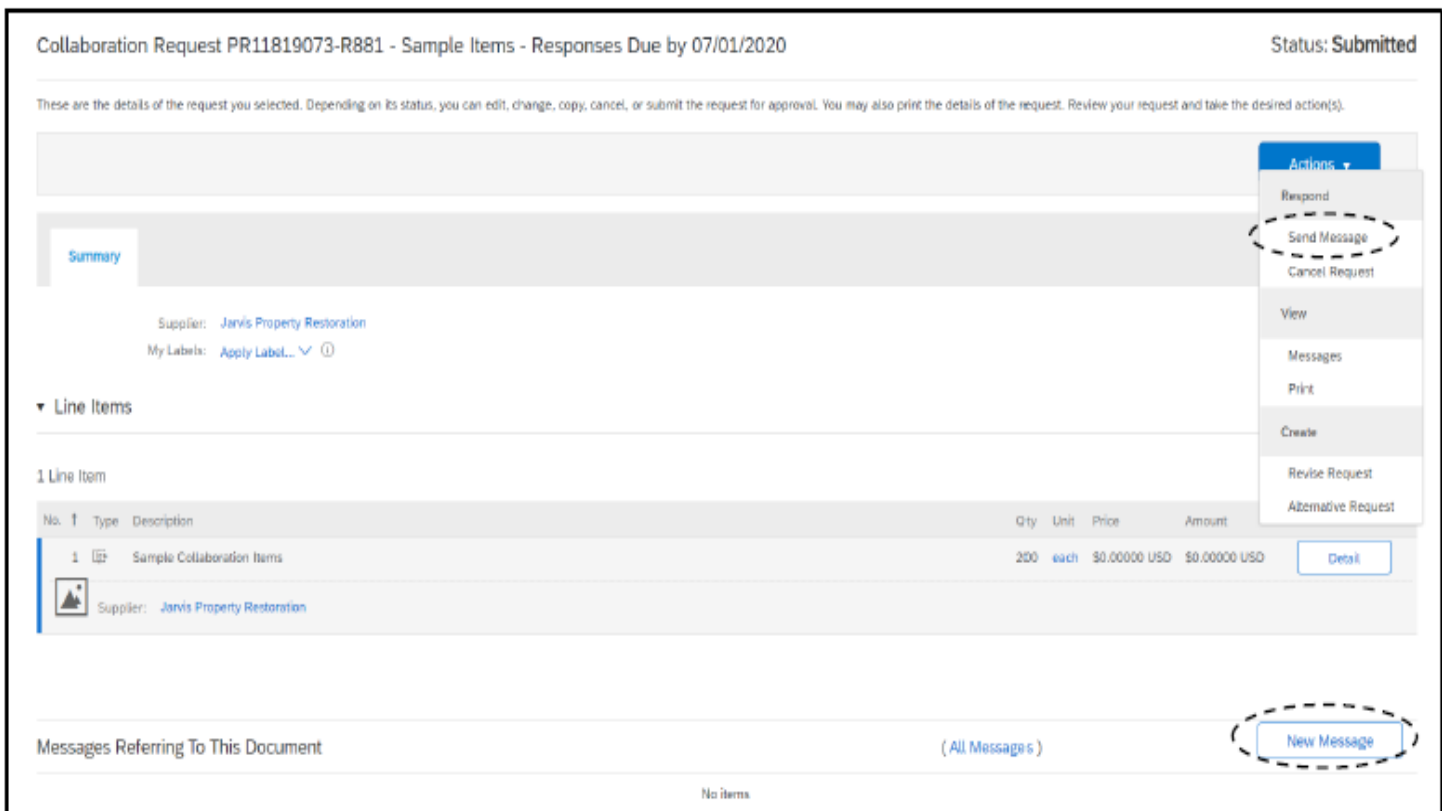
Proposals Hide Details

Name	Contact	Status	Qty	UOM	Price	Total
▼ Jarvis Property Restoration ▼	Jarvis Property Restoration	Request Sent - Waiting For Response			\$0.00000 USD	
1. Sample Collaboration Items			200	each	\$0.00000 USD	\$0.00000 USD

▼ Line Item Details

Collaborator: Yes

Use the “Actions” drop-down menu in the upper right corner and select “Send Message,” or use the “New Message” button on the lower right corner.



Collaboration Request PR11819073-R881 - Sample Items - Responses Due by 07/01/2020 Status: Submitted

These are the details of the request you selected. Depending on its status, you can edit, change, copy, cancel, or submit the request for approval. You may also print the details of the request. Review your request and take the desired action(s).

Summary

Supplier: Jarvis Property Restoration
My Labels: Apply Label...

▼ Line Items

1 Line Item

No.	Type	Description	Qty	Unit	Price	Amount
1		Sample Collaboration Items	200	each	\$0.00000 USD	\$0.00000 USD

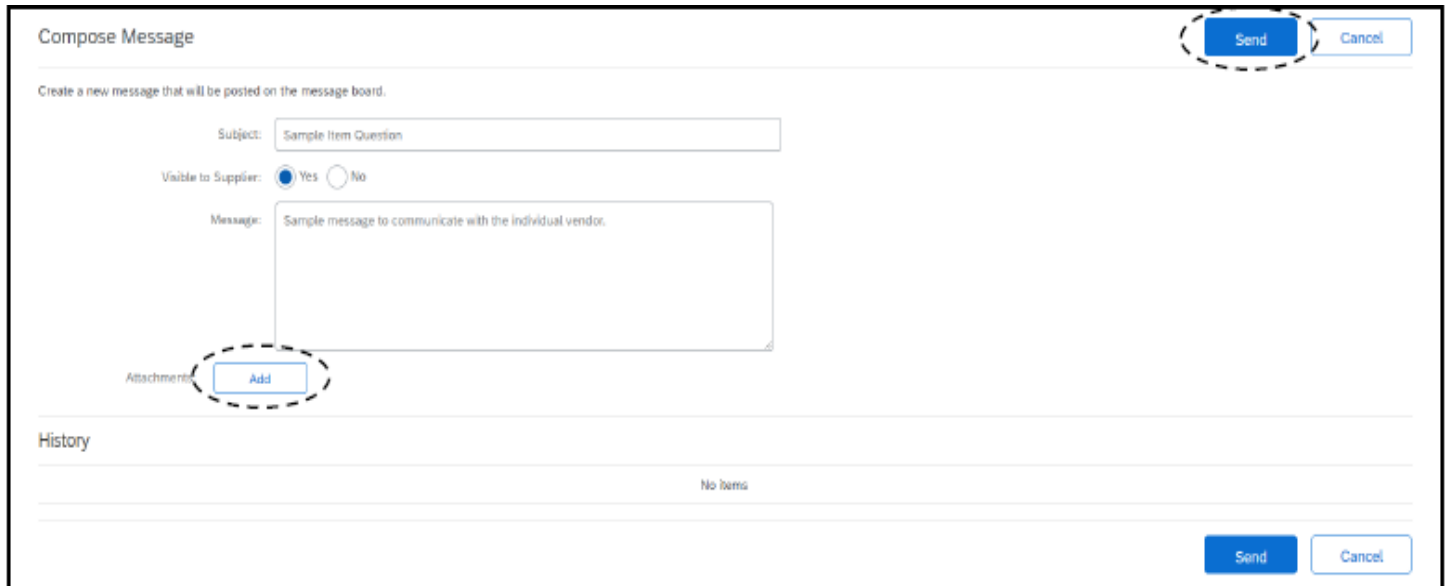
Supplier: Jarvis Property Restoration

Messages Referring To This Document (All Messages) New Message

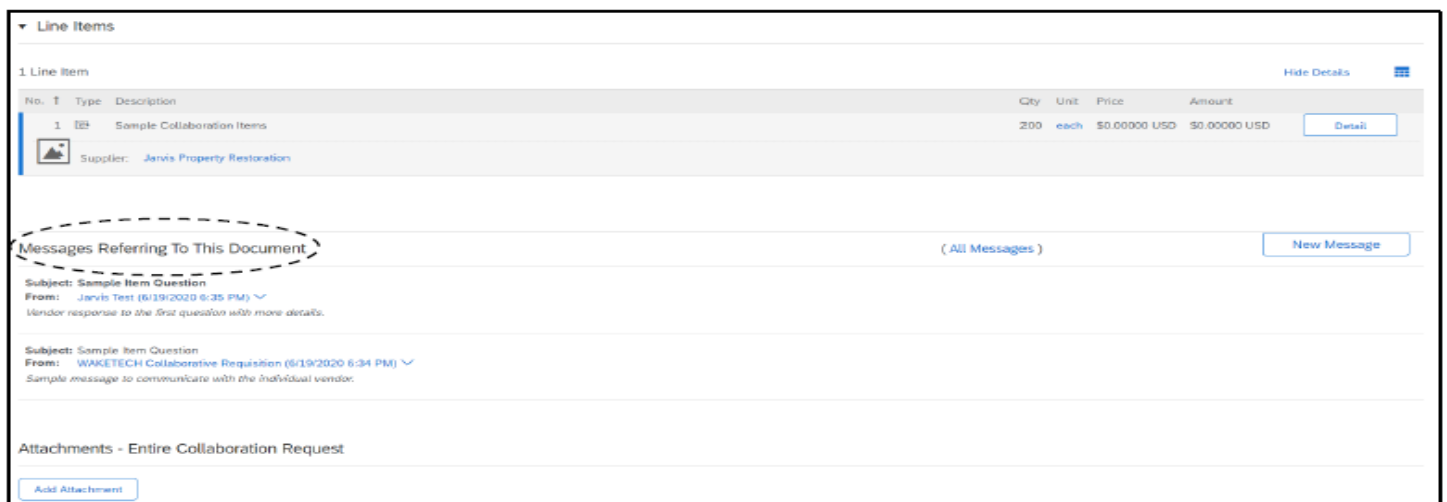
No items

Procurement Policy and Procedure

Compose the message and add any reference attachments, then click “Send.”



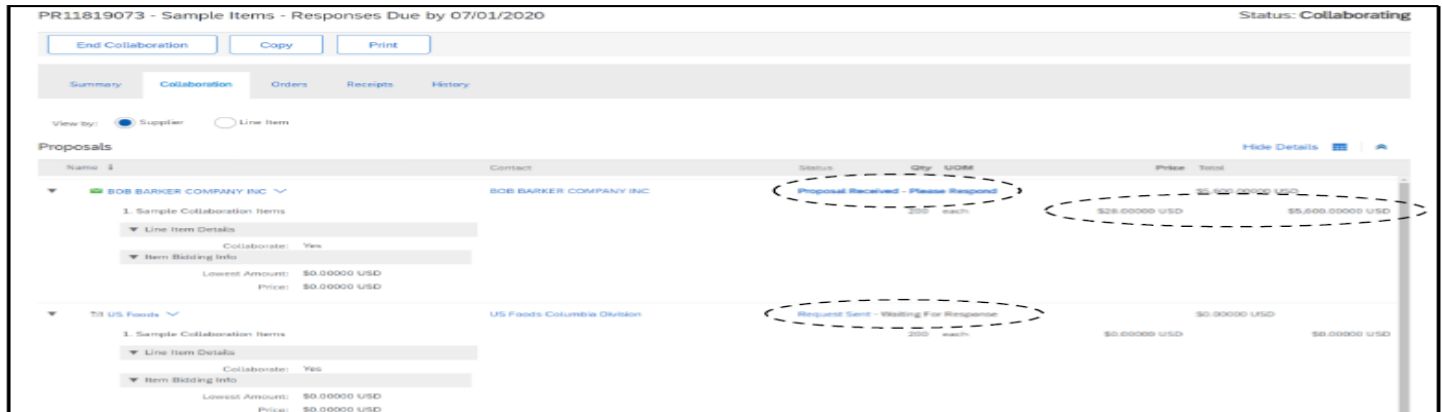
Messages sent by both the buyer and vendor will appear in the “Messages Referring To This Document” section on the vendor’s Collaboration details page.



Finishing Collaboration

Users may end Collaboration at any time, either because the Collaboration is no longer needed or to accept a vendor’s submitted pricing proposal. Users can perform either action from the Collaboration tab on the Purchase Requisition (PR) currently in Collaborating status. Select the “ID,” “Title,” or “Required Action” of a PR currently in “Collaborating” status in the “To Do” portlet to be brought to the Collaboration tab. The Collaboration tab shows the overview and status of the Collaboration requests. This tab shows all vendors added to the Collaboration request(s), if the vendor has provided a quote, and the “Price Per Unit” and “Total” for all vendors that have responded. Proposed pricing can be quickly compared on this page to determine the vendor to choose.

Procurement Policy and Procedure



PR11819073 - Sample Items - Responses Due by 07/01/2020 Status: Collaborating

Buttons: End Collaboration, Copy, Print

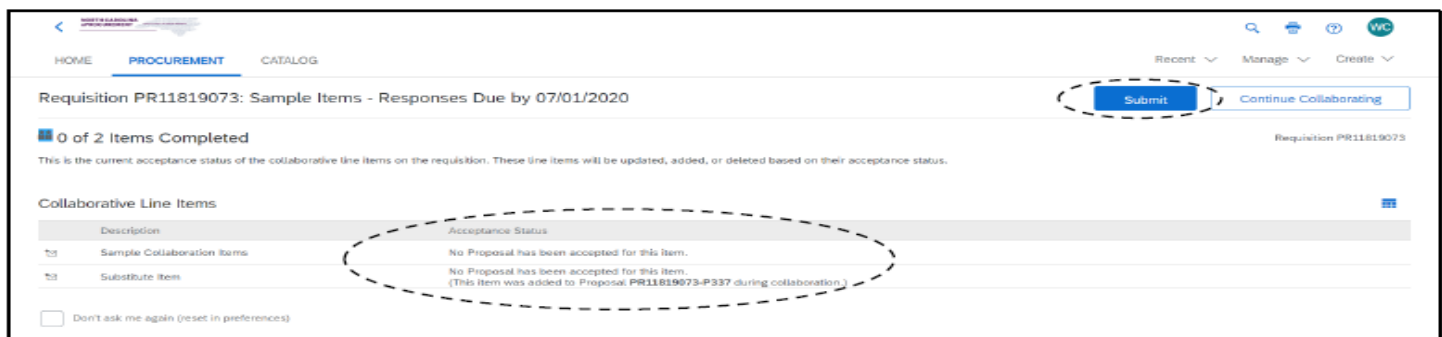
Summary Collaboration Orders Receipts History

View by: ☒ Supplier ☐ Line Item

Proposals

Name	Contact	Status	Qty	Unit	Price	Total
BOB BARKER COMPANY INC	BOB BARKER COMPANY INC	Proposal Received - Please Respond	200	each	\$28.00000 USD	\$5,600.00000 USD
US Foods	US Foods Columbia Division	Request Sent - Waiting For Response	200	each	\$0.00000 USD	\$0.00000 USD

To end a Collaboration request before selecting a vendor, select the “End Collaboration” button in the upper left corner. The next page shows the Acceptance Status of all collaboration line-items on the PR, including any new lines for vendor suggested substitutions. Refer to Handling Substitutions for more information on substitute items. Clicking “Submit” will delete line-items with no accepted vendor proposals. This will end any Collaboration for all line-items on the PR. Click the “Continue Collaborating” button to go back to the Collaboration tab and continue evaluating vendor responses.



Requisition PR11819073: Sample Items - Responses Due by 07/01/2020

Buttons: Submit, Continue Collaborating

0 of 2 Items Completed

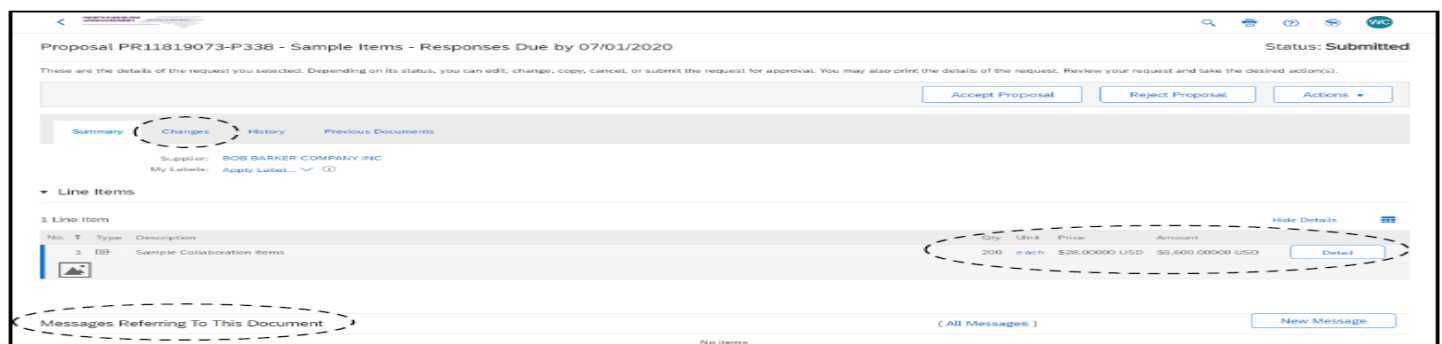
This is the current acceptance status of the collaborative line items on the requisition. These line items will be updated, added, or deleted based on their acceptance status.

Collaborative Line Items

Description	Acceptance Status
Sample Collaboration Items	No Proposal has been accepted for this item.
Substitute Item	No Proposal has been accepted for this item. (This item was added to Proposal PR11819073-P337 during collaboration)

☐ Don't ask me again (reset in preferences)

When a vendor has responded to the Collaboration, the status will update to “Proposal Received – Please Respond” on the Collaboration tab. Click on the status link to go to the proposal details. The Changes tab shows all changes to the Collaboration line-item that the vendor made when sending in the request. The History tab will show when the vendor sent the proposal to the buyer. All Messages and Attachments exchanged with the chosen vendor can be found below the line-item details for reference before finishing Collaboration.



Proposal PR11819073-P338 - Sample Items - Responses Due by 07/01/2020 Status: Submitted

Buttons: Accept Proposal, Reject Proposal, Actions

Summary Changes History Previous Documents

Supplier: BOB BARKER COMPANY INC
My Labels: Apply Label...

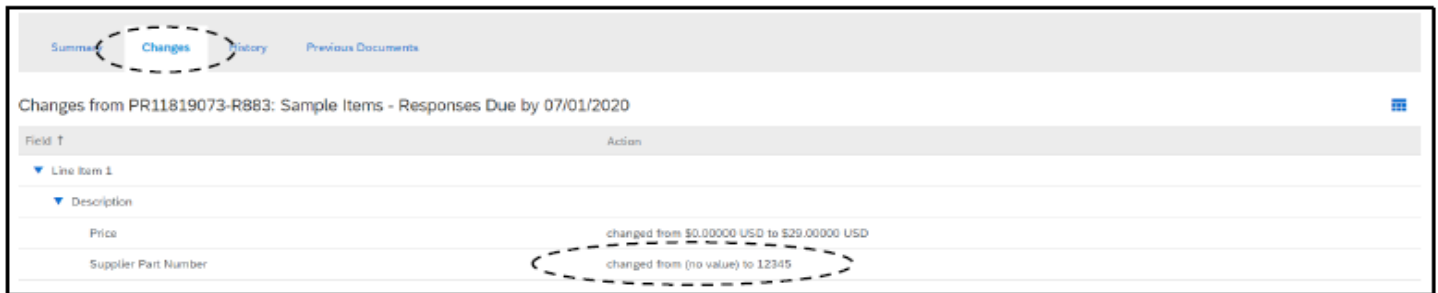
Line Items

No.	Type	Description	Qty	Unit	Price	Amount	Total
1	EB	Sample Collaboration Items	200	each	\$28.00000 USD	\$5,600.00000 USD	\$5,600.00000 USD

Messages Referring To This Document (All Messages) New Message

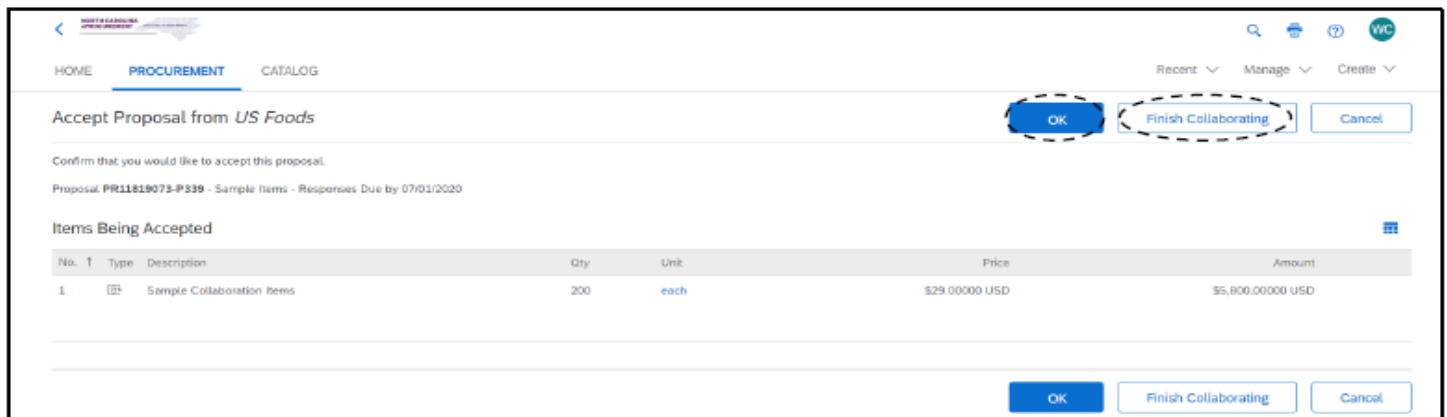
Procurement Policy and Procedure

Use the Changes tab to inspect the line-item response details. Check to determine if the Full Description, Quantity, Part Number, etc. have been altered by the vendor. If any details have been altered without prior notice, contact the vendor to determine why the changes were made and work with the NCDOL Purchasing Office to determine if the substituted item details can be accepted, if needed.



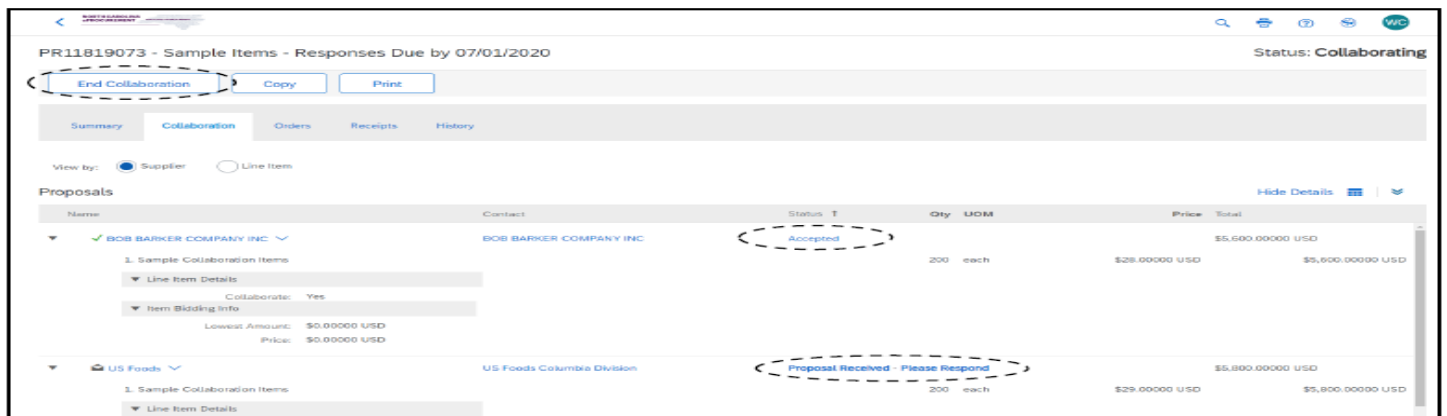
Field	Action
Line Item 1	
Description	
Price	changed from \$0.00000 USD to \$29.00000 USD
Supplier Part Number	changed from (no value) to 12345

Click “Accept Proposal” at the top of the page of the best vendor proposal. Select the “OK” button to accept the vendor proposal for Collaboration for just the chosen line and continue Collaboration on other lines. The “Finish Collaborating” button is for ending Collaboration immediately after accepting this vendor proposal.



No.	Type	Description	Qty	Unit	Price	Amount
1		Sample Collaboration Items	200	each	\$29.00000 USD	\$5,800.00000 USD

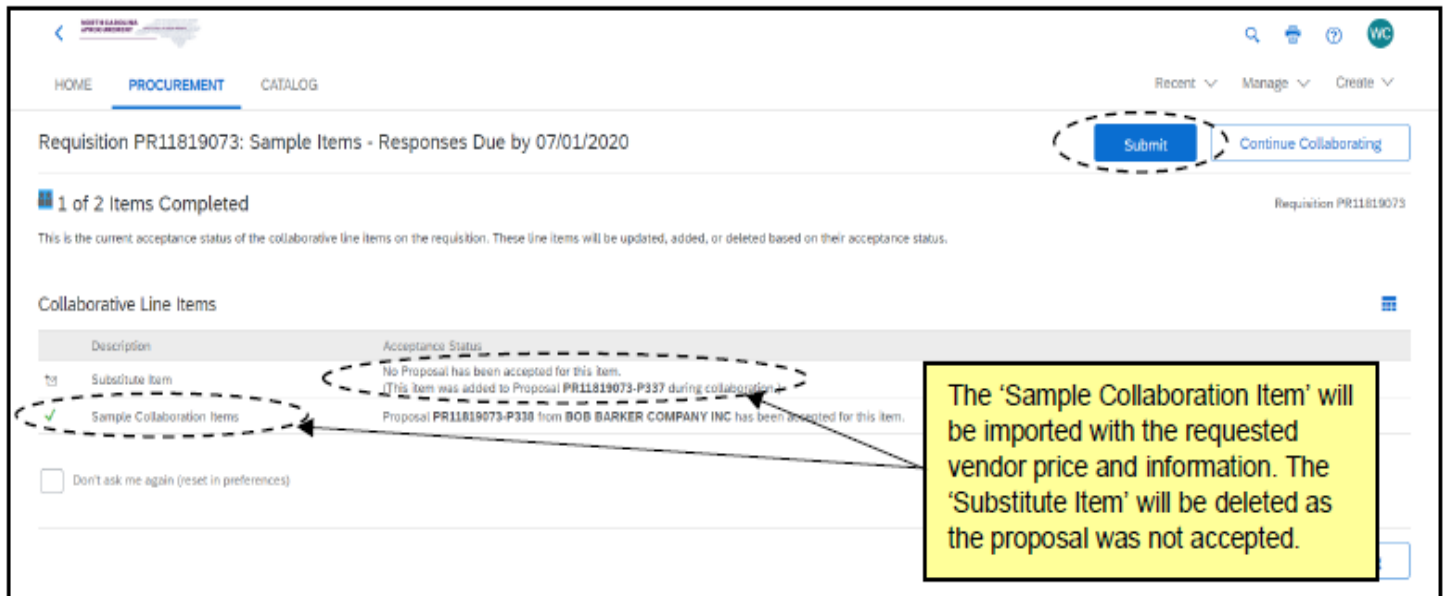
After accepting proposals for all line-items as needed, select the “End Collaboration” button on the Collaboration tab. After accepting a vendor response for a Collaboration request, the status of other vendor responses will not be altered by the system until Collaboration ends.



Name	Contact	Status	Qty	UOM	Price	Total
BOB BARKER COMPANY INC	BOB BARKER COMPANY INC	Accepted	200	each	\$29.00000 USD	\$5,800.00000 USD
US Foods	US Foods Columbia Division	Proposal Received - Please Respond	200	each	\$29.00000 USD	\$5,800.00000 USD

Procurement Policy and Procedure

Click “Submit” to end Collaboration for the line-item(s) and merge the quoted price for the goods or services onto the PR. Any lines without accepted vendor proposals, including substitutes, will be deleted from the PR. Click the “Continue Collaborating” button to go back to the Collaboration tab and continue evaluating vendor responses. Once the user clicks “Submit” to accept the vendor proposal(s), the PR Collaboration line-items will be populated with the vendor chosen and the proposed pricing.



Requisition PR11819073: Sample Items - Responses Due by 07/01/2020

1 of 2 Items Completed

This is the current acceptance status of the collaborative line items on the requisition. These line items will be updated, added, or deleted based on their acceptance status.

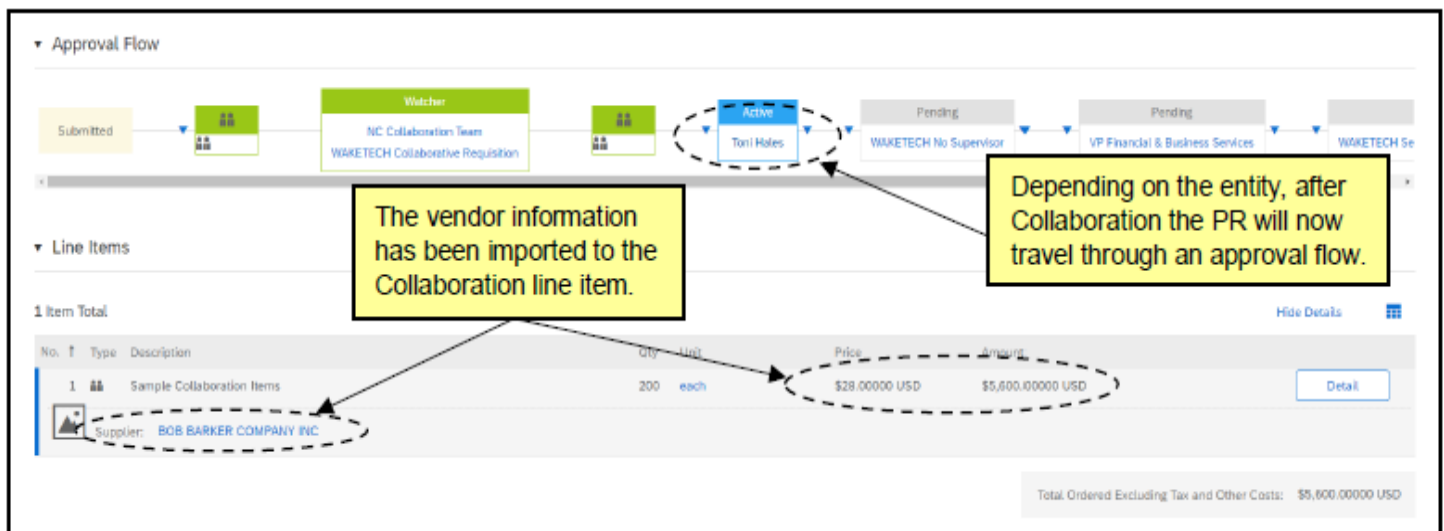
Collaborative Line Items

Description	Acceptance Status
Substitute Item	No Proposal has been accepted for this item. (This item was added to Proposal PR11819073-P337 during collaboration.)
Sample Collaboration Items	Proposal PR11819073-P338 from BOB BARKER COMPANY INC has been accepted for this item.

☐ Don't ask me again (reset in preferences)

The 'Sample Collaboration Item' will be imported with the requested vendor price and information. The 'Substitute Item' will be deleted as the proposal was not accepted.

As Collaboration is finished, the status will move to “Collaboration Completed” and the PR is sent to the Approval Flow. Check the Approval Flow on the PR Summary page for further information on the required approvals for the newly submitted PR. Depending on the Approving rules set up by the requester’s entity, the PR may need to be approved by additional groups, sent to the vendor directly for order fulfillment, or be sent to the user’s financial system. For questions about the approval flow rules set up for your entity, please contact your Security Administrator.



Approval Flow

Submitted → Watcher: NC Collaboration Team, WAKETECH Collaborative Requisition → Active: Toni Hales → Pending: WAKETECH No Supervisor → Pending: VP Financial & Business Services → WAKETECH Se

The vendor information has been imported to the Collaboration line item.

Depending on the entity, after Collaboration the PR will now travel through an approval flow.

Line Items

1 Item Total

No.	Type	Description	Qty	Unit	Price	Amount
1		Sample Collaboration Items	200	each	\$28.00000 USD	\$5,600.00000 USD

Supplier: BOB BARKER COMPANY INC

Total Ordered Excluding Tax and Other Costs: \$5,600.00000 USD



Procurement Policy and Procedure

Procurement Policy and Procedure Delegation of Authority

In summary, this policy does not cite all of the laws, rules, and policies on procurement, but is only intended to provide the basic laws, rules, policies, and procedures that must be followed in carrying out the responsibilities of procurement for the NC Department of Labor. This procurement policy and procedure applies to the acquisition of all equipment, material, supplies, printing, and services, through outright purchase, rental, lease, lease-purchase, or installment purchase. In accordance with North Carolina General Statutes, North Carolina Administrative Code and the delegations of the NC Department of Information Technology, and the Division of Purchase and Contract under the NC Department of Administration, the Commissioner of Labor is responsible for administering NCDOL's procurement program for the acquisition of goods and services. The administration of this procurement program shall be delegated to NCDOL's Chief Financial Officer of the Financial Services Division by the Commissioner of Labor.

This Procurement Policy and Procedure implementation became effective on April 1, 2019 and is being amended with an effective date of October 1, 2023. This Procurement Policy and Procedure shall remain in effect until rescinded or amended by NCDOL's Chief Financial Officer of the Financial Services Division.



Josh Dobson
Commissioner of Labor



Jennifer Stackpole
Chief Financial Officer

POLICY REVISION HISTORY

April 01, 2019 – Initial implementation of this policy. July 01, 2022 – Policy updated and released – significant changes to the P&C Procurement Manual. October 01, 2023 – Policy updated and released adjusting the P&C small purchase benchmark value to \$29,000. The NCDOL Procurement Policy and Procedure is being implemented to reflect agency-specific procurement policies and procedures that are based on existing P&C or DIT policies.



Procurement Policy and Procedure

Glossary

Useful Weblinks:

[NC E-Procurement@YourService](#)

[NC E-Procurement Sign on Page](#)

[NCDOL Waiver of Competition](#)

[NCDOL Chart of Accounts](#)

[E-Procurement Training](#)

[UNSPSC Commodity Code](#)

[P&C State Term Contracts](#)

[DIT State Term Contracts](#)

[P&C's Purchase and Contract's Purchasing Manual](#)

[DIT Services' Information Technology Procurement Manual](#)

[NC electronic Vendor Portal \(eVP\)](#)

[NCDOL Intranet – Procurement Section](#)

[NC General Statute Chapter 143](#)

[NC Administrative Code Title 1 Chapter 5](#)

[NC Administrative Code Title 6 Chapter 9](#)

[NC DOA On-line Training Materials](#)

Procurement Policy and Procedure

List of Commonly Used State Term Contracts (STC) with Weblinks

<u>STC #</u>	<u>STC Type</u>	<u>STC Description</u>
<u>#001A Correction Enterprises Products</u>	Mandatory	All State agencies must use Correction Enterprises first for products.
<u>#0002A Goods and Services from NPWCBSD</u>	Convenience	State agencies may purchase goods and services from a non-profit work center for the blind & severely disabled (NPWCBSD)
<u>#193A Drug Testing Products & Services</u>	Convenience	All drug testing and other products.
<u>#2711B – Maintenance, Repair & Operational Supplies</u>	Mandatory	Industrial Supplies and equipment
<u>#420A Furniture</u>	Mandatory	All State agencies must use Correction Enterprises first for products.
<u>#445A Tools & Diagnostic Equipment</u>	Convenience	Small hand and power tools not covered under #445B
<u>#445B Maintenance, Repair & Supplies</u>	Mandatory	Electrical lighting, industrial supplies and equipment, janitorial supplies, hand, and power tools, & safety supplies.
<u>#4617A Locks, Locking Devices & Accessories</u>	Mandatory	Various types of locks and Accessories.
<u>#465B Automated External Defibrillators</u>	Mandatory	External automatic, semi-automatic and manual defibrillators, including parts and accessories.
<u>#493A Laboratory Supplies & Equipment</u>	Mandatory	Laboratory equipment, supplies, general consumables (<i>PPE & janitorial supplies</i>), and educational supplies.
<u>#615A Office Supplies (HUB Vendor)</u>	Mandatory	All types of office supplies (<i>pens, toner, pencils, etc.</i>).
<u>#645A Office Paper</u>	Mandatory	Office paper, dual purpose paper, offset paper, etc.

Procurement Policy and Procedure

<u>STC #</u>	<u>STC Type</u>	<u>STC Description</u>
<u>#640A Napkins, Bathroom Tissue & Paper Towels</u>	Mandatory	All State agencies must use for napkins, bathroom tissue, paper towels and toilet seat covers.
<u>#785A Manikins, Accessories, Software & Services</u>	Mandatory	All types of manikins and accessories.
<u>#838A Security & Fire Protection Services</u>	Convenience	Fire and safety supplies for control systems, fire extinguishing systems, surveillance services and equipment.
<u>#880A Audio Visual & Photo Equipment & Supplies</u>	Mandatory	Various types of audio visual, photographic equipment and supplies and accessories.
<u>#958A Small Package Delivery Services</u>	Convenience	UPS & FedEx types of small package delivery.
<u>#961A Transcription Services</u>	Convenience	General, medical, and legal transcription services.
<u>#961C Translation & Interpretation Services</u>	Convenience	Translation and interpretation services for over-the-phone, on-site/in-person, American sign language, transcription, and written language services.
<u>#962B Document Destruction Services</u>	Convenience	Secure document shredding services done on-site and off-site for paper documents only.
<u>#204A Computers, Peripherals & Related Services</u>	Mandatory	Microcomputers, peripherals, and related IT services.
<u>#204D Printers & Multi-function Devices</u>	Mandatory	Purchase inkjet printers, laser/production printers, and digital multifunctional devices.
<u>#208H Microsoft Software Select Agreement</u>	Mandatory	Microsoft software products.
<u>#208S Commercial Software & IT Related Services</u>	Convenience	Purchase off-the-shelf copyrighted software and other IT related services.

Definitions

In addition to the definitions given by DIT and P&C, the following definitions are provided:

Addendum: Form used to make changes or corrections to a bid solicitation or answer vendor questions submitted prior to the closing date of the bid solicitation.

Agency Specific Term Contract: A term contract just for the Department of Labor.

Approver: Any NCDOL employee who is approving goods to meet the operational, services and/or educational needs of the bureau or office.

Approving Supervisor: Any NCDOL employee who is responsible for authorizing purchases made by the p-cardholder. The p-cardholder supervisor's signature must be reflected on original copies of receipts and the p-cardholder's monthly statement.

Best and Final Offer (BAFO): A formal document that is used to finalize negotiations with a vendor. Negotiations can be used in single source situations or with the best value trade-off method of procurement.

Best Value Procurement: The terminology used in NCGS §143-135.9 to identify the method required for purchasing information technology commodities and services.

Commodity: Any equipment, materials, or supplies, also referred to in this manual as “goods.”

Competition: The fair and open solicitation of offers from more than one source; the receipt of offers from more than one source. Competition must be reasonable and adequate for the amount of the expenditure and the specific requirement.

Consultant Contracts: Agreements covering work or tasks performed by independent contractors possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis, or advice in formulating or implementing improvements in programs or services. This includes, but is not limited to, the organization, planning, directing, control, evaluation and operation of a program, agency, or department.

Contractual Service: When an independent contractor performs services requiring specialized knowledge, experience, expertise, or similar capabilities for NCDOL. The services may include (by way of illustration, not limitation), maintenance of buildings or equipment, auditing, film production, employee training and food service, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services (in which case rules relating to consultant contracts shall be applicable).

Procurement Policy and Procedure

Delegations:

General Delegation for P&C: The authority granted by P&C to NDOL to handle purchases of \$50,000 or less.

General Delegation for DIT: The authority granted by DIT to NCDOL to handle purchases of \$25,000 or less.

Special Delegation: The authority granted by P&C or DIT to NCDOL to handle a specific or special purchase when the purchase price is over NCDOL's general delegation. (Examples include, but are not limited to, medical services, food, non-construction related repairs, etc.).

Direct Employment Contract: Where services are needed and provided by individuals by direct employment contracts with NCDOL. May include contractual or temporary employees and may be referred to at times as personal service(s) contracts if not hired through a temp agency.

Emergency: A situation which endanger lives, property, or the continuation of a vital program and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services (also refer to "pressing need" definition).

Historically Underutilized Business (HUB): Any one of the following minority-owned businesses: Black, Hispanic, Asian American, American Indian, Female, Disabled, or Disadvantaged.

Information Technology: Electronic data processing goods and services and telecommunications goods and services, microprocessors, software, information processing, office systems, any services related to the foregoing, and consulting or other services for design or redesign of information technology supporting business processes.

Installment Purchase: A contract in which NCDOL's established periodic payments are applied to fulfill the payment obligations for ownership of the commodity. Used when ownership of commodity at time of possession is intended.

Invitation for Bids (IFB): A formal solicitation document, used to seek competition for easily defined goods and simple services. This document or the RFP is required to be used for formal competitive procurements.

Lease: A contract conveying from one to another the use of a commodity for a designated period of time in return for established periodic payments. This does not contain an option, or an obligation, to purchase.

Lease-Purchase: A contract conveying from one to another the use of a commodity for a designated period of time in return for established periodic payments, with an option or obligation to purchase the commodity. Used when outright ownership is uncertain or when it is the intent to delay ownership.

Negotiation: The act of determining the terms of a purchase when all offers have been rejected, or when there is justification for waiving the competitive process, or when an emergency or pressing need arises.

Procurement Policy and Procedure

Offer: A bid, proposal or offer submitted in response to an Invitation for Bids, Request for Proposals, Negotiation, or Request for Quotes.

Offeror: Company, firm, corporation, partnership, individual, etc. submitting a response to a solicitation document or in response to a negotiation.

Open Market Bids: A one-time purchase of a commodity or service not covered by a term contract.

Personal Service: Services provided by a professional individual (person) on a temporary or occasional basis, including (by way of illustration, not limitation) those provided by a doctor, dentist, scientist, or performer of the fine arts and similar professions; the exemption applies only if the individual is using his/her professional skills to perform a professional task; a personal service may also be a consultant service, in which case consultant contracting procedures shall be followed.

Pressing Need: A need arising from unforeseen causes including, but not limited to, delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work, and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services (also refer to “emergency” definition).

Purchase: The solicitation of, and acceptance of, an offer to (1) provide a service, or (2) lease or rent a commodity, or (3) sell a commodity outright, or (4) sell a commodity through a lease-purchase or installment purchase contract.

Procurement: The process of acquiring goods or services.

Public Funds: All public funds irrespective of source, whether special, federal, local, gifts, bequests, receipts, fees, or State appropriated, used for the purchase, rental, lease, installment purchase and lease-purchase of commodities, printing and services handled under the provisions this manual. Exception to this requirement may be determined in the Grantor’s or Donor’s terms and conditions included in the grant or donation.

Real Property: Any property that is attached directly to land, as well as the land itself. Real property not only includes buildings and other structures, but also rights and interests. Real property can be either rental or residential.

Rental: A contract for the right to use a commodity or product for a period of time, with payments made at intervals over the period of use, and normally providing for short notice of cancellation.

Requirement: Features mandated by State Legislation; regulatory attributes that must adhere to a type of governance, such as HIPAA or FERPA; State policies and procedures, such as architecture and security; and certain technical specifications defined by the procuring agency. Requirements are considered non-negotiable.

Procurement Policy and Procedure

Requisitioner: Any NCDOL employee who is requesting goods to meet the operational, services and/or educational needs of the bureau or office.

Request for Information (RFI): The RFI is an informal document used to request information from vendors about products or services when an agency does not have enough information readily available to write an adequate solicitation document. The RFI should provide as much information as possible to define the type of information that is being sought. While information gathered from vendors' responses to the RFI may be used to enhance NCDOL's future procurement, the RFI should state that it is not a request for offer and that no award will result. Since the RFI is not a solicitation for procurement, the State's terms and conditions should not be included in the document.

Request for Proposals (RFP): A formal solicitation document typically used for seeking competition and obtaining offers for more complex services or a combination of goods and services used for formal competitive procurements.

Request for Quotes (RFQ): A informal solicitation document normally used for non-advertised competitive procurements.

Responsible Bidder: A vendor offeror who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability to assure good faith performance.

Responsive Bidder: A vendor who has submitted an offer which conforms in all material respects to the solicitation document.

Sealed Offer: An offer that remains unopened until the public opening time stated in the solicitation. Offers are typically submitted sealed in person to meet this requirement, but electronic submission is permitted if the purchasing agency has the capability to maintain the confidentiality of the offer until the scheduled public opening time.

Service Contract: Any agreement in which an independent contractor performs services requiring specialized knowledge, experience, expertise, or similar capabilities for a State entity for compensation involving an expenditure of public funds. The services may include (by way of illustration, not limitation) maintenance of buildings or equipment, auditing, film production, employee training and food services, provided that the service is not primarily for review, analysis or advice in formulating or implementing improvements in programs or services (in which case rules relating to consultants shall be applicable).

Short Term IT Staffing Contract: A task related contract used to provide short term augmentation on an hourly basis. Engagements are typically for six (6) months or less.

Single Source: When an item or service is available from only one source of supply.

Small Purchase: Acquiring a good or service for \$25,000 or less thru DIT and \$29,000 or less thru P&C.



Procurement Policy and Procedure

Sole Source: A procurement method utilized during the procurement process where one or more of the “waiver of competition” conditions as defined under 01 NCAC 05B.1401 and 09 NCAC 06B.0901 policies are met. This method requires justification documentation for the file.

Solicitation Document: A written Request for Quotes, Request for Proposals, Invitation for Bids, or a Request for Information.

Specification: The procuring agency’s identified technical requirements.

State Term Contract: A term contract for all agencies handled by P&C or DIT, unless exempted by statute, rule, or special term and condition specific to that contract. If designated as a convenience type contract, it is not mandatory to utilize.

Term Contract: A contract generally intended to cover all normal requirements for a commodity or service for a specified period of time based only on estimated quantities or needed services. A binding agreement between purchaser and seller to buy and sell certain commodities, printing, or services at certain prices and under stipulated terms and conditions.

Term Contract – Agency Specific: Agencies may handle agency specific term contracts for internal use if the expenditure over the term of the contract is under the benchmark or delegation, and the commodity, printing, or service is not covered by a State Term Contract.

Vendor: A dealer, distributor, merchant, or other seller providing goods or services for State entities. These goods or services may be for an organization’s own use or for the use of beneficiaries of the State agencies.

Watcher: An approver who can watch requisitions in the E-Procurement system. This option is available to supervisors/managers who delegate the approver function to a designee.



Procurement Policy and Procedure

WAIVER OF COMPETITION APPROVAL FORM

Requisition No.: _____

Requestors Summary of Purchasing Scenario (Use additional sheet if needed):

Source of Funding: _____

Received quotes from: _____

Request approval to: Issue a Purchase Order to: _____

WAIVER OF COMPETITION (Choose One or more):

- ☐ Cases where performance or price competition are not available;
- ☐ Where a needed product or service is available from only one source of supply;
- ☐ Where an emergency is indicated;
- ☐ Where competition has been solicited but no satisfactory offers received;
- ☐ Where standardization or compatibility is the overriding consideration;
- ☐ Where a donation predicates the source of supply;
- ☐ Where personal or professional services are required;
- ☐ Where a medical product or service, or prosthetic appliance is needed;
- ☐ Where a product or service is needed for the blind or severely disabled and there are overriding considerations for its use;
- ☐ Where additional products or services are needed to complete an ongoing job or task;
- ☐ Where products are bought for "over the counter" resale;
- ☐ Where a product or service is desired for educational, training, experimental, developmental or research work;
- ☐ Where equipment is already installed, connected and in service, and it is determined advantageous to purchase it;
- ☐ Where items are subject to rapid price fluctuation or immediate acceptance;
- ☐ Where there is evidence of resale price maintenance or other control of prices, lawful or unlawful, or collusion on the part of companies which thwarts normal competitive procedures;
- ☐ Where the amount of the purchase is too small to justify soliciting competition or where a purchase is being made and a satisfactory price is available from a previous contract;
- ☐ Where the requirement is for an authorized cooperative project with another governmental unit(s) or a charitable non-profit organization(s);
- ☐ Where a used item(s) is available on short notice and subject to prior sale.

History Note: Authority G.S. 143-53; 143-57; 143-60; Eff. February 1, 1976; Readopted Eff. February 27, 1979; Amended Eff. April 1, 1999; February 1, 1996.


NOTE: For waivers over \$10,000.00, approval is required by Purchase and Contract except when it is an **emergency purchase and time does not permit review or if it is for **DIT**.**

Purchasing Agent's Certification: I certify that the above described requisition or purchase order was transacted in accordance with NC General Statutes, the NC Administrative Code and the Agency Purchasing Manual.

 _____
Requestor's Signature


Date

Waiver Review and Verification

 _____
Purchasing Officer Signature

Date

Approval Required for Waivers Over \$5,000

 _____
CFO / Deputy Signature

Date



Procurement Policy and Procedure

QUALITY ACCEPTANCE INSPECTION REPORT

PURCHASE ORDER (PO) #: _____

VENDOR NAME: _____

DELIVERY SLIP / INVOICE #: _____

DATE ITEM(S) RECEIVED: _____

PO Line Item #	Item Description	Testing Method / Test Result Observation	Pass / Fail
Total Quantity Failed			

DESCRIPTION OF NONCONFORMANCE

RE-INSPECTION (if initial inspection failed):	
Date of Re-Inspection:	Re-Inspection: Pass <input type="checkbox"/> Fail <input type="checkbox"/>

- NC Government Agencies / Institutions / Community Colleges and Universities are to inspect and ensure that all equipment received, and projects completed meet all Federal, State and Local Health and Safety Requirements.
- All goods received must meet terms specified in State Term Contracts.
- Invoices are not paid until an inspection completed by the using agency receives a “pass inspection” result.

INDIVIDUAL	PRINTED NAME	SIGNATURE	DATE
Inspected by			
Re-Inspected by (if initial inspection failed)			

Send Report to the Department’s Purchasing Office at DOL.Purchasing@labor.nc.gov
or 1101 Mail Service Center, Raleigh, NC 27699-1101

Procurement Policy and Procedure



State of North Carolina
Department of Administration
Division of Purchase and Contract
1305 Mail Service Center
Raleigh, NC 27699-1305

COMPLAINT TO VENDOR FORM

Revised March 1, 2013

Date: _____

Notice to Vendor: This document is a formal complaint regarding your performance under the Contract identified below. You should take this complaint seriously and are directed to respond to the State agency or other entity that has made this complaint within 10 days, noting any additional information that is relevant, or disagreement with the information provided, and provide a plan of action to correct or otherwise resolve the issue or to ensure it does not reoccur.

<p><u>From</u></p> <p>Agency or Public School Unit _____</p> <p>Address _____</p> <p>City, State, and Zip Code _____</p> <p>By _____</p> <p>Title _____</p> <p>Phone Number _____</p>	<p><u>Subject</u></p> <p>Purchase Order Number _____ Dated _____</p> <p>(Attach Copy)</p> <p>Commodity Number _____</p> <p>Commodity _____</p> <p>Term Contract Number _____</p> <p>Bid/Quote Number _____</p>
<p><u>To (Vendor)</u></p> <p>Name: _____</p> <p>Address: _____</p> <p>City, State, And Zip Code: _____</p> <p>Phone Number: _____</p>	<p><u>To Vendor - Effect of Failure to Respond</u></p> <p>Copy the Division of Purchase and Contract on your response. If vendor fails to respond within the 10-day period, the State Purchasing Officer may take administrative action resulting in adverse consequences to vendor, including removal from an existing contract, a lower performance evaluation or disqualification of a pending or future bid/proposal, or debarment for up to one year. The State Purchasing Officer may also take administrative action if vendor fails to complete any action plan described in its response.</p>

☐

For Action

☐

Vendor Record Only

Describe the specific circumstances or conditions that are the subject of this complaint.

We have the following complaint:

Procurement Policy and Procedure

Contract Monitoring Checklist

It is the responsibility of each agency to ensure all contractual obligations are met and that contract monitoring is documented. This appendix serves as a tool to assist the agency during that process. Each contract is unique and the agency may add to this tool as required to meet its particular circumstance.

Item #	Contract Monitoring	Agency Documentation	Yes/No
1.	Contract: Contract number/ effective date/contractor name/purchase order number.	Contract #: _____ Contract Effective Date: _____ Contractor Name: _____ Contract Renewal Options? _____ Purchase Order #: _____	Yes / No
2.	Agency Contract Administrator: Name/ title/contact information of the person responsible for ensuring all contractual obligations are met.	Name: _____ Title: _____ Phone #: _____ E-mail: _____	
3.	Monitoring Procedures/Methodology: Written documented contract monitoring procedures/methodology.	Agency has a written contract monitoring procedures?	Yes/No
4.	Delivery: Delivery date specified in the contract/date of delivery.	Contract specified delivery date: _____ Date agency received item(s): _____ Full or Partial Delivery? _____ Delivery in Accordance with Contract? _____	Full/ Partial Yes/No
5.	Acceptance: Item(s) delivered were in accordance with contract specifications.	Items delivered were accepted (met contract specifications)? _____ Latent material defects? _____	Yes/No Yes/No
6.	Warranty: Item(s) warranted in accordance with contract.	Warranty work was required? _____ If so, warranty was performed in accordance with the contract? _____	Yes/No Yes/No
7.	Invoice: Invoice price mirrored purchase order price.	Invoice matched purchase order price? _____ If no, invoiced more or less than PO? _____	Yes/No More/Less
8.	Default of Contract: Was contractor held in default of contract and/or debarred.	Was the contractor held in default? _____ Was the contractor debarred? _____ Was a vendor complaint form provided to P&C? _____	Yes/No Yes/No Yes/No
Additional Agency Monitoring Requirements (example)			
9.	Reports: All reports required by the contract were provided timely/accurately/prescribed manner.	Contractor reports were provided by the required due date? _____ Contractor reports were accurate (when initially submitted)? _____ Contractor reports were in the prescribed manner? _____	Yes/No Yes/No Yes/No

Contract Monitoring performed by (print and sign): _____



Procurement Policy and Procedure

SCOPE OF WORK PROCUREMENT REQUEST

The preparation of suitable procurement specifications to clearly define technical scope of work requirements and prepare legally binding documents is a complex task that all State entities are required to complete in order to comply with NCGS §143-49(2) and §143-53. Writing a procurement specification for the commodity or service is the first step in finding vendors that provide these goods and services to meet NCDOL's needs. A procurement specification is a clear, concise, and accurate statement of the technical scope of work requirements to be satisfied by a product, material, or process. A descriptive procurement scope of work helps the NCDOL Purchasing Office determine a level of suitability and solicits competition from other vendors that can provide the good or service at the "best value" for NCDOL. To assist the NCDOL Purchasing Office in writing this scope of work, please answer the questions below which describe and outline the procurement information being requested.

What is being procured?

Is this a service or commodity?

Reason/need for good or service to be purchased:

Relevant background or product/service preferences:

Specifications: *The task(s), or commodity descriptions the Vendor must provide*

Delivery Timeline: *When needed?*

Contract Time Period (for Services):

Source of Funding for Contract:

Payment Frequency (check one): ☐ one-time ☐ weekly ☐ monthly ☐ quarterly ☐ annually

Requestor Contact Information:

Email:

Phone:

Supervisor Approval:

Date:

Send Request to the Department's Purchasing Office at DOL.Purchasing@labor.nc.gov
or 1101 Mail Service Center, Raleigh, NC 27699-1101



Procurement Policy and Procedure

NCDOL DIRECT PAY JUSTIFICATION TEMPLATE

MEMORANDUM

DATE:

TO: Jennifer Stackpole, CFO

FROM:

THRU:

SUBJECT: Direct Pay Justification

This memorandum serves as an approval letter to issue payment directly to the vendor on the attached invoice. Invoice # [REDACTED] from [REDACTED] in the amount of \$ [REDACTED] dated on [REDACTED] for the Bureau/Division of [REDACTED].

In accordance with North Carolina General Statute §143-58.1 and the NCDOL Procurement Policy, any purchases above the \$200 agency threshold, listed on State Term Contract, or that did not utilize the E-Procurement system shall require a brief justification memo that fully explains what occurred for audit purposes. The below justification explains why procurement rules were not adhered to which allowed procurement policy to be circumvented; and the corrective action that has been taken to mitigate against future occurrences. The direct pay justification is as follows:

[REDACTED]

Supervisor/Manager Approval

Date

Bureau/Division Chief Approval

Date

Chief Financial Officer Approval

Date



Procurement Policy and Procedure

DOL E-Procurement New User Form

E-Procurement New User Request Type

Requisitioner [] Approver [] Inquiry Only [] Watcher [|]

Management Level (Select One): ___0___5,000___10,000___25,000___Unlimited (9999999)

Bureau/Office Name _____ Date: _____

User's Name _____ Email Address _____

Job Title _____ NCID User Login Name _____

E-Procurement Approver _____ NCID User Login Name _____

Ship to Address _____ Ship to Code _____

City _____ State _____ Zip _____ Phone _____

Comments/Notes on Request:

X _____
(Employee Printed Name) (Employee Signature & Date)

X _____
(Supervisor Printed Name) (Supervisor Signature & Date)

X _____
(Manager Printed Name) (Manager Signature & Date)

X _____
(DOL Purchasing Officer Printed Name) (DOL Purchasing Officer Signature & Date)

**Send Request to the Department's Purchasing Officer at DOL.Purchasing@labor.nc.gov
or 1101 Mail Service Center, Raleigh, NC 27699-1101**



Procurement Policy and Procedure

DOL E-Procurement User Maintenance Form

Change in Location or Job Duties:

Bureau/Office Name _____ Date: _____

User's Name _____ Email Address _____

Job Title _____ NCID User Login Name _____

E-Procurement Approver _____ NCID User Login Name _____

Ship to Address _____ Ship to Code _____

City _____ State _____ Zip _____ Phone _____

Comments - Describe the Change in Location or Job Duties:

Reason for Deleting User: ☐ Transfer to another Agency ☐ Resigned ☐ Other

User Name: _____ NCID User Login Name: _____

Email Address: _____ Bureau/Office Name: _____

If the user will no longer need access to NC E-Procurement, before the employee leaves please have the user log into NC E-Procurement and ensure that all outstanding issues have been resolved. A user can only be deleted when all requisitions/purchase orders are complete. This means all requisitions created by this user must be either 'Received,' 'Canceled,' or in 'Ordered' status with a Quantity of '0' for all line items.

Have All Requisitions and Purchase Orders Been Resolved? ☐ YES ☐ NO

X _____
(Employee Printed Name) (Employee Signature & Date)

X _____
(Supervisor Printed Name) (Supervisor Signature & Date)

X _____
(Manager Printed Name) (Manager Signature & Date)

X _____
(DOL Purchasing Officer Printed Name) (DOL Purchasing Officer Signature & Date)

Send Request to the Department's Purchasing Officer at DOL.Purchasing@labor.nc.gov
or 1101 Mail Service Center, Raleigh, NC 27699-1101



Procurement Policy and Procedure

AGREEMENT FOR PERSONAL SERVICES

STATE OF NORTH CAROLINA COUNTY OF WAKE

This AGREEMENT is made and entered into by and between _____ (hereinafter "Contractor") and the North Carolina Department of Labor, _____ Division (hereinafter "NC Department of Labor" or "NCDOL").

WITNESSETH

WHEREAS, the NC Department of Labor desires to enter into an agreement with the Contractor to provide services as a _____ for _____; and

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, the Contractor and NCDOL hereby agree as follows:

1. **Services Rendered:**

The Contractor has special knowledge and/or skills and will provide _____ services for the NCDOL, as needed to facilitate and _____, in accordance with [statutes/rules/procedures]. Contractor hereby agrees to be available to _____ at least _____ (#) days each month, to the extent that _____. Contractor further agrees to complete _____ within thirty (30) days of the _____. The Contractor, in cooperation with NCDOL, shall within the time and fund constraints provided herein, perform in a satisfactory manner, as determined by NCDOL.

2. **Term:**

The services of the Contractor are to commence on [DATE] and shall be undertaken and completed in such sequence as to assure their expeditious completion in light of the purposes of this Agreement. This Agreement shall end on {DATE} or automatically renew on [DATE], and then on the 30th day of _____ each fiscal year thereafter, unless the parties terminate the Agreement in compliance with paragraph 3 below.

3. **Termination of Agreement:**

The NCDOL reserves the right, in its own discretion, to terminate this Agreement for any good or adequate reason as set forth in N.C. Gen. Stat. §95-135(c). The NCDOL is entitled to immediately terminate this Agreement upon the violation of any of its terms without penalty. Either party shall have the right to terminate this Agreement upon fifteen (15) days' written notice to the other party. Upon such termination, the NCDOL is not obligated to make any further payment to the Contractor, other than those amounts already earned by the Contractor under this Agreement.

4. **Payment:**

The NCDOL hereby agrees to pay the Contractor:

- 1) [monetary amount] dollars (\$#) per hour for time directly related to services rendered pursuant to this Agreement, during the term of this Agreement;
- 2) automobile travel expenses at the then current approved state rate per OSBM Policy;
- 3) pre-approved commercial travel at the then current approved state rate per OSBM Policy, for which a receipt must be furnished;
- 4) any reasonably necessary expenses for lodging and meals at the then current approved state rate per OSBM Policy, said sums to be full and complete compensation to the Contractor for services to be rendered under this Agreement; and
- 5) Prior to the NCDOL becoming obligated to pay the Contractor any sums under this Agreement, the NCDOL must receive an invoice sufficiently describing the services rendered.

Procurement Policy and Procedure

AGREEMENT FOR PERSONAL SERVICES

5. **Availability of Funds:**

The parties to this Agreement agree and understand that the payment of the sums specified in this Agreement is dependent and contingent upon and subject to the appropriation, allocation, and availability of funds for this purpose.

6. **Employment Relationship:**

The Contractor acknowledges that she/he is an independent contractor and not an employee of the NCDOL. No party is an agent, joint venture, partner, or employee of the other party. The Contractor assumes full responsibility for, and agrees to pay, all applicable state and federal taxes, insurance coverages, and other charges incident to her/his own employees, and further agrees that she/he is not entitled to worker's compensation or unemployment benefits from NCDOL and agrees not to apply for such benefits due to services provided pursuant to this Agreement.

7. **Confidential Information:**

The NCDOL and the Contractor agree to abide by all applicable statutes and regulations regarding confidential information.

8. **Personnel:**

The Contractor shall not substitute key personnel assigned to the performance of this Agreement without prior approval from the NCDOL. For the purposes of this Agreement, [INSERT CONTRACTOR'S NAME] is considered "key personnel."

9. **Conflicts of Interest:**

The Contractor expressly states that she/he presently has no interest in and shall not acquire any interest in the matters, either direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. In the event a personal or business relationship presenting a conflict of interest should arise or become apparent, the Contractor agrees to recuse herself/himself as appropriate.

10. **Access to Records:**

The records as they relate to this Agreement shall be accessible to the North Carolina State Auditor's Office in accordance with N.C. Gen. Stat. §147-64.7 and to any other State or Federal entity authorized to conduct audits with respect to activity performed pursuant to this Agreement.

11. **Governing Law:**

This Agreement shall be governed by and construed under the laws of the State of North Carolina. The Superior Court of Wake County, and if the jurisdictional prerequisites exist at the time, the United States District Court for the Eastern District of North Carolina, shall have sole and exclusive jurisdiction to hear and determine any dispute or controversy arising under or concerning this Agreement.

12. **Entire Agreement:**

This Agreement constitutes the entire agreement and understanding of the parties and supersedes any prior agreements between the Contractor and the NCDOL, oral or written. No waiver or modification of any provision of this Agreement will be valid unless in writing and signed by all parties. The waiver of any breach or default of any provision of this Agreement will not be deemed a waiver of any subsequent breach or default. If any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions will not be affected.



Procurement Policy and Procedure

AGREEMENT FOR PERSONAL SERVICES

IN WITNESS WHEREOF, the NCDOL and the Contractor have executed this Agreement in duplicate originals, one of which is retained by each of the parties. This Agreement shall become effective upon its full execution by both parties.

**FOR THE NORTH CAROLINA
DEPARTMENT OF LABOR:**

Signature

Name

Title

1101 Mail Service Center
Raleigh, NC 27699-1101
919-_____

FOR [INSERT NAME]:

Signature

Name

SSN #

[Insert Address & Phone number]



**EXECUTIVE ORDER NO. 24
REGARDING GIFTS TO STATE EMPLOYEES**

WHEREAS, those in State government who do the work of the public must continuously ensure that their actions reflect the ethical standards that are essential to maintaining the public's trust; and

WHEREAS, N.C. Gen. Stat. 133-32 makes it unlawful for a State employee to willfully receive or accept any gift or favor from a contractor, subcontractor, or supplier of the State agency if the State employee is involved in (1) preparing plans, specifications, or estimates for public contracts; (2) awarding or administering public contracts; or (3) inspecting or supervising construction; and

WHEREAS, N.C. Gen. Stat. 133-32 applies to a limited group of State employees; and

WHEREAS, no State employee should be permitted to accept gifts or favors from contractors working or seeking to work with the employee's agency; and

WHEREAS, as State employees continue to work to provide excellent service to the State, it is imperative that they understand the legal restrictions to accepting gifts and favors and the consequences for such actions.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED**:

1. North Carolina General Statute 133-32 shall apply to all employees in the Cabinet agencies and the Office of the Governor.
2. Within the next 30 days, the secretary of each executive branch agency shall do the following:
 - a. Review this Executive Order with the employees in their respective agency and inform all employees that violation of this Order may subject the employees to disciplinary action.

Procurement Policy and Procedure

- b. Review N.C. Gen. Stat. 133-32 with all employees in their respective agency and inform all employees that violation of N.C. Gen. Stat. 133-32 is a Class 1 misdemeanor and may subject the employees to disciplinary action.
 - c. Review with all employees in their respective agency any additional policies or rules that the agency may have regarding the acceptance of gifts, meals, or favors by employees in the agency.
 - d. Distribute this Executive Order, N.C. Gen. Stat. 133-32, and any relevant agency policies to all employees in the agency and require employees to certify, in writing, that they have received a copy of and are responsible for complying with this Executive Order, N.C. Gen. Stat. 133-32, and any internal policies.
 - e. As a part of new employee orientation for their respective agency and in conjunction with the Office of State Personnel, establish a process to provide a copy of all documents specified in Section 2d above to new employees and require new employees to certify, in writing, that they have received a copy of and are responsible for complying with the provisions of this Executive Order, N.C. Gen. Stat. 133-32, and any internal policies.
 - f. Provide a report to the Governor's Ethics Officer concerning compliance with the directives of this Executive Order and any recommendations for changes to policies or state law regarding acceptance of gifts by State employees.
3. The Office of State Personnel shall assist the secretaries of the executive agencies to ensure that the documents specified in Section 2d above are provided to employees through the new employee orientation process and that new employees certify that they have received a copy of such documents as provided in Section 2e above.
4. The State Ethics Commission shall discuss this Executive Order and N.C. Gen. Stat. 133-32 in their training for State employees who are covered by the Ethics Act.
5. The Department of Administration shall include a provision regarding this Executive Order and N.C. Gen. Stat. 133-32 in all new RFPs, the North Carolina General Contract Terms and Conditions, and all other contracts under the authority of the Department of Administration, the Department of Transportation, the Office of Information Technology Services, and all other cabinet agencies to inform contractors of the requirements of this Order and the statute. The department shall also notify current contractors regarding the provisions of this Order and N.C. Gen. Stat. 133-32.
6. The Board of Governors of the University of North Carolina System, the State Board of Community Colleges, and each head of the Council of State agencies are encouraged and invited to participate in this Executive Order.

Procurement Policy and Procedure

This Executive Order shall be effective immediately and shall remain in effect until rescinded. This Executive Order shall supplement, but shall not supersede, existing agency policies regarding the acceptance of gifts and favors by agency employees.

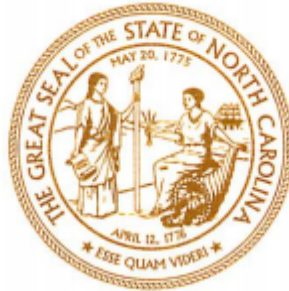
IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this first day of October in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-fourth.




Beverly Eaves Perdue
Governor

ATTEST:


Elaine F. Marshall
Secretary of State



State of North Carolina

ROY COOPER
GOVERNOR

November 2, 2017

EXECUTIVE ORDER NO. 25

Governor's Advisory Council on Historically Underutilized Businesses

WHEREAS, it is vital that all North Carolinians have an opportunity to contribute economically by participating in business opportunities existing in government; and

WHEREAS, the utilization of historically underutilized businesses ("HUBs") is critical to creating a vibrant, sustainable, and diverse business community in the State of North Carolina; and

WHEREAS, the state's commitment to HUBs is an important component of ongoing efforts to create jobs and expand economic opportunity; and

WHEREAS, the North Carolina Department of Administration's Office of Historically Underutilized Businesses ("HUB Office"), and the North Carolina Department of Transportation's Office of Civil Rights ("DOT Civil Rights Office" or "Civil Rights Office") strive to support the HUB program and HUBs; and

WHEREAS, pursuant to N.C. Gen. Stat. §§143-48, 128.4, state agencies are authorized to provide contracting opportunities to HUBs; and

WHEREAS, each executive branch agency should increase the total amount of goods and services it acquires from HUBs, whether the HUBs are prime contractors or more remote subcontractors; and

WHEREAS, it is expected that each agency will endeavor to obtain ten percent (10%) of the State's purchases of goods and services, as measured in dollars, from HUBs; and

WHEREAS, it is expected that this goal of obtaining ten percent (10%) of the State's purchases from HUBs shall be adjusted in line with any disparity study findings as recommended by the HUB Office and the Civil Rights Office; and

Procurement Policy and Procedure

WHEREAS, a coordinated effort is necessary to eliminate any barriers impeding equal opportunity for HUBs doing business with the State.

NOW THEREFORE, by the authority vested in me as the Governor of the State of North Carolina, and by the laws and the Constitution of the State of North Carolina, **IT IS ORDERED**:

Section I. Creation of the Governor's Advisory Council on Historically Underutilized Businesses

There is established an Advisory Council on HUBs ("the Governor's Advisory Council"), which shall provide support and guidance to the Secretary of the Department of Administration and to the HUB Office on matters specific to the furtherance of the objectives of this Executive Order.

Section II. Membership and Terms on the Governor's Advisory Council

1. The Governor's Advisory Council shall consist of the following members, all of whom will be appointed by the Governor:
 - a. Liaison from the Governor's Office;
 - b. The State Purchasing Officer;
 - c. The Director of the State Construction Office;
 - d. The Executive Director of the North Carolina Council for Women;
 - e. The Executive Director of the North Carolina State Commission of Indian Affairs;
 - f. A Member of the North Carolina Board of Transportation;
 - g. A Senior Level Administrator from the University of North Carolina or the North Carolina Community College System;
 - h. Nine HUB owners, all of whom shall be members of one or more of the groups identified in N.C. Gen. Stat. § 143-128.4(b);
 - i. Two representatives from a non-profit organization possessing knowledge of, and expertise in, HUBs; and
 - j. Two representatives, both of whom have one of the following positions at a large, non-HUB business entity (i) executive officer, (ii) financial officer, (iii) purchasing officer, or (iv) supplier diversity chief.
2. Each appointee selected under Section II.1.a, f - j shall serve for a two (2) year term. The remaining appointees shall serve at the pleasure of the Governor.
3. Vacancies shall be filled by the Governor for the remainder of the unexpired term.
4. Members appointed to fill unexpired terms shall serve for the remainder of that term.

Section III. Goods and Services

1. It is the State's priority to promote the recruitment and utilization of HUBs by providing them access to purchasing and contracting opportunities.

Procurement Policy and Procedure

2. In an effort to improve HUB participation at the outset of the procurement process, I hereby direct all participating agencies under the jurisdiction of the Office of the Governor to work with the HUB Office as part of the Development Team of Solicitations prior to awarding bids on all statewide master contracts or procurements.
3. For HUBs interested in contracting with the State, the HUB Office website shall include forecasting reports on state contracts. These reports shall aid HUBs in identifying which agencies buy what the HUBs sell, and at what frequency. These reports shall also provide HUBs with enough time to effectively compete for state contracting opportunities.
4. The North Carolina Division of Purchase and Contracts (“State Purchase and Contracts”) shall work with the HUB Office to create standard inclusion language that supports utilization of HUBs on all contracts as prime contractors or second tier contractors.
5. State Purchase and Contracts, along with cabinet agencies, shall work with the HUB Office as part of the Review and Selection Team to select vendors, including term contract vendors.
6. State Purchase and Contracts shall work with the HUB Office to track the spending of (i) agencies under the jurisdiction of the Office of the Governor and (ii) vendors in meeting the HUB utilization goal on state contracts.

Section IV. Construction and Design Services

1. The State Construction Office, along with cabinet agencies managing projects subject to State Building Commission approval, shall work with the HUB Office to review the agencies’ “good faith efforts” of identifying HUBs that may provide proposals or qualifications in response to formal bid notices for services, including construction services and designer related services.
2. Cabinet agencies shall provide the HUB Office with the following information no later than thirty (30) days prior to solicitations:
 - a. Project description and location; and
 - b. The date, time, and location of the pre-bid conference; and
 - c. The date, time, and, where relevant, location of a bid date or proposal deadline.
3. If an agency under the jurisdiction of the Office of the Governor does not have a HUB coordinator, the HUB Office shall serve on the Review Team of all formal construction and designer selections.
 - a. If an agency lacks a HUB coordinator, the HUB Office shall review and approve the “good faith efforts” of a contractor.
 - b. The HUB Office shall provide compliance oversight for the duration of the formal project.

Procurement Policy and Procedure

Section V. Additional Measures

1. Within the next thirty (30) days, each agency under the jurisdiction of the Office of the Governor shall develop a HUB Plan that will be used as a guide to help the agency to achieve the required HUB participation within its business activities, including construction, goods, and services.
2. The North Carolina Department of Public Safety Emergency Management and the North Carolina Department of Commerce shall work with the HUB Office as part of the Disaster Relief Recovery Efforts to provide opportunities to HUBs when awarding contracts for construction, goods, and services.

Section VI. Miscellaneous

1. This Executive Order does not conflict with or abrogate existing state law.
2. All other Executive Orders or portions of Executive Orders inconsistent with this Executive Order are hereby rescinded.
3. This Executive Order shall be effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 2nd day of November in the year of our Lord two thousand and seventeen.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State





EXECUTIVE ORDER NO. 50

**ENHANCED PURCHASING OPPORTUNITIES
FOR NORTH CAROLINA BUSINESSES**

WHEREAS, North Carolina is currently experiencing an unprecedented rate of unemployment; and

WHEREAS, North Carolina citizens continue to manufacture and produce some of the world's best and most economical products; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143-59, the General Assembly has empowered the Secretary of Administration and appropriate state agencies to give preference as far as may be practicable to North Carolina products provided there is no sacrifice or loss in price or quality; and

WHEREAS, with the exception of furniture, the State of North Carolina does not currently employ any strategic efforts to purchase goods or equipment from North Carolina companies; and

WHEREAS, leveraging the buying power of the State of North Carolina could provide an immediate economic benefit to North Carolina citizens and companies during these difficult economic times and should be regarded as a business objective that is advantageous to the State in its procurement efforts.

NOW, THEREFORE, by authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

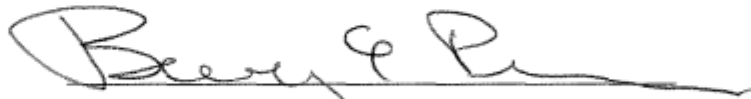
1. I hereby instruct the Secretary of Administration to examine the State's procurement laws and policies and identify and implement lawful and appropriate policies to use the buying

Procurement Policy and Procedure

power of the State of North Carolina to encourage North Carolina companies to do the following: (a) do business with the State of North Carolina; (b) stimulate economic development; and (c) most importantly, create jobs in North Carolina.

2. I particularly direct the Secretary of Administration, through the authority given to him by the General Assembly pursuant to N.C. Gen. Stat. § 143-59, to develop a price-matching preference for North Carolina resident bidders on contracts for the purchase of goods so that qualified North Carolina companies whose price is within five percent (5%) or \$10,000.00 of the lowest bid, whichever is less, may be awarded contracts with the State of North Carolina.
3. The Secretary of Administration shall take all appropriate steps to implement the terms of this Executive Order, consistent with the terms of N.C. Gen. Stat. § 143-59, and apply them to invitations for bids from the State of North Carolina by no later than March 1, 2010.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this seventeenth day of February in the year of our Lord two thousand and ten, and of the Independence of the United States of America the two hundred and thirty-fourth.



Beverly Eaves Perdue
Governor

ATTEST:



Elaine F. Marshall
Secretary of State