NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Dr. R. Scott Ralls, President

REPLY TO:
Q. Shanté Martin, *General Counsel*
PHONE: 919-807-6961
FAX: 919-807-7171
EMAIL: martins@nccommunitycolleges.edu

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IMPORTANT ADMINISTRATIVE CODE INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents and Boards of Trustees Chairs
NC Community College System Office Staff
Other Interested Parties

FROM: Q. Shanté Martin
General Counsel

SUBJECT: **Change in the Administrative Code**

The State Board of Community Colleges has completed the amendment process for the following rule, which was effective beginning May 1, 2010:

23 N.C.A.C. 02C .0505 entitled "Noncertified Source Purchases."

The State Board of Community Colleges adopted the amendment in 23 N.C.A.C. 02C .0505 "Noncertified Source Purchases" to comply with House Bill 490 / Session Law 2009-132.

For your convenience, a copy of the rule is attached to this memorandum. Please be sure to share this change in the Administrative Code with all those affected. If there are questions, please do not hesitate to ask.

CC10 – 017
E-mail Copy

QSM/caa
Attachment

23 NCAC 02C .0505 NONCERTIFIED SOURCE PURCHASES

(a) Community colleges ~~and the Center for Applied Textile Technology~~ may purchase the same or substantially similar supplies, equipment, and materials from noncertified sources as provided in G.S. ~~115D-58.5(b).~~115D-58.5(b) and G.S. 115D-58.14. "Substantially similar" is defined as having comparable, but not identical characteristics in terms of quality, service and performance as items available under State term contracts.

(b) Each college ~~or center~~ shall submit to the ~~Department~~ System Office ~~a~~ an ~~semi-annual~~ annual report showing the number of purchases made from noncertified sources for supplies, equipment, or materials; the amount of funds expended for each purchase; and the amount of funds that would have been expended under state contract. When exercising the purchasing authority granted by G.S. 115D-58.14, each college shall also document the use of this authority on the purchase order.

(c) The ~~Department~~ System Office shall monitor the use of noncertified source purchases and shall make an annual report to the State Board. The report shall include the number of noncertified source purchases made by the colleges ~~and the Center for Applied Textile Technology~~ and the amount of funds expended.

History Note: *Authority G.S. 115D-5; ~~115-20;~~ 115D-20;115D-58.14; S.L. 2009-132;*
Temporary Adoption Eff. October 21, 1998;
Temporary Adoption Expired August 13, 1999;
Eff. ~~August 1, 2000.~~August 1, 2000;
Amended Eff. May 1, 2010.