

SECTION .1300 - EXEMPTIONS, EMERGENCIES, AND SPECIAL DELEGATIONS

09 NCAC 06B .1301 EXEMPTIONS

(a) The following are exemptions to the State CIO review and approval for purchases that exceed an agency's delegated authority.

- (1) Services provided by individuals through direct employment contracts with the state;
- (2) Non-severable services that are merely incidental to the purchase of supplies, materials, or equipment such as installation services;
- (3) Personal services provided by a professional individual (person) on a temporary or occasional basis;
- (4) Services provided directly by an agency of the state, federal or local government, or their employees when performing the service as part of their normal governmental function; and
- (5) Information technology subscriptions for printed materials or online technology information news services. Such services do not include software, or software services, licensed by subscription or delivered online.

(b) In addition to products and services noted in Paragraph (a) of this Rule, the State CIO may exempt other products and services from purchase through the State CIO provided that the State CIO determines no price or quality advantage would be gained by handling a particular acquisition through the State CIO.

(c) As used in this Rule, direct employment contract means an agreement for services under Paragraph (a) made by the person and an agency of the State.

*History Note: Authority G.S. 147-33.95(f);
Temporary Adoption Eff. January 1, 2000;
Eff. August 1, 2000;
Recodified from 09 NCAC 06B .1101 Eff. March 19, 2008;
Amended Eff. September 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.*