

10A NCAC 97B .1004 PROCUREMENT CONTRACTS OF GRANT RECIPIENTS

(a) The grant recipient shall include provisions to define a sound and complete agreement in all contracts which it awards when the costs are to be borne as a direct charge in whole or in part by funds awarded by the Office.

(b) In awarding such contracts, the grant recipient shall comply with the following requirements, if applicable to the type of contract:

- (1) The contract shall contain provisions or contain conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.
- (2) All contracts in excess of two thousand five hundred dollars (\$2,500) shall have suitable provisions for termination by the recipient, including the basis for settlement. In addition, such contracts shall set forth the conditions under which the contract may be terminated for default, as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.
- (3) All contracts [except those of two thousand five hundred dollars (\$2,500) or less] shall include provisions giving access to, and requiring retention of, the contractor's records relating to the contract.
- (4) All contracts shall contain provisions for compliance with civil rights and affirmative action provisions of this Subchapter.

*History Note: Authority G.S. 143B-10; 143B-276; 143B-277; 143B-323(d);
Eff. December 1, 1983;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.*