

**19A NCAC 02E .0702 SOLICITATION AND AWARD OF CONTRACT**

(a) The Department shall maintain a "Directory of Transportation Firms" that have the necessary expertise and experience, and have expressed a desire to perform in professional engineering or other kinds of professional or specialized services for the Department in connection with transportation construction or repair. Prequalification pursuant to Rule .0703 of this Section shall be required for inclusion on the Directory or award of a contract under this Section.

(b) Upon authorization by the Secretary of Transportation for the DOT staff to use a professional or specialized firm, a Selection Committee shall be established by the branch manager consisting of at least three members from the DOT staff who are experienced in the type of services to be contracted. For contracts anticipated to exceed fifty thousand dollars \$50,000, solicitation for proposals shall be by published advertisement. In addition, solicitation for interest may be by direct mail to all firms prequalified for the type of services to be contracted and selected from the Directory.

(c) The firm(s) to be employed shall be selected for each project by the Selection Committee.

(d) For contracts having a total cost over fifty thousand dollars (\$50,000) and for supplemental agreements award shall be made by the Secretary of Transportation.

(e) Supplemental agreements that increase a cost of a project to more than fifty thousand dollars (\$50,000) shall be approved by the Secretary.

(f) In an emergency situation, these Rules may be waived by the Secretary of Transportation or the Secretary's designee pursuant to G.S. 136-28.1(e). A qualified firm may be selected, negotiations conducted, and a contract executed by the Secretary of Transportation or the Secretary's designee as required to resolve the emergency conditions.

*History Note: Authority G.S. 136-28.1(e) and (f); 143B-350(f) and (g);  
Temporary Rule Eff. June 11, 1982 for a Period of 51 Days to Expire on August 1, 1982;  
Eff. August 1, 1982;  
Amended Eff. October 1, 2014; December 1, 2012; December 29, 1993; October 1, 1991; April 1,  
1986; February 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September  
6, 2016.*