

**01 NCAC 05B .0314 SOLICITATION DOCUMENTS**

(a) In this Rule, the Division establishes standard Solicitation Documents for use in Contracts with the State. A Purchasing Agency shall use Division Solicitation Documents for purchases over the Small Purchase Benchmark.

(b) Division Solicitation Documents shall act as templates for the Purchasing Agency, including provisions for:

- (1) Purchasing Agency contract lead name, contact information, Solicitation identifying information, and commodity codes;
- (2) Purpose and background information such as:
  - (A) a description of the requested Goods or Services;
  - (B) a description of the Purchasing Agency's needs; and
  - (C) the intent of the solicitation;
- (3) Contract Term information, including any Renewal period;
- (4) General information regarding the Solicitation and bid process including:
  - (A) date and time when the bids will be opened;
  - (B) instruction as to how and when the Vendor is to respond to the Solicitation;
  - (C) the intended schedule of events and responsibilities of the Solicitation;
  - (D) instructions for submitting written questions to the Purchasing Agency;
  - (E) a list of content that should be included in the Vendor's response; and
  - (F) instructions on how to submit an alternate bid, if permitted;
- (5) The method of award and bid evaluation process including:
  - (A) the number, type, and structure of the intended award;
  - (B) description of the evaluation criteria; and
  - (C) notice of the State's option to negotiate in accordance with 01 NCAC 05B .0503;
- (6) The terms of the Vendor's performance, including:
  - (A) the terms of pricing, invoicing, and methods of delivery of the requested Goods or Services;
  - (B) the scope of work required by the Solicitation;
  - (C) Specifications for the required Good or Service;
  - (D) licensing requirements, as applicable;
  - (E) statement of warranty or maintenance option; and
  - (F) instructions for submitting samples, demonstrations, or descriptive literature;
- (7) Requirements and instructions for submitting references;
- (8) Notice of confidentiality and prohibited communications;
- (9) Contract administration requirements including:
  - (A) post award contract management meetings and periodic status reports schedule;
  - (B) provisions for the review of the Vendor's performance as stated in Subparagraph (6) of this Paragraph; and
  - (C) dispute resolution.
- (10) Terms and conditions approved by the Division pursuant to 01 NCAC 05B .0318.

(c) The Purchasing Agency may add or remove provisions as required for certain Solicitations, such as those with unique, complex, or highly technical Specifications.

*History Note: Authority G.S. 143-49; 143-52(a); 143-53;  
Eff. February 1, 1996;  
Amended Eff. April 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016;  
Amended Eff. March 1, 2022.*