

01 NCAC 05B .0316 ADVERTISEMENT REQUIREMENTS

(a) Unless otherwise directed by statute or excepted pursuant to Paragraph (d) of this Rule, all advertisements required by Rule .0301 of this Section shall be posted through the Division's Electronic Bid System for at least 10 calendar days, unless a memo requesting a waiver is received by the Division and approved by the SPO in accordance with the Rule .1401 of the Section. The Purchasing Agency may also solicit bids via direct mailings or additional advertisement so long as the requirements of this Paragraph are met.

(b) The required data to be advertised shall include the complete Solicitation document with agency name, buyer name, phone number and address for accessing hard copies of the Solicitation, solicitation identification number, title, description of the commodity, service or printing requirement, and the opening date, time and place.

(c) Within three working days from the award of a contract that has been advertised through the Division's Electronic Bid System, Purchasing Agencies shall transmit an award notice to the Division's Electronic Bid System. The award notice shall be posted for at least 30 consecutive calendar days. This award notice shall identify the contract and award information.

(d) Exceptions to this Rule are as follows:

- (1) If the Purchasing Agency is unable to transmit the advertisement or award notice electronically, that agency may submit the data to the Division to transmit electronically, or the agency may place the advertisement (excluding the complete Solicitation document) via newspaper. If advertised via newspaper, the agency shall be responsible for placing the advertisement and no award notice shall be required.
- (2) If a Purchasing Agency is unable to electronically transmit an attachment to the Solicitation, the Purchasing Agency shall include instructions to obtain the attachment in the advertisement.
- (3) If a Purchasing Agency is unable to electronically transmit a Solicitation, the Purchasing Agency shall electronically transmit a summary notice that provides interested Vendors with instructions to obtain a copy of the Solicitation.
- (4) Reasons a Purchasing Agency may be unable to electronically transmit the documents listed in this Paragraph include computer equipment failure, networking difficulties, or insufficient copies of samples for a printing job.

*History Note: Authority G.S. 143-52; 143-53;
Temporary Adoption Eff. February 15, 1998;
Eff. April 1, 1999;
Readopted Eff. October 1, 2019.*