

Bidding Laws and Local Policies: Purchase Contracts

("G.S." stands for the North Carolina General Statutes. Refer to the statutes for explanations, details, and exceptions.)

Contract amount:	\$0	\$30,000	\$90,000
Advertisement (G.S. 143-129)	G.S. – no ads required <i>Local policies may require specific method/timing of ad</i>		G.S. – newspaper or electronic ads (electronic only requires board approval) for full 7 days before bid opening <i>Local policies may require extra time / locations for ads</i>
Minimum # of bids (G.S. 143-132)	G.S. – no minimum <i>Local policies may require a minimum</i>		
Form of bids (G.S. 143-129, 143-131)	G.S. – no specific form required (email, phone, fax, mail all acceptable) <i>Local policies may require a specific form</i>		G.S. – bids must be sealed <i>Local policies <u>must</u> comply with G.S.</i>
Record of bids (G.S. 143-131)	G.S. – not required <i>Local policies may require a record</i>	G.S. – must keep a record of all bids received <i>Local policies <u>must</u> comply with G.S.</i>	G.S. – because bids are public, no separate record is required <i>Local policies <u>must</u> comply with G.S.</i>
Bid opening (G.S. 143-129, 143-129.9, 143-131)	G.S. – public bid opening not required <i>Local policies may require public bid opening</i>		G.S. – public bid opening required, but may use reverse auction or electronic bidding instead <i>Local policies <u>must</u> comply with G.S.</i>
Bid bonds (G.S. 143-129)	G.S. – bonds not required <i>Local policies may require bonds</i>		
Performance/payment bonds (G.S. 44A-26, 143-129)	G.S. – bonds not required <i>Local policies may require bonds</i>		
HUB participation goals (G.S. 143-128.2, 143-131)	G.S. – not required <i>Local policies may require good faith efforts/goals – check with your attorney</i>		
Board approval (G.S. 143-129, 143-131)	G.S. – not required <i>Local policies may require board approval</i>		
Standard of award (G.S. 143-129, 143-131)	G.S. – no standard given <i>Local policies may require a specific standard</i>	G.S. – award to lowest responsive, responsible bidder <i>Local policies <u>must</u> comply with G.S.</i>	
Public records (G.S. 132-1, 132-6, 143-131)	G.S. – bids become public record when received <i>Local policies <u>must</u> comply with G.S.</i>	G.S. – record of bids not subject to public inspection until contract award <i>Local policies may permit public inspection before award</i>	G.S. – bids become public record once opened <i>Local policies <u>must</u> comply with G.S.</i>
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