

**19A NCAC 02E .0703    PREQUALIFYING TO AWARD – PROFESSIONAL SERVICES FIRMS**

(a) In order to ensure that contracts awarded pursuant to G.S. 136-28.1(f) and G.S. 143-64.31 are awarded to responsible firms, prospective professional services firms shall comply with the rules set forth in this Section except as otherwise provided by law.

(b) In order to be eligible to contract with the Department pursuant to G.S. 136-28.1(f) and G.S. 143-64.31, all prospective professional services firms shall be prequalified with the Department to ensure that the firm is capable of performing the proposed contract.

(c) The requirements of prequalification are as follows:

- (1) Applicants shall demonstrate the necessary experience, knowledge, and expertise to perform complete professional services contracts in which they submit or subcontract;
- (2) Applicants shall demonstrate that they have sufficient financial resources, including available equipment and qualified personnel, and a financial statement (first time applicants and reinstatements only), to perform and complete professional services contracts in which they submit or subcontract;
- (3) Applicants shall demonstrate that they have the necessary knowledge and expertise to comply with all state and federal laws relating to professional services contracts.

(d) Prospective professional services firms shall update their prequalification status annually to show changes in the staff and updated information regarding necessary company business licenses.

(e) Firms shall re-qualify every three years to show changes in the staff, updated information regarding necessary company business licenses, and updated project experience to ensure that prequalification remains based on recent experience of the staff that is not out of date.

(f) A requalified professional services firm shall maintain compliance with the rules in this section at all times in order to be eligible to contract with the Department pursuant to G.S. 136-28.1(f) and G.S. 143-64.31. If at any time a professional services firm fails to comply with these rules, the Department shall disqualify the professional services firm from any further contracts until the firm is able to demonstrate compliance with these requirements by re-qualifying.

*History Note:    Authority G.S. 136-28.1(e) and (f); 143-64.31; 143-B-350(f) and (g);  
Eff. October 1, 2014;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*