



STATUTE

By NC General Statute § 143B-1320, the definition, scope and exemptions for IT are:

(11) Information technology or IT. - Set of tools, processes, and methodologies, including, but not limited to, coding and programming; data communications, data conversion, and data analysis; architecture; planning; storage and retrieval; systems analysis and design; systems control; mobile applications; and equipment and services employed to collect, process, and present information to support the operation of an organization. The term also includes office automation, multimedia, telecommunications, and any personnel and support personnel required for planning and operations

Online Database Subscriptions?

These are defined as:

- Accessible online databases
- Online business research services
- Services that provide information to the user through online means
- Databases where login credentials are required to access data or information

Examples

Westlaw • ATSM Standards and Specifications
Online Libraries • Nursing Procedure Manuals
Kelley Blue Book for Automobiles

Process online subscriptions in accordance with your agency IT purchasing policies and procedures, and refer to 09 NCAC 06B .1301 EXEMPTIONS, which may or may not include obtaining statewide IT procurement approval.

How to Decide Whether a Procurement Is IT

1 Agreements?

Hardware with Embedded Software
Standalone Software

If your procurement requires signing any of these agreements, it's an IT procurement:

- Licenses
- End user license agreements
- Service level agreements
- Master service agreements
- Privacy policies related to processing or storing state data

2 State Data?

- Is state data (whether Personally Identifiable Information (PII) or not) being stored on a device, a non-state entity server or a vendor server?
- Is state data in transit (regardless of where it travels—vendor to state or vendor to federal)?
- Is state data stored/in transit from a device to a state-hosted device that does not connect to the network?

If YES to any of these questions, it's an IT procurement because:

- The state must ensure that the vendor meets security requirements (such as, is the data being encrypted in transit and at rest, and is it being stored safely).
- The correct IT terms and conditions and security requirements need to be included in the contract to protect the state and its data.

3

QUESTIONS?

Contact: James.Tanzosch@nc.gov

Download: What Is an IT Procurement (PDF)
<https://it.nc.gov/documents/procurement/what-it-procurement/open>

4

Credit Card Payment Processing?

An Automated Clearing House (ACH) and/or credit card payment processing system procurement over your

agency's delegation will typically be an IT procurement. Submit your request via normal processes or systems.



Division of Purchase & Contract