

**CHAPTER 4-12-13
CONTRACT ADMINISTRATION**

Section

4-12-13-01 Contract Amendment
4-12-13-02 Assignment of Contract

4-12-13-01. Contract amendment.

1. A contract cannot be amended after the expiration date of the contract.
2. A state contract may include a clause that provides for adjustment of contract price, adjustment of time of performance, and other terms the procurement officer deems appropriate.
3. Unanticipated contract amendments must be within the scope of the original contract, authorized by the terms of the contract, and due to legitimate, unforeseen circumstances.
4. Prior to amending a contract, the procurement officer must prepare a written determination for the amendment.
5. The amending of contracts cannot be utilized to avoid any requirements to obtain competition or to make purchases that exceed the procurement officer's delegated purchase authority.
6. Amendments that require the state to pay any amount over the stated contract price must be funded prior to approval.

History: Effective August 1, 2004.

General Authority: NDCC 54-44.4-04

Law Implemented: NDCC 54-44.4-01, 54-44.4-04, 54-44.4-05, 54-44.4-10

4-12-13-02. Assignment of contract.

A successful bidder or offeror shall not assign the bidder's or offeror's interest in the contract without the written consent of the procurement officer.

History: Effective August 1, 2004.

General Authority: NDCC 54-44.4-04

Law Implemented: NDCC 54-44.4-01, 54-44.4-04, 54-44.4-05, 54-44.4-10