

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 303

Short Title: Force Account Limit Raised.

(Public)

Sponsors: Senator Hardin.

Referred to: Manufacturing and Labor.

February 27, 1989

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE THRESHOLD ABOVE WHICH GOVERNMENT UNITS MAY NOT USE THEIR OWN WORK FORCE FOR CONSTRUCTION PROJECTS, AND TO REPEAL LOCAL ACTS WITH LOWER THRESHOLDS THAN THE NEW LIMIT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-135 reads as rewritten:

"§ 143-135. Limitation of application of Article.

Except for the provisions of G.S. 143-129 requiring bids for the purchase of apparatus, supplies, materials or equipment, this Article shall not apply to construction or repair work undertaken by the State or by subdivisions of the State of North Carolina

(i) when the work is performed by duly elected officers or agents using force account qualified labor on the permanent payroll of the agency concerned and (ii) when the total cost of the project, including without limitation all direct and indirect costs of labor, services, materials, supplies and equipment, does not exceed ~~seventy-five thousand dollars (\$75,000)~~ one hundred twenty-five thousand dollars (\$125,000). Such force

account work shall be subject to the approval of the Director of the Budget in the case of State agencies, of the responsible commission, council, or board in the case of subdivisions of the State. Complete and accurate records of the entire cost of such work, including without limitation, all direct and indirect costs of labor, services, materials, supplies and equipment performed and furnished in the prosecution and completion thereof, shall be maintained by such agency, commission, council or board for the inspection by the general public. Construction or repair work undertaken pursuant to

1 this section shall not be divided for the purposes of evading the provisions of this
2 Article."

3 Sec. 2. Chapters 355 and 950, Session Laws of 1983 are repealed.

4 Sec. 3. Section 2 of Chapter 914, Session Laws of 1985 reads as rewritten:

5 "Sec. 2. For any water or sewer improvement estimated to cost more than ~~seventy-~~
6 ~~five thousand dollars (\$75,000)~~ one hundred twenty-five thousand dollars (\$125,000)
7 undertaken under the provisions of this act, the county manager shall maintain a record
8 of all direct and indirect costs of the improvement and such record shall be made
9 available for public review and independent audit."

10 Sec. 4. To the extent that any local act modification of G.S. 143-135 provides
11 a lower monetary limitation than one hundred twenty-five thousand dollars (\$125,000),
12 that act is repealed.

13 Sec. 5. This act is effective upon ratification.