

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 697

Short Title: Avery Force Account.

(Local)

Sponsors: Representatives Thompson; and Buchanan.

Referred to: Local and Regional Government II.

March 30, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND
2 EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION
3 FACILITY.
4

Whereas, Avery County has completed Phase I of its Community Recreation Facility;
and

Whereas, Phase I was structural construction, on which the county has already expended
\$160,000; and

Whereas, there is no similar facility in Avery County; and

Whereas, performance bonds and the separate-prime basis are driving costs to an extreme
level, and project completion hinges on a reasonable cost to meet the final criteria; and

Whereas, Phase II will consist of interior and equipment, such as interior and bearing
walls, plumbing fixtures, making egress handicapped accessible, completing a stage, and
complete lighting and electrical equipment; Now, therefore,

5 The General Assembly of North Carolina enacts:

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

7 "**§ 143-135. Limitation of application of Article.**

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

1 when the work is performed by duly elected officers or agents using force
2 account qualified labor on the permanent payroll of the agency concerned and (ii) when
3 the total cost of the project, including without limitation all direct and indirect costs of
4 labor, services, materials, supplies and equipment, does not exceed ~~seventy-five thousand~~
5 ~~dollars (\$75,000).~~ two hundred fifty thousand dollars (\$250,000). Such force account
6 work shall be subject to the approval of the Director of the Budget in the case of State
7 agencies, of the responsible commission, council, or board in the case of subdivisions of
8 the State. Complete and accurate records of the entire cost of such work, including
9 without limitation, all direct and indirect costs of labor, services, materials, supplies and
10 equipment performed and furnished in the prosecution and completion thereof, shall be
11 maintained by such agency, commission, council or board for the inspection by the
12 general public. Construction or repair work undertaken pursuant to this section shall not
13 be divided for the purposes of evading the provisions of this Article."

14 Sec. 2. This act applies to Avery County only.

15 Sec. 3. This act applies only to the Community Recreation Facility, Phase II,
16 and the ceiling of two hundred fifty thousand dollars (\$250,000) includes any funds
17 already expended by Avery County on Phase I.

18 Sec. 4. This act is effective upon ratification and expires December 31, 1997.