

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 623**

Short Title: Building Comm. Vote on Public Contracts. (Public)

Sponsors: Representatives McMahan; Arnold, Baddour, Bowie, Daughtry,  
Dockham, Holmes, Johnson, McCombs, Morris, Owens, and Pope.

Referred to: State Government.

March 15, 2001

A BILL TO BE ENTITLED  
AN ACT TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE  
ALTERNATIVE CONTRACTING METHODS FOR PUBLIC CONTRACTS BY  
A MAJORITY VOTE OF ITS MEMBERS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-135.26(9) reads as rewritten:

"(9) Effective July 1, 1996, to authorize a State agency, a local governmental unit, or any other entity subject to the provisions of G.S. 143-129 to use a method of contracting not authorized under G.S. 143-128, including the use of the single-prime contracting system without soliciting bids under both the single and separate prime contract systems. An authorization under this subdivision for an alternative contracting method shall be granted only under the following conditions:

- a. An authorization shall apply only to a single project.
- b. The entity seeking authorization must demonstrate to the Commission that the alternative contracting method is necessary because the project cannot be reasonably completed under the methods authorized under G.S. 143--128 or for such other reasons as the Commission, pursuant to its rules and criteria, deems appropriate and in the public's interest.
- c. The authorization must be approved by ~~two-thirds~~ a majority of the members of the Commission present and voting.

The Commission shall not waive the requirements of G.S. 143-129 or G.S. 143-132 for public contracts unless otherwise authorized by law."

**SECTION 2.** This act is effective when it becomes law.

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