

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 344  
SENATE BILL 290

AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE  
RELATING TO THE ESTABLISHMENT OF CONTRACT SPECIFICATION  
REQUIREMENTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter IX, subchapter E, of the Charter of the City of Charlotte, being Chapter 713, Session Laws of 1965, is amended by adding a new section to read:

"Section 9.83. Contract Specification Requirements. The City Council may establish minimum minority and/or women's business enterprise participation (M/WBE) requirements and in that event shall include such requirements in the specifications for City contracts. In addition, in construction and repair contracts under which subcontracts are customarily awarded by that primary contractor, the City Council is authorized to establish specifications requiring bidders to subcontract a certain designated percentage of the construction and repair work amount; provided, that nothing in the specifications or requirements developed shall be construed to require that the award of subcontracts be made to subcontractors who do not submit the lowest responsible sub-bid and do not meet the bonding requirements otherwise required by law. Notwithstanding the provisions of G.S. 143-129 and G.S. 143-131, the City Council may consider a bidder's compliance with specifications containing M/WBE or subcontracting requirements in its award of contracts, and may, in its discretion, refuse to award a contract to a bidder if it determines that the bidder has failed to make a good faith effort to comply with said requirements."

Sec. 2. All laws and clauses of laws in conflict with this act are repealed.

Sec. 3. This act shall apply to the City of Charlotte only.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of June, 1987.