

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 840

Short Title: Bid Law Exemption/Onslow Courthouse.

(Local)

Sponsors: Representatives Grady, Preston, Smith, Tucker, and Warwick.

Referred to: Local Government II.

April 1, 1999

A BILL TO BE ENTITLED

AN ACT TO EXEMPT ONSLOW COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION OF THE ONSLOW SUPERIOR COURTHOUSE.

The General Assembly of North Carolina enacts:

Section 1.(a) Authority to Seek Bids Under Either Separate-Prime or Separate-and Single-Prime Systems. – Notwithstanding G.S. 143-128 or any other provisions of law, Onslow County may seek bids for the renovation of the Onslow County Superior Courthouse (i) under the separate-prime contract system or (ii) under both the separate-prime and the single-prime systems.

Section 1.(b) Standard for Award of Bids. – If the county seeks bids under only the separate-prime contract system, the county shall award the contract to the lowest responsible bidder, taking into consideration quality, performance, and time specified in the bids for performance of the contract.

If the county seeks bids under both the separate-prime and the single-prime systems, the county shall award the contract to either the lowest responsible bidder under the single-prime system or to the lowest responsible bidder under the separate-prime system, taking into consideration quality, performance, and time specified in the bids for performance of the contract. In determining the system under which the contract will be awarded to the lowest responsible bidder, the county may consider cost of construction

1 oversight, time for completion, ability to control and coordinate the project, safety  
2 concerns regarding the removal of asbestos and lead paint, and other factors it deems  
3 appropriate.

4 Section 1.(c) Minimum Number of Bids Required. – The county shall not open  
5 any bid solicited under this act unless it receives at least three competitive bids from  
6 reputable and qualified contractors regularly engaged in their respective lines of  
7 endeavor. In calculating the number of bids required, either a full set of separate-prime  
8 bids or a single single-prime bid shall constitute a bid.

9 If the county seeks bids under both the separate-prime and the single-prime  
10 systems, the county is not required to receive either at least one full set of separate-prime  
11 bids or at least one bid from a general contractor under the separate-prime system. The  
12 bids received as separate-prime bids shall be submitted three hours prior to the deadline  
13 for the submission of single-prime bids. The amount of a bid submitted by a  
14 subcontractor to the general contractor under the single-prime system shall not exceed the  
15 amount bid, if any, for the same work by that subcontractor to the county under the  
16 separate-prime system. Each single-prime bid shall identify the contractors selected to  
17 perform the three major subdivisions or branches of work and shall list the contractors'  
18 respective bid prices for those branches of work.

19 If after advertisement, the county has not received the minimum number of  
20 competitive bids as required by this subsection, the county shall again advertise for bids.  
21 If the required minimum number of bids is not received as a result of the second  
22 advertisement, the county may let the contract to the lowest responsible bidder that  
23 submitted a bid for the project, even though the county received only one bid.

24 Section 1.(d) Applicability of General Statutes. – All provisions of Article 8 of  
25 Chapter 143 of the General Statutes that are not inconsistent with this subsection shall  
26 apply to the county.

27 Section 2. This act is effective when it becomes law and expires July 1, 2002.