

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 417  
Commerce Committee Substitute Adopted 4/29/97

Short Title: Highway Contract Bonding Req'ments.

(Public)

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Sponsors:

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Referred to:

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March 18, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE LAW GOVERNING HIGHWAY SMALL PROJECT  
3 BIDDING.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 136-28.10 reads as rewritten:

6 **"§ 136-28.10. Highway Fund and Highway Trust Fund Small Project Bidding.**

7 (a) Notwithstanding the provisions of G.S. 136-28.4(b), for Highway Fund or  
8 Highway Trust Fund projects of ~~three hundred thousand dollars (\$300,000)~~ five hundred  
9 thousand dollars (\$500,000) or less, the Board of Transportation may, after soliciting at  
10 least three informal bids in writing from Small Business Enterprises, award contracts to  
11 the lowest responsible bidder. The Department of Transportation may identify projects  
12 likely to attract increased participation by Small Business Enterprises, and restrict the  
13 solicitation and award to those bidders. The Board of Transportation may delegate full  
14 authority to award contracts, adopt necessary rules, and administer the provisions of this  
15 section to the Secretary of Transportation.

16 (b) The letting of contracts under this section is not subject to any of the provisions  
17 of G.S. 136-28.1 relating to the letting of contracts. The Department may waive the  
18 bonding requirements of Chapter 44A of the General Statutes and the licensing  
19 requirements of Chapter 87 for contracts awarded under this section.

- 1       (c)     The Secretary of Transportation shall report quarterly to the Joint Legislative  
2 Transportation Oversight Committee on the implementation of this section."  
3             Section 2. This act is effective when it becomes law.