

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 173
HOUSE BILL 717

AN ACT TO RATIFY CERTAIN SEWER SYSTEM CONSTRUCTION
CONTRACTS OF THE TOWN OF CARY AND TO AUTHORIZE PAYMENT OF
THE COST OF SUCH CONTRACTS.

Whereas, employees of the Town of Cary inadvertently entered into contracts for construction of the Oakwood Heights Sewer Outfall and the North Harrison Street Outfall and Lift Station without securing formal bids as required by law, and the cost of each of said contracts after completion exceeded ten thousand dollars (\$10,000); and

Whereas, the Town has benefitted and has been enriched by at least the cost of each contract, and the work performed under each contract has been satisfactorily performed by each contractor; and

Whereas, the Town Council has paid a part of each contract and desires to pay each contract in full, but has been advised that it needs specific legislative authority to do so; and

Whereas, no citizen of the Town has offered complaint regarding either contract or the work performed under either contract, and no litigation is pending under either contract; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The Town Council of the Town of Cary is hereby authorized to appropriate and expend, in accordance with the Municipal Fiscal Control Act, funds necessary to pay the contractor for work performed in construction of the Oakwood Heights Sewer Outfall up to the total contract cost of fifteen thousand three hundred thirty-five dollars and ten cents (\$15,335.10) and the funds necessary to pay the contractor for work performed in construction of the North Harrison Street Sewer Outfall and Lift Station up to the total contract cost of fifteen thousand two hundred fifty-two dollars and thirty-five cents (\$15,252.35). No member of the Town Council shall be personally liable for appropriations and expenditures authorized by this act.

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of April, 1973.