

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 620
HOUSE BILL 1057

AN ACT TO REVISE G.S. 143-128 CONCERNING SEPARATE SPECIFICATIONS FOR
BRANCHES OF WORK IN THE CONSTRUCTION OF PUBLIC BUILDINGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-128 is rewritten to read as follows:

"§ 143-128. Separate specifications for building contracts; responsible contractors. —

Every officer, board, department, commission or commissions charged with responsibility of preparation of specifications or awarding or entering into contracts for the erection, construction, alteration or repair of any buildings for the State, or for any county or municipality, when the entire cost of such work shall exceed fifty thousand dollars (\$50,000) must have prepared separate specifications for each of the following subdivisions or branches of work to be performed:

- (1) Heating, ventilating, air conditioning and accessories (separately or combined into one conductive system) and /or refrigeration for cold storage (where the cooling load is 15 tons or more of refrigeration), and all work kindred thereto.
- (2) Plumbing and gas fittings and accessories, and all work kindred thereto.
- (3) Electrical wiring and installations, and all work kindred thereto.
- (4) General work relating to the erection, construction, alteration, or repair of any building above referred to, which work is not included in the above-listed three subdivisions or branches.

All such specifications must be so drawn as to permit separate and independent bidding upon each of the subdivisions or branches of work enumerated above. The above enumeration of subdivisions or branches of work shall not be construed to prevent any officer, board, department, commission or commissions from preparing additional separate specifications and awarding additional separate contracts for any other category of work when it is deemed in the best interest of such officer, board, department, commission or commissions to do so.

All contracts hereafter awarded by the State or by a county or municipality, or a department, board, commissioner, or officer thereof, for the erection, construction, alteration or repair of buildings, or any parts thereof, shall award the respective work specified separately to responsible and reliable persons, firms or corporations regularly engaged in their respective lines of work. When the estimated cost of work to be performed in any single subdivision or branch is less than five thousand dollars (\$5,000), the same may be included in the contract for one of the other subdivisions or branches of the work, irrespective of total project cost.

Each separate contractor shall be directly liable to the State of North Carolina, or to the county or municipality, and to the other separate contractors for the full performance of all duties and obligations due respectively under the terms of the separate contracts and in accordance with the plans and specifications, which shall specifically set forth the duties and obligations of each separate contractor. For the purpose of this section, the wording 'separate contractor' is hereby deemed and held to mean any person, firm or corporation who shall enter into a contract with the State, or with any county or municipality, for the erection, construction, alteration or repair of any building or buildings, or parts thereof.

All public authorities coming within the requirements of this section shall have the authority to purchase and erect prefabricated or relocatable buildings or portions thereof without complying with the provisions hereof, except that portion of the work which must be performed at the construction site."

Sec. 2. This act shall become effective July 1, 1977.

In the General Assembly read three times and ratified, this the 20th day of June, 1977.