

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 175
HOUSE BILL 697

AN ACT TO ALLOW AVERY COUNTY TO USE ITS OWN CREWS AND
EQUIPMENT TO COMPLETE PHASE II OF ITS COMMUNITY RECREATION
FACILITY.

Whereas, Avery County has completed Phase I of its Community Recreation Facility; and

Whereas, Phase I was structural construction, on which the county has already expended \$160,000; and

Whereas, there is no similar facility in Avery County; and

Whereas, performance bonds and the separate-prime basis are driving costs to an extreme level, and project completion hinges on a reasonable cost to meet the final criteria; and

Whereas, Phase II will consist of interior and equipment, such as interior and bearing walls, plumbing fixtures, making egress handicapped accessible, completing a stage, and complete lighting and electrical equipment; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-135 reads as rewritten:

"§ 143-135. Limitation of application of Article.

Except for the provisions of G.S. 143-129 requiring bids for the purchase of apparatus, supplies, materials or equipment, this Article shall not apply to construction or repair work undertaken by the State or by subdivisions of the State of North Carolina (i) when the work is performed by duly elected officers or agents using force account qualified labor on the permanent payroll of the agency concerned and (ii) when the total cost of the project, including without limitation all direct and indirect costs of labor, services, materials, supplies and equipment, does not exceed ~~seventy-five thousand dollars (\$75,000)~~ two hundred fifty thousand dollars (\$250,000). Such force account work shall be subject to the approval of the Director of the Budget in the case of State agencies, of the responsible commission, council, or board in the case of subdivisions of the State. Complete and accurate records of the entire cost of such work, including without limitation, all direct and indirect costs of labor, services, materials, supplies and equipment performed and furnished in the prosecution and completion thereof, shall be maintained by such agency, commission, council or board for the inspection by the general public. Construction or repair work undertaken pursuant to this section shall not be divided for the purposes of evading the provisions of this Article."

Sec. 2. This act applies to Avery County only.

Sec. 3. This act applies only to the Community Recreation Facility, Phase II, and the ceiling of two hundred fifty thousand dollars (\$250,000) includes any funds already expended by Avery County on Phase I.

Sec. 4. This act is effective upon ratification and expires December 31, 1997.

In the General Assembly read three times and ratified this the 5th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives