

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 668*

Short Title: Permit DOT Best-Value Procurement.-AB

(Public)

Sponsors: Representative Cole.

Referred to: Transportation, if favorable, Rules, Calendar, and Operations of the House.

March 16, 2005

A BILL TO BE ENTITLED

1 AN ACT TO PERMIT THE DEPARTMENT OF TRANSPORTATION TO AWARD
2 CONTRACTS ON ALTERNATE BIDDING PROCEDURES.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 136-28.1 is amended by adding a new subsection to read:

6 "(1) The Board of Transportation may award up to 10 contracts annually for
7 construction of transportation projects or for maintenance of existing facilities with
8 defined parameters to provide the best value for the project in terms of time, quality,
9 and cost. The award shall be made only after a determination by the Department of
10 Transportation that it is in the public interest and that construction of the project or
11 maintenance of any existing facility using the innovative methods will result in delivery
12 of the project or maintenance activities in an expedited and more cost-efficient manner
13 than could be achieved using the normal contracting methods. Prior to the award of a
14 contract pursuant to this subsection, during the construction of such project or
15 implementation of the maintenance contract, and following the completion of the
16 contract, the Secretary of Transportation shall report to the Joint Legislative
17 Transportation Oversight Committee and to the Joint Legislative Commission on
18 Governmental Operations on the nature and scope of the contract and the reasons the
19 development of each contract on a best-value basis will best serve the public interest
20 and performance measures regarding the success of these contracts."

21 **SECTION 2.** This act becomes effective July 1, 2005.