

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 403  
State & Local Government Committee Substitute Adopted 5/9/07**

Short Title: Charlotte/Water & Sewer Facilities.

(Local)

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Sponsors:

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Referred to:

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February 28, 2007

A BILL TO BE ENTITLED

1  
2 AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONSTRUCT WATER  
3 TREATMENT PLANT AND WASTEWATER TREATMENT PLANT PROJECTS  
4 WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF  
5 CHAPTER 143 OF THE GENERAL STATUTES.

6 The General Assembly of North Carolina enacts:

7       **SECTION 1.** The City of Charlotte may contract for the design and  
8 construction or design, construction, and operation of water treatment and wastewater  
9 treatment plant projects for the purpose of providing services throughout Mecklenburg  
10 County without being subject to the requirements of  
11 G.S. 143-128, 143-129, 143-131, 143-132., 143-64.31, and 143-64.32. The  
12 authorization includes, if deemed appropriate by the Charlotte City Council, the use of  
13 the single-prime contractor method of design and construction, the design-build or  
14 design-build-operate method of construction, or a request for proposals and negotiation  
15 as an alternative design and construction method.

16       **SECTION 2.** The City of Charlotte shall request proposals from and  
17 interview at least three design-build teams, or design-build-operate teams, as  
18 appropriate, that have submitted proposals for a water treatment plant or wastewater  
19 treatment project. If three proposals are not received and the project has been publicly  
20 advertised for a minimum of 30 days, then the City may proceed with the proposals  
21 received. The Council shall award the contract to the best qualified contractor, taking  
22 into account the time of completion of the project, the capital and operation and  
23 maintenance cost of the project, the technical merits of the proposal including, but not  
24 limited to, reliability and protection of the environment, and any other factors and  
25 information set forth in the request for proposals that the City determines to have a  
26 material bearing on the ability to evaluate any proposal.

27       **SECTION 3.** This act is effective when it becomes law.