

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

HOUSE BILL 785
RATIFIED BILL

AN ACT TO CREATE A STATEWIDE PILOT PROGRAM TO ENABLE COST-SHARING FOR TRANSPORTATION IMPROVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CREATE A STATEWIDE PILOT PROGRAM FOR CONTRACTED SERVICES COST-SAVINGS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-28.6 is amended by adding three new subsections to read:
"§ 136-28.6. **Participation by the Department of Transportation with private developers.**

...
(j) The Department is authorized to create a statewide pilot program for participation in cost-sharing for transportation improvements in connection with driveway permits. The Department may create a fair share allocation formula and other procedures to facilitate the pilot program. The formula shall uniformly determine the value of transportation improvements and apportion these costs, on a project-by-project basis, among applicable parties, including the Department and private property developers. Transportation improvement projects developed under the pilot program may include the provision of ingress and egress to new private development prior to acceptance of the improved portion of the roads constructed providing access to the development by the State or local government for maintenance as a public street or highway. Nothing in this section shall require a private developer to participate in the pilot program to obtain a driveway permit or other approval from the Department or any local government.

(k) Nothing in this section shall obligate the Department to custodial responsibility for managing or distributing monies in the application of this program.

(l) The Department shall report on the pilot program to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of the Legislative Services Commission no later than the convening date of the 2021 Regular Session of the General Assembly."

SECTION 2. DOT contracted services cost-savings pilot program authorized. – The Department of Transportation is authorized to study a statewide pilot program for contracted services cost savings for the 2013-2014 budget cycle. The Department of Transportation shall study methods to reduce its existing facilities maintenance, repair, operation, and service costs by ten percent (10%) by implementing cost-effective and streamlined procurement strategies as recommended in this act. The ten percent (10%) reduction provided for in this section shall be based upon the funds appropriated to the Department in the Appropriations Act of 2013. The Department shall report its findings to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Transportation Oversight Committee on or before April 1, 2014. Any implementation plans may include, but are not limited to, the following: to obtain the reduction provided for in this section, the Department shall investigate and study, among other things, whether cost reductions can be achieved by efforts to (i) procure services through integrated facility service contracts to maintain, repair, or operate all facilities under the Department's control and (ii) consolidate facility service contracts to award a single contract, where feasible, for similar or identical services at separate and distinct facilities. Contracts awarded under this subsection shall not be subject to the requirements of Article 3 or Article 8 of Chapter 143 of the General Statutes.

The following facility maintenance, repair, operation, and service contracts may be subject to the requirements of this section:



- (1) Janitorial, custodial, and commercial cleaning services, including blind cleaning, carpet care, document disposal, waste disposal, escalator cleaning, food service sanitation, hard surface floor care, light industrial cleaning, pressure washing, recycling services, restroom sanitation, upholstery cleaning, and window cleaning.
- (2) Landscaping, grounds maintenance, and lawn care, including fertilization, seeding, weeding, tree trimming, aerification, verticutting, irrigation maintenance, pest control, floral planting and care, landscape design, parking lot maintenance, interior plant maintenance, and snow removal.
- (3) Security, access control, and public safety, including background checks, alarm response, security consulting, security surveys, and special event staffing.
- (4) Electrical distribution systems maintenance, repair, and testing, including interior and exterior lighting maintenance, thermal imaging, exit and emergency lighting systems, landscape lighting, pole and fixture installation, ultrasonic inspection, and sign repair.
- (5) HVAC and mechanical systems maintenance, repair, testing, and operation, including boiler repairs, building controls, exhaust heat, chiller repairs, climate control systems, retro-commissioning, continuous commissioning, lighting retrofit and re-lamp projects, and lighting control systems.
- (6) Parking, fleet management, and transportation management, including shuttle transportation services, valet parking, meter collections, parking revenue management and collection, vehicle maintenance, vehicle tracking, driver management, speed management, fuel management, and health and safety management.
- (7) Other general maintenance and repair services, including, but not limited to, fire and security alarms, appliance repair, awnings, backflow testing, building repairs, carpentry, carpet or upholstery cleaning, ceiling repair, disaster recovery, loading dock repairs, doors and hardware, duct cleaning, electrical repair, floor carpeting tile, furniture refinishing, generator maintenance and repair, glass, gutters, waste hauling, hazardous waste removal, locksmiths, masonry, mold remediation, overhead door repair, pest control, plaster, plumbing, power washing, roof repair, drain service, snow removal, sprinklers and irrigation systems, and welding.

SECTION 3. Any contract not subject to the provisions of Section 2 of this act shall be bid and awarded as provided in Article 3 and Article 8 of Chapter 143 of the General Statutes.

SECTION 4. The Department of Transportation shall submit a written report of their progress to the Joint Legislative Transportation Oversight Committee, the Fiscal Research Division, and the Office of the Governor no later than December 31, 2015.

SECTION 5. If the Department achieves the savings provided for in Section 2 of this act, the Department shall retain the funds saved and may use the funds for any purpose authorized by applicable law.

SECTION 6. This act becomes effective July 1, 2013.

In the General Assembly read three times and ratified this the 24th day of June,
2013.

s/ Daniel J. Forest
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

Pat McCrory
Governor

Approved _____ .m. this _____ day of _____, 2013