

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 712
SENATE BILL 1684

AN ACT TO AUTHORIZE THE MECKLENBURG COUNTY MANAGER AND THE CHARLOTTE CITY MANAGER TO AWARD CONTRACTS FOR THE PURPOSE OF PURCHASING APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT REGARDLESS OF THE AMOUNT, AND FOR CONSTRUCTION PROJECTS UNDER A CERTAIN AMOUNT, PROVIDED THERE ARE SUFFICIENT APPROPRIATED UNENCUMBERED FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-129 is amended by adding the following at the end:

"A county manager may award, approve, and execute contracts for the county for the purchase of apparatus, supplies, materials, or equipment regardless of the value of the contract, or for construction contracts where the estimated cost of the construction project does not exceed fifty thousand dollars (\$50,000), provided that:

- (1) The county manager shall report to the Board of County Commissioners prior to executing any contract in excess of \$50,000 for the purchase of apparatus, supplies, materials, or equipment upon which bids were received;
- (2) The county has approved a sufficient unencumbered appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract or agreement; and
- (3) The contracts are not entered into as a result of requests for proposals."

Sec. 2. Section 9.82 of the Charter of the City of Charlotte, being Chapter 713, Session Laws of 1965, as amended by Chapters 133 and 333, Session Laws of 1969 and Chapter 481, Session Laws of 1973, rewritten by Chapter 391, Session Laws of 1979, and amended by Chapter 1140, Session Laws of 1981, Chapter 343, Session Laws of 1985, and Chapter 170, Session Laws of 1989, reads as rewritten:

"Sec. 9.82. **Award and approval of certain contracts.** The city manager or his duly authorized designee is hereby authorized to award, approve, and execute contracts or agreements of any kind or nature on behalf of the city when the amount of such contract or agreement does not exceed fifty thousand dollars (\$50,000); provided that the city council shall have approved a sufficient appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract or agreement. In addition, the City Manager or his duly authorized designee is authorized to approve and execute amendments to contracts or agreements, including contracts initially approved by the City Council, when the amount in question does not exceed fifty thousand dollars (\$50,000). Furthermore, the City Manager or his duly authorized designee is authorized

to award, approve, and execute contracts for the construction and installation of water and sewer lines that will eventually become a part of the City utility system, regardless of the amount, where the construction and installation is the sole responsibility and is at the sole expense of another person, firm, or corporation.

Furthermore, the City Manager may award, approve, and execute contracts for the purchase of apparatus, supplies, materials, or equipment regardless of the value of the contract, provided that:

- (1) The City Manager shall report to the City Council prior to executing any contracts upon which bids are received;
- (2) The City Council shall have approved a sufficient unencumbered appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract;
- (3) The contract is not a construction contract; and
- (4) The contracts are not entered into as a result of requests for proposals."

Sec. 3. Section 1 of this act applies to Mecklenburg County only.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 7th day of July, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives