

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 513  
House Committee Substitute Favorable 6/21/07

Short Title: Wilmington Contract Exemption.

(Local)

Sponsors:

Referred to:

March 6, 2007

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE CITY OF WILMINGTON, NEW HANOVER COUNTY, AND A WATER AND SEWER AUTHORITY TO CONTRACT FOR SEWER-RELATED CONSTRUCTION, REPAIR, OR REPLACEMENT PROJECTS WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

**SECTION 1.** The City of Wilmington, New Hanover County, and a Water and Sewer Authority created by the City or County pursuant to Article 1 of Chapter 162A of the General Statutes may contract for construction, repair, or replacement projects related to the Northeast Interceptor Sewer Force Main without being subject to the requirements of G.S. 143-128, 143-129, 143-131, and 143-132.

**SECTION 2.** 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 ~~either~~ the total cost of the project, including without limitation all direct and indirect costs of labor, services, materials, supplies and equipment, does not exceed ~~one hundred twenty five thousand dollars (\$125,000) or the total cost of labor on the project does not exceed fifty thousand dollars (\$50,000).~~ eight hundred thousand dollars (\$800,000). This 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

1 for the inspection by the general public. Construction or repair work undertaken  
2 pursuant to this section shall not be divided for the purposes of evading the provisions  
3 of this Article."

4           **SECTION 3.** This act applies only to the City of Wilmington, New Hanover  
5 County, and a Water and Sewer Authority created by the City or the County pursuant to  
6 Article 1 of Chapter 162A of the General Statutes.

7           **SECTION 4.** Section 2 of this act applies only to projects related to the  
8 construction, repair, or replacement of the Northeast Interceptor Sewer Force Main.

9           **SECTION 5.** This act is effective when it becomes law and expires  
10 December 31, 2009.