

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1093*

Short Title: DOA Certification.

(Public)

Sponsors: Senators Plyler; Dannelly, Gulley, and Warren.

Referred to: Commerce.

May 12, 1998

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO CERTIFY
THE BROAD FEASIBILITY OF STATE CONSTRUCTION PROJECTS AND
MAKE THAT CERTIFICATION A PREREQUISITE TO FUNDING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-341(3) reads as rewritten:

"(3) Architecture and Engineering:

a. To examine and approve all plans and specifications for the
construction or renovation of:

1. All State buildings; and

2. All community college buildings requiring the estimated
expenditure for construction or repair work for which
public bidding is required under G.S. 143-129

prior to the awarding of a contract for such work; and to examine
and approve all changes in those plans and specifications made
after the contract for such work has been awarded.

b. To ~~prepare preliminary studies and cost estimates and otherwise to~~
~~assist~~ assist, as necessary, all agencies in the preparation of
requests for appropriations for the construction or renovation of
all State buildings.

- 1 b1. To certify that a statement of needs pursuant to G.S. 143-6 is
2 feasible. For purposes of this sub-subdivision, 'feasible' means
3 that the proposed project is sufficiently defined in overall scope;
4 building program; site development; detailed design,
5 construction, and equipment budgets; and comprehensive project
6 scheduling so as to reasonably ensure that it may be completed
7 with the amount of funds requested. At the discretion of the
8 General Assembly, advanced planning funds may be
9 appropriated in support of this certification. This sub-subdivision
10 shall not apply to requests for appropriations of less than one
11 hundred thousand dollars (\$100,000).
- 12 c. To supervise the letting of all contracts for the design,
13 construction or renovation of all State buildings and all
14 community college buildings whose plans and specifications
15 must be examined and approved under a.2. of this subdivision.
- 16 d. To supervise and inspect all work done and materials used in the
17 construction or renovation of all State buildings and all
18 community college buildings whose plans and specifications
19 must be examined and approved under a.2. of this subdivision;
20 and no such work may be accepted by the State or by any State
21 agency until it has been approved by the Department.

22 Except for sub-subdivision b., this subdivision does not apply to the
23 design, construction, or renovation or projects by The University of
24 North Carolina pursuant to G.S. 116-31.11."

25 Section 2. G.S. 143-6 reads as rewritten:

26 **"§ 143-6. Information from departments and agencies asking State aid.**

27 (a) On or before the first day of September in the even-numbered years, each of
28 the departments, bureaus, divisions, officers, boards, commissions, institutions, and other
29 State agencies and undertakings receiving or asking financial aid from the State, or
30 receiving or collecting funds under the authority of any general law of the State, shall
31 furnish the Director all the information, data and estimates which he may request with
32 reference to past, present and future appropriations and expenditures, receipts, revenue,
33 and income.

34 (b) Any department, bureau, division, officer, board, commission, institution, or
35 other State agency or undertaking desiring to request financial aid from the State for the
36 purpose of constructing or renovating any State building, utility, or other property
37 development (except a railroad, highway, or bridge structure) shall, before making any
38 such request for State financial aid, submit to the Department of Administration a
39 statement of its needs in terms of space and other physical requirements, and shall furnish
40 the Department with such additional information as it may request. The Department of
41 Administration shall then ~~prepare preliminary studies and cost estimates for the use of review~~
42 the statement of needs submitted by the requesting department, bureau, division, officer,
43 board, commission, institution, or other State agency or undertaking in presenting its

1 ~~request to the Director of the Budget and perform additional analysis, as necessary, to~~
2 ~~comply with G.S. 143-341.~~

3 (b1) All requests for financial aid for the purpose of constructing or renovating any
4 State building, utility, or other property development (except a railroad, highway, or
5 bridge structure) shall be accompanied by a certification from the Department of
6 Administration as outlined in G.S. 143-341. The General Assembly may provide
7 advanced planning funds but shall only provide construction funds when the
8 requirements of this subsection have been met. This subsection shall not apply to
9 requests for appropriations of less than one hundred thousand dollars (\$100,000).

10 (c) On or before the first day of September in the even-numbered years, each of
11 the departments, bureaus, divisions, officers, boards, commissions, institutions, and other
12 State agencies receiving or asking financial aid or support from the State, under the
13 authority of any general law of the State, shall furnish the Director with the following
14 information:

- 15 (1) The amount of State funds disbursed in the immediately preceding two
16 fiscal years and the purpose for which the funds were disbursed and
17 used, the amount being requested as continuation funds for the
18 upcoming fiscal year, and the justification for continued State support;
19 and
20 (2) Justification for continued State support shall include information on the
21 extent of the public benefit being derived from State support."

22 Section 3. This act is effective when it becomes law.