

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 668\*  
Corrected Copy 3/22/05**

Short Title: Permit DOT Best-Value Procurement.-AB (Public)

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Sponsors: Representative Cole; and Stiller.

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Referred to: Transportation, if favorable, Rules, Calendar, and Operations of the House.

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March 16, 2005

A BILL TO BE ENTITLED

AN ACT TO PERMIT THE DEPARTMENT OF TRANSPORTATION TO AWARD  
CONTRACTS ON ALTERNATE BIDDING PROCEDURES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-28.1 is amended by adding a new subsection to read:

"(1) The Board of Transportation may award up to 10 contracts annually for construction of transportation projects or for maintenance of existing facilities with defined parameters to provide the best value for the project in terms of time, quality, and cost. The award shall be made only after a determination by the Department of Transportation that it is in the public interest and that construction of the project or maintenance of any existing facility using the innovative methods will result in delivery of the project or maintenance activities in an expedited and more cost-efficient manner than could be achieved using the normal contracting methods. Prior to the award of a contract pursuant to this subsection, during the construction of such project or implementation of the maintenance contract, and following the completion of the contract, the Secretary of Transportation shall report to the Joint Legislative Transportation Oversight Committee and to the Joint Legislative Commission on Governmental Operations on the nature and scope of the contract and the reasons the development of each contract on a best-value basis will best serve the public interest and performance measures regarding the success of these contracts."

**SECTION 2.** This act becomes effective July 1, 2005.