

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS35158-LM-63A (02/22)

Short Title: Durham/Design-Build Delivery Method. (Local)

Sponsors: Senators McKissick and Woodard (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE CITY OF DURHAM TO USE DESIGN-BUILD DELIVERY
3 METHODS FOR THE DESIGN AND CONSTRUCTION OF A POLICE
4 HEADQUARTERS AND ANNEX FACILITY, TWO POLICE SERVICE CENTERS,
5 AND A 911 FACILITY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 8 of Chapter VI of the Charter of the City of Durham, being
8 Chapter 671 of the 1975 Sessions Laws, as amended, is amended by adding a new section to
9 read as follows:

10 "Sec. 85.1. Utilization of design-build delivery methods. (a) The City may award contracts
11 for the design and construction of a police headquarters and annex facility, two police service
12 centers, and a 911 facility without being subject to the requirements of G.S. 133-1, 133-2, or
13 133-3, the provisions of Article 3D of Chapter 143 of the General Statutes, and Article 8 of
14 Chapter 143 of the General Statutes. The authorization granted in this section includes the use
15 of the following methods: design-build; design-build-operate; design-build-operate-maintain;
16 or any combination of design-build, operate, or maintain.

17 (b) The city shall obtain proposals from at least three design-build teams for the
18 projects authorized under subsection (a) of this section. If three proposals are not received and
19 the project has been publicly advertised for a minimum of 30 days, the City may proceed with
20 the proposals received. In evaluating the proposals received, the City may pay the same fixed
21 stipend to short-listed design-build teams for preparation of additional, technical proposals if
22 necessary to advance the contract award process. The evaluation of design-build teams and the
23 proposals shall not be exempt from the requirements of the City's Equal Business Opportunity
24 Program Ordinance, created pursuant to the authority granted in Section 84.1 of this Charter, to
25 establish minority and women business participation goals.

26 (c) The City Council shall award the contract to the best qualified design-build team,
27 taking into account the time of completion of the project, the capital and operation and
28 maintenance cost of the project, the technical merits of the proposal, and any other factors and
29 information set forth in the request for proposal that the City determines to have a material
30 bearing on the ability to evaluate any proposal."

31 **SECTION 2.** If any portion of this act or its application is held invalid, the
32 invalidity does not affect other provisions or applications of this act that can be given effect
33 without the invalid provisions or applications, and to this end the provisions of this act are
34 severable.

35 **SECTION 3.** This act is effective when it becomes law.

