

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE DRH70338-LM-120A (04/07)

Short Title: Public Contracts/Minimum Bids.

(Public)

Sponsors: Representative Fisher.

Referred to:

A BILL TO BE ENTITLED

AN ACT ALLOWING MUNICIPALITIES, COUNTIES, AND OTHER POLITICAL
SUBDIVISIONS OF THE STATE TO RETAIN BIDS FROM THE FIRST
ADVERTISEMENT WHEN THE MINIMUM NUMBER WAS NOT RECEIVED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-132(a) reads as rewritten:

"(a) No contract to which G.S. 143-129 applies for construction or repairs shall be awarded by any board or governing body of the State, or any subdivision thereof, unless at least three competitive bids have been received from reputable and qualified contractors regularly engaged in their respective lines of endeavor; however, this section shall not apply to contracts which are negotiated as provided for in G.S. 143-129. Provided that if after advertisement for bids as required by G.S. 143-129, not as many as three competitive bids have been received from reputable and qualified contractors regularly engaged in their respective lines of endeavor, said board or governing body of the State agency or of a county, city, town or other subdivision of the State shall again advertise for ~~bids; and if~~ bids. If the board or governing body advertises for bids using the bid documents from the first advertisement, the board or governing body shall retain all bids submitted as a result of the first advertisement, and they shall be opened after the receipt of bids from the second advertisement only if the bidder has notified the board or governing body in writing that the bidder continues to want to bid on the contract. If, as a result of ~~such~~ the second advertisement, not as many as three competitive bids from reputable and qualified contractors are received, ~~such~~ including bids retained from the first advertisement, the board or governing body may then let the contract to the lowest responsible bidder submitting a bid for ~~such~~ the project, even though only one bid is received."

SECTION 2. This act is effective when it becomes law.