

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**HOUSE BILL 1834  
RATIFIED BILL**

AN ACT TO CHANGE THE BONDING REQUIREMENTS FOR UP TO TWO DEPARTMENT OF TRANSPORTATION PERFORMANCE-BASED CONTRACTS FOR ROUTINE MAINTENANCE AND OPERATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 28.10 of S.L. 2005-276 reads as rewritten:

**"SECTION 28.10.(a)** The Department of Transportation may implement up to two performance-based contracts for routine maintenance and operations, exclusive of resurfacing. Selection of firms to perform this work shall be made using a best-value procurement process.

Prior to any advertisement for a proposed project, the Department shall report to the Joint Legislative Transportation Oversight Committee on the contractor selection criteria to be used.

**"SECTION 28.10.(b)** For contracts authorized under this section, notwithstanding G.S. 44A-26(a)(1) and (a)(2), the Department of Transportation may require the bonds issued pursuant to Article 3 of Chapter 44A of the General Statutes for public construction to be provided on a periodic basis and in the amount to cover that specific period rather than for the entire project duration."

**SECTION 2.** This act becomes effective July 1, 2006.  
In the General Assembly read three times and ratified this the 30<sup>th</sup> day of  
June, 2006.

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Charlie S. Dannelly  
Deputy President Pro Tempore of the Senate

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James B. Black  
Speaker of the House of Representatives

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Michael F. Easley  
Governor

Approved \_\_\_\_\_ .m. this \_\_\_\_\_ day of \_\_\_\_\_, 2006