

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 314

Short Title: Durham County Water/Wastewater Plant Projects. (Local)

Sponsors: Senators McKissick and Woodard (Primary Sponsors).

Referred to: State and Local Government.

March 14, 2013

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE COUNTY OF DURHAM TO CONSTRUCT WATER
2 TREATMENT PLANT AND WASTEWATER TREATMENT PLANT PROJECTS
3 WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF
4 CHAPTER 143 OF THE GENERAL STATUTES.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The County of Durham may contract for the design and construction
8 or design, construction, and operation of water treatment and wastewater treatment plant
9 projects for the purpose of providing services throughout Durham County without being subject
10 to the requirements of G.S. 143-128, 143-129, 143-131, 143-132, 143-64.31, and 143-64.32.
11 The authorization includes, if deemed appropriate by the Durham County Board of
12 Commissioners, the use of the single-prime contractor method of design and construction, the
13 design-build or design-build operate method of construction, or a request for proposals and
14 negotiation as an alternative design and construction method.

15 **SECTION 2.** The County of Durham shall obtain proposals from and interview at
16 least three design-build teams, or design-build operate teams, as appropriate, that have
17 submitted proposals for a water treatment plant or wastewater treatment project. If three
18 proposals are not received and the project has been publicly advertised for a minimum of 30
19 days, the County may proceed with the proposals received. The Board of Commissioners shall
20 award the contract to the best qualified contractor, taking into account the time of completion
21 of the project, the capital and operation and maintenance cost of the project, the technical
22 merits of the proposal, including, but not limited to, reliability and protection of the
23 environment, and any other factors and information set forth in the request for proposals that
24 the County determines to have a material bearing on the ability to evaluate any proposal.

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

