

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 315

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

Sponsors: Senators McKissick and Woodard (Primary Sponsors).

Referred to: State and Local Government.

March 14, 2013

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.

