

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-269
SENATE BILL 995**

**AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR
CONTRACTS FOR THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL
SYSTEM.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-128(a1) is amended by adding a new subdivision to read:

- "(6) Design-build contracting. – Notwithstanding G.S. 143-129, G.S. 143-132, and any other provision of this section, a local board of education may use the design-build method of construction as follows:
- a. The local board of education must seek to prequalify and solicit at least five design-build teams to bid on the project and must receive sealed proposals from at least three of those teams.
 - b. The local board of education shall interview at least three of the design-build teams that submit proposals. The local board of education shall award the contract to the best qualified team, taking into account the time of completion of the project, compliance with the provisions of G.S. 143-128.2, and the cost of the project as the major factors.
 - c. Facilities constructed may be turnkey projects, including all materials, equipment, and supplies normally associated with school programs.
 - d. G.S. 143-128.2 applies to the construction of projects described in this subdivision."

SECTION 2. Other Methods. – Nothing in this act limits the use of any method of contracting already authorized by law under Articles 3D and 8 of Chapter 143 of the General Statutes.

SECTION 3. This act only applies to the Winston-Salem/Forsyth County School System.

SECTION 4. If the procedure set forth in Section 1 of this act is used, the Winston-Salem/Forsyth County School Board shall make an annual report to the North Carolina State Building Commission, beginning in January 2005 and continuing in January of each successive year, concerning the comparative costs and effectiveness, efficiency, and economy, if any, achieved by its implementation of this act. The Board shall submit a final report to the Commission in January 2007.

SECTION 5. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 26th day of
June, 2003.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives