

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS85321-RWz-42* (04/10)

Short Title: DOT Perf.-Based Maintenance Contract Bonds. (Public)

Sponsors: Senator Jenkins.

Referred to:

A BILL TO BE ENTITLED

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.