

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

**H.B. 994**  
**May 17, 2012**  
**HOUSE PRINCIPAL CLERK**

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**HOUSE DRH30556-LB-449 (05/09)**

Short Title: Rockingham County Design-Build. (Local)

Sponsors: Representatives Jones and Holloway (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE COUNTY OF ROCKINGHAM TO USE DESIGN-BUILD  
3 DELIVERY METHODS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** A county may contract for the design and construction of public  
6 projects without being subject to the requirements of G.S. 143-128, 143-129, 143-131,  
7 143-132, 143-64.31, and 143-64.32. The authorization includes the use of the following  
8 methods: design-build; design-build-operate; design-build-operate-maintain; or any  
9 combination of design-build, operate, or maintain.

10 **SECTION 1.(b)** The county shall request proposals from at least three design-build  
11 teams. If three proposals are not received and the project has been publicly advertised for a  
12 minimum of 30 days, then the county may proceed with the proposals received. The board of  
13 commissioners shall award the contract to the best qualified contractor, taking into account the  
14 time of completion of the project, the capital and operation and maintenance cost of the project,  
15 the technical merits of the proposal, and any other factors and information set forth in the  
16 request for proposals that the county determines to have a material bearing on the ability to  
17 evaluate any proposal. The proposals shall not require the design-build team to submit project  
18 design solutions.

19 **SECTION 1.(c)** The county shall not be required to pay, within 45 days after the  
20 project has been accepted by the owner, certified by the architect, engineer, or designer as  
21 being completed in accordance with terms of the plans and specifications, or occupied by the  
22 owner and used for the purpose for which the project was constructed, that portion of the  
23 project costs that are subject to delayed payments scheduled by the prime contract to occur  
24 after the project has been accepted by the owner, certified by the architect, engineer, or  
25 designer as being completed in accordance with terms of the plans and specifications, or  
26 occupied by the owner and used for the purpose for which the project was constructed.

27 **SECTION 2.** This act applies to Rockingham County only.

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

