

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1448
SENATE BILL 1396

AN ACT TO PROVIDE FOR SECURING COMPETITIVE PROPOSALS FOR LEASING OF
SPACE BY THE STATE.

The General Assembly of North Carolina enacts:

Section 1. Article 6 of Chapter 146, as it appears in Volume 3C of the General Statutes, is hereby amended by adding a new section to be designated G.S. 146-23.1 to read as follows:

"§ 146-23.1. Proposals to be secured for leases. — (a) When it becomes necessary for any agency of the State to lease space within any city or county of the State, where the rental exceeds seven thousand five hundred dollars (\$7,500) per year or the term exceeds three years, said agency shall prepare a set of specifications of its needs for the space, and shall advertise said specifications in a newspaper of general circulation in the city for proposals from prospective lessors of said space. The advertisement shall be run for at least three consecutive weeks, and shall provide that proposals shall be received for at least 20 days from the date of the last advertisement; provided, the provisions of G.S. 146-23.1 do not apply to property owned by governmental agencies and leased to other governmental agencies.

(b) After receipt of the proposals, the agency may then negotiate with the prospective lessors for leasing of the needed space, taking into account not only the rental offered, but the type of space, the location, its suitability for the purposes, services offered by the lessor, and all other relevant factors. The agency shall then present its application to the Department of Administration for the proposed lease as provided by G.S. 146-23; provided, however, that if the lowest rental proposal is not presented, a statement of justification must be submitted to the Department of Administration.

(c) The Department of Administration shall then investigate as provided by this Article, and must present the proposed transaction to the Council of State for its consideration as provided by this Article. In the event the lowest rental proposed is not presented to the Council of State, that body may require a statement of justification, and may examine all proposals."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1974.