

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-312
SENATE BILL 403**

AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONSTRUCT WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT PROJECTS WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

SECTION 1. The City of Charlotte may contract for the design and construction or design, construction, and operation of water treatment and wastewater treatment plant projects for the purpose of providing services throughout Mecklenburg County without being subject to the requirements of G.S. 143-128, 143-129, 143-131, 143-132, 143-64.31, and 143-64.32. The authorization includes, if deemed appropriate by the Charlotte City Council, the use of the single-prime contractor method of design and construction, the design-build or design-build-operate method of construction, or a request for proposals and negotiation as an alternative design and construction method.

SECTION 2. The City of Charlotte shall request proposals from and interview at least three design-build teams, or design-build-operate teams, as appropriate, that have submitted proposals for a water treatment plant or wastewater treatment project. If three proposals are not received and the project has been publicly advertised for a minimum of 30 days, then the City may proceed with the proposals received. The Council shall award the contract to the best qualified contractor, taking into account the time of completion of the project, the capital and operation and maintenance cost of the project, the technical merits of the proposal including, but not limited to, reliability and protection of the environment, and any other factors and information set forth in the request for proposals that the City determines to have a material bearing on the ability to evaluate any proposal.

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

In the General Assembly read three times and ratified this the 28th day of July, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives