

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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HOUSE BILL 1014

Short Title: Unanticipated Bridge/Road Closure/Waive Bids. (Public)

Sponsors: Representatives Torbett, Iler, Presnell, and Shepard (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Transportation, if favorable, State and Local Government II

May 28, 2018

A BILL TO BE ENTITLED

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2 AN ACT CLARIFYING THE AUTHORITY OF THE DEPARTMENT OF
3 TRANSPORTATION TO ENTER INTO CONTRACTS WITHOUT COMPLYING WITH
4 BIDDING REQUIREMENTS WHEN AN EMERGENCY EXISTS, AS RECOMMENDED
5 BY THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION
6 PLANNING AND LONG TERM FUNDING SOLUTIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 136-28.1(e) reads as rewritten:

9 "(e) The Department of Transportation may enter into contracts for construction,
10 maintenance, or repair without complying with the bidding requirements of this section upon a
11 determination of the Secretary of Transportation or the Secretary's designee that an emergency
12 exists and that it is not feasible or not in the public interest for the Department of Transportation
13 to comply with the bidding requirements. For purposes of this section, the term "emergency"
14 includes an unanticipated bridge closure, road closure, or weight restriction that results in detours
15 or deters the free movement of goods and services and requires an estimated expenditure of ten
16 million dollars (\$10,000,000) or less in construction, maintenance, or repair costs."

17 **SECTION 2.** This act is effective when it becomes law.

