

NORTH CAROLINA GENERAL STATUTES 143-64.31, .32, .33 and .34

ARTICLE 3D Procurement of Architectural, Engineering, and Surveying Services

§ 143-64.31. Declaration of public policy.

It is the public policy of this State and all public subdivisions and Local Governmental Units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, and surveying services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for architectural, engineering, or surveying services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, negotiations with that firm shall be terminated and initiated with the next best qualified firm.

§ 143-64.32. Written exemption of particular contracts.

Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article in the case of:

- (a) Proposed projects where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000)
- (b) Other particular projects exempted in the sole discretion of the Department of Transportation or the unit of local government, stating the reasons therefore and the circumstances attendant thereto.

§ 143-64.33. Advice in selecting consultants or negotiating consultant contracts.

On architectural, engineering, or surveying contracts, the Department of Transportation or the Department of Administration may provide, upon request by a county, city, town or other subdivision of the State, advice in the process of selecting consultants or in negotiating consultant contracts with architects, engineers, or surveyors or any or all.

§ 143-64.34. (Effective until July 1, 2001) Exemption of certain projects.

- (a) State Capital Improvement Projects under the jurisdiction of the State Building Commission where the estimated expenditure of public money is less than one hundred thousand dollars (\$100,000) are exempt from the provisions of this Article.
- (b) A capital improvement project of The University of North Carolina under G.S. 116-31.11 where the estimated expenditure of public money is less than three hundred thousand dollars (\$300,000) is exempt from this Article if:
 - (1) The architectural, engineering, or surveying services to be rendered are under an open-end design agreement; (2) The open-end design agreement has been publicly announced; and
 - (3) The open-end design agreement complies with procedures adopted by the University and approved by the State Building Commission under G.S. 116-31.11(a)(3).

§ 143-64.34. (Effective July 1, 2001) Exemption of certain projects.

- (a) State Capital Improvement Projects under the jurisdiction of the State Building Commission where the estimated expenditure of public money is less than hundred thousand dollars (\$100,000) are exempt from the provisions of this Article.
- (b) Repealed by Session Laws 1997-412, s. 5.1, effective July 1, 2001.

§§ 143-64.35 through 143-64.49: Reserved for future codification purposes.

This statement of public policy and the results of its use provide the people of North Carolina with the assurance that public funds are providing them with the most qualified and experienced firms to handle each unique project that is undertaken in the public interest.