

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS45036-LM-5

Short Title: Political Subdivisions/Local Bidders Notice. (Public)

Sponsors: Senators Johnson, Proctor, and Craven (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT POLITICAL SUBDIVISIONS OF THE STATE SHALL NOTIFY PERSONS OR BUSINESSES WITHIN THEIR JURISDICTIONAL LIMITS BY REGULAR OR ELECTRONIC MAIL OF WORK REQUIRING AN ESTIMATED EXPENDITURE OF \$50,000 OR MORE BEING LET FOR BID BY THE POLITICAL SUBDIVISION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-129 reads as rewritten:

"§ 143-129. Procedure for letting of public contracts.

...

(b) Advertisement and Letting of Contracts. – Where the contract is to be let by a board or governing body of the State government or of a State institution, proposals shall be invited by advertisement in a newspaper having general circulation in the State of North Carolina. Where the contract is to be let by a political subdivision of the State, proposals shall be invited by both of the following: (i) advertisement in a newspaper having general circulation in the political subdivision or by electronic means, or ~~both~~-both, and (ii) notification sent by regular or electronic mail to persons or businesses located within the jurisdictional boundaries of the political subdivision that have requested notices from the political subdivision for the type of work being bid if the estimated expenditure of the work is fifty thousand dollars (\$50,000) or more. A decision to advertise or send notifications solely by electronic means, whether for particular contracts or generally for all contracts that are subject to this Article, shall be approved by the governing board of the political subdivision of the State at a regular meeting of the board.

The advertisements for bidders and notification required by this section shall appear at a time where at least seven full days shall lapse between the date on which the notice appears in a newspaper or is sent and the date of the opening of bids. The advertisement and notification shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals.

...."

SECTION 2. This act becomes effective October 1, 2021.

