



# HOUSE BILL 236: Certain Counties/Purchasing Exemption

2015-2016 General Assembly

|                       |                                      |                     |                    |
|-----------------------|--------------------------------------|---------------------|--------------------|
| <b>Committee:</b>     | House Local Government               | <b>Date:</b>        | March 31, 2015     |
| <b>Introduced by:</b> | Rep. Speciale                        | <b>Prepared by:</b> | R. Erika Churchill |
| <b>Analysis of:</b>   | PCS to First Edition<br>H236-CSST-15 |                     | Committee Counsel  |

**SUMMARY:** House Bill 236 would permit the sheriffs in Beaufort, Chowan, Currituck, Granville, Pasquotank, and Stanly Counties to purchase food and food supplies for the county's detention facility with complying with the formal and informal bidding requirements of G.S. 143-129 and G.S. 143-131(a).

*The proposed committee substitute adds Dare and Washington Counties to the bill.*

**CURRENT LAW:** Article 8 of Chapter 143 sets out the current general law for public building contracts. That Article generally requires separate or single-prime bidding.

The sections of Article 8 for construction or renovations of buildings that require or imply the separate or single-prime bidding process are:

- G.S. 143-128, regarding separate specifications for HVAC, Plumbing, Electrical, and general contract work under separate prime or single-prime bidding.
- G.S. 143-129, regarding formal bidding for public construction over \$500, 000 and goods over \$90,000.
- G.S. 143-131, regarding informal bidding procedures
- G.S. 143-132, concerning the minimum number of bids for a public construction contract.

A public school is not required to comply with the requirement to purchase all supplies under Article 8 of Chapter 143 when purchasing supplies and food for such school food services. G.S. 115C-264(c)

**BILL ANALYSIS:** House Bill 236 would permit the sheriffs in Beaufort, Chowan, Currituck, Dare, Granville, Pasquotank, Stanly, and Washington Counties to purchase food and food supplies for the county's detention facility with complying with the formal and informal bidding requirements of G.S. 143-129 and G.S. 143-131(a).

**EFFECTIVE DATE:** Effective when it becomes law.

**BACKGROUND:** House Bill 58, Certain Counties Sheriff/Food Purchases, granting the following counties the same authority, passed the House on 3/16/15, and is now in Senate Rules: Alamance, Anson, Caswell, Craven, Cumberland, Davidson, Guilford, Onslow, Pamlico, Randolph, Rockingham, and Wake.

