



SENATE BILL 495: Zoo State Construction Exemptions.

2017-2018 General Assembly

Committee:	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 19, 2017
Introduced by:	Sens. Gunn, Tillman	Prepared by:	Nicholas Giddings Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 495 would exempt projects of the North Carolina Zoological Park that do not exceed \$2,000,000 from certain architecture and engineering requirements of the Department of Administration. The bill also sets out the powers and duties of the North Carolina Zoological Park Council and the Department of Natural and Cultural Resources regarding fee negotiations, contracts and capital improvements for projects at the Zoological Park.

CURRENT LAW: G.S. 143-341(3) provides the Department of Administration (DOA) numerous powers and duties related to the architecture and engineering of State buildings and community college buildings. State agencies or community colleges that wish to construct or renovate certain buildings, must adhere to the guidelines set forth in G.S. 143-341(3). Currently, The University of North Carolina is the only entity partially exempt from these requirements.

BILL ANALYSIS: Senate Bill 495 would provide the North Carolina Zoological Park Council (Council) and the Department of Natural and Cultural Resources (DNCR), with respect to projects at the North Carolina Zoological Park (Park), the same exemptions to G.S. 143-341(3) provided to the University of North Carolina (UNC). This would only apply to projects that do not exceed \$2,000,000.

The bill would also enact a new statute¹ providing the Council and DNCR the following powers:

- Authorizes the Council and DNCR to do the following with respect to the design, construction, or renovation of buildings, utilities, and other property developments at the Park that do not exceed \$2,000,000:
 - Conduct fee negotiations for design contracts and supervise the letting of construction and design contracts.
 - Develop procedures governing the responsibilities of the Council and DNCR to perform the duties of DOA.
 - Develop procedures and limitations on the use of open-end design agreements.
 - Use existing plans and specifications for construction projects, if feasible.
- Requires the Council and DNCR to use the standard contracts for design and construction currently in use by the Office of State Construction.
- Clarifies that a contract cannot be divided to avoid the \$2,000,000 threshold.
- Clarifies that DOA will not be the awarding authority for contracts under this statute.
- Requires DNCR to report annually to the State Building Commission on contracts awarded under this statute.

EFFECTIVE DATE: This act would be effective when law.

¹ This newly-enacted statute would conform to the powers afforded to the Board of Trustees of UNC under G.S. 116-31.11.

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