



CHAPTER 115D
ARTICLE 1 - GENERAL PROVISIONS FOR STATE ADMINISTRATION

N.C.G.S. § 115D-9.

Powers of State Board regarding certain
fee negotiations, contracts, and capital
improvements.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 01:22 UTC	SOURCE FINGERPRINT 779c251b00d019cda7aeeb5e - 086627ec787e69792a87b4ff - 2b596d18882c3e5a
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§ 115D-9(a) The expenditures of any State funds for any capital improvements of existing institutions shall be subject to the prior approval of the State Board of Community Colleges and the Governor. The expenditure of State funds at any institution herein authorized to be approved by the State Board under G.S. 115D-4 shall be subject to the terms of the State Budget Act unless specifically otherwise provided in this Chapter.

§ 115D-9(b) Notwithstanding G.S. 143-341(3), the State Board of Community Colleges may, with respect to design, construction, repair, or renovation of buildings, utilities, and other State-funded property developments of the North Carolina Community College System requiring the estimated expenditure of public money of four million dollars (\$4,000,000) or less:

- (1) Conduct the fee negotiations for all design contracts and supervise the letting of all construction and design contracts.
- (2) Develop procedures governing the responsibilities of the North Carolina Community College System and its community colleges to perform the duties of the Department of Administration and the Director or Office of State Construction under G.S. 133-1.1(d) and G.S. 143-341(3).

- (3) Use existing plans and specifications for construction projects, where feasible. Prior to designing a project, the State Board shall consult with the Department of Administration on the availability of existing plans and specifications and the feasibility of using them for a project.

§ 115D-9(c) The State Board may delegate its authority under subsection (b) of this section to a community college if the community college is qualified under guidelines adopted by the State Board.

§ 115D-9(d) The North Carolina Community College System shall use the standard contracts for design and construction currently in use for State capital improvement projects by the Office of State Construction of the Department of Administration.

§ 115D-9(e) A contract may not be divided for the purpose of evading the monetary limit under this section.

§ 115D-9(f) Notwithstanding any other provision of this Chapter, the Department of Administration shall not be the awarding authority for contracts awarded under subsections (b) or (c) of this section.

§ 115D-9(g) For projects two million dollars (\$2,000,000) or more, funded with public money, the Community Colleges System Office shall report no later than October 1 of each year to the State Building Commission the following:

- (1) A list of projects governed by this section.
- (2) The estimated cost of each project along with the actual cost.
- (3) The name of each person awarded a contract under this section.
- (4) Whether the person or business awarded a contract under this section meets the definition of "minority business" or "minority person" as defined in G.S. 143-128.2(g).

§ 115D-9(h) The provisions of G.S. 143-341(3) shall not apply to a capital improvement project funded with non-State funds or for projects less than two million dollars (\$2,000,000) that have been delegated pursuant to subsection (c) of this section if the State Board of Community Colleges determines that the college has the expertise necessary to manage the project unless the assistance of the Office of State Construction is requested. (2009-229, s. 2; 2011-145, s. 8.19(a); 2019-165, s. 2.4; 2022-69, s. 4.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 115D-4	(a)	<i>"approved by the State Board under"</i>
G.S. 143-341(3)	(b)	<i>"Notwithstanding"</i>
G.S. 133-1.1(d)	(b)(2)	<i>"or Office of State Construction under"</i>
G.S. 143-128.2(g)	(g)(4)	<i>"or "minority person" as defined in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 115D-9 (2026).

PINPOINT

N.C. Gen. Stat. § 115D-9(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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