



CHAPTER 136
ARTICLE 2 - POWERS AND DUTIES OF DEPARTMENT AND BOARD OF TRANSPORTATION

N.C.G.S. § 136-28.10.

Highway Fund and Highway Trust Fund Small Project Bidding.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-68, s. 17 — sixth act in the lineage	21 September 2026, 05:35 UTC	3308fd9d990eadb90e868e53 - 6b32849a58b9588a706bf1c4 - 0a19bd1bf7a335de

- § 136-28.10(a)

Notwithstanding the provisions of G.S. 136-28.4(b), for Highway Fund or Highway Trust Fund construction and repair projects of one million dollars (\$1,000,000) or less, and maintenance projects of one million dollars (\$1,000,000) or less per year, the Board of Transportation may, after soliciting and receiving at least three informal bids in writing from Small Business Enterprises, award contracts to the lowest responsible bidder. The Department of Transportation may identify projects likely to attract increased participation by Small Business Enterprises, and restrict the solicitation and award to those bidders. The Board of Transportation may delegate full authority to award contracts, adopt necessary rules, and administer the provisions of this section to the Secretary of Transportation.
- § 136-28.10(a1)

Notwithstanding the provisions of G.S. 136-28.4(b), the Department of Transportation shall increase the outsourcing of professional services for Highway Fund and Highway Trust Fund projects to Small Professional Services Firms. The Department of Transportation may identify professional services likely to attract increased participation by Small Professional Services Firms and restrict the solicitation and award to those firms, and any award of these contracts shall be through the Qualification Based Selection (QBS) process. The Board of Transportation may delegate full authority to award contracts, adopt necessary rules, and administer the provisions of this section to the Secretary of Transportation.
- § 136-28.10(b)

The letting of contracts under this section is not subject to any of the provisions of G.S. 136-28.1 relating to the letting of contracts. The Department may waive the

bonding requirements of Chapter 44A of the General Statutes and the licensing requirements of Chapter 87 for contracts awarded under this section.

§ 136-28.10(c)

The Secretary of Transportation shall report annually to the Joint Legislative Transportation Oversight Committee on the implementation of this section. The information in the report required by this subsection shall be set forth separately for each division of the Department of Transportation.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1993	2008		2022
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1993	c. 561, s. 65	ENACTED
02	1999	S.L. 1999-25, s. 1	AMENDED
03	2009	S.L. 2009-266, s. 2	AMENDED
04	2015	S.L. 2015-241, s. 29.12(g)	AMENDED
05	2021	S.L. 2021-185, s. 4(a)	AMENDED
06	2022	S.L. 2022-68, s. 17	AMENDED

APPARATUS II
2 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. 136-28.4(b)	(a)	<i>"Notwithstanding the provisions of"</i>
G.S. 136-28.1	(b)	<i>"to any of the provisions of"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 136-28.10 (2022).

PINPOINT

N.C. Gen. Stat. § 136-28.10(a) (2022).

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

Provenance

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The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1993, c. 561, s. 65; 1999-25, s. 1; 2009-266, s. 2; 2015-241, s. 29.12(g); 2021-185, s. 4(a); 2022-68, s. 17.)

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