

TABLE 3. Bidding Laws and Local Policies: Construction and Repair Contracts (Not Involving Buildings)

("G.S." stands for the North Carolina General Statutes. Refer to the statutes for explanations, details, and exceptions.)

Contract amount:	\$0 →	\$30,000 →	\$500,000 →
Advertisement (G.S. 143-129)	G.S.—no ads required <i>Local policies</i> —may require specific method/timing of ads		G.S.—newspaper or electronic ads for full 7 days before bid opening (advertising by electronic means only requires board approval) <i>Local policies</i> —may require extra time/locations for ads
Minimum number of bids (G.S. 143-132)	G.S.—no minimum <i>Local policies</i> —may require a minimum		G.S.—minimum of 3 bids is required <i>Local policies</i> —may require more than 3 bids
Form of bids (G.S. 143-129, 143-131)	G.S.—no specific form required (e-mail, phone, fax, mail all acceptable) <i>Local policies</i> —may require a specific form		G.S.—bids must be sealed <i>Local policies</i> —must comply with G.S.
Record of bids (G.S. 143-129, 143-131)	G.S.—not required <i>Local policies</i> —may require a record	G.S.—must keep a record of all bids received <i>Local policies</i> —must comply with G.S.	G.S.—because bids are public, no separate record is required <i>Local policies</i> —must comply with G.S.
Bid opening (G.S. 143-129, 143-131)	G.S.—public bid opening not required <i>Local policies</i> —may require public bid opening		G.S.—public bid opening required <i>Local policies</i> —must comply with G.S.
Bid bonds/deposit (G.S. 143-129)	G.S.—bid bonds not required <i>Local policies</i> —may require bid bonds		G.S.—bid bond/deposit (5% of bid amount) is required <i>Local policies</i> —may require more than 5%
Performance/payment bonds (G.S. 44A-26, 143-129)	G.S.—performance and payment bonds are not required <i>Local policies</i> —may require bonds	G.S.—performance and payment bonds are required (100% of bid amount) more than \$300,000 <i>Local policies</i> —must comply with G.S.	
Historically underutilized business (HUB) participation goals (G.S. 143-128.2, 143-131)	G.S.—not required <i>Local policies</i> —may require good faith efforts/goals—check with local government attorney		
Separate specifications (G.S. 143-128)	G.S.—separate specifications not required <i>Local policies</i> —may require separate specifications		
Licensed contractor (G.S. 87-1, 87-1.1, 143-139.1)	G.S.—must use a licensed general contractor if the contract is part of a project worth more than \$30,000 <i>Local policies</i> —must comply with G.S.		
Construction methods (G.S. 143-128)	G.S.—no specific methods must be used <i>Local policies</i> —may require specific methods		
Board approval (G.S. 143-129, 143-131)	G.S.—not required <i>Local policies</i> —may require board approval		G.S.—board approval required; cannot be delegated <i>Local policies</i> —must comply with G.S.
Standard of award (G.S. 143-129, 143-131)	G.S.—no standard given <i>Local policies</i> —may require a specific standard	G.S.—award to lowest responsive, responsible bidder <i>Local policies</i> —must comply with G.S.	
Dispute resolution (G.S. 143-128(f))	G.S.—dispute resolution process not required <i>Local policies</i> —may require a dispute resolution process		
Public records (G.S. 132-1, 132-6, 143-131)	G.S.—bids become public record when received <i>Local policies</i> —must comply with G.S.	G.S.—record of bids not subject to public inspection until contract award <i>Local policies</i> —may permit public inspection before award	G.S.—bids become public record once opened <i>Local policies</i> —must comply with G.S.