

01 NCAC 30J .0103 DEFINITIONS

For purposes of this subchapter, the following definitions shall apply:

- (1) "Capital Projects Coordinator" means the individual or designee authorized by each funded agency to coordinate all capital improvement projects and related matters for the agency with the State Construction Office and to represent that agency on all matters presented to the SBC. The individual so designated for purposes of this Subchapter may have other titles within his agency but shall carry out the duties assigned by the rules in this Subchapter to the capital projects coordinator.
- (2) "Construction Manager-at-Risk" means a person, corporation, or entity that provides construction management-at-risk services.
- (3) "Construction Management-at-Risk Services" means services provided by a person, corporation, or entity that:
 - (a) provides construction management services for a project throughout the preconstruction and construction phases,
 - (b) who is licensed as a general contractor, and
 - (c) who guarantees the cost of the project.
- (4) "First-Tier Subcontractor" means a subcontractor who contracts directly with the Construction Manager-at-Risk.
- (5) "Contact person" means the person named in the public advertisement who shall be the Capital Projects Coordinator or his/her designee.
- (6) "Funded agency" means the department, agency, authority or office that is named in the legislation appropriating funds for the design and construction project.
- (7) "Using agency" means the subdivision of the funded agency for whose use the project is to be provided. If the funded agency is so subdivided for administrative control, the using agency would be a division, geographically self-contained facility, campus or similar body, as determined by the administrative head of the funded agency.
- (8) "Minority Business" means a business:
 - (a) in which at least 51% is owned by one or more minority persons, or in the case of corporation, in which at least 51% of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
 - (b) of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
- (9) "Socially and economically disadvantaged individual" means the same as defined in 15 U.S.C. 637.

*History Note: Authority: G.S. 143-135.26;
Temporary Adoption Eff. February 1, 2003;
Eff. March 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2018.*