

**01 NCAC 30E .0402 APPEALS OF ASSIGNED EVALUATIONS**

If a design or consultant firm considers that the assigned evaluation is improper and the opportunity to provide rebuttal comments for the record is insufficient to resolve the assigned rating, the designer or consultant may appeal the rating to the Office of State Construction. The State Construction Office will appoint and convene a rating panel of three professional State employees of which at least one member is a licensed professional architect or engineer to hear the appeal and render a decision. The hearing shall involve at a minimum the Capital Projects Coordinator and the Owner's representative as well as representatives of the designer or consultant who shall appear before the panel and which is open to the public. The State Construction Office hearing panel shall issue a report to the State Building Commission of the hearing and the decision reached. If the Capital Projects Coordinator or designer desires further recourse, the State Construction Office panel decision may be formally appealed to the Office of Administrative Hearings pursuant to N.C.G.S. 150B.

*History Note: Authority G.S. 143-135.25; 143-135.26;  
Eff. October 1, 1988;  
Amended Eff. May 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2018.*