

SENATE BILL NO. 2233

Introduced by

Senators Dever, O'Connell

Representatives Rick C. Becker, Dockter, Meier

1 A BILL for an Act to amend and reenact section 48-01.2-22 of the North Dakota Century Code,
2 relating to the public opening of subcontractor bids.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 48-01.2-22 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.2-22. Subcontractor bids.**

- 7 1. An agency construction manager selected for a public improvement shall publicly
8 advertise ~~publicly~~ and receive open bids from subcontractors for the work items
9 necessary to complete the general construction portions of the improvement. The
10 governing body may influence the selection of the subcontractors, but only insofar as
11 the governing body's past experience with a subcontractor or a current legal dispute
12 with a subcontractor.
- 13 2. A construction manager at-risk selected for a public improvement shall publicly
14 advertise ~~publicly~~ and receive open bids from subcontractors for the work items the
15 construction manager at-risk chooses not to perform. The governing body may
16 influence the selection of the subcontractors, but only insofar as the governing body's
17 past experience with a subcontractor or a current legal dispute with a subcontractor.