

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED 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 subsection 1 of section 48-01.2-22 of the North Dakota  
2 Century Code, relating to the public opening of subcontractor bids; and to provide for a  
3 legislative management study of public improvement issues relating to use of multiple bids  
4 versus single prime bids, bidding thresholds, design services thresholds, and indemnification.

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

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 48-01.2-22 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 1. An agency construction manager selected for a public improvement shall publicly  
9 ~~advertise publicly~~ and receive open bids from subcontractors for the work items  
10 necessary to complete the general construction portions of the improvement. The  
11 governing body may influence the selection of the subcontractors, but only insofar as  
12 the governing body's past experience with a subcontractor or a current legal dispute  
13 with a subcontractor.

14 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-16 interim, the  
15 legislative management shall consider studying public improvement issues relating to use of  
16 multiple bids versus single prime bids, bidding thresholds, design services thresholds, and  
17 indemnification. The legislative management shall report its findings and recommendations,  
18 together with any legislation required to implement the recommendations, to the sixty-fifth  
19 legislative assembly.