

Introduced by

Senators Laffen, Bekkedahl, Mathern

Representative Zubke

1 A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code,
2 relating to bid requirements for public improvements.

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

4 **SECTION 1. AMENDMENT.** Section 48-01.2-06 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.2-06. Bid requirements for public improvements.**

7 ~~Multiple prime bids for the general, electrical, and mechanical portions of a project~~Bids are
8 required when any individual general, electrical, or mechanical contract or any combination of
9 individual contracts is in excess of the threshold established under section 48-01.2-02.1. A
10 governing body may allow submission of multiple prime bids for the general, electrical, and
11 mechanical portions of a project. If a general, mechanical, or electrical contract is estimated to
12 be less than twenty-five percent of the threshold, the contract may be included in one of the
13 other prime contracts. A governing body may allow submission of a single prime bid for the
14 complete project or bids for other specialized portions of the project. ~~A governing body may not~~
15 ~~accept the single prime bid unless that bid is lower than the combined total of the lowest~~
16 ~~responsible multiple bids for the project.~~ Multiple prime bids and single prime bids must include
17 a list of the subcontractors to be used for the projectSingle prime bids must list the mechanical
18 and electrical contractors in the base bid, then evaluate and determine the lowest responsible
19 bidder. If a bid for the general, electrical, or mechanical portions of a project is not received, a
20 governing body may negotiate a contract amendment, up to an additional one hundred fifty
21 thousand dollars, with the general, electrical, or mechanical contractor whose contract would
22 represent the largest portion of the project cost for providing the portion of the project for which
23 a bid was not received without rebidding all or part of the project.