Sixty-second Legislative Assembly of North Dakota FIRST DRAFT: Prepared by the Legislative Council staff for the Advisory Commission on Intergovernmental Relations July 2010

Introduced by

- 1 A BILL for an Act to amend and reenact section 48-01.2-04 of the North Dakota Century Code,
- 2 relating to the advertisement for bids for public improvements construction.

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

4 **SECTION 1. AMENDMENT.** Section 48-01.2-04 of the North Dakota Century Code is 5 amended and reenacted as follows:

## 6 **48-01.2-04.** Publication of advertisement for bids - Emergency exception.

- 7 1. Except as otherwise provided in this chapter, if the estimated cost for the 8 construction of a public improvement is estimated to cost in excess of one hundred thousand dollars the threshold established under this chapter, the governing body 9 10 shall advertise for bids by publishing for three two consecutive weeks. The first 11 publication of the advertisement must be at least twenty one fifteen days before 12 the date of the opening of bids. The advertisement must be published in the official 13 newspaper of the political subdivision in which the public improvement is or will be 14 located, and in a trade publication of general circulation among the contractors, 15 building manufacturers, and dealers in this state, except the advertisement for a 16 public improvement financed by special assessments need be published only once 17 each week for two weeks in the official newspaper with the first publication being at 18 least fourteen days before the bid opening. 19 2. If a governing body declares an emergency situation, the governing body may
- 2. If a governing body declares an emergency situation, the governing body may contract for the construction of a public improvement without seeking bids.