

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2171

Introduced by

Senators Klein, Murphy, Poolman

Representatives Amerman, Keiser, Ruby

1 A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code,
2 relating to multiple prime bids.

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 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. If a
10 general, mechanical, or electrical contract is estimated to be less than twenty-five percent of the
11 threshold, the contract may be included in one of the other prime contracts. A governing body
12 may allow submission of a single prime bid for the complete project or bids for other specialized
13 portions of the project. A governing body may not accept the single prime bid unless that bid is
14 lower than the combined total of the lowest responsible multiple bids for the project. If a bid for
15 the general, electrical, or mechanical portions of a project is not received, a governing body
16 may negotiate a contract amendment, up to an additional one hundred fifty thousand dollars,
17 with the general, electrical, or mechanical contractor, whose contract would represent the
18 largest portion of the project cost, for providing the portion of the project for which a bid was not
19 received without rebidding all or part of the project.