Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1182
(Representatives Mooney, Kelsh, J. Nelson, M. Nelson, Owens)
(Senators Bowman, Sinner, Sorvaag)

AN ACT to amend and reenact sections 11-11-26 and 11-11-27 of the North Dakota Century Code, relating to bidding requirements for public purchases; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 11-11-26 of the North Dakota Century Code is amended and reenacted as follows:

11-11-26. When board shall advertise for bids for fuel.

~~Except as provided in chapter 48-01.2, when the amount to be paid during the current year for the erection of county buildings or for election ballots and supplies exceeds ten thousand dollars, the board of county commissioners shall cause an advertisement for bids to be published at least once each week for two successive weeks in the official newspaper of the county and in such other newspapers as it shall deem advisable. The first publication shall be made at least fifteen days before the day set for the opening of the bids.~~ For the purchase of fuel when the amount exceeds four thousand dollars, the board of county commissioners shall seek bids either by telephone solicitation from at least two suppliers, or by an advertisement for bids to be published at least once each week for two successive weeks in the official newspaper of the county and in other newspapers as the board deems advisable.

SECTION 2. AMENDMENT. Section 11-11-27 of the North Dakota Century Code is amended and reenacted as follows:

11-11-27. Contents of fuel bids advertisement - When bids may be opened - Lowest bidder accepted.

The advertisement ~~shall~~must state what ~~supplies are~~type of fuel is required ~~or where the plans and specifications may be examined, the time allowed for the completion of the examination,~~ and when the bids will be opened and passed upon by the board of county commissioners. The bids may be opened and passed upon at a regular or adjourned session of the board, or at a meeting called by the county auditor as provided in section 11-11-05. The bid of the lowest responsible bidder ~~shall~~must be accepted, but the board ~~shall have power to~~may reject any or all bids.

SECTION 3. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying public improvement issues relating to use of multiple bids versus single prime bids, bidding thresholds, design services thresholds, and indemnification. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

Bill Devlin
Speaker of the House

Dick Dwyer
President of the Senate

Burl J. Reich
Chief Clerk of the House

Jane Schaible
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1182.

House Vote:	Yeas 91	Nays 0	Absent 3
Senate Vote:	Yeas 47	Nays 0	Absent 0

Burl J. Reich
Chief Clerk of the House

Received by the Governor at 9:13 A.M. on March 24, 2015.

Approved at 2:58 P.M. on March 25, 2015.

Jack Dalrymple
Governor

Filed in this office this 25th day of March, 2015,

at 3:45 o'clock P M.

Alvin A. Jaeger
Secretary of State