

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2190

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.~~ Single prime bids must list the mechanical and  
17 electrical contractors in the base bid, then evaluate and determine the lowest responsible  
18 bidder. If a bid for the general, electrical, or mechanical portions of a project is not received, a  
19 governing body may negotiate a contract amendment, up to an additional one hundred fifty  
20 thousand dollars, with the general, electrical, or mechanical contractor whose contract would  
21 represent the largest portion of the project cost for providing the portion of the project for which  
22 a bid was not received without rebidding all or part of the project.