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INTRODUCED BY Kradlen by regules + A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 82-1133 AND 82-3317, R.C.M. 1947, TO ABOLISH THE MINIMUM NUMBER OF BIDS REQUIRED FOR STATE CONSTRUCTION PROJECTS AND TO CLARIFY THE LAWS RELATED TO BID SECURITY." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 82-1133, R.C.M. 1947, is amended to read as follows: #82-1133. Number--of-bids-required--certified-check-to accompany-bid Bid security. There-must-be-bids-from-at-least two-f27-responsible-contractors-in-their--respective--iines when--said-contract-involves-an-expenditure-of-more-then-two thousand--dollars--f\$2v000v001t--each Each bid must be accompanied by a-certified-check-for-5%-of-the-amount-of-his bid security in the amount of 10% of the bids such security to consist of cash. cashier's check. certified check. bank money order, or bank draft, drawn and issued by a national

21 banking association located in the state of Montana or by 22 any panking corporation incorporated under the laws of the 23 state of Montanai or a bid bond or bonds executed by a 24 surety corporation authorized to do business in the state of 25 Montana."

INTRODUCED BILL

Section 2. Section 82-3317, R.C.M. 1947, is amended to read as follows:

3 "82-3317. Supervision of construction of buildings.
4 (1) For the construction of a building costing more than
5 ten thousand dollars (\$10,000.00) the department of
6 administration shall:

7 (a) Review and approve all plans and working drawings8 prepared by architects.

9 (b) Approve all bond issues or other financial
 10 arrangements and supervise and approve the expenditure of
 11 all moneys.

12 (c) Under the supervision and with the approval of the
13 board of examiners, solicit, accept and reject bids and
14 award all contracts to the lowest gualified bidder.

15 (d) Review and, with the consent of the board of 16 examiners, approve all change orders.

17 (e) Accept the building when completed according to

18 approved plans and specifications.

19 (f) Concur in construction projects where the proposed 20 cost is less than ten thousand dollars (\$10,000.00), but 21 more than three thousand dollars (\$3,000.00)v-provided-that 22 before-any-contract-is-approved-for-constructiony-alterstion 23 or-improvement-no-less-than-three-{3}-separate-informal-oids 24 shall-be-procured-from-bons-fide-contractors--duly--lice-nsed

25 as-such-in-the-state-of-Montana.

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1 (g) Not require the provisions of Montana law relating 2 to advertising, bidding or supervision where proposed 3 construction costs are less than three thousand dollars 4 (\$3,000.00).

5 (2) For the construction of buildings owned or to be 6 owned by a school district, the department of administration 7 shall, upon request, provide inspection to insure compliance with the plans and specifications for the construction of 8 such buildings. "Construction" shall include construction, 9 10 repair, alteration, equipping and furnishing during 11 construction, repair or alteration. These services shall be provided at a cost to be contracted for between the 12 department of administration and the school district, with 13 the receipts to be deposited in the department of 14 administration's construction revolving account in the 15 revolving fund. 16

17 (3) It is the intent of the legislative assembly that 18 student housing and other facilities constructed under the 19 authority of the regents of the university of Montana are 20 subject to the provisions of subsection (1) of this 21 section."

-End-

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read as follows:

Approved by Committee on State Administration

INTRODUCED BY Kvallen by request 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 5 82-1133 AND 82-3317. R.C.M. 1947. TO ABOLISH THE MINIMUM 6 NUMBER OF BIDS REQUIRED FOR STATE CONSTRUCTION PROJECTS AND 7 TO CLARIFY THE LAWS RELATED TO BID SECURITY." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 82-1133, R.C.M. 1947, is amended to 10 read as follows: 11 12 #82-1133. Number--of-bids-required--certified-check-to 13 accompany-bid Bid_security. There-must-be-bids-from-at-least 14 two-{2}-responsible-contractors-in--their--respective--lines 15 when--said-contract-involves-an-expenditure-of-more-than-two thousand--dollars--(\$2y800x80);--each Each bid must be 16 17 accompanied by a-certified-check-for-5%-of-the-amount-of-his 18 bid security in the amount of 10% of the bid. such security 19 to consist of cash, cashier's check, certified check, bank 20 money order, or bank draft, drawn and issued by a national 21 banking association located in the state of Montana or by 22 any banking corporation incorporated under the laws of the 23 state of Montana, or a bid bond or bonds executed by a 24 surety corporation authorized to do business in the state of 25 Montana."

SECOND READING

Section 2. Section 82-3317, R.C.M. 1947, is amended to #82-3317. Supervision of construction of buildings.

4 (1) For the construction of a building costing more than 5 ten thousand dollars (\$10,000.00) the department of 6 administration shall:

7 (a) Review and approve all plans and working drawings 8 prepared by architects.

9 (b) Approve all bond issues or other financial 10 arrangements and supervise and approve the expenditure of 11 all moneys.

(c) Under the supervision and with the approval of the 12 13 board of examiners, solicit, accept and reject bids and 14 award all contracts to the lowest qualified bidder.

(d) Review and, with the consent of the board of 15 16 examiners, approve all change orders.

17 (e) Accept the building when completed according to 18 approved plans and specifications.

19 (f) Concur in construction projects where the proposed

20 cost is less than ten thousand dollars (\$10,000.00), out 21 more than three thousand dollars (\$3,000.00) -provided-that 22 before-any-contract-is-approved-for-constructiony-alteration

- 23 of-improvement-no-less-than-three-{3}-separate-informal-bids
- shall-be-procured-from-bona-fide-contractors--duly--licensed 24

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25 as-such-in-the-state-of-Montana.

HR.518

1 (g) Not require the provisions of Montana law relating 2 to advertising, bidding or supervision where proposed 3 construction costs are less than three thousand dollars 4 (\$3,000.00).

(2) For the construction of buildings owned or to be 5 6 owned by a school district, the department of administration 7 shall, upon request, provide inspection to insure compliance with the plans and specifications for the construction of 8 9 such buildings. "Construction" shall include construction. 10 repair, alteration, equipping and furnishing during 11 construction, repair or alteration. These services shall be 12 provided at a cost to be contracted for between the 13 department of administration and the school district, with 14 the receipts to be deposited in the department of 15 administration's construction revolving account in the 16 revolving fund.

17 (3) It is the intent of the legislative assembly that 18 student housing and other facilities constructed under the 19 authority of the regents of the university of Montana are 20 subject to the provisions of subsection (1) of this 21 section."

-End-

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LC 1314/01

INTRODUCED BY Kvaalen by request 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS 4 82-1133 AND 82-3317, R.C.M. 1947, TO ABOLISH THE MINIMUM 5 NUMBER OF BIDS REQUIRED FOR STATE CONSTRUCTION PROJECTS AND .6 TO CLARIFY THE LAWS RELATED TO BID SECURITY." 7 8 BE IT ENALTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 82-1133; R.C.M. 1947; is amended to 10 11 read as follows: #82-1133. Number--of-bids-required--certified-check-to 12 accompany-bid Bid security. There-must-be-bids-from-at-least 13 two-{2}-responsible-contractors in-their-respective-lines 14 when--said-contract-involves-an-expenditure-of-more-thom-two 15 thousand-dollars--f#2y800y89};--each Each bid must be 16 accompanied by a-certified-check-for-5%-of-the-amount-of-bis 17 18 bid security in the amount of 10% of the bid, such security 19 to consist of cash+ cashier's check+ certified check+ bank 20 money order, or bank draft, drawn and issued by a national banking association located in the state of Montana or by 21 22 any banking corporation incorporated under the laws of the 23 state of Montana, or a bid bond or bonds executed by a 24 surety corporation authorized to do business in the state of Montana." 25

Section 2. Section 82-3317, R.C.M. 1947, is amended to
 read as follows:

*82-3317. Supervision of construction of buildings.
(1) For the construction of a building costing more than
ten thousand dollars (\$10,000.00) the department of
administration shall:

7 (a) Review and approve all plans and working drawings8 prepared by architects.

9 (b) Approve all bond issues or other financial
10 arrangements and supervise and approve the expenditure of
11 all moneys.

(c) Under the supervision and with the approval of the
 board of examiners, solicit, accept and reject bids and
 award all contracts to the lowest qualified bidder.

15 (d) Review and, with the consent of the board of16 examiners, approve all change orders.

17 (e) Accept the building when completed according to18 approved plans and specifications.

19 (f) Concur in construction projects where the proposed 20 cost is less than ten thousand dollars (\$10,000.00), but 21 more than three thousand dollars (\$3,000.00), provided-that 22 before-any-contract-is-approved-for-constructiony-alteration 23 or-improvement-no-less-than-three-{3}-separate-informal-aids 24 shall-be-procured-from-bona-fide-contractors--duly-licensed

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25 as-such-in-the-state-of-Montana.

HRANS

THIRD READING

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1 (g) Not require the provisions of Montana Jaw relating 2 to advertising, bidding or supervision where proposed 3 construction costs are less than three thousand dollars 4 (\$3,000.00).

(2) For the construction of buildings owned or to be 5 6 owned by a school district, the department of administration shall, upon request, provide inspection to insure compliance 7 8 with the plans and specifications for the construction of 9 such buildings. "Construction" shall include construction, 10 repair, alteration, equipping and furnishing during 11 construction, repair or alteration. These services shall be 12 provided at a cost to be contracted for between the 13 department of administration and the school district, with the receipts to be deposited in the department of 14 15 administration's construction revolving account in the revolving fund. 16

17 (3) It is the intent of the legislative assembly that
18 student housing and other facilities constructed under the
19 authority of the regents of the university of Montana are
20 subject to the provisions of subsection (1) of this
21 section."

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⁻End-

SENATE <u>STANDING COMMITTEE REPORT</u> Committee on State Administration

That House Bill No. 508, third reading, be amended as follows:

 Amend page 2, section 2, line 14.
 Following: "bidder"
 Insert: "considering comformity with specifications and terms and reasonableness of bid amount. Before any contract is awarded, two formal bids must have been received"

2. Amend page 2, section 2, line 19.
Following: line 18
Strike: "(f) Concur"
Insert: "(2) The department of administration is responsible for concurring"

3. Amend page 2, section 2, line 25.

Following: "Montana."

Insert: "Before any contract is approved for construction, alteration, or improvement at least three informal bids, if reasonably available, shall be procured from bona fide contractors duly licensed as such in the state of Montana." April 1, 1977

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 508 be amended as follows:

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1. Amend amendment No. 1, insertion paragraph, line 3.
Following: "received"
Insert: ",if reasonably available"

2. Amend page 1, section 1, line 18.
Following: "amount of"
Strike: "10%"
Insert: "5%"

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 508 be amended as follows:

1. Amend amendment no. 2
Strike: amendment no. 2 in its entirety.

April 1, 1977

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 508 be amended as follows:

1. Amend amendment No. 1, insertion paragraph, line 3.
Following: "received"
Insert: ", if reasonably available"

2. Amend page 1, section 1, line 18.
Following: "amount of"
Strike: "10%"
Insert: "5%"

3. Amend page 3, section 2, line 1.
Following: line 25 on page 2
Strike: "(g) Not"
Insert: "(3) The department need not"
Renumber: all subsequent subsections

" Corrected

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HB 0508/02

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1	HOUSE HILL NO. 508	1	in_the_state_of_Montana."
2	INTRODUCED BY KVAALEN	2	Section 2. Section 82-3317, R.C.M. 1947, is amended to
3	BY REQUEST	3	read as follows:
4		4	<pre>#82-3317. Supervision of construction of buildings.</pre>
5	A BILL FOR AN ACT ENTITLED: MAN ACT TO AMEND SECTIONS	5	 For the construction of a building costing more than
6	82-1133 AND 82-3317, R.C.N. 1947, TO ABOLISH THE MINIMUM	6	ten thousand dollars (\$10,000.00) the department of
7	NUMBER OF BIDS REQUIRED FOR STATE CONSTRUCTION PROJECTS AND	ד	administration shall:
8	TO CLARIFY THE LANS RELATED TO BID SECURITY."	8	(a) Review and approve all plans and working drawings
9		9	prepared by architects.
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	(b) Approve all bond issues or other financial
11	Section 1. Section 82-1133, R.C.M. 1947, is amended to	11	arrangements and supervise and approve the expenditure of
12	read as follows:	12	all moneys.
13	"82-1133. Numberof-bids-requiredcertified-check-to	13	(c) Under the supervision and with the approval of the
14	accompony-bid <u>Bid security</u> . There-must-be-bids-from-at-least	14	board of examiners, solicit, accept and reject bids and
15	two-{2}-responsible-contractors-intheirrespectivelines	15	award all contracts to the lowest qualified bidder
16	whensaid-contract-involves-an-expenditure-of-more-than-two	16	CONSIDERING_CONFORMITY_WITH_SPECIFICATIONS_AND_TERMS_AND
17	thousand-dollars{\$2y000y00}1each <u>Each</u> bid must be	17	REASONABLENESS OF BID AMOUNT. BEFORE ANY CONTRACT IS
18	accompanied by a-certified-check-for-5%-of-the-amount-of-his	18	ANARDED. TWO FORMAL BIDS MUST HAVE BEEN RECEIVED. IF
19	bid security in the amount of 19% 5% of the bid, such	19	SEASONABLY_AVAILABLE.
20	security to consist of cash+ cashier's check+ certified	20	(d) Review and, with the consent of the board of
21	checki bank money order, or bank draft, drawn and issued by	21	examiners, approve all change orders.
2 2	a national banking association located in the state of	22	(e) Accept the building when completed according to
23	<u>Montana or by any banking corporation incorporated under the</u>	23	approved plans and specifications.
24	laws of the state of Montana. or a bid bond or bonds	24	(f)Concur (2) THE DEPARTMENT OF ADMINISTRATION_IS
25	<u>executed by a surety corporation authorized to do business</u>	25	RESPONSIBLE FOR CONCURRING in construction projects where

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REFERENCE BILL

HB 508

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H8 0508/02

2 (\$10.009.00). but more than three thousand dollars 3 (\$3,000.00) y-provided-that-before-any-contract--is--approved 4 for--constructiony--alteration--or--improvement-no-less-than 5 three-f3}-separate-informal-bids-shall-be-procured-from-bona 6 fide-contractors-duly-licensed-as--such--in--the--state--of 7 Montone. BEFORE ANY CONTRACT IS APPROVED FOR CONSTRUCTION. 8 ALTERATION. OR IMPROVEMENT AT LEAST THREE INFORMAL BIDS. IF 9 REASONABLY AVAILABLE. SHALL BE PROCURED FROM BONA FIDE 10 CONTRACTORS DULY LICENSED AS SUCH IN THE STATE OF MONTANA. 11 (g)--Not (3) THE DEPARTMENT NEED NOT require the 12 provisions of Montana law relating to advertising, bidding 13 or supervision where proposed construction costs are less 14 than three thousand dollars (\$3,000.00).

the proposed cost is less than ten thousand dollars

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15 (2)(4) For the construction of buildings owned or to 16 be owned by a school district, the department of 17 administration shall, upon request, provide inspection to 18 insure compliance with the plans and specifications for the 19 construction of such buildings. "Construction" shall include 20 construction, repair, alteration, equipping and furnishing 21 during construction, repair or alteration. These services 22 shall be provided at a cost to be contracted for between the 23 department of administration and the school district, with 24 the receipts to be deposited in the department of 25 administration's construction revolving account in the revolving fund.
 (3)(5) It is the intent of the legislative assembly
 that student housing and other facilities constructed under
 the authority of the regents of the university of Montana
 are subject to the provisions of subsection (1) of this
 section."

~End-

HB 0508/03

1	HOUSE BILL NO. 508	1
2	INTRODUCED BY KVAALEN	2
3	BY REQUEST	3
4		4
5	A BILL FOR AM ACT ENTITLED: "AN ACT TO ANEND SECTIONS	5
6	82-1133 AND 82-3317, R.C.M. 1947, TO ABOLISH THE MINIMUM	6
7	NUMBER OF BIDS REQUIRED FOR STATE CONSTRUCTION PROJECTS AND	7
8	TO CLARIFY THE LAWS RELATED TO BID SECURITY."	8
9		9
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10
11	Section 1. Section 82-1133; R.C.M. 1947; is amended to	11
12	read as follows:	12
13	"82-1133. Numberof-bids-requiredcertified-check-to	13
14	accompany-bid <u>Bid_security</u> . There-must-be-bids-from-at-least	14
15	two-{2}-responsible-contractors-in-theirrespectivelines	15
16	whensaid-contract-involves-an-expenditure-of-more-than-two	16
17	thousanddollars{\$2₇000#00}}each <u>Each</u> bid must be	17
18	accompanied by a certified check-for-5%-of-the-amount-of-his	18
19	bid <u>security in the amount of 10% 5% 10% of the bids such</u>	19
20	security to consist of cash, cashier's check, certified	20
21	check, bank money order, or bank draft, drawn and issued by	23
22	a national banking association located in the state of	22
23	Montana or by any banking corporation incorporated under the	
24	laws of the state of Montana, or a bid bond or bonds	23
25	executed by a surety corporation authorized to do business	24
		25

in the state of Montana." Section 2. Section 82-3317. R.C.M. 1947. is amended to read as follows: #82-3317. Supervision of construction of buildings. (1) For the construction of a building costing more than ten thousand dollars (\$10.000.00) the department of administration shall: (a) Review and approve all plans and working drawings prepared by architects. (b) Approve all bond issues or other financial arrangements and supervise and approve the expenditure of all moneys. (c) Under the supervision and with the approval of the board of examiners, solicit, accept and reject bids and award all contracts to the lowest qualified bidder CONSIDERING CONFORMITY HITH SPECIFICATIONS AND TERMS AND REASONABLENESS OF BID ANOUNT. BEFORE ANY CONTRACT IS AWARDED. THO FORMAL BIDS MUST HAVE BEEN RECEIVED. IF REASONABLY AVAILABLE. (d) Review and, with the consent of the board of examiners, approve all change orders. (e) Accept the building when completed according to approved plans and specifications. (f)--Concur (2) THE DEPARTMENT OF ADMINISTRATION IS RESPONSIBLE FOR CONCURRING in construction projects where

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REFERENCE. BILL Second Printing Hø 508

He 0508/03

1 the proposed cost is less than ten thousand dollars 2 (\$10,000.00), but more than three thousand dollars 3 (\$3,000.00)v-provided-that-before-any-contract--is--approved 4 for--constructiony--alteration--or--improvement-no-less-thon 5 three-{3}-separate-informa}-bids-shall-be-procured-from-bona 6 fide-contractors-duly-licensed--as--such--in--the--state--of 7 Montene. BEFORE ANY CONTRACT IS APPROVED FOR CONSTRUCTION. ALTERATION. OR IMPROVEMENT AT LEAST THREE INFORMAL BIDS. IF 8 9 REASONABLY AVAILABLE. SHALL BE PROCURED FROM BONA FIDE 10 CONTRACTORS DULY LICENSED AS SUCH IN THE STATE OF MONTANA. 11 tq -- Not (3) THE DEPARTMENT NEED NOI require the 12 provisions of Montana law relating to advertising, bidding

or supervision where proposed construction costs are less

15 (2)(4) For the construction of buildings owned or to 16 be owned by a school district, the department of 17 administration shall, upon request, provide inspection to 18 insure compliance with the plans and specifications for the 19 construction of such buildings. "Construction" shall include 20 construction, repair, alteration, equipping and furnishing 21 during construction, repair or alteration. These services 22 shall be provided at a cost to be contracted for between the 23 department of administration and the school district, with 24 the receipts to be deposited in the department of 25 administration's construction rev ing account in the 1 revolving fund.

2 (3)(5) It is the intent of the legislative assembly 3 that student housing and other facilities constructed under 4 the authority of the regents of the university of Nontana 5 are subject to the provisions of subsection (1) of this 6 section."

-End-

than three thousand dollars (\$3,000.00).

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