

HOUSE BILL NO. 52

INTRODUCED BY LUND

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

|                  |  |
|------------------|--|
| January 4, 1979  | Introduced and referred to Committee on State Administration.  |
| January 6, 1979  | On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.  |
| January 12, 1979 | Committee recommend bill do pass. Report adopted.  |
| January 13, 1979 | On motion rules suspended and bill placed on second reading this day.<br><br>Second reading, do pass.<br><br>On motion rules suspended and bill placed on third reading this day.<br><br>Third reading, passed.<br>Engrossed before transmittal.<br>Transmitted to second house. |

IN THE SENATE

|                  |   |
|------------------|---|
| January 15, 1979 | Introduced and referred to Committee on State Administration. |
| January 26, 1979 | Committee recommend bill be concurred in. Report adopted.     |
| January 29, 1979 | Second reading, be concurred in.                              |
| January 31, 1979 | Third reading, concurred in.                                  |

IN THE HOUSE

February 1, 1979

Returned from second house.  
Concurred in. Sent to  
enrolling.

Reported correctly enrolled.

1                    HOUSE    BILL NO. 52

2    INTRODUCED BY \_\_\_\_\_

3                    BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4

5    A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMIT ON

6    STATE BUILDING PROJECTS REQUIRING SUPERVISION BY THE

7    DEPARTMENT OF ADMINISTRATION FROM \$10,000 TO \$25,000;

8    AMENDING SECTIONS 18-2-103 AND 18-2-301, MCA."

9

10   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11        Section 1. Section 18-2-103, MCA, is amended to read:

12        "18-2-103. Supervision of construction of buildings.

13        (1) For the construction of a building costing more than

14        ~~\$10,000~~ \$25,000, the department of administration shall:

15            (a) review and approve all plans and working drawings

16            prepared by architects;

17            (b) approve all bond issues or other financial

18            arrangements and supervise and approve the expenditure of

19            all moneys;

20            (c) under the supervision and with the approval of the

21            board of examiners, solicit, accept, and reject bids and

22            award all contracts to the lowest qualified bidder

23            considering conformity with specifications and terms and

24            reasonableness of bid amount;

25            (d) review and, with the consent of the board of

1    examiners, approve all change orders;

2            (e) accept the building when completed according to

3    approved plans and specifications.

4            (2) Before any contract under subsection (1) is

5    awarded, two formal bids must have been received, if

6    reasonably available.

7            (3) The department of administration is responsible

8    for concurring in construction projects where the proposed

9    cost is less than ~~\$10,000~~ \$25,000 but more than ~~\$3,000~~

10   \$5,000. Before any contract under this subsection is

11   approved for construction, alteration, or improvement at

12   least three informal bids, if reasonably available, shall be

13   procured from bona fide contractors duly licensed as such in

14   the state of Montana.

15            (4) The department need not require the provisions of

16   Montana law relating to advertising, bidding, or supervision

17   where proposed construction costs are less than ~~\$3,000~~

18   \$5,000.

19            (5) For the construction of buildings owned or to be

20   owned by a school district, the department of administration

21   shall, upon request, provide inspection to insure compliance

22   with the plans and specifications for the construction of

23   such buildings. "Construction" shall include construction,

24   repair, alteration, equipping, and furnishing during

25   construction, repair, or alteration. These services shall be

1 provided at a cost to be contracted for between the  
 2 department of administration and the school district, with  
 3 the receipts to be deposited in the department of  
 4 administration's construction revolving account in the  
 5 revolving fund.

6 (6) It is the intent of the legislature that student  
 7 housing and other facilities constructed under the authority  
 8 of the regents of the university system are subject to the  
 9 provisions of subsections (1) and (2) of this section."

10 Section 2. Section 18-2-301, MCA, is amended to read:

11 "18-2-301. Bids required -- advertising. (1) It is  
 12 unlawful for the board of examiners or any offices,  
 13 departments, institutions, or any agent of the state of  
 14 Montana acting for or in behalf of the state to do, to cause  
 15 to be done, or to let any contract for the construction of  
 16 buildings or the alteration and improvement of buildings and  
 17 adjacent grounds on behalf of and for the benefit of the  
 18 state when the amount involved is ~~\$10,000~~ \$25,000 or more  
 19 without first advertising in at least one issue each week  
 20 for 3 consecutive weeks in two newspapers published in the  
 21 state, one of which must be published at the seat of  
 22 government and the other in the county where the work is to  
 23 be performed, calling for sealed bids to perform such work  
 24 and stating the time and place bids will be considered.

25 (2) All such work may be done, caused to be done, or

1 contracted for only after competitive bidding.

2 (3) If no bid for such work is accepted, the work may  
 3 not be done or accomplished. The work may be readvertised  
 4 from time to time until awarded to a qualified competitive  
 5 bidder.

6 (4) This section does not apply to work done by  
 7 inmates at an institution in the department of  
 8 institutions."

-End-

Approved by Committee  
on State Administration

HOUSE BILL NO. 52

INTRODUCED BY LUND

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMIT ON STATE BUILDING PROJECTS REQUIRING SUPERVISION BY THE DEPARTMENT OF ADMINISTRATION FROM \$10,000 TO \$25,000; AMENDING SECTIONS 18-2-103 AND 18-2-301, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-2-103, MCA, is amended to read:

"18-2-103. Supervision of construction of buildings.

(1) For the construction of a building costing more than ~~\$10,000~~ \$25,000, 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 with specifications and terms and reasonableness of bid amount;

(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.

(2) Before any contract under subsection (1) is awarded, two formal bids must have been received, if reasonably available.

(3) The department of administration is responsible for concurring in construction projects where the proposed cost is less than ~~\$10,000~~ \$25,000 but more than ~~\$3,000~~ \$5,000. Before any contract under this subsection 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.

(4) The department need not require the provisions of Montana law relating to advertising, bidding, or supervision where proposed construction costs are less than ~~\$3,000~~ \$5,000.

(5) For the construction of buildings owned or to be owned by a school district, the department of administration shall, upon request, provide inspection to insure compliance with the plans and specifications for the construction of such buildings. "Construction" shall include construction, repair, alteration, equipping, and furnishing during construction, repair, or alteration. These services shall be

1 provided at a cost to be contracted for between the  
2 department of administration and the school district, with  
3 the receipts to be deposited in the department of  
4 administration's construction revolving account in the  
5 revolving fund.

6 (6) It is the intent of the legislature that student  
7 housing and other facilities constructed under the authority  
8 of the regents of the university system are subject to the  
9 provisions of subsections (1) and (2) of this section."

10 Section 2. Section 18-2-301, MCA, is amended to read:

11 "18-2-301. Bids required -- advertising. (1) It is  
12 unlawful for the board of examiners or any offices,  
13 departments, institutions, or any agent of the state of  
14 Montana acting for or in behalf of the state to do, to cause  
15 to be done, or to let any contract for the construction of  
16 buildings or the alteration and improvement of buildings and  
17 adjacent grounds on behalf of and for the benefit of the  
18 state when the amount involved is ~~\$10,000~~ \$25,000 or more  
19 without first advertising in at least one issue each week  
20 for 3 consecutive weeks in two newspapers published in the  
21 state, one of which must be published at the seat of  
22 government and the other in the county where the work is to  
23 be performed, calling for sealed bids to perform such work  
24 and stating the time and place bids will be considered.

25 (2) All such work may be done, caused to be done, or

1 contracted for only after competitive bidding.

2 (3) If no bid for such work is accepted, the work may  
3 not be done or accomplished. The work may be readvertised  
4 from time to time until awarded to a qualified competitive  
5 bidder.

6 (4) This section does not apply to work done by  
7 inmates at an institution in the department of  
8 institutions."

-End-

1 HOUSE BILL NO. 52

2 INTRODUCED BY LUND

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMIT ON  
6 STATE BUILDING PROJECTS REQUIRING SUPERVISION BY THE  
7 DEPARTMENT OF ADMINISTRATION FROM \$10,000 TO \$25,000;  
8 AMENDING SECTIONS 18-2-103 AND 18-2-301, MCA."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 18-2-103, MCA, is amended to read:

12 "18-2-103. Supervision of construction of buildings.

13 (1) For the construction of a building costing more than  
14 ~~\$10,000~~ \$25,000, the department of administration shall:

15 (a) review and approve all plans and working drawings  
16 prepared by architects;

17 (b) approve all bond issues or other financial  
18 arrangements and supervise and approve the expenditure of  
19 all moneys;

20 (c) under the supervision and with the approval of the  
21 board of examiners, solicit, accept, and reject bids and  
22 award all contracts to the lowest qualified bidder  
23 considering conformity with specifications and terms and  
24 reasonableness of bid amount;

25 (d) review and, with the consent of the board of

1 examiners, approve all change orders;

2 (e) accept the building when completed according to  
3 approved plans and specifications.

4 (2) Before any contract under subsection (1) is  
5 awarded, two formal bids must have been received, if  
6 reasonably available.

7 (3) The department of administration is responsible  
8 for concurring in construction projects where the proposed  
9 cost is less than ~~\$10,000~~ \$25,000 but more than ~~\$3,000~~  
10 \$5,000. Before any contract under this subsection is  
11 approved for construction, alteration, or improvement at  
12 least three informal bids, if reasonably available, shall be  
13 procured from bona fide contractors duly licensed as such in  
14 the state of Montana.

15 (4) The department need not require the provisions of  
16 Montana law relating to advertising, bidding, or supervision  
17 where proposed construction costs are less than ~~\$3,000~~  
18 \$5,000.

19 (5) For the construction of buildings owned or to be  
20 owned by a school district, the department of administration  
21 shall, upon request, provide inspection to insure compliance  
22 with the plans and specifications for the construction of  
23 such buildings. "Construction" shall include construction,  
24 repair, alteration, equipping, and furnishing during  
25 construction, repair, or alteration. These services shall be

1 provided at a cost to be contracted for between the  
2 department of administration and the school district, with  
3 the receipts to be deposited in the department of  
4 administration's construction revolving account in the  
5 revolving fund.

6 (b) It is the intent of the legislature that student  
7 housing and other facilities constructed under the authority  
8 of the regents of the university system are subject to the  
9 provisions of subsections (1) and (2) of this section."

10 Section 2. Section 18-2-301, MCA, is amended to read:

11 "18-2-301. Bids required -- advertising. (1) It is  
12 unlawful for the board of examiners or any offices,  
13 departments, institutions, or any agent of the state of  
14 Montana acting for or in behalf of the state to do, to cause  
15 to be done, or to let any contract for the construction of  
16 buildings or the alteration and improvement of buildings and  
17 adjacent grounds on behalf of and for the benefit of the  
18 state when the amount involved is ~~\$10,000~~ 125,000 or more  
19 without first advertising in at least one issue each week  
20 for 3 consecutive weeks in two newspapers published in the  
21 state, one of which must be published at the seat of  
22 government and the other in the county where the work is to  
23 be performed, calling for sealed bids to perform such work  
24 and stating the time and place bids will be considered.

25 (2) All such work may be done, caused to be done, or

1 contracted for only after competitive bidding.

2 (3) If no bid for such work is accepted, the work may  
3 not be done or accomplished. The work may be readvertised  
4 from time to time until awarded to a qualified competitive  
5 bidder.

6 (4) This section does not apply to work done by  
7 inmates at an institution in the department of  
8 institutions."

-End-



1 HOUSE BILL NO. 52  
 2 INTRODUCED BY LUND  
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION  
 4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMIT ON  
 6 STATE BUILDING PROJECTS REQUIRING SUPERVISION BY THE  
 7 DEPARTMENT OF ADMINISTRATION FROM \$10,000 TO \$25,000;  
 8 AMENDING SECTIONS 18-2-103 AND 18-2-301, MCA."  
 9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Section 18-2-103, MCA, is amended to read:  
 12 "18-2-103. Supervision of construction of buildings.  
 13 (1) For the construction of a building costing more than  
 14 ~~\$10,000~~ \$25,000, the department of administration shall:  
 15 (a) review and approve all plans and working drawings  
 16 prepared by architects;  
 17 (b) approve all bond issues or other financial  
 18 arrangements and supervise and approve the expenditure of  
 19 all moneys;  
 20 (c) under the supervision and with the approval of the  
 21 board of examiners, solicit, accept, and reject bids and  
 22 award all contracts to the lowest qualified bidder  
 23 considering conformity with specifications and terms and  
 24 reasonableness of bid amount;  
 25 (d) review and, with the consent of the board of

1 examiners, approve all change orders;  
 2 (e) accept the building when completed according to  
 3 approved plans and specifications.  
 4 (2) Before any contract under subsection (1) is  
 5 awarded, two formal bids must have been received, if  
 6 reasonably available.  
 7 (3) The department of administration is responsible  
 8 for concurring in construction projects where the proposed  
 9 cost is less than ~~\$10,000~~ \$25,000 but more than ~~\$3,000~~  
 10 \$5,000. Before any contract under this subsection is  
 11 approved for construction, alteration, or improvement at  
 12 least three informal bids, if reasonably available, shall be  
 13 procured from bona fide contractors duly licensed as such in  
 14 the state of Montana.  
 15 (4) The department need not require the provisions of  
 16 Montana law relating to advertising, bidding, or supervision  
 17 where proposed construction costs are less than ~~\$3,000~~  
 18 \$5,000.  
 19 (5) For the construction of buildings owned or to be  
 20 owned by a school district, the department of administration  
 21 shall, upon request, provide inspection to insure compliance  
 22 with the plans and specifications for the construction of  
 23 such buildings. "Construction" shall include construction,  
 24 repair, alteration, equipping, and furnishing during  
 25 construction, repair, or alteration. These services shall be

1 provided at a cost to be contracted for between the  
 2 department of administration and the school district, with  
 3 the receipts to be deposited in the department of  
 4 administration's construction revolving account in the  
 5 revolving fund.

6 (6) It is the intent of the legislature that student  
 7 housing and other facilities constructed under the authority  
 8 of the regents of the university system are subject to the  
 9 provisions of subsections (1) and (2) of this section."

10 Section 2. Section 18-2-301, MCA, is amended to read:

11 "18-2-301. Bids required -- advertising. (1) It is  
 12 unlawful for the board of examiners or any offices,  
 13 departments, institutions, or any agent of the state of  
 14 Montana acting for or in behalf of the state to do, to cause  
 15 to be done, or to let any contract for the construction of  
 16 buildings or the alteration and improvement of buildings and  
 17 adjacent grounds on behalf of and for the benefit of the  
 18 state when the amount involved is ~~\$10,000~~ \$25,000 or more  
 19 without first advertising in at least one issue each week  
 20 for 3 consecutive weeks in two newspapers published in the  
 21 state, one of which must be published at the seat of  
 22 government and the other in the county where the work is to  
 23 be performed, calling for sealed bids to perform such work  
 24 and stating the time and place bids will be considered.

25 (2) All such work may be done, caused to be done, or

1 contracted for only after competitive bidding.

2 (3) If no bid for such work is accepted, the work may  
 3 not be done or accomplished. The work may be readvertised  
 4 from time to time until awarded to a qualified competitive  
 5 bidder.

6 (4) This section does not apply to work done by  
 7 inmates at an institution in the department of  
 8 institutions."

-End-