

SENATE BILL 72

IN THE SENATE

January 5, 1979

Introduced and referred to
Committee on Highways and
Transportation.

January 23, 1979

Committee recommend bill,
do not pass.

On motion, Senate reconsider
its action taken on Adverse
Committee report this day.
Motion failed.

1 *Senate* BILL NO. *72*
 2 INTRODUCED BY *LOCKREIN, Louie McCallen*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE ALL
 5 CONTRACTS ON STATE AND FEDERAL-AID HIGHWAYS BE LET BY
 6 COMPETITIVE BIDDING IF THE COST OF THE WORK EXCEEDS \$1,000;
 7 AMENDING SECTION 60-2-112, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 60-2-112, MCA, is amended to read:
 11 "60-2-112. Competitive bidding. (1) When the estimated
 12 cost of any work exceeds \$1,000, the commission shall let
 13 the contract by competitive bidding. Award shall be made
 14 upon such notice and upon such terms as the commission may
 15 prescribe by its rules. However, except when prohibited by
 16 federal law, the commission must make awards and contracts
 17 in accordance with 18-1-102 and 18-1-112.

18 ~~{2}--if--the--commission--finds--that--the--work--may--be--done~~
 19 ~~in--some--more--efficient--manner--it--need--not--let--the--contract~~
 20 ~~by--competitive--bidding.~~

21 ~~{3}--if--on--highway--construction--work--financed--in--whole~~
 22 ~~or--in--part--by--federal--funds--the--United--States--secretary--of~~
 23 ~~transportation--affirmatively--finds--that--under--the~~
 24 ~~circumstances--relating--to--a--particular--project--some--method~~
 25 ~~other--than--competitive--bidding--is--in--the--public--interest.~~

1 ~~the--commission--may--enter--into--contracts--with--a--board--of~~
 2 ~~county--commissioners--these--contracts--may--authorize--each~~
 3 ~~county--to--acquire--rights--of--way--for--survey--and--construct~~
 4 ~~farm--to--market--secondary--or--feeder--roads--within--the--county~~
 5 ~~by--force--of--county--unit--prices--or--otherwise--as--may--be--agreed~~
 6 ~~by--the--commission--and--the--board.~~

7 ~~{4}{2}~~ If, on any highway construction work financed
 8 in whole or in part by federal funds, the commission finds
 9 that enforcement of the provisions contained in 15-50-203
 10 and 18-2-311, relating to public contractors working beyond
 11 contract time will result in a reduction in the full
 12 benefits of the Federal Highway Act of 1921 and all
 13 amendments thereto, it may waive enforcement of such
 14 provisions.

15 ~~{3} The provisions in subsection (1) apply but are not~~
 16 ~~limited to construction:~~

- 17 ~~(a) under the safer off-systems roads program;~~
- 18 ~~(b) of secondary roads."~~

-End-