

SENATE BILL 439

IN THE SENATE

February 10, 1979

Introduced and referred to  
Committee on Business and  
Industry.

February 16, 1979

Committee recommend bill,  
do not pass.

1 *Sen* BILL NO. *439*  
 2 INTRODUCED BY *Don Lockren Four*

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING 'CONSTRUCTION  
 5 MANAGEMENT' AND REQUIRING CONSTRUCTION MANAGEMENT SERVICES  
 6 TO BE PROCURED ONLY BY CONTRACT WITH THE LOWEST RESPONSIBLE  
 7 BIDDER."

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

10 Section 1. Construction management defined.  
 11 "Construction management" means a service provided for a fee  
 12 to assist in pursuing any phase of a capital construction  
 13 project through providing expertise in construction  
 14 financing, construction quality control, construction  
 15 contract development, construction methods, construction  
 16 systems, construction cost control, construction scheduling,  
 17 construction material fabrication, construction manpower  
 18 skill development, or any combination of such expertise.

19 Section 2. Construction management service procurement  
 20 -- bidding required. (1) No state agency, local government  
 21 unit, or school district may procure construction management  
 22 services except by a contract entered into with the lowest  
 23 responsible bidder.

24 (2) When an agency, local government unit, or school  
 25 district determines that it desires to let bids for

1 construction management, it shall advertise the fact in a  
 2 newspaper of general circulation in the area where the work  
 3 is to be done on three separate occasions at least 7  
 4 calendar days apart.

5 (3) This section does not apply to the procurement of  
 6 the services of a licensed architect, professional engineer,  
 7 or accountant if he performs in relation to the construction  
 8 project only those services within the practice of his  
 9 profession as defined in the appropriate licensing law. This  
 10 section does not apply to the procurement of the services of  
 11 a licensed attorney if he performs in relation to the  
 12 construction project only those services traditionally  
 13 considered to be within the practice of his profession.

-End-