SENATE BILL NO. 133

INTRODUCED BY MOHAR, QUILICI, HAFFEY

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

January 18,	1985	Introduced and referred to Committee on State Administration.
February 1,	1985	Committee recommend bill do pass. Report adopted.
February 2,	1985	Bill printed and placed on members' desks.
February 4,	1985	Second reading, do pass.
February 5,	1985	Considered correctly engrossed.
February 6,	1985	Third reading, passed. Ayes, 48; Noes, 1.
		Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on State Administration.
March 12, 1985	Committee recommend bill be concurred in. Report adopted.
March 14, 1985	Second reading, concurred in.
March 16, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

March 16, 1985

Received from House.

March 18, 1985

Sent to enrolling.

Reported correctly enrolled.

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3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE
6	DEPARTMENT OF ADMINISTRATION TO REVIEW AND ACCEPT PLANS,
7	SPECIFICATIONS, AND COST ESTIMATES PERTAINING TO STATE
R	BUILDING PROJECTS; AMENDING SECTION 18-2-103, MCA; AND
9	PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 18-2-103, MCA, is amended to read:
13	"18-2-103. Supervision of construction of buildings.
14	(1) For the construction of a building costing more than
15	\$25,000, the department of administration shall:
16	(a) review and approve accept all plans
17	specifications, and cost estimates andworkingdrawings
18	prepared by architects; or consulting engineers;
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19	, , , , , , , , , , , , , , , , , , , ,
20	arrangements and supervise and approve the expenditure of
21	all moneys;
22	(c) under the supervision and with the approval of the
23	board of examiners, solicit, accept, and reject bids and
24	award all contracts to the lowest qualified bidde
25	considering conformity with specifications and terms an

1	reasonableness of bid amount;
2	(d) review and, with the consent of the board of
3	examiners, approve all change orders;
4	(e) accept the building when completed according to
5	approved accepted plans and specifications.
6	(2) For repair and maintenance projects, the
7	supervision, approval, and consent of the board of examiners
8	are not required.
9	(3) Before any contract under subsection (1) is
10	awarded, two formal bids must have been received, if
11	reasonably available.
12	(4) The department of administration is responsible
13	for concurring in construction projects where the proposed
14	cost is less than \$25,000 but more than \$5,000. Before any
15	contract under this subsection is approved for construction,
16	alteration, repair, maintenance, or improvement, at least
17	three informal bids, if reasonably available, shall be
18	procured from bona fide contractors duly licensed as such in
19	the state of Montana.
20	(5) The department need not require the provisions of
21	Montana law relating to advertising, bidding, or supervision
22	where proposed construction costs are less than \$5,000.

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shall, upon request, provide inspection to insure compliance

1 with the plans and specifications for the construction of such buildings. "Construction" shall include construction, 2 3 repair, alteration, equipping, and furnishing during construction, repair, or alteration. These services shall be 4 provided at a cost to be contracted for between the 5 6 department of administration and the school district, with 7 receipts to be deposited in the department of administration's construction regulation account in a state 8 9 special revenue fund.

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(7) It is the intent of the legislature that student housing and other facilities constructed under the authority of the regents of the university system are subject to the provisions of subsections (1) through (3) of this section."

NEW SECTION. Section 2. Extension of authority. Any

existing authority of the department of administration to make rules on the subject of the provisions of this act is extended to the provisions of this act.

<u>NEW SECTION.</u> Section 3. Effective date. This act is effective on passage and approval.

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

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owned by a school district, the department of administration

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- 1 with the plans and specifications for the construction of 2 such buildings. "Construction" shall include construction, 3 repair, alteration, equipping, and furnishing during 4 construction, repair, or alteration. These services shall be 5 provided at a cost to be contracted for between the 6 department of administration and the school district, with 7 the receipts to be deposited in the department of 8 administration's construction regulation account in a state 9 special revenue fund.
 - (7) It is the intent of the legislature that student housing and other facilities constructed under the authority of the regents of the university system are subject to the provisions of subsections (1) through (3) of this section."

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