

SENATE BILL NO. 135

INTRODUCED BY MOHAR, HAFHEY, HARBIN

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

January 18, 1985	Introduced and referred to Committee on State Administration.
January 30, 1985	Committee recommend bill do pass. Report adopted.
January 31, 1985	Bill printed and placed on members' desks.
February 1, 1985	Second reading, do pass.
February 2, 1985	Considered correctly engrossed.
February 4, 1985	Third reading, passed. Ayes, 45; 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, not concurred in. Returned to Senate.

IN THE SENATE

March 14, 1985 Received from House.

March 15, 1985 On motion, request of House
granted for return of Senate
Bill No. 135 for further
consideration.

March 16, 1985 Bill returned to House.

IN THE HOUSE

March 19, 1985 Motion pass consideration.

March 22, 1985 Second reading, concurred in
as amended. Report adopted.

March 25, 1985 Third reading, concurred in.

Returned to Senate with
amendments.

IN THE SENATE

March 25, 1985 Received from House with
amendments.

April 2, 1985 Second reading, amendments
concurred in.

April 4, 1985 Third reading, amendments
concurred in. Ayes, 49;
Noes, 0.

 Sent to enrolling.

 Reported correctly enrolled.

1 *Senate* BILL NO. 135
 2 INTRODUCED BY *MaPan* *Wally Hardin*
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE THE
 6 REQUIREMENT THAT THE BOARD OF EXAMINERS APPROVE CHANGE
 7 ORDERS CONCERNING THE CONSTRUCTION OF BUILDINGS; AMENDING
 8 SECTION 18-2-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
 9 DATE."
 10

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 all plans and working drawings
 17 prepared by architects;

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

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

1 (d) review and ~~with the consent of the board of~~
 2 examiners, approve all change orders;

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

5 (2) For repair and maintenance projects, the
 6 supervision, approval, and consent of the board of examiners
 7 are not required.

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

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

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

22 (6) For the construction of buildings owned or to be
 23 owned by a school district, the department of administration
 24 shall, upon request, provide inspection to insure compliance
 25 with the plans and specifications for the construction of

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

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

13 NEW SECTION. Section 2. Extension of authority. Any
14 existing authority of the department of administration to
15 make rules on the subject of the provisions of this act is
16 extended to the provisions of this act.

17 NEW SECTION. Section 3. Effective date. This act is
18 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

Senate BILL NO. 135

INTRODUCED BY

Moran

Happy Harbor

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE THE REQUIREMENT THAT THE BOARD OF EXAMINERS APPROVE CHANGE ORDERS CONCERNING THE CONSTRUCTION OF BUILDINGS; AMENDING SECTION 18-2-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(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) For repair and maintenance projects, the supervision, approval, and consent of the board of examiners are not required.

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

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

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

(6) 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

1 such buildings. "Construction" shall include construction,
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THIRD READING
 SB 135

1 such buildings. "Construction" shall include construction,
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5 department of administration and the school district, with
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COMMITTEE OF THE WHOLE AMENDMENT

3181337B.CW

HOUSE

3-18-85

DATE

1:37

TIME

MR. CHAIRMAN: I MOVE TO AMEND

SENATE BILL

No. 135

third reading copy (blue) as follows:
Color

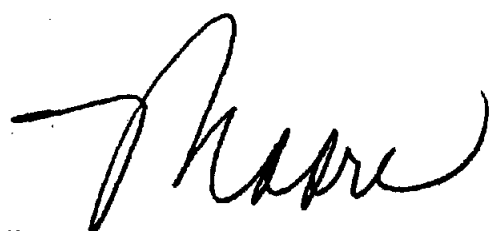
1. Page 2, line 2.

Strike: ";"

Insert: "up to \$5,000. Any other change order must be with the consent of the board of examiners. The board of examiners shall act within 14 working days after processing completion by the department."

ADOPT

REJECT


Rep. Jack Moore

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3 OTHER CHANGE ORDER MUST BE WITH THE CONSENT OF THE BOARD OF
4 EXAMINERS, THE BOARD OF EXAMINERS SHALL ACT WITHIN 14
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