

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

INTRODUCED BY *Julius Lambert* *Harrington Brady*
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS RELATING TO COMPETITIVE BIDDING FOR CONTRACTS FOR WORK ON ROADS AND HIGHWAYS; AND AMENDING SECTION 60-2-112, MCA."

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

Section 1. Section 60-2-112, MCA, is amended to read:

"60-2-112. Competitive bidding. (1) ~~When~~ Except as provided in subsections (2) through (4), ~~when~~ the estimated cost of any work exceeds ~~\$10,000~~ \$50,000, the commission shall let the contract by competitive bidding. Award ~~shall~~ must be made upon ~~such~~ the notice and ~~upon such~~ terms ~~as that~~ the commission ~~may prescribe~~ prescribes by its rules. However, except when prohibited by federal law, the commission shall make awards and contracts in accordance with 18-1-102 and 18-1-112.

(2) The commission may let a contract by means other than competitive bidding if it determines that special circumstances so require. The commission ~~must~~ shall specify the special circumstances in writing.

(3) The commission may enter into contracts with units of local government for the construction of projects without competitive bidding if it finds that the work can be accomplished at lower total costs, including total ~~cost~~ costs of labor, materials, supplies, equipment usage, engineering, supervision, clerical and accounting services, administrative costs, and reasonable estimates of other costs attributable to the project.

(4) The commission may delegate to the department the authority to enter, without competitive bidding, agreed-upon price contracts for projects costing \$50,000 or less."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0246, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising certain provisions relating to competitive bidding for contracts for work on roads and highways.

ASSUMPTIONS:

1. Twelve projects per fiscal year would be less than the proposed \$50,000 threshold for competitive bidding.
2. The estimated cost of plan preparation, advertising, bidding, and awarding is \$7,500 per project.
3. The estimated cost of plan preparation and awarding by delegated authority is \$2,200 if a project is not bid competitively.
4. Projects below the proposed \$50,000 threshold are typically safety projects which have a 90% federal financial participation rate.

FISCAL IMPACT:

Expenditures:

	<u>FY96</u>	<u>FY97</u>
Construction Program	<u>Difference</u>	<u>Difference</u>
Operating Expenses	(\$63,600)	(\$63,600)
Highway Special Revenue (02)	(\$6,360)	(\$6,360)
Federal Highway Revenue (03)	(\$57,240)	(\$57,240)
Total	(\$63,600)	(\$63,600)

David Lewis 1-21-95

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Joe Quilici

JOE QUILICI, PRIMARY SPONSOR DATE

Fiscal Note for HB0246, as introduced

HB 246

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

INTRODUCED BY *Julius Robert Harrington Brady*
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS RELATING TO COMPETITIVE BIDDING FOR CONTRACTS FOR WORK ON ROADS AND HIGHWAYS; AND AMENDING SECTION 60-2-112, MCA."

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

Section 1. Section 60-2-112, MCA, is amended to read:

"60-2-112. Competitive bidding. (1) ~~When~~ Except as provided in subsections (2) through (4), when the estimated cost of any work exceeds ~~\$10,000~~ \$50,000, the commission shall let the contract by competitive bidding. Award ~~shall~~ must be made upon ~~such~~ the notice and ~~upon such~~ as terms ~~as~~ that the commission ~~may prescribe~~ prescribes by its rules. However, except when prohibited by federal law, the commission shall make awards and contracts in accordance with 18-1-102 and 18-1-112.

(2) The commission may let a contract by means other than competitive bidding if it determines that special circumstances so require. The commission ~~must~~ shall specify the special circumstances in writing.

(3) The commission may enter into contracts with units of local government for the construction of projects without competitive bidding if it finds that the work can be accomplished at lower total costs, including total ~~costs~~ costs of labor, materials, supplies, equipment usage, engineering, supervision, clerical and accounting services, administrative costs, and reasonable estimates of other costs attributable to the project.

(4) The commission may delegate to the department the authority to enter, without competitive bidding, agreed-upon price contracts for projects costing \$50,000 or less."

-END-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

House Bill No. 246
INTRODUCED BY *Julius Robert Harrington Dandy*
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS RELATING TO COMPETITIVE BIDDING FOR CONTRACTS FOR WORK ON ROADS AND HIGHWAYS; AND AMENDING SECTION 60-2-112, MCA."

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

Section 1. Section 60-2-112, MCA, is amended to read:

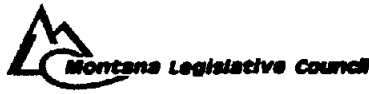
"60-2-112. Competitive bidding. (1) ~~When~~ Except as provided in subsections (2) through (4), ~~when~~ the estimated cost of any work exceeds ~~\$10,000~~ \$50,000, the commission shall let the contract by competitive bidding. Award ~~shall~~ must be made upon ~~such~~ the notice and ~~upon such~~ terms as that the commission ~~may prescribe~~ prescribes by its rules. However, except when prohibited by federal law, the commission shall make awards and contracts in accordance with 18-1-102 and 18-1-112.

(2) The commission may let a contract by means other than competitive bidding if it determines that special circumstances so require. The commission ~~must~~ shall specify the special circumstances in writing.

(3) The commission may enter into contracts with units of local government for the construction of projects without competitive bidding if it finds that the work can be accomplished at lower total costs, including total ~~costs~~ costs of labor, materials, supplies, equipment usage, engineering, supervision, clerical and accounting services, administrative costs, and reasonable estimates of other costs attributable to the project.

(4) The commission may delegate to the department the authority to enter, without competitive bidding, agreed-upon price contracts for projects costing \$50,000 or less."

-END-



1 HOUSE BILL NO. 246

2 INTRODUCED BY QUILICI, PAVLOVICH, HARRINGTON, GRADY

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS RELATING TO COMPETITIVE
6 BIDDING FOR CONTRACTS FOR WORK ON ROADS AND HIGHWAYS; AND AMENDING SECTION
7 60-2-112, MCA."

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

10
11 **Section 1.** Section 60-2-112, MCA, is amended to read:

12 "**60-2-112. Competitive bidding.** (1) ~~When~~ Except as provided in subsections (2) through (4),
13 when the estimated cost of any work exceeds ~~\$10,000~~ \$50,000, the commission shall let the contract by
14 competitive bidding. Award ~~shall~~ must be made upon ~~such~~ the notice and ~~upon such~~ terms ~~as~~ that the
15 commission ~~may prescribe~~ prescribes by its rules. However, except when prohibited by federal law, the
16 commission shall make awards and contracts in accordance with 18-1-102 and 18-1-112.

17 (2) The commission may let a contract by means other than competitive bidding if it determines
18 that special circumstances so require. The commission ~~must~~ shall specify the special circumstances in
19 writing.

20 (3) The commission may enter into contracts with units of local government for the construction
21 of projects without competitive bidding if it finds that the work can be accomplished at lower total costs,
22 including total ~~cost~~ costs of labor, materials, supplies, equipment usage, engineering, supervision, clerical
23 and accounting services, administrative costs, and reasonable estimates of other costs attributable to the
24 project.

25 (4) The commission may delegate to the department the authority to enter, without competitive
26 bidding, agreed-upon price contracts for projects costing \$50,000 or less."

27 -END-