

Fifty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1387

Introduced by

Representatives Wald, Carlson

1 A BILL for an Act to amend and reenact section 48-01.1-09 of the North Dakota Century Code,
2 relating to the use of a construction manager on a public improvement project.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 48-01.1-09 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.1-09. Use of construction manager.** If a governing body uses a construction
7 manager on a public improvement, the construction manager must be a licensed contractor.
8 The construction manager awarded the contract for construction of a public improvement shall
9 bond the entire cost of the project through a single bond, ~~or through bonds provided by all bid~~
10 ~~packages and the construction manager's bond for the full amount of the construction~~
11 ~~manager's services. If the total of the bonds is less than the total project bid, the governing~~
12 ~~body shall contract the entire project to the construction manager, and the construction~~
13 ~~manager shall bond the difference between the total of the bonds and the total project contract~~
14 the project in bid packages acceptable to the governing body.