

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED 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 bonds by construction managers on public improvement projects.

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 construction
12 manager shall bond the difference between the total of the bonds and the total project bid. The
13 construction manager shall provide an additional bond of an amount equal to ten percent of the
14 total project bid.