

HOUSE BILL NO. 1102

Introduced by

Government and Veterans Affairs Committee

(At the request of the Adjutant General)

1 A BILL for an Act to amend and reenact section 54-44.7-04 of the North Dakota Century Code,
2 relating to fees authorized by state agencies for architect, engineer, construction management,
3 or land surveying services.

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

5 **SECTION 1. AMENDMENT.** Section 54-44.7-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-44.7-04. Exception.**

8 1. All state agencies securing architect, engineer, construction management, or land
9 surveying services for projects for which the fees are estimated not to exceed ~~ten~~
10 twenty-five thousand dollars may employ the architects, engineers, construction
11 managers, and land surveyors by direct negotiation and selection, taking into
12 account all of the following:

- 13 a. The nature of the project.
14 b. The proximity of the architect, engineer, construction management, or land
15 surveying services to the project.
16 c. The capability of the architect, engineer, construction manager, or land
17 surveyor to produce the required services within a reasonable time.
18 d. Past performance.
19 e. Ability to meet project budget requirements.

20 This procedure shall still follow state policy set forth above.

21 2. Fees paid pursuant to this section during the twelve-month period immediately
22 preceding negotiation of the contract by any single state agency for professional
23 services performed by any one architectural, engineering, or land surveying person
24 or firm may not exceed ~~twenty~~ twenty five thousand dollars. All persons or firms seeking

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1 to render professional services pursuant to this section shall furnish the state
2 agency with which the firm is negotiating a list of professional services, including
3 the fees paid, performed for the state agency during the twelve months
4 immediately preceding the contract being negotiated.