

Testimony Prepared for the
House Political Subdivisions Committee

January 12, 2023

By: Nick West, Grand Forks County Engineer



RE: Support for HB 1127 – Relating to county highways and bridges and cost limitations for a county bridge

Chairman Longmuir and members of the House Political Subdivision Committee members, thank you for the opportunity to provide testimony on HB 1127. I am Nick West, the Grand Forks County Engineer, and I also serve as the past president and a member of the legislative committee for the ND Association of County Engineers (NDACE). I would offer support for the bill as proposed.

These changes were drafted to adjust for inflation and align the bidding requirements of the NDCC. These changes will streamline the advertising and bid processes and reduce confusion for contractors and county officials. Its been over 40-years since some of these sections have been updated. Anytime an exact dollar amount is used in law, it would be prudent to adjust those numbers for inflation periodically.

The first change is increasing the bid threshold in the NDCC Chapter 24-05 & 24-08. This will increase the bid threshold for County Road and Bridge projects to \$200,000 to align with the with the current Public Improvements Bids 48-01.2-02.1. The current bid threshold for Highways is \$100,000 and for Bridges is \$30,000. Many basic maintenance projects exceed the current bid threshold. Increasing the bid threshold to \$200,000 will reduce project delays and costs, especially for maintenance projects identified in the summer where advertising, bidding, and awarding the contract can push the earliest project start date late into the fall.

The second change would allow for an emergency clause for county roadway work similar to what is currently allowed for bridges. The emergency language proposed for highways is the same language that is in law for bridges as spelled out in Section 24-08-03 paragraph 2 of the NDCC. This would allow emergency work to be completed without bidding and advertisement with approval from the County Commission. When an emergency occurs, the process from advertising to awarding the contract will take over a month, sometimes up to two months.

Under emergency conditions, taking another month or two to get a project started is too long and creates an extended unnecessary public safety challenge.

The third change is to align the bid advertisement timeline for bridge projects to two weeks to be consistent with requirements for highway/roadway projects. Currently the advertising period for a bridge project is 30 days, much longer than the two-week advertising period for a highway project. Many bridge improvement projects consist of bridge repair, concrete box culvert, or large metal arch culverts and do not require contractors to review complicated detailed plans.

Lastly, this bill eliminates the out-of-date language regarding bridges and County Commission reviews. This change removes the requirement for County Commissions to investigate the necessity of a bridge if it costs more than \$500. The current language is an unnecessary holdover requirement from back to the early 1900's when road and bridge networks were first being constructed.

Chairman Longmuir and committee members, Grand Forks County as a whole and the NDACE supports the bill as written. Approving these changes will result in a reduction in time and resources to advertise, bid, and construct County road and bridge projects and would align the processes for project bidding and reduce bidding requirement confusion.

Thank you for your time and service to ND.