April 6, 2010

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

CHAIRMAN POTTER AND COMMISSION MEMBERS:

My name is Jack McDonald. I'm appearing here today on behalf of the North Dakota Newspaper Association regarding proposed changes in the way bids are advertised by public entities. We believe the current law works pretty well to inform the public, obtain the best bids and promote open and efficient government on the local level. We would oppose any changes.

First, we believe advertising for the bids through local newspapers serves several functions. It informs the public about the project and gives them the opportunity to voice opinions about it. The public is not likely to see the bids if they are only in trade journals. This is also true for local contractors who may want to do some of the work, especially on the smaller projects. They are not likely to be members of construction trade associations or readers of the trade journals.

Secondly, we believe bidding projects is just good government. The problems that have occurred recently in Bismarck and Fargo regarding park district and city bids and projects, coupled with the manipulation of projects at UND and NDSU to keep them below certain levels to avoid the need for approval should mandate that the state needs to keep the bid requirements it has now, and not loosen them or allow more maneuvering to get around them.

Thirdly, we believe the limit of $100,000 should stay at that level. We understand that it has not changed since 1997, but we don't see a need for a change. That is a sizable project for most cities, and park and school districts in North Dakota. Again, we believe it is just good government to obtain bids. If its good to get bids, then a public entity should not be trying to avoid bids below any figure, much less one higher than $100,000.

Therefore, we respectfully request that you do not make any changes in the current bid procedures. If you have any questions, I will be happy to try to answer them.

THANK YOU FOR YOUR TIME AND CONSIDERATION.