

Introduced by

Senators Burckhard, Poolman

Representatives Frantsvog, Ruby

1 A BILL for an Act to amend and reenact section 48-01.2-02, subsection 1 of section 48-01.2-04,  
2 and subdivision d of subsection 1 of section 48-01.2-20 of the North Dakota Century Code,  
3 relating to public improvement contracts.

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

5 **SECTION 1. AMENDMENT.** Section 48-01.2-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **48-01.2-02. Plans and specifications for a public improvement contract.**

8 Except as otherwise provided in this chapter, if the estimated cost for the construction of a  
9 public improvement is in excess of the threshold established under section 48-01.2-02.1, the  
10 governing body shall procure plans, drawings, and specifications for the improvement from an  
11 architect or engineer. For a public building in use by or to be used by the North Dakota  
12 agricultural experiment station in connection with farm or agricultural research operations, the  
13 plans, drawings, and specifications, with the approval of the state board of higher education,  
14 may be prepared by an engineer in the regular employment of the agricultural experiment  
15 station. For a public building in use by or to be used by the department of transportation for the  
16 storage and housing of road materials or road machinery, equipment, and tools, the plans,  
17 drawings, and specifications may be prepared by an engineer employed by the department of  
18 transportation. Plans, drawings, and specifications of an architect or engineer must be stamped  
19 and sealed by the date of the initial bid advertisement.

20 **SECTION 2. AMENDMENT.** Subsection 1 of section 48-01.2-04 of the North Dakota  
21 Century Code is amended and reenacted as follows:

22 1. Except as otherwise provided in this chapter, if the estimated cost for the construction  
23 of a public improvement is in excess of the threshold established under section  
24 48-01.2-02.1, the governing body shall advertise for bids by publishing for three

1 consecutive weeks. The first publication of the advertisement must be at least  
2 twenty-one days before the date of the opening of bids. The advertisement must be  
3 published in the official newspaper of the political subdivision in which the public  
4 improvement is or will be located, in a daily newspaper having a general circulation in  
5 the area where the project is located, and in a trade publication, electronic plan  
6 service, builders exchange, or other industry-recognized method of general circulation  
7 among the contractors, building manufacturers, and dealers in this state, except the  
8 advertisement for a public improvement financed by special assessments need be  
9 published only once each week for two weeks in the official newspaper with the first  
10 publication being at least fourteen days before the bid opening.

11 **SECTION 3. AMENDMENT.** Subdivision d of subsection 1 of section 48-01.2-20 of the  
12 North Dakota Century Code is amended and reenacted as follows:

13 d. A licensed contractor.