

SENATE BILL NO. 2142

Introduced by

Senators Laffen, Klein, Oban

Representative Kasper

1 A BILL for an Act to amend and reenact section 48-01.2-22 of the North Dakota Century Code,
2 relating to construction manager at-risk subcontractor bids.

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

4 **SECTION 1. AMENDMENT.** Section 48-01.2-22 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.2-22. Subcontractor bids.**

- 7 1. An agency construction manager selected for a public improvement shall publicly
8 advertise and publicly open bids from subcontractors for the work items necessary to
9 complete the general construction portions of the improvement. The governing body
10 may influence the selection of the subcontractors, but only insofar as the governing
11 body's past experience with a subcontractor or a current legal dispute with a
12 subcontractor.
- 13 2. A construction manager at-risk selected for a public improvement shall publicly
14 advertise ~~publicly~~ and ~~receive~~publicly open bids from subcontractors for the work
15 items the construction manager at-risk chooses not to perform. The governing body
16 may influence the selection of the subcontractors, but only insofar as the governing
17 body's past experience with a subcontractor or a current legal dispute with a
18 subcontractor.