

April 12, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1288

That the Senate recede from its amendments as printed on pages 1405 and 1406 of the House Journal and pages 1157 and 1158 of the Senate Journal and that Engrossed House Bill No. 1288 be amended as follows:

Page 1, line 1, after "enact" insert "a new subsection to section 48-01.2-20 and"

Page 1, line 2, after the first "to" insert "notice requirements for construction manager at-risk contracts and"

Page 1, line 2, remove "and"

Page 1, line 4, after "agencies" insert "; and to provide for a legislative management study"

Page 1, after line 5, insert:

"SECTION 1. A new subsection to section 48-01.2-20 of the North Dakota Century Code is created and enacted as follows:

The governing body shall publish a notice of request for qualifications to enter a construction management at-risk contract under this section in a newspaper of general circulation in the county in which the public improvement is located and in a construction trade publication, electronic service, builders exchange, or other industry-recognized method in general circulation among the contractors, building manufacturers, and dealers in this state. The notice must be published for three consecutive weeks, with the first publication being at least twenty-one days before the date of opening of the request for qualifications. Upon written request, the governing body shall mail a copy of the invitation to any interested party."

Page 2, after line 11, insert:

"SECTION 4. LEGISLATIVE MANAGEMENT STUDY - INFRASTRUCTURE DEVELOPMENT BY PRIVATE OPERATORS. During the 2023-24 interim, the legislative management shall consider studying infrastructure development by private operators as provided for under chapter 48-02.1, agency construction management procurement procedures under section 48-01.2-19, and construction management at-risk delivery methods under section 48-01.2-20. The study must include input from contractor groups and other stakeholders to determine how public-private partnerships are being used and whether the use of these partnerships has been successful. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly