

Page 13:

3 thousand dollars. The threshold for procuring plans, drawings, and specifications, ~~and~~
4 ~~bonding~~ from an architect or engineer for construction of a public improvement is two

add to Page 13 and renumber accordingly:

11 **48-01.2-10. Bonds from contractors for public improvements.**

- 12 1. Unless otherwise provided under this chapter, a governing body authorized to enter a
13 contract for the construction of a public improvement in excess of two hundred ~~fifty~~
14 thousand dollars shall take from the contractor a bond before permitting any work to be
15 done on the contract. The bond must be for an amount equal at least to the price stated in
16 the contract. The bond must be conditioned to be void if the contractor and all
17 subcontractors fully perform all terms, conditions, and provisions of the contract and pay
18 all bills or claims on account of labor performed and any supplies, and materials furnished
19 and used in the performance of the contract, including all demands of subcontractors. The
20 requirement that bills and claims be paid must include the requirement that interest of the
21 amount authorized under section 13-01-14 be paid on bills and claims not paid within
22 ninety days. The bond is security for all bills, claims, and demands until fully paid, with
23 preference to labor and material suppliers as to payment. The bond must run to the
24 governing body, but any person having a lawful claim against the contractor or any
25 subcontractor may sue on the bond.
- 26 2. A governing body may not require any person required to provide a surety bond to obtain the
27 surety bond from a specified insurance or surety company or insurance producer or to
28 submit financial data to the company or producer.