

72-6-108 Class B and C roads -- Improvement projects -- Contracts -- Retainage.

- (1) A county executive for class B roads and the municipal executive for class C roads shall cause plans, specifications, and estimates to be made prior to the construction of any improvement project, as defined in Section 72-6-109, on a class B or C road if the estimated cost for any one project exceeds the bid limit as defined in Section 72-6-109 for labor, equipment, and materials.
- (2)
 - (a) All projects in excess of the bid limit shall be performed under contract to be let to the lowest responsible bidder.
 - (b) If the estimated cost of the improvement project exceeds the bid limit for labor, equipment, and materials, the project may not be divided to permit the construction in parts, unless each part is done by contract.
- (3)
 - (a) The advertisement on bids shall be published:
 - (i) in a newspaper of general circulation in the county in which the work is to be performed at least once a week for three consecutive weeks; and
 - (ii) in accordance with Section 45-1-101 for three weeks.
 - (b) If there is no newspaper of general circulation as described in Subsection (3)(a)(i), the notice shall be posted for at least 20 days in at least five public places in the county.
- (4) The county or municipal executive or their designee shall receive sealed bids and open the bids at the time and place designated in the advertisement. The county or municipal executive or their designee may then award the contract but may reject any and all bids.
- (5) The person, firm, or corporation that is awarded a contract under this section is subject to the provisions of Title 63G, Chapter 6a, Utah Procurement Code.
- (6) If any payment on a contract with a private contractor for construction or improvement of a class B or C road is retained or withheld, the payment shall be retained or withheld and released as provided in Section 13-8-5.

Amended by Chapter 347, 2012 General Session