

1 **UTAH DEPARTMENT OF TRANSPORTATION**
2 **CONSTRUCTION AND MAINTENANCE BID**
3 **LIMIT**

4 2000 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Ed P. Mayne**

7 AN ACT RELATING TO TRANSPORTATION; AMENDING CERTAIN BID
8 REQUIREMENTS FOR STATE HIGHWAY PROJECTS.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **72-6-107**, as last amended by Chapter 365, Laws of Utah 1999

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **72-6-107** is amended to read:

14 **72-6-107. Construction or improvement of highway -- Contracts -- Retainage.**

15 (1) (a) The department shall make plans, specifications, and estimates prior to the
16 construction or improvement of any state highway.

17 (b) Except as provided in Section 63-56-36.1 and except for construction or improvements
18 performed with state prison labor, a construction or improvement project with an estimated cost
19 exceeding [~~\$40,000~~] \$80,000 for labor and materials shall be performed under contract awarded
20 to the lowest responsible bidder.

21 (c) The advertisement for bids shall be published in a newspaper of general circulation in
22 the county in which the work is to be performed, at least once a week for two consecutive weeks,
23 with the last publication at least ten days before bids are opened.

24 (d) The department shall receive sealed bids and open the bids at the time and place
25 designated in the advertisement. The department may then award the contract but may reject any
26 and all bids.

27 (e) If the department's estimates are substantially lower than any responsible bid received,

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28 the department may perform any work by force account.

29 (2) If any payment on a contract with a private contractor for construction or improvement
30 of a state highway is retained or withheld, the payment shall be retained or withheld and released
31 as provided in Section 13-8-5.

Legislative Review Note
as of 1-3-00 11:16 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel