



## UTAH STATE SENATE

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February 10, 2003

Mr. President:

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 141, LOCAL GOVERNMENT CAPITAL PROJECTS**, by Senator H. Stephenson, with the following amendments:

1. Page 1, Line 17: Delete line 17
2. Page 1, Line 25: After line 25 insert "**11-39-107**, Utah Code Annotated 1953"
3. Page 4, Line 91: At the beginning of line 91 delete "The legislative body of each" and insert "Each"
4. Page 4, Line 101: After "limit, the" delete "legislative body" and insert "local entity"
5. Page 4, Line 113: After "indicate that the" delete "legislative body" and insert "local entity"
6. Page 4, Line 115: After "(b)" insert "(i)"
7. Page 4, Lines 116-117: Delete lines 116 and 117 and insert "avoid:  
(A) exceeding the bid limit; and  
(B) subjecting the local entity to the requirements of this section.  
(ii) Notwithstanding Subsection (2)(b)(i), a local entity may divide the cost of a building improvement or public works project that would, without dividing, exceed the bid limit if the local entity complies with the requirements of this section with respect to each part of the building improvement or public works project that results from dividing the cost."
8. Page 4, Line 118: After "(3)(a) The" delete "legislative body" and insert "local entity"

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9. Page 4, Line 119: After "(b) If the" delete "legislative body" and insert "local entity"
10. Page 4, Line 120: After "project, the" delete "legislative body" and insert "local entity"
11. Page 5, Line 123: After "(1)(a), the" delete "legislative body" and insert "local entity"
12. Page 5, Line 145: After line 145 insert:

"Section 7. Section **11-39-107** is enacted to read:

**11-39-107. County may adopt procurement code.**

(1) This chapter may not be construed to prohibit a county legislative body from adopting the procedures of Title 63, Chapter 56, Utah Procurement Code.

(2)(a) In seeking bids and awarding a contract for a building improvement or public works project, a county legislative body may elect to follow the provisions of Title 63, Chapter 56, Utah Procurement Code, as the county legislative body considers appropriate under the circumstances for specification preparation, source selection, or contract formation.

(b) An election to adopt the procedures of Title 63, Chapter 56, Utah Procurement Code, may not excuse the county from complying with the requirements to award a contract for work in excess of the bid limit and to publish notice of the intent to award.

(3) An election under Subsection (2) may be made on a case-by-case basis, unless the county has previously adopted the Utah Procurement code as permitted by Subsection 63-56-2(3)(e).

(4) If an election is made, it shall be done in an open meeting of the county legislative body, and the portions of the Utah Procurement Code to be followed for the work under consideration shall be specified in the legislative body's action."

13. Page 9, Line 247: Delete lines 247 - 275
14. Page 10, Line 276: Delete lines 276-302

**Renumber remaining sections accordingly.**

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Respectfully,

David L. Thomas  
Committee Chair

Voting: 5-0-3

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