

SENATE FILE NO. SF0113

Highway construction contract threshold.

Sponsored by: Senator(s) Hastert, Barrasso, Geis, Johnson
and Meier and Representative(s) Edwards,
McOmie, Slater and White

A BILL

for

1 AN ACT relating to road and bridge construction; amending
2 the threshold dollar amounts for state highway and county
3 road projects that require public notice and bidding, as
4 specified; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 24-2-108 and 24-2-110(a) are amended
9 to read:

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11 **24-2-108. Road and bridge construction.**

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13 All road and bridge construction work, any part of the cost
14 of which is paid from the state highway fund, shall be
15 performed in accordance with the plans and specifications
16 prepared by the director of the department of

1 transportation or the chief engineer and approved by the
2 commission, and shall be performed by or under contracts
3 awarded by the commission. The director with the assistance
4 of the chief engineer shall have complete charge, including
5 expenditures for roads now in existence, or in the future
6 to be constructed, which are part of state highway systems
7 which are located within or partially within the national
8 forests' boundaries. All improvements costing more than ~~one~~
9 ~~hundred thousand dollars (\$100,000.00)~~ two hundred thousand
10 dollars (\$200,000.00) shall be constructed under contracts
11 awarded after public notice to the lowest responsible
12 bidder determined qualified by the transportation
13 commission of Wyoming which is given the power to determine
14 the qualifications and responsibilities of bidders. The
15 commission may reject any or all bids and readvertise for
16 bids. Improvements costing less than ~~twenty thousand~~
17 ~~dollars (\$20,000.00)~~ forty thousand dollars (\$40,000.00)
18 may be constructed by the commission upon force account,
19 with its own forces or under contract, as the commission
20 shall determine. A state highway construction job to be
21 completed within any calendar year period and to cost more
22 than ~~twenty thousand dollars (\$20,000.00)~~ forty thousand
23 dollars (\$40,000.00) shall not be constructed by department
24 of transportation forces in sections or parcels so as to

1 come within the ~~twenty thousand dollar (\$20,000.00)~~ forty
2 thousand dollars (\$40,000.00) limitation. Contracts may be
3 entered into with railroad companies for the construction
4 of grade separation structures at actual cost under terms
5 and conditions approved by the commission. Whenever an
6 emergency arises requiring immediate expenditure of funds
7 for the repair or rebuilding of bridges, approaches to
8 bridges and any roadway, when the bridges, approaches to
9 bridges or roadway are required to be rebuilt immediately
10 and in such short time that in the judgment of the
11 commission the people would be seriously inconvenienced in
12 waiting the regular period for advertising for bids, the
13 commission may enter into contract for any building or
14 rebuilding of bridges, approaches or roadway without
15 advertising for the letting of any contract, provided the
16 amount of the contract shall not exceed ~~five hundred~~
17 ~~thousand dollars (\$500,000.00)~~ one million dollars
18 (\$1,000,000.00) and provided the commission requests
19 proposals from at least two (2) contractors capable of
20 performing the emergency construction or repair. The
21 commission shall adopt general rules and regulations for
22 the publication of notice to bidders, the awarding of
23 contracts, and for determining the qualifications and
24 responsibilities of bidders.

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24-2-110. Cooperation with counties in construction of county roads; allocation of costs; state-county road construction account established.

(a) The board of county commissioners of each county shall establish a separate road construction fund solely for the construction of county roads, bridges and culverts. Work using funds from the road construction fund of a county shall be performed under contract awarded after competitive bidding if the estimated cost of the work exceeds ~~twenty five thousand dollars (\$25,000.00)~~ fifty thousand dollars (\$50,000.00). All work shall be performed under the immediate control and supervision of the board of county commissioners or its authorized representative and in accordance with county road standards as established by the Wyoming county road standards committee. The road construction fund program is a supplement to federal aid, primary and secondary road programs in each county. The term "construction" as used in this section means construction, reconstruction, surveys, mapping, right-of-way costs, bridges, culverts and fencing. The county shall use existing grades, bridges and other physical items or

1 facilities in order to minimize or avoid more costly
2 relocation.

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4 **Section 2.** This act is effective July 1, 2007.

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(END)