

1 SENATE BILL NO. 372

2 INTRODUCED BY R. LAIBLE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COUNTY AND MUNICIPALITY CONTRACTING
5 REQUIREMENTS; INCLUDING CONSTRUCTION MANAGEMENT SERVICES AMONG THE ACTIVITIES
6 THAT COUNTIES AND MUNICIPALITIES ARE REQUIRED TO SUBJECT TO BIDDING AND TO CONTRACT
7 FOR UNDER CERTAIN CIRCUMSTANCES; EXEMPTING ROUTINE MAINTENANCE ACTIVITIES FROM
8 CONTRACTING REQUIREMENTS; DEFINING "ROUTINE MAINTENANCE"; REQUIRING MUNICIPALITIES
9 TO ENTER INTO CONTRACTS FOR LARGE PURCHASES AND FOR CERTAIN ACTIVITIES COSTING MORE
10 THAN \$50,000 AND REQUIRING THAT THE CONTRACTS BE SUBJECT TO BIDDING; AND AMENDING
11 SECTIONS 7-5-2301 AND 7-5-4302, MCA."

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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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15 **Section 1.** Section 7-5-2301, MCA, is amended to read:

16 **"7-5-2301. ~~Competitive Contracting and competitive~~, advertised bidding required for certain large**
17 **purchases or construction contracts.** (1) Except as provided in 7-5-2304 and subsection (4) of this section,
18 a contract must be entered into by a county for the purchase of any vehicle, road machinery or other machinery,
19 apparatus, appliances, equipment, or materials or supplies or ~~the~~ for construction, repair, construction
20 management services, or maintenance, ~~of any building, road, or bridge other than routine maintenance,~~ in
21 excess of \$50,000 and may not be entered into by a county governing body without first publishing a notice
22 calling for bids.

23 (2) The notice must be published as provided in 7-1-2121.

24 (3) Subject to 7-5-2309 and subsection (4) of this section, every contract required under subsection (1)
25 is subject to bidding and must be let to the lowest and best responsible bidder with the lowest responsive bid.26 (4) The provisions of subsections (1) and (3) do not apply if a county does not receive a response to
27 the notice calling for bids or if the county does not receive a bid from a responsible bidder.28 (5) For the purposes of this section, "routine maintenance" means ongoing and expected annual
29 maintenance activities, including but not limited to snowplowing, road grading, weed spraying, street cleaning,
30 pavement maintenance, and operation of existing gravel pits or quarries."

