

SF0164SS001

1 Page 1-line 4 After "towns;" delete balance of line.
2
3 Page 1-line 5 Delete "bid advertisements;"; delete "forms
4 and amounts of".
5
6 Page 1-line 7 Delete "making conforming amendments;".
7
8 Page 1-lines 12 and 13 Delete entirely and insert:
9
10 "Section 1. W.S. 15-1-113(a), (d), (f), (g) and by creating
11 a new subsection (t) is amended to read:".
12
13 Pages 2 through 5 Delete entirely.
14
15 Page 6-lines 1 through 16 Delete entirely and insert:
16
17 "(a) All contracts for any type of public improvement,
18 excluding contracts for professional services or where the primary
19 purpose is emergency work or maintenance, for any city or town or
20 joint powers board wherein at least one (1) member is a
21 municipality shall be advertised for bid or for response if a
22 request for proposal or qualification for construction manager
23 agent, construction manager at risk or design-builder is used, if
24 the estimated cost, including all related costs, exceeds a bid
25 threshold of ~~thirty-five thousand dollars (\$35,000.00)~~ seventy-
26 five thousand dollars (\$75,000.00), except that a contract for the
27 purchase or lease of a new automobile or truck shall be advertised
28 regardless of cost and if there is an automobile or truck for
29 trade-in, it shall be included as a part of the advertisement and
30 bid. The requirements of W.S. 15-1-112(a) do not apply to any
31 city or town trading in an automobile or truck on the purchase of
32 a new automobile or truck.
33
34 (d) Every contract shall be executed by the mayor or in his
35 absence or disability, by the president or other presiding officer
36 of the governing body and by the clerk or designee of the governing
37 body. The successful bidder or respondent shall furnish to the
38 city, town or joint powers board a bond or other form of guarantee
39 in accordance with W.S. 16-6-112. A successful bidder shall not be
40 required to furnish a bond or other form of guarantee if the
41 contract is for the purchase or lease of a new automobile or truck
42 that costs less than one hundred thousand dollars (\$100,000.00).
43

1 (f) In advertising for any bid, the forms of guarantee
2 required under this section and approved by the city, town or joint
3 powers board shall be specified. In addition, bidders shall be
4 required to accompany each bid with a bid bond or if the bid is
5 one hundred fifty thousand dollars (\$150,000.00) or less, any other
6 form of bid guarantee approved by the city, town or joint powers
7 board, equal to at least five percent (5%) of the total bid amount,
8 with sufficient surety and payable to the city, town or joint
9 powers board. Bidders shall not be required to accompany a bid
10 with a bid bond or other form of bid guarantee if the bid is for
11 the purchase or lease of a new automobile or truck that costs less
12 than one hundred thousand dollars (\$100,000.00). The bid guarantee
13 shall be forfeited as liquidated damages if the bidder, upon the
14 letting of the contract to him, fails to enter into the contract
15 within thirty (30) days after it is presented to him for that
16 purpose or fails to proceed with the performance of the contract.
17 The bid guarantee shall be retained by the city, town or joint
18 powers board until proper bond or other form of security
19 satisfactory to the city, town or joint powers board to secure
20 performance of the contract has been filed and approved. The right
21 to reject any bid is reserved in all bid advertisements. All bids
22 shall be numbered consecutively before they are opened and no
23 further bids may be received after the advertised time of opening
24 bids and any bid is publicly opened. The city, town or joint
25 powers board shall give all persons who desire an opportunity to
26 inspect all bids when they are opened. No bid may be considered
27 unless accompanied by a bid guarantee in the required amount.

28
29 (g) No contract for which a bond or other form of financial
30 guarantee approved by the city, town or joint powers board is
31 required or for the purchase or lease of a new automobile or truck
32 that is subject to the advertising requirements of subsection (a)
33 of this section may be assigned or transferred in any manner except
34 by operation of law or consent of the governing body endorsed on
35 the contract. Assignment by any other means renders the contract
36 null and void as to any further performance by the contractor or
37 the assignee, without any act on the part of the city, town or
38 joint powers board. The city, town or joint powers board may at
39 once proceed to relet the contract or may at its discretion proceed
40 to complete the contract as agent at the expense of the contractor
41 and his sureties.

42
43 (t) If a city, town or joint powers board is unsuccessful in
44 acquiring a bid as provided by this section, the city, town or
45 joint powers board may proceed to acquire a vehicle or equipment
46 for which the bid was sought through a solicitation process,
47 provided that the cost of vehicle or equipment to be obtained under

1 this subsection shall not exceed two hundred fifty thousand dollars
2 (\$250,000.00).". PAPPAS, ACTING CHAIRMAN
3