

City of Fayetteville Staff Review Form

2021-0805

Legistar File ID

11/2/2021

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Andrea Foren

10/15/2021

PURCHASING (160)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approving an Ordinance to (1) amend §34.23 Purchases and Contracts for Goods and Services Not In Excess of \$20,000, increasing the threshold to \$35,000.00 including additional modifications and (2) create §34.24 Contracts for Public Improvements Not in Excess of \$50,000.00.

Budget Impact:

| | |
|--|---|
| Account Number | Fund |
| Project Number | Project Title |
| Budgeted Item? <u> No </u> | Current Budget \$ - |
| | Funds Obligated \$ - |
| | Current Balance \$ - |
| Does item have a cost? <u> No </u> | Item Cost \$ - |
| Budget Adjustment Attached? <u> No </u> | Budget Adjustment \$ - |
| | Remaining Budget \$ - |

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # Ordinance 4722

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF NOVEMBER 02, 2021

TO: Mayor and City Council

THRU: Paul A. Becker, Chief Financial Officer

FROM: Andrea Foren, Purchasing Manager

DATE: Friday, October 15, 2021

SUBJECT: **An Ordinance to amend 32.23 and create 34.24 to increase Procurement thresholds**

RECOMMENDATION:

Approving an Ordinance to **(1)** amend §34.23 *Purchases and Contracts for Goods and Services Not In Excess of \$20,000*, increasing the threshold to \$35,000.00 including additional modifications and **(2)** create §34.24 *Contracts for Public Improvements Not in Excess of \$50,000.00*.

BACKGROUND:

Act 435 of the Regular Session, 2021 was approved by the Arkansas Legislature on March 24, 2021, without an emergency clause, to amend Arkansas state procurement law concerning competitive bidding and purchasing procedures for both counties and municipalities. This Act allows municipalities to increase bidding thresholds up to \$35,000.00 for goods and services.

Act 440 of the Regular Session, 2021 was approved by the Arkansas Legislature on March 24, 2021, without an emergency clause, to amend the award procedure for public improvement contracts; and for other purposes. This Act enables municipalities to increase the bidding threshold to \$50,000.00 for construction contracts or “public improvement contracts” as defined state law.

Procurement thresholds were last amended on July 19, 2005 with Ordinance 4722 which modified the limit from \$10,000.00 to \$20,000.00. Procurement thresholds have not increased in over 16 years.

Act 435 also included a clause to review and adjust purchasing procedure thresholds every five years, beginning with January 1, 2025 according to the Consumer Price Index (CPI) for All Urban Consumers. The Purchasing Division will monitor this allowable increase and bring amendment requests back to the City Council, as reasonably necessary, after January 1, 2025.

DISCUSSION:

This Ordinance includes revisions to §34.23 and creation of §34.24 in the following manner:

(1) §34.23 *Purchases and Contracts for Goods and Services Not In Excess of \$20,000*

- a. Increase the threshold to \$35,000.00 (up from the current \$20,000.00 limit)
- b. Increase the quotation limit to \$5,000 (up from the current \$1,000.00 limit)
- c. Adding language to allow the Mayor to duly authorize a representative to execute contracts not in excess of \$35,000.00 and approve change orders up to the contingency amount, if any, as set forth in any approved contract even though such contingency amount may exceed \$35,000.00
- d. Exempting items from quotes, competitive bids, or Sole Source Justification on purchases exempt from soliciting bids under A.C.A. § 19-11-203.

(2) §34.24 *Contracts for Public Improvements Not in Excess of \$50,000.00*

- a. Creates section 34.24 reading

“All contracts not in excess of \$50,000.00 for the making of major repairs or alterations, for the erection of buildings or other structures, or for making other permanent improvements shall be made by the Mayor, or the Mayor’s duly authorized representative, after the securing and recording of quotation bids therefor.”

Approval of the procurement thresholds will help streamline operations, increase staff efficiency and speed up processing time for end user departments and divisions to procure goods and services.

This increase in threshold mirrors, other large cities in Arkansas, such as Little Rock, which has the same thresholds being requested. The City of Springdale and Bentonville have recently passed similar ordinances.

BUDGET/STAFF IMPACT:

Funds will be spent within approved budget from City Council.

Attachments:

City of Fayetteville, Purchasing Division, Modification Summary for 34.23 and 34.24
Act 435
Act 440

City of Fayetteville, Arkansas
Purchasing Division
Modification Summary for 34.23 and 34.24

34.23 Purchases and Contracts for Goods and Services Not In Excess Of \$35,000.00

- (A) All such purchases not in excess of \$35,000.00 shall be made by the Mayor, or the Mayor's duly authorized representative, after the securing and recording of quotation bids therefor; provided quotation bids need not be secured for purchases under \$5,000.00.
- (B) Cost-share agreements with developers or governmental entities for the improvement of city infrastructure are expressly exempt from the requirements of this section. The City Council shall signify its approval of cost-share agreements by resolution.
- (C) Contracts not in excess of \$35,000.00 shall be made and entered into by the Mayor. The Mayor, [or the Mayor's designee](#) shall have the authority to approve contract change orders up to the contingency amount, if any, as set forth in any approved contract even though such contingency amount may exceed \$35,000.00.
- (D) The hiring or engagement of professional services shall be conducted according to a professional hiring policy approved by the City Council.
- (E) *Sole Source Provider.* Multiple quotation bids shall not be required if the Purchasing Manager approves the Sole Source Justification form signed by the requesting division head for an item that is uniquely compatible with existing equipment or has unique and essential design or performance features. [Pursuant to Ark. Code Ann. § 14-58-104\(21\), a](#) written proclamation from the Mayor shall be filed with the City Clerk-Treasurer setting forth the basis for the single source procurement.
- (F) [Exempt Goods and Services. Goods and services recognized as exempt from competitive bidding under Arkansas law shall not require a Sole Source Justification, quotations, or competitive bidding.](#)
- (G) *Waiver of the Requirement for Bids.* The City Council, by ordinance, may waive the requirements of this section for competitive bids or quotes in exceptional situations where this procedure is deemed not feasible or practical.

34.24 Contracts for Public Improvements Not in Excess of \$50,000.00

All contracts not in excess of \$50,000.00 for the making of major repairs or alterations, for the erection of buildings or other structures, or for making other permanent improvements shall be made by the Mayor, or the Mayor's designee, after the securing and recording of quotation bids therefor.

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

SENATE BILL 456

4
5 By: Senator G. Stubblefield
6 By: Representative L. Fite

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING COMPETITIVE
10 BIDDING AND PURCHASING PROCEDURES FOR COUNTIES AND
11 MUNICIPALITIES; AND FOR OTHER PURPOSES.

Subtitle

12
13
14 TO AMEND THE LAW CONCERNING COMPETITIVE
15 BIDDING AND PURCHASING PROCEDURES FOR
16 COUNTIES AND MUNICIPALITIES.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. Arkansas Code § 14-22-102 is amended to read as follows:
23 14-22-102. Applicability.

24 (a) It is unlawful for ~~any a~~ county official to make ~~any purchases a~~
25 purchase with county funds in excess of ~~twenty thousand dollars (\$20,000)~~
26 thirty-five thousand dollars (\$35,000), unless the method of purchasing
27 prescribed ~~in~~ under this chapter is followed.

28 (b) This chapter ~~shall~~ does not apply to ~~any purchases a purchase~~
29 under ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars
30 (\$35,000) or to the purchase of commodities ~~set forth in~~ under § 14-22-106.

31 (c)(1) Beginning January 1, 2025, and on each January 1 at subsequent
32 five-year intervals, the amounts under subsections (a) and (b) of this
33 section shall be adjusted to reflect the percentage increase in the Consumer
34 Price Index for All Urban Consumers or its successor, as published by the
35 United States Department of Labor for the five (5) years immediately
36 preceding the percentage increase, and rounded to the nearest whole number.



1 (2) Following a percentage increase under subdivision (c)(1) of
 2 this section, the Department of Finance and Administration shall provide each
 3 county and Arkansas Legislative Audit with the percentage increase and the
 4 corresponding updated amounts under this section.

5
 6 SECTION 2. Arkansas Code § 14-22-104 is amended to read as follows:

7 14-22-104. Purchases permitted.

8 ~~All purchases of commodities~~ (a) A purchase of a commodity made by ~~any~~
 9 a county purchasing official with county funds, except those specifically
 10 exempted by this chapter, shall be made as follows:

11 (1) Formal bidding ~~shall be~~ is required in each instance in
 12 which the estimated purchase price ~~shall equal or exceed twenty thousand~~
 13 ~~dollars (\$20,000)~~ equals or exceeds thirty-five thousand dollars (\$35,000);

14 (2) ~~Open~~ An open market ~~purchases~~ purchase may be made of ~~any~~
 15 ~~commodities where~~ a commodity if the purchase price is less than ~~twenty~~
 16 ~~thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000); and

17 (3) ~~No~~ A purchasing official shall not parcel or split any items
 18 of commodities or estimates with the intent ~~or purpose~~ to change the
 19 classification or to enable the purchase to be made under a less restrictive
 20 procedure.

21 (b)(1) Beginning January 1, 2025, and on each January 1 at subsequent
 22 five-year intervals, the amount under subsection (a) of this section shall be
 23 adjusted to reflect the percentage increase in the Consumer Price Index for
 24 All Urban Consumers or its successor, as published by the United States
 25 Department of Labor for the five (5) years immediately preceding the
 26 percentage increase, and rounded to the nearest whole number.

27 (2) Following a percentage increase under subdivision (b)(1) of
 28 this section, the Department of Finance and Administration shall provide each
 29 county and Arkansas Legislative Audit with the percentage increase and the
 30 corresponding updated amounts under this section.

31
 32 SECTION 3. Arkansas Code § 14-22-106(17), concerning county commodity
 33 purchases exempted from bid solicitation, is amended to read as follows:

34 (17)(A) New motor vehicles purchased from a licensed automobile
 35 dealership located in Arkansas for an amount not to exceed the fleet price
 36 awarded by the Office of State Procurement and in effect at the time the

1 county submits the purchase order for the same make and model motor vehicle,
 2 which may include additional options that were available for bid and
 3 purchased under state contract at the state bid option price.

4 (B) The purchase amount for a new motor vehicle may
 5 include additional ~~options~~ after-market equipment that was not available
 6 under the state contract up to ~~six hundred dollars (\$600)~~ one thousand two
 7 hundred dollars (\$1,200) over the fleet price awarded;

8
 9 SECTION 4. Arkansas Code § 14-58-104 is amended to read as follows:

10 14-58-104. Specific purchases and contracts - Commodities.

11 ~~(a)~~ The ~~municipal~~ governing body of a city of the first class, city of
 12 the second class, or an incorporated town may purchase the following
 13 commodities without soliciting bids:

14 (1) ~~Motor fuels, oil, asphalt, asphalt oil, and natural gas; and~~

15 ~~(2) New motor vehicles from a motor vehicle dealer licensed~~
 16 ~~under the Arkansas Motor Vehicle Commission Act, § 23-112-101 et seq., if the~~
 17 ~~motor vehicle is purchased for an amount not to exceed the fleet price~~
 18 ~~awarded by the Office of State Procurement and in effect at the time the~~
 19 ~~municipal governing body of a city of the first class, city of the second~~
 20 ~~class, or an incorporated town submits the purchase order for the same make~~
 21 ~~and model motor vehicle.~~ Perishable foodstuffs for immediate use;

22 (2) Unprocessed feed for livestock and poultry;

23 (3) Advanced emergency medical services provided by a nonprofit
 24 corporation and proprietary medicines if specifically requested by a
 25 professional employee;

26 (4) Books, manuals, periodicals, films, and copyrighted
 27 educational aids for use in libraries and other informational material for
 28 institutional purposes;

29 (5) Scientific equipment and parts;

30 (6) Replacement parts and labor for repairs of machinery and
 31 equipment;

32 (7) Commodities available only from the United States
 33 Government;

34 (8)(A) Any commodities needed in instances in which an
 35 unforeseen and unavoidable emergency has arisen in which human life, health,
 36 or public property is in jeopardy.

1 (B) An emergency purchase under subdivision (8)(A) of this
2 section shall not be approved unless a statement in writing is attached to
3 the purchase order describing the emergency necessitating the purchase of the
4 commodity without competitive bidding;

5 (9) Utility services, purchased at wholesale or the rates for
6 which are subject to regulation by a state agency or a federal regulatory
7 agency;

8 (10) Sand, gravel, soil, lumber, used pipe, or used steel;

9 (11)(A) Used or secondhand motor vehicles, machinery, or
10 equipment.

11 (B) A used or secondhand motor vehicle that has been under
12 lease to a municipality and has fewer than five thousand (5,000) miles of use
13 shall not be purchased except upon competitive bids as provided in this
14 chapter;

15 (12) Machinery, equipment, facilities, or other personal
16 property purchased or acquired for or in connection with the securing and
17 developing of industry under the Municipalities and Counties Industrial
18 Development Revenue Bond Law, § 14-164-201 et seq., or any other provision of
19 law pertaining to the securing and developing of industry;

20 (13) Registered livestock to be used for breeding purposes;

21 (14) Motor fuels, oil, asphalt, asphalt oil, and natural gas;

22 (15) Motor vehicles, equipment, machinery, material, or supplies
23 offered for sale at public auction or through a process requiring sealed
24 bids;

25 (16) All goods and services that are regularly provided to state
26 agencies and municipal government by the Division of Correction's various
27 penal industries;

28 (17)(A) New motor vehicles purchased from a licensed automobile
29 dealership located in Arkansas for an amount not to exceed the fleet price
30 awarded by the Office of State Procurement and in effect at the time the
31 municipality submits the purchase order for the same make and model motor
32 vehicle.

33 (B) The purchase amount for a new motor vehicle may
34 include additional options up to six hundred dollars (\$600) over the fleet
35 price awarded;

36 (18) Renewal or extension of the term of an existing contract;

1 (19) Purchase of insurance for municipal employees, including
 2 without limitation health insurance, workers' compensation insurance, life
 3 insurance, risk management services, or dental insurance;

4 (20) Goods or services if the governing body has approved by
 5 resolution the purchase of goods or services through competitive bidding or
 6 procurement procedures used by:

7 (A) The United States Government or one (1) of its
 8 agencies;

9 (B) Another state; or

10 (C) An association of governments or governmental
 11 agencies, including associations of governments or governmental agencies
 12 below the state level; and

13 (21)(A) Goods or services available only from a single source.

14 (B) A purchase under this subdivision (21) shall be
 15 supported with:

16 (i) Documentation concerning the exclusivity of the
 17 single source; and

18 (ii) A written proclamation from the chief executive
 19 filed with the clerk or recorder that sets forth the basis for the single
 20 source procurement.

21 ~~(b) The municipal governing body of a city of the first class, city of~~
 22 ~~the second class, or an incorporated town may renew or extend the term of an~~
 23 ~~existing contract without soliciting bids.~~

24
 25 SECTION 5. Arkansas Code § 14-58-303(b), concerning municipal
 26 purchases and contracts, is amended to read as follows:

27 (b)(1)(A) Except as provided under § 14-58-104, the ~~municipal~~
 28 governing body of any city of the first class shall provide by ordinance the
 29 procedure for making all purchases ~~which that~~ do not exceed the sum of ~~twenty~~
 30 ~~thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).

31 (B) Except as provided under § 14-58-104, the ~~municipal~~
 32 governing body of any city of the second class or incorporated town may
 33 provide by ordinance the procedure for making all purchases.

34 (2)(A)(i) Except as provided under § 14-58-104, in a city of the
 35 first class ~~where in which~~ the amount of expenditure for any purpose or
 36 contract exceeds the sum of ~~twenty thousand dollars (\$20,000)~~ thirty-five

1 thousand dollars (\$35,000), the mayor or the mayor's authorized
 2 representative shall invite competitive bidding on the purpose or contract by
 3 legal advertisement in any local newspaper.

4 (ii) Bids received pursuant to the advertisement
 5 shall be opened and read on the date set for receiving the bids in the
 6 presence of the mayor or the mayor's authorized representative.

7 (iii) The mayor or the mayor's authorized
 8 representative ~~shall have~~ has exclusive power to award the bid to the lowest
 9 responsible bidder, ~~but~~ and may reject any and all bids received.

10 (B) The governing body by ~~ordinance~~ resolution may waive
 11 the requirements of competitive bidding in exceptional situations where this
 12 procedure is deemed not feasible or practical or as provided under § 14-58-
 13 104.

14 (C) Cities of the first class, cities of the second class,
 15 and incorporated towns may accept competitive bids in the following forms:

- 16 (i) Written; or
- 17 (ii) Electronic media.

18 (3)(A) Beginning January 1, 2025, and on each January 1 at
 19 subsequent five-year intervals, the amounts under this subdivision shall be
 20 adjusted to reflect the percentage increase in the Consumer Price Index for
 21 All Urban Consumers or its successor, as published by the United States
 22 Department of Labor for the five (5) years immediately preceding the
 23 percentage increase, and rounded to the nearest whole number.

24 (B) Following a percentage increase under subdivision
 25 (c)(1) of this section, the Department of Finance and Administration shall
 26 provide each city of the first class and Arkansas Legislative Audit with the
 27 percentage increase and the corresponding updated amounts under this section.

28
 29 SECTION 6. Arkansas Code § 14-58-304 is amended to read as follows:
 30 14-58-304. Purchase of insurance.

31 ~~The~~ Except as provided under § 14-58-104, the purchase of all types of
 32 insurance by cities of the first class, cities of the second class, or
 33 incorporated towns shall be ~~is~~ governed by ~~the provisions of~~ § 14-58-303.

34
 35 SECTION 7. Arkansas Code § 14-58-305(a), concerning municipal payment
 36 of claims, is amended to read as follows:

1 (a) In a city of the first class, city of the second class, or
2 incorporated town, the mayor or his duly authorized representative may
3 approve or disapprove for payment out of funds previously appropriated for
4 that purpose, ~~or disapprove, any bills, debts, or liabilities asserted as~~
5 legal claims asserted or brought against the city or town.

6
7 SECTION 8. Arkansas Code § 14-58-303 is amended to read as follows:
8 14-58-308. Bonds of officers and employees.

9 (a) All officers and employees of a city of the first class, city of
10 the second class, or incorporated town handling financial matters for the
11 city or town shall furnish a fidelity bond in such amount, on such form, and
12 with such security as may be approved by the municipal governing body.

13 (b) The premiums on these bonds shall be paid by the city or town.

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16 **APPROVED: 3/24/21**
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1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S3/11/21

A Bill

SENATE BILL 305

5 By: Senators Caldwell, *Irvin*
6 By: Representative Holcomb
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE AWARD PROCEDURE FOR PUBLIC
10 IMPROVEMENT CONTRACTS; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO AMEND THE AWARD PROCEDURE FOR PUBLIC
15 IMPROVEMENT CONTRACTS.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 22-9-101(b)(1), concerning the requirement
21 for observation by registered professionals on public property contracts, is
22 amended to read as follows:

23 (1) For an engineering project does not exceed ~~twenty-five~~
24 ~~thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000); or
25

26 SECTION 2. Arkansas Code § 22-9-201(c), concerning the award of
27 contracts on public property, the applicability of §§ 22-9-202 – 2-9-204, and
28 emergency contracting procedures, is amended to add an additional subdivision
29 to read as follows:

30 (6) An emergency contract made under emergency contracting
31 procedures under this section shall not be authorized by a county or
32 municipality unless:

33 (A) The emergency contract is to address an unforeseen and
34 unavoidable emergency in which human life, health, or public property is in
35 jeopardy; and

36 (B) A written statement is attached to the emergency



1 contract that describes the emergency necessitating the emergency contract
2 being entered into without compliance under § 22-9-203.

3
4 SECTION 3. Arkansas Code § 22-9-202(b)(2)(C), concerning the statutory
5 construction of sections regarding the award of public works contracts, is
6 amended to read as follows:

7 (C) Construction work from one (1) or more separate
8 contractors under separate contract or invoice so that the work is not
9 included in calculating the bid requirement threshold of ~~thirty-five thousand~~
10 ~~dollars (\$35,000)~~ fifty thousand dollars (\$50,000).

11
12 SECTION 4. Arkansas Code § 22-9-202(c), concerning the statutory
13 construction of sections regarding the award of public works contracts, is
14 amended to read as follows:

15 (c) This section and §§ 22-9-203 and 22-9-204 do not amend or repeal
16 any law that requires the publication of notice in those instances in which
17 the estimated amount of the cost of the proposed improvements within the
18 scope of the contract is more than ~~thirty-five thousand dollars (\$35,000)~~
19 fifty thousand dollars (\$50,000).

20
21 SECTION 5. Arkansas Code § 22-9-203(a), concerning the award procedure
22 for public improvements, is amended to read as follows:

23 (a) Except as provided under § 14-58-105, a contract providing for the
24 making of major repairs or alterations, for the erection of buildings or
25 other structures, or for making other permanent improvements shall not be
26 entered into by the state or an agency of the state or by a county,
27 municipality, school district, or other local taxing unit with any contractor
28 in instances in which all estimated costs of the work exceed the sum of
29 ~~thirty-five thousand dollars (\$35,000)~~ fifty thousand dollars (\$50,000)
30 unless:

31 (1) *The state or any agency of the state shall have first*
32 *published notice of its intention to receive bids one (1) time each week for*
33 *not less than two (2) consecutive weeks for projects more than the amount of*
34 *fifty thousand dollars (\$50,000) and published notice of its intention to*
35 *receive bids one (1) time each week for not less than one (1) week for*
36 *projects more than the quote bid limit, as provided under the minimum*

1 *standards and criteria of the Building Authority Division, but less than or*
2 *equal to fifty thousand dollars (\$50,000) in a newspaper of general*
3 *circulation published in the county in which the proposed improvements are to*
4 *be made or in a trade journal reaching the construction industry; and*

5 (2)(A) The county, municipality, school district, or other local
6 taxing unit shall have first published notice of its intention to receive
7 *bids one (1) time each week for not less than two (2) consecutive weeks in a*
8 *newspaper of general circulation published in the county in which the*
9 *proposed improvements are to be made.*

10 (B) In addition to the publication of notice required
11 under subdivision (a)(2)(A) of this section, the county, municipality, school
12 district, or other local taxing unit:

13 (i) May also publish notice in a trade journal
14 reaching the construction industry; and

15 (ii) If the county, municipality, school district,
16 or other local taxing unit is accepting electronically submitted bids, shall
17 also post notice on the website of a vendor selected under the Fair Notice
18 and Efficiency in Public Works Act, § 22-9-901 et seq.

19
20 SECTION 6. Arkansas Code § 22-9-203(c)(2)(A)(ii) and (iii), concerning
21 public improvement award procedures and requirements, are amended to read as
22 follows:

23 (ii) Every bid submitted on public construction
24 contracts for the state or any agency or department of the state is void
25 unless accompanied by a cashier's check drawn upon a bank or trust company
26 doing business in this state or by a corporate bid bond, except for projects
27 under ~~thirty five thousand dollars (\$35,000)~~ fifty thousand dollars
28 (\$50,000).

29 (iii) A bid bond is not required for public
30 construction contracts for the state or any agency or department of the state
31 under or equal to ~~thirty five thousand dollars (\$35,000)~~ fifty thousand
32 dollars (\$50,000).

33
34 SECTION 7. Arkansas Code § 22-9-209(a)(1), concerning advertising
35 contracts for the renovation of historic sites, is amended to read as
36 follows:

1 (a)(1) A contract for the altering, repairing, or renovation of a
2 recognized historic site or structure owned by the state or with title vested
3 in the name of a state agency or of another taxing authority in which the
4 estimated cost of the work equals or exceeds the sum of ~~thirty-five thousand~~
5 ~~dollars (\$35,000)~~ fifty thousand dollars (\$50,000) shall not be entered into
6 between the state agency or taxing authority and any contractor unless the
7 state agency or taxing authority has first published notice of intention to
8 *receive bids for improvements one (1) time each week for not less than two*
9 *(2) consecutive weeks in a newspaper of general circulation published in the*
10 county in which the proposed improvements are to be made.

11
12
13 /s/Caldwell
14

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16 **APPROVED: 3/24/21**
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