

ORIGINAL SENATE
FILE NO. 0113

ENROLLED ACT NO. 35, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

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

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

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

24-2-108. Road and bridge construction.

All road and bridge construction work, any part of the cost of which is paid from the state highway fund, shall be performed in accordance with the plans and specifications prepared by the director of the department of transportation or the chief engineer and approved by the commission, and shall be performed by or under contracts awarded by the commission. The director with the assistance of the chief engineer shall have complete charge, including expenditures for roads now in existence, or in the future to be constructed, which are part of state highway systems which are located within or partially within the national forests' boundaries. All improvements costing more than ~~one hundred thousand dollars (\$100,000.00)~~ two hundred thousand dollars (\$200,000.00) shall be constructed under contracts awarded after public notice to the lowest responsible bidder determined qualified by the transportation commission of Wyoming which is given the power to determine the qualifications and responsibilities of bidders. The commission may reject any or all bids and readvertise for bids. Improvements costing less than ~~twenty thousand dollars (\$20,000.00)~~ forty thousand dollars (\$40,000.00) may be constructed by the commission upon force account, with its own forces or under contract, as the commission

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shall determine. A state highway construction job to be completed within any calendar year period and to cost more than ~~twenty thousand dollars (\$20,000.00)~~ forty thousand dollars (\$40,000.00) shall not be constructed by department of transportation forces in sections or parcels so as to come within the ~~twenty thousand dollar (\$20,000.00)~~ forty thousand dollars (\$40,000.00) limitation. Contracts may be entered into with railroad companies for the construction of grade separation structures at actual cost under terms and conditions approved by the commission. Whenever an emergency arises requiring immediate expenditure of funds for the repair or rebuilding of bridges, approaches to bridges and any roadway, when the bridges, approaches to bridges or roadway are required to be rebuilt immediately and in such short time that in the judgment of the commission the people would be seriously inconvenienced in waiting the regular period for advertising for bids, the commission may enter into contract for any building or rebuilding of bridges, approaches or roadway without advertising for the letting of any contract, provided the amount of the contract shall not exceed ~~five hundred thousand dollars (\$500,000.00)~~ one million dollars (\$1,000,000.00) and provided the commission requests proposals from at least two (2) contractors capable of performing the emergency construction or repair. The commission shall adopt general rules and regulations for the publication of notice to bidders, the awarding of contracts, and for determining the qualifications and responsibilities of bidders.

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

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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 facilities in order to minimize or avoid more costly relocation.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk