



LAWS OF ALASKA

1978

Source

CSHB 658 am

Chapter No.

104

AN ACT

Relating to construction performed by the Department of Transportation and Public Facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 19.10.170 is amended to read:

Sec. 19.10.170. CONSTRUCTION BY DEPARTMENT. (a) Except as provided in AS 44.33.300, it shall be the general policy of the department to require the construction of all highways under bid contract. However, subject to the provisions of (b) of this section, when the estimated cost of a construction project is less than \$100,000 or when it appears to be in the best interests of the state, the department may perform the work notwithstanding any other provisions of law.

* Sec. 2. AS 19.10.170 is amended by adding new subsections to read:

(b) Construction or professional services in connection with the construction of highways performed by the department under (a) of this section which have an estimated cost exceeding \$5,000 may not be performed by the department unless the commissioner determines, in writing, that the cost to the state will be less than that incurred as a result of a formally advertised or negotiated contract. The determination of the commissioner shall be supported by findings of fact which shall set out enough facts and circumstances to clearly justify the determination. The determinations and findings shall be maintained as a permanent record of the department.

(c) In this section, "professional services" means architectural, engineering, or land surveying services.

Chapter 104

* Sec. 3. AS 19.10.190 is amended to read:

Sec. 19.10.190. ADVERTISEMENT, BIDS, CONTRACTS, AND INFORMAL BIDS. Except as provided in AS 44.33.300, when the estimated cost of any construction exceeds \$100,000, the department shall, except as provided in sec. 170(a) of this chapter, proceed to advertise, request bids, and award the contract in the manner provided in secs. 200 and 210 of this chapter. Whenever any proposed construction contract is for a sum less than \$100,000, it shall be discretionary with the department whether the contract shall be advertised and awarded in accordance with secs. 200 and 210 of this chapter. In all events the department shall request informal bids from as many contractors as can be requested conveniently.

* Sec. 4. AS 35.15.010 is amended by adding new subsections to read:

(b) Construction or professional services in connection with the construction of a public work performed by the department under (a) of this section which have an estimated cost exceeding \$5,000 may not be performed by the department unless the commissioner determines, in writing, that the cost to the state will be less than that incurred as a result of a formally advertised or negotiated contract. The determination of the commissioner shall be supported by findings of fact which shall set out enough facts and circumstances to clearly justify the determination. The determinations and findings shall be maintained as a permanent record of the department.

(c) In this section, "professional services" means architectural, engineering, or land surveying services.