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SUBJECT: BID OPENING PROCEDURE (EXCLUDING ROADS)

ADOPTED DATE: FEBRUARY 4, 2008

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NDCC 11-11-26. WHEN BOARD SHALL ADVERTISE FOR BIDS.

"Except as provided in chapters 48-01.2, when the amount to be paid during the current year for the erection of county buildings or for election ballots and supplies exceeds ten thousand dollars, the board of county commissioners shall cause an advertisement for bids to be published at least once each week for two successive weeks in the official newspaper of the county and in such other newspapers as it shall deem advisable. The first publication shall be made at least fifteen days prior to the day set for the opening of the bid. For the purchase of fuel when the amount exceeds four thousand dollars, the board of county commissioners shall seek bids either by telephone solicitation from at least two suppliers, or by an advertisement for bids to be published at least once each week for two successive weeks in the official newspaper of the county and in other newspapers as the board deems advisable."

**NOTE: THIS SECTION DOES NOT APPLY TO BIDS FOR COUNTY ROAD AND BRIDGE PURPOSES. A SEPARATE SECTION, NDCC 24-05-04, COVERS COUNTY ROAD BID PROCEDURES. THE NORTH DAKOTA ATTORNEY GENERAL'S OFFICE HAS COMPILED A "CONTRACT DRAFTING AND REVIEW MANUAL" WHICH SETS FORTH GENERAL PRINCIPLES APPLICABLE TO COUNTY CONTRACTS REQUIRING COMPETITIVE BIDDING. THE MANUAL IS AVAILABLE ON THE ATTORNEY GENERAL'S WEBSITE.**

NDCC 11-11-27. Contents of advertisement -- When bids may be opened -- Lowest bidder accepted.

"The advertisement shall state what supplies are required or where the plans and specifications may be examined, the time allowed for the completion of the examination, and when the bids will be opened and passed upon by the board of county commissioners. The bids may be opened and passed upon at a regular or adjourned session of the board, or at a meeting called by the county auditor as provided in section 11-11-05. The bid of the lowest responsible bidder shall be accepted, but the board shall have power to reject any or all bids."

