

CHAPTER 181

TRANSPORTATION

HOUSE BILL 99-1031

BY REPRESENTATIVES Swenson and May;
also SENATORS Powers, Chlouber, Congrove, and Musgrave.

AN ACT

CONCERNING REQUIREMENTS FOR HIGHWAY PROJECT BID AWARDS WHERE THERE ARE LESS THAN THREE
BIDDERS ON THE PROJECT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 43-1-113 (16), Colorado Revised Statutes, is amended to read:

43-1-113. Funds - budgets - fiscal year - reports and publications. (16) In the event that there are less than three bidders on a highway project, no award shall be made if such award is more than ten percent over the estimate of the department of transportation on the project; EXCEPT THAT, IF THE ESTIMATE OF THE DEPARTMENT ON THE PROJECT IS LESS THAN ONE MILLION DOLLARS AND THERE ARE FEWER THAN THREE BIDDERS, THE EXECUTIVE DIRECTOR MAY MAKE AN AWARD OF MORE THAN TEN PERCENT, BUT LESS THAN TWENTY-FIVE PERCENT OVER THE ESTIMATE OF THE DEPARTMENT TO THE LOW RESPONSIBLE BIDDER, AS DEFINED IN SECTION 24-103-101 (3), C.R.S.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 17, 1999

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.