

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 52

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO PUBLIC WORKS; AMENDING SECTION 67-5711, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING THE CONSTRUCTION, ALTERATION, EQUIPPING, FUR-
3 NISHING, AND REPAIR OF PUBLIC BUILDINGS AND WORKS AND TO MAKE TECHNICAL
4 CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
5 DATE.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 67-5711, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 67-5711. CONSTRUCTION, ALTERATION, EQUIPPING, FURNISHING AND REPAIR
11 OF PUBLIC BUILDINGS AND WORKS. The director of the department of administra-
12 tion, or his designee, of the state of Idaho, is authorized and empowered,
13 subject to the approval of the permanent building fund advisory council,
14 to provide or secure all plans and specifications for, to let all contracts
15 for, and to have charge of and supervision of the construction, alteration,
16 equipping and furnishing, repair, maintenance, other than preventive main-
17 tenance, of any and all buildings, and improvements of public works of
18 the state of Idaho, the cost of which construction, alteration, equipping
19 and furnishing, repair, maintenance, other than preventive maintenance,
20 exceeds the sum of ~~one hundred thousand dollars (\$100,000)~~ two hundred
21 thousand dollars (\$200,000) for labor, materials and equipment, which sum
22 shall exclude design costs, bid advertising and related bidding expenses,
23 provided, that the director or his designee, and the permanent building fund
24 advisory council shall, in the letting of contracts under this section, com-
25 ply with the procedure for the calling of bids provided in section 67-5711C,
26 Idaho Code; provided, however, that this section shall not apply to the con-
27 struction, alteration, equipping or furnishing or repair or maintenance,
28 other than preventive maintenance, of public buildings under the jurisdic-
29 tion and control of the board of regents of the university of Idaho; provided
30 further, that the bidding procedures required by this section and section
31 67-5711C, Idaho Code, shall not apply to performance contracts as provided
32 in section 67-5711D, Idaho Code; provided further, that public works for
33 the Idaho transportation department, the department of fish and game, the
34 department of parks and recreation, the department of lands, and the depart-
35 ment of water resources and the water resource board, except for adminis-
36 trative office buildings and all associated improvements, are exempt from
37 the provisions of this section that relate to the administration and review
38 of such projects by the director of the department of administration or his
39 designee and by the permanent building fund advisory council. This exemp-
40 tion shall not relieve the Idaho transportation department, the department
41 of fish and game, the department of parks and recreation, the department of
42 lands, and the department of water resources and the water resource board

1 in the letting of contracts for public works, from complying with the pro-
2 cedures of section 67-5711C, Idaho Code, related to the advertising and
3 bidding for contracts. The permanent building fund advisory council may
4 adopt rules consistent with existing law, including rules for a program of
5 inspection and maintenance, to carry out the provisions of this chapter.

6 SECTION 2. An emergency existing therefor, which emergency is hereby
7 declared to exist, this act shall be in full force and effect on and after
8 July 1, 2025.