

State Laws Regarding
Public Entities' Acquisition and Disposal
of Property and Services
(including bidding and financing)

September 2018

N.D.C.C.
Section:

- 1-08-02 State educational, charitable, or penal institutions – may accept gifts and property
- 1-08-04 State, counties, townships, cities, school districts, and park districts – may accept gifts and property
- 2-02-01 North Dakota Aeronautics Commission, counties, cities, park districts, and townships – may acquire and operate airports either within or without the geographic limits
- 2-02-06 Counties, cities, park districts, and townships – may construct, operate, regulate, and lease airports
- 2-04-02 Counties, cities, park districts, and townships – may raise public funds and acquire land or property interests to mitigate airport hazards
- 2-05-06.1 North Dakota Aeronautics Commission, counties, cities, park districts, and townships – may accept federal and other money for the acquisition or operation of airports
- 2-05-22 North Dakota Aeronautics Commission – the aeronautics commission special fund must be expended for, among other things, airport construction and improvement projects, including buildings and purchase of land and easements
- 2-06-01.2 North Dakota Aeronautics Commission – has operational control of airports it constructs and may lease portions of the premises for other related airport services
- 2-06-07 Airport authorities - may construct and operate airports
- 2-06-09 Airport authorities - may dispose of property in accordance with laws governing the disposition of other public property - but, may dispose to state agency or political subdivision in manner deemed in best interest of civil aviation
- 2-06-11 Airport authorities – may enter contracts or leases regarding the use, provision of services, and operation of the airport
- 2-06-19 Counties, cities, and townships - if airport authority is created, may lend or donate money and sell or lease property to the authority

- 4.1-01-17 Agriculture Commissioner - may contract with individuals to be ombudsmen to provide assistance and support to surface owners and tenants regarding pipeline restoration and reclamation - not subject to ch. 54-44.4
- 4.1-01-20 Agriculture Commissioner - may accept gifts, grants, and donations relating to federal environmental legislation and regulations which may detrimentally impact the state's agricultural, energy, or oil production sectors
- 4.1-01-23 Agriculture Commissioner – may contract with individuals to be ombudsmen to provide assistance, support, and outreach to property owners on wind property restoration and reclamation – not subject to ch. 54-44.4
- 4.1-16-10 Agriculture Commissioner - if apiary is not properly identified, after published notice, the colonies, hives, and beekeeping equipment may be seized and sold at auction or destroyed
- 4.1-16-11 Agriculture Commissioner or law enforcement officer - may confiscate bees, hives, or beekeeping equipment being transported or maintained in violation of this chapter - disposed of pursuant to court order or administrative order of Commissioner, unless property is claimed and costs and penalties are paid
- 4.1-20-24 Soil conservation districts - may acquire and dispose of real and personal property - may construct and maintain structures
- 4.1-20-42 Soil conservation districts - discontinuance - supervisors may dispose of property at public auction
- 4.1-20-49 North Dakota Association of Soil Conservation Districts – shall control and manage trust lands - sale of trust lands may transfer minerals
- 4.1-21-06 State Forester - may accept donations of land suitable for forestry purposes and may acquire lands desirable for state forest purposes
- 4.1-21-10 State Forester – may sell, exchange, or lease lands

- 4.1-21-11 State and political subdivisions - may enter into agreements with United States to improve lands by the establishment and maintenance of shelterbelts - leases and other disposition of such land are subject to the agreement
- 4.1-45-13 State Fair Association - shall appoint and employ contractors, architects, builders, clerks, accountants, and other experts, and agents and servants as required to carry out the functions of the Association - compensation set by president and board of directors
- 4.1-45-15 State Fair Association - may purchase, lease, or sell real estate for the purpose of promoting and conducting a state fair - shall make purchases under state purchasing laws, except as exempted by the Office of Management and Budget
- 4.1-47-06 Board of county commissioners – shall appoint a county weed board to control noxious weeds
- 4.1-47-18 Cities – governing body electing to control noxious weeds shall appoint a weed board
- 6-03-59.2 Cities, school districts, and other public authorities – a state-chartered bank may purchase or construct a municipal building, school building, or other similar public facility, and may lease the facility to a municipality or other public authority – the lease agreement must provide that the lessee will own the building or facility upon the expiration of the lease
- 6-07-04.2 State Banking Board or receiver - may permit acquisition of insolvent bank - procedures and bidding
- 6-07-38 Receiver of insolvent bank - assets remaining prior to ten-year deadline may be sold to highest bidder
- 6-09-15 Bank of North Dakota - may lease or sell real and personal property - may acquire real or personal property by purchase, lease, or eminent domain
- 6-09-37 Bank of North Dakota – sale and leasing of agricultural real estate acquired through foreclosure or deed in lieu of foreclosure

- 6-09-49 Bank of North Dakota (BND) and political subdivisions - BND shall provide loans to political subdivisions for essential infrastructure projects - use for water treatment plants, sewer and water lines, and storm water and transportation infrastructure, including curb and gutter construction
- 6-09-50 Bank of North Dakota – shall lease the space in the North Dakota financial center to other state agencies based on market rate lease prices
- 6-09.4-05 Public Finance Authority – may purchase bond issues of political subdivisions and certain state agencies
- 6-09.4-06 Public Finance Authority – may lend money to political subdivisions and certain state agencies through the purchase or holding of municipal securities
- 6-09.4-07 Public Finance Authority - may acquire and dispose of personal property - may assist the state and state agencies in agreements for the purpose of leasing property
- Title 9 Contracts and obligations
- 10-30.5-02 North Dakota Development Fund, Incorporated – moneys may be used to make matching grants to county-authorized or city-authorized development corporations for the acquisition, leasing, or remodeling of real estate facilities for locating a new primary-sector business – moneys may be used to make grants or loans to match grants or loans made by county-authorized or city-authorized development corporations, job development authorities, and regional planning councils for acquiring, leasing, or remodeling of real estate facilities or for acquiring equipment for establishing or expanding a licensed early childhood facility
- 10-30.6-02 Community Development Corporations – purpose is to assist communities in economic development, housing, the creation of jobs, and development of community facilities
- 10-30.6-04 Community Development Corporations – may cooperate with the Department of Commerce, and local organizations whose purpose is to promote, assist, and develop the business prosperity and economic welfare of communities

- 10-33-145(3) Attorney General - contract with expert regarding transaction by a nonprofit entity operating a hospital or a nursing home - no bid required and chs. 44-08 and 54-44.4 do not apply
- 11-09-44 County managership form of government - purchasing agent shall invite competitive bidding under rules established by board of county commissioners
- 11-09.1-05 Counties with home rule powers - may include in home rule charter, authority to self-govern in certain areas, including acquisition and disposal of property and control over finances
- 11-10-21 Counties - purchase of blanks, books, and other stationery, and emergency supplies and equipment, by committee of county auditor, treasurer, and chairman of board of county commissioners
- 11-11-14 Board of county commissioners - may control finances and borrow money - may dispose of property consistent with ch. 11-27 - may acquire real and personal property - may construct, equip, and maintain county buildings
- 11-11-16 Board of county commissioners - may purchase sites for county buildings and make contracts for the building, repairing, and maintaining thereof if the expenditures therefor are not greater than can be paid out of the revenue of the county for the current year
- 11-11-19 Board of county commissioners - land for certain purposes may be purchased without a vote of the electors
- 11-11-26 Board of county commissioners - when purchasing fuel over \$4,000, must seek bids by telephone or advertise for bids
- 11-11-27 Board of county commissioners - contents of advertisement for bids under § 11-11-26 - award to lowest responsible bidder or reject any or all bids
- 11-11-28 Board of county commissioners - a bid submitted pursuant to § 11-11-26 must include a bidder's bond - when bid is \$10,000 or less, bidder may provide certified or cashier's check instead of bidder's bond

- 11-11-29 Board of county commissioners - contract must be approved by majority vote - contract shall be made in writing, signed, and the county seal affixed thereto - contract shall provide that not more than 70% of the contract price shall be paid until the contract is completed to the satisfaction and acceptance of the board of county commissioners, its architect, or authorized superintendent - payment to the extent of 70% of the contract price may be made from time to time during the process of construction or as supplies are furnished, and may be divided into such installments as the board may agree upon
- 11-11-30 Board of county commissioners - contracts for election supplies shall be let at first regular meeting in April
- 11-11-54 Board of county commissioners - gift of real or personal property for fair purposes may be transferred to nonprofit corporation that will conduct annual county fair
- 11-11-55.1 Board of county commissioners - in providing for improvements and making special assessments, county has authority granted to cities in chs. 40-22, 40-23, 40-23.1, 40-24, 40-25, 40-26, 40-27, and 40-28
- 11-11-58 Board of county commissioners - may contract with nonprofit corporation to provide programs and activities for senior citizens
- 11-11-63 Board of county commissioners - may contract with nonprofit corporation to provide spouse abuse programs
- 11-11-65 Board of county commissioners - may contract with nonprofit corporation to provide programs and activities for handicapped persons
- 11-11-67 Board of county commissioners - may contract with nonprofit corporations that assist the arts
- 11-11.1-01 Board of county commissioners – may create or discontinue a job development authority – may enter a contract with an industrial development organization for performance of the functions of a county job development authority

- 11-11.1-03 County job development authorities - duty to assist in development of employment and promotion of tourism in the county – may acquire by gift, trade, or purchase, and hold, improve, and dispose of property – may cooperate with political subdivisions – may loan, grant, or convey any funds or other property – may take equity positions in, provide loans to, or use other innovative financing mechanisms to provide capital for new or expanding businesses in this state or for businesses relocating to this state
- 11-11.1-04 Board of county commissioners – a county which has a job development authority shall establish a job development authority fund and may levy a tax
- 11-11.1-07 Board of county commissioners – may dedicate any portion of revenues from the tax authorized under this chapter or other moneys received, to payment of any loan entered or grant awarded for any purpose to carry into effect the objective of the job development authority
- 11-27-01 Board of county commissioners - sale of real or personal property - if less than \$1,000, may be sold at private sale; otherwise, must be sold at public sale or by nonexclusive listing agreement
- 11-27-02 Board of county commissioners - sale of real or personal property at public sale - publication of notice specifying whether bids are to be received at auction or as sealed bids
- 11-27-03 Board of county commissioners - sale of real or personal property at public sale - sale to highest bidder if bid is sufficient
- 11-27-03.1 Board of county commissioners - as an alternative to public sale under § 11-27-01, board may attempt to sell real property by nonexclusive listing agreements
- 11-27-04.1 Board of county commissioners - may convey county lands to United States free of reservations
- 11-27-04.2 Board of county commissioners - may release reservation of rights in land to United States
- 11-27-05 Board of county commissioners - may join with other owners of mineral rights in contracting for drilling, mining, or production of oil, gas, and minerals upon a royalty basis

- 11-27-06 Board of county commissioners - land is conveyed when board orders sale and deed is executed by board chairman
- 11-27-07 Counties - proceeds of sale of county property to be paid into county treasury - amounts due for taxes may be paid to the state, city, or school district, and the remainder is to go into the county general fund
- 11-27-08 Board of county commissioners - may transfer to municipality for park and recreational purposes, without consideration, land which county has acquired through tax foreclosure - board also may establish such property as a county park - unpaid taxes to be cancelled
- 11-27-09 Board of county commissioners - sale of land to United States for national forest purposes - county may advertise for bids
- 11-27-10 Board of county commissioners - may deed donated land back to donor if not used for its donated purpose after one year
- 11-27-11 Board of county commissioners - may exchange county lands on Indian reservation for United States government lands on Indian reservation - no bidding necessary
- 11-27-12 Board of county commissioners - may exchange any lands acquired by tax deed proceedings, for any other lands in the same county - county shall receive full value, and land acquired shall be free and clear of all liens and encumbrances
- 11-27-13 Board of county commissioners - land exchanged under § 11-27-12 transferred by deeds
- 11-28-05 Board of county park commissioners - may accept donated lands, and may acquire and maintain real and personal property for parks and recreational purposes - may use eminent domain to acquire property rights to control lake shores and to provide recreational areas or facilities - may lease lands for residential, camping, concessions, and other purposes
- 11-28-06 Board of county commissioners – may levy taxes for county park capital projects, acquiring real estate, and construction, equipping, and maintaining structural and mechanical components of parks and recreational facilities

- 11-28.1-01 Board of county park commissioners - may create police protection and garbage removal service districts
- 11-28.2-01 Board of county commissioners - may, after an election, establish a recreation service district to provide services to summer homes, cottages, and other residences and establishments in the area, and to improve environmental quality
- 11-28.2-04.1 Recreation service districts - subject to this section, a recreation service district has the powers of a municipality under chs. 40-22 through 40-27, relating to special assessments
- 11-28.3-08 Rural ambulance service districts - board of directors may purchase or lease ambulances, or other emergency vehicles, supplies, and other real or personal property
- 11-38-01 Counties – voter approval and levy for county extension agent
- 11-39-02 County fair associations - may apply to board of county commissioners for a grant to aid in the erection of suitable buildings and other improvements - board of county commissioners may purchase or lease not to exceed 240 acres of real estate and construct buildings and improvements for a county fair - if approved by electors, board of county commissioners may issue bonds to purchase not to exceed 240 acres of real estate and construct buildings and improvements for a county fair
- 11-39-05 Board of county commissioners – may sell property used for county fair purposes upon terms and conditions set by board
- 12-44.1-02 Counties and cities - shall establish and maintain correctional facilities - may contract with another county or city or with the state or federal government
- 12-48-03.1 State agencies and political subdivisions - may purchase directly all products made in prison industries at the state penitentiary for use in official business

- 12-48-03.2 State agencies - if approved by the director of the Department of Corrections and Rehabilitation, prison industry at the state penitentiary may trade, barter, and exchange merchandise, equipment, and services with any state agency
- 12-48-07 State penitentiary - warden shall procure machinery, tools, and equipment necessary to carry on the work and industries of the penitentiary in accordance with ch. 54-44.4 and rules adopted thereunder
- 12.1-13-03 Public servants - if authorized to sell or lease property, or make a contract, it's a class A misdemeanor to voluntarily become interested individually in the sale, lease, or contract, directly or indirectly - exception for officers of political subdivisions when contract is necessary because the services or property contracted for are not otherwise obtainable at equal cost; and exception for contracts between school boards and school board members or school officers
- 12.1-41-19 Attorney General - may make a grant to or contract with a unit of state or local government, tribal government, or nongovernmental victims service organization to develop or expand service programs for victims of human trafficking
- 15-01-02 Board of University and School Lands – controls the selection, rental, sale, and disposal of lands for the maintenance of the common schools, and the educational, penal, and charitable institutions, and certain other lands
- 15-02-05 Commissioner of University and School Lands – under the direction of the Board of University and School Lands, has general charge and supervision of all lands described in § 15-01-02
- 15-04-01 Board of University and School Lands - original grant lands may be leased for agricultural purposes at public auction after proper notice (see also N.D. Const. art. IX, § 8)
- 15-04-10 Board of University and School Lands - leasing of original grant lands for agricultural purposes - must be at public auction to highest bidder, but all bids subject to approval by Board

- 15-04-11 Board of University and School Lands - leasing of original grant lands for agricultural purposes - highest bidder must deposit one year's rental - bid must be at least minimum fixed price
- 15-04-22 Board of University and School Lands - leasing of original grant lands for agricultural purposes - a person who successfully bids under § 15-04-10 who fails to make deposit required by § 15-04-11 is guilty of a class B misdemeanor
- 15-04-23 Counties – counties where original grant lands are located, may request payment from Board of University and School Lands for county road and bridge purposes
- 15-05-01 Board of University and School Lands – may lease lands for coal mining purposes
- 15-05-06 State lands – any lands belonging to the state, or lands known as school lands and public institution lands, in which is discovered any valuable deposit of coal, minerals, clay, gravel, or stone, remain state property until provision for the sale or leasing thereof is especially provided for by law
- 15-05-09 Board of University and School Lands – may lease lands believed to contain oil, gas, coal, cement materials, sodium sulfate, sand and gravel, road material, building stone, chemical substances, metallic ores, or clays, and may establish rules for development and drilling
- 15-06-19.1 Board of University and School Lands - any lands controlled by Board may be exchanged for lands belonging to the United States government - no bidding necessary
- 15-06-25 Board of University and School Lands - offer to purchase original grant lands - published notice of sale must state amount bid
- 15-06-26 Board of University and School Lands - sale of original grant lands at public auction to highest bidder (see also N.D. Const. art. IX, § 6)
- 15-06-27 Board of University and School Lands - sale of original grant lands - highest bidder is purchaser - re-offer for sale if purchaser fails to pay, forfeiture of 10% of bid

- 15-07-03 Board of University and School Lands - may sell nongrant land at public or private sale
- 15-07-04 Board of University and School Lands - nongrant lands must be sold by public auction or sealed bids, except as provided in § 15-07-10
- 15-07-10 Board of University and School Lands - sale of nongrant lands - mortgagor may repurchase land lost through foreclosure by matching highest bid within one hour after public sale
- 15-07-20 Board of University and School Lands - nongrant lands may be leased with or without advertisement or competitive bidding
- 15-08-18.6 Board of University and School Lands - if original grant or nongrant land is purchased at public sale, certain provisions regarding taxation do not apply
- 15-08-22 Board of University and School Lands - trespass upon original grant or nongrant lands - may dispose of seized property at public or private sale
- 15-08-25 Boards, departments, and officials of government – may lease or sell school and public lands traversed or bisected by a highway, road, railroad, canal, river, or lake, as two or more separate parcels
- 15-08-26 Board of University and School Lands - lease of original grant or nongrant lands - undepreciated cost of lessee's construction of a permanent improvement may be canceled if lessee fails to offer the minimum bid and land is not leased at next auction
- 15-08.1-01 Certain possessory interests in real property acquired by the state in the past or in the future shall be transferred to the Board of University and School Lands – lands managed pursuant to this chapter are not subject to the leasing and sale provisions found elsewhere in this code
- 15-08.1-02.1 All possessory interests in real property other than minerals which were conveyed by this chapter to the Board of University and School Lands prior to July 12, 1989, are conveyed to the Bank of North Dakota

- 15-08.1-03 All mineral interests that may be acquired by the Bank of North Dakota must be transferred to the Board of University and School Lands
- 15-08.1-06 Board of University and School Lands – shall manage all properties transferred to it by this chapter – may sell or lease such property
- 15-09-01 State entities and public corporations – if desire to acquire any school or institution lands of the state, may make written application to the Board of University and School Lands
- 15-09-04 Board of University and School Lands – may sell school or institutional lands at not less than appraised value if Board concludes the land is required for the purposes stated in the application and the conveyance is consistent with this title and the fiduciary responsibilities of the Board
- 15-10-12 State Board of Higher Education – may receive donations, gifts, grants, and bequests
- 15-10-12.1 State Board of Higher Education - may authorize campus improvements and building maintenance on land under control of board which are financed by donations, grants, and bequests if cost is not more than \$700,000 - consent of legislative assembly is required for construction of any building or addition on board-controlled land financed by donations, grants, and bequests – consent of legislative assembly is required for campus improvements or building maintenance financed by donations, grants, and bequests if cost of improvements or maintenance is more than \$700,000 - approval of budget section of legislative management during certain times when legislative assembly is not in session - sale of real property or buildings received by gift or bequest - board shall prescribe conditions for sale of property - conditions must include public auction or advertisement for bids, unless the gift instrument requires a different process
- 15-10-16.1 Institutions under the State Board of Higher Education – may borrow from the Bank of North Dakota up to 90% of the value of an institution’s certificate of deposit held by the Bank

- 15-10-17 State Board of Higher Education – may determine policy for purchasing by the university system in coordination with the Office of Management and Budget – may authorize university system entities to enter into contractual arrangements with private business and industry for the purpose of business or industrial development or fostering basic and applied research or technology transfer – may adopt rules promoting research, encouraging development of intellectual property and other inventions and discoveries by university system employees, and protecting and marketing the inventions and discoveries
- 15-10-40 State Board of Higher Education – shall use revenue earned from long-term lease and leaseback transactions under ch. 54-01 for the repair and upkeep of campus buildings
- 15-10-44 State Board of Higher Education – shall regulate information technology planning and services for institutions under its control, including development of information technology policies, in coordination with the Information Technology Department (ITD) – shall provide advice to ITD regarding the development of policies relating to access to or use of wide area network services as provided by § 54-59-09
- 15-10-44.1 State Board of Higher Education and institutions and entities under its control - shall obtain electronic mail, file server administration, database administration, research computing, storage, application server, and hosting services through a delivery system established by the board - board shall establish policies and guidelines
- 15-10-47 State Board of Higher Education - whenever any new construction, renovation, or repair, valued at more than \$250,000 is underway on the campus of an institution of higher education, the board shall provide semiannual project variance reports to the director of the office of management and budget - report must include listed information - board shall also provide information regarding change orders, and a list of each public and nonpublic entity that has a contractually reflected financial obligation with respect to the project
- 15-11-30 State Board of Higher Education – may sell land in Grand Forks County to fraternities, sororities, and institutional dormitory corporations – reversion of title to state if used for other purposes

- 15-12.1-19 State Board of Agricultural Research and Education - shall solicit proposals for research and award agricultural research grants on a competitive basis
- 15-17-02 Institutional holding associations – may erect, equip, operate, lease, or sell dormitories and their necessary equipment and appurtenances at the state educational institutions – may borrow money and issue bonds
- 15-17-03 Institutional holding associations – dormitories must be erected according to plans and specifications approved by the State Board of Higher Education and at a cost fixed by the Board within the maximum limit provided in this section – dormitories must be under the control and supervision of the Board – upon payment of debts, dormitory must be conveyed to the state
- 15-17-05 State Board of Higher Education – may lease or purchase from an institutional holding association, sites, dormitories, and equipment
- 15-20.2-07 Area Career and Technology Center Boards – may lease or purchase equipment – may lease, purchase, or sell facilities, including real property – may accept funds and property
- 15-52-07 State agencies, counties, and municipalities – shall make the fullest possible use of the facilities and services of the University of North Dakota school of medicine and health sciences concerning health, medical care, or public welfare
- 15-52-08 University of North Dakota school of medicine and health sciences – may accept and use grants, gifts, fees, and rentals – may secure buildings, supplies, and equipment – may contract for the rental or use of facilities, services, and equipment it does not own
- 15-55-02 State Board of Higher Education – may borrow money and issue bonds for purposes of constructing, equipping, and maintaining authorized revenue-producing buildings or improvements
- 15-55-04.1 State Board of Higher Education – may lease revenue-producing buildings constructed or purchased under this chapter

- 15-68-02 Board of University and School Lands - may accept and administer land or money donated for the purposes of the Indian cultural education trust – may divest such land or money
- 15.1-02-07 Superintendent of Public Instruction – may lease surplus portions of real property, including buildings and improvements, at North Dakota Vision Services–School for the Blind and the School for the Deaf
- 15.1-03-03 School districts – may purchase at cost instructional materials developed and printed by the Superintendent of Public Instruction
- 15.1-07-19 County superintendents of schools, school board members, and school district employees – it is a class B misdemeanor to accept a commission, fee, or other reward for the purchase by the district of any textbooks, furniture, or school supplies
- 15.1-07-31 Superintendent of Public Instruction – shall purchase and distribute automated external defibrillators to school districts
- 15.1-07-33 School districts – shall acquire PowerSchool through the Information Technology Department and use it as their principal student information system
- 15.1-09-33 School boards - may acquire real property and construct school buildings and other facilities – may purchase, sell, exchange, and improve real property – may lease real property for a maximum of 1 year, but if for a career and technical education facility with financing under ch. 40-57, may lease for 20 years – may purchase, sell, exchange, improve, and lease for up to 1 year equipment, furniture, supplies, and textbooks – may purchase telecommunications equipment or lease a telecommunications system or network
- 15.1-09-34 School boards - may not enter into contract involving expenditure of more than \$25,000 unless notice is published, sealed bids are received, and lowest responsible bidder is accepted – exceptions
- 15.1-09-34.1 School boards - purchase of vehicle fuel or heating fuel by obtaining written quotes

- 15.1-09-43 School boards – may purchase bus body, chassis, or complete bus – may use general fund money to purchase on installment plan, if does not extend beyond 6 years
- 15.1-09-45 School boards - may lease for purchase, purchase, or construct a storage facility for school buses upon advertised bids as provided in § 15.1-09-34
- 15.1-09-49 Board of education of city of Fargo – the tax for purchasing, leasing, or improving sites, and the building, purchasing, leasing, or altering of schools may not exceed 15 mills on the taxable valuation of property in the district – may borrow, in anticipation of taxes to be collected
- 15.1-09-50 Board of education of city of Fargo – may lease sites for schools; build and improve schools; provide, sell, and improve school apparatus, books, and appendages; provide fuel and supplies
- 15.1-09-51 City of Fargo – may accept and dispose of any real or personal estate transferred to it by gift or bequest, for the use of the schools of the city
- 15.1-09-52 Board of education of city of Fargo – when purchasing real property, the conveyance must be taken to the “city of Fargo for the use of the schools” and whenever any sale is made by the Board, it must be so resolved and placed upon the records of the Board
- 15.1-09-53 School boards - contracting for employees’ group health plan - must meet bidding requirements of § 15.1-09-34
- 15.1-09-54 School district technology consortium - may borrow money to acquire instructional technology, as provided in this section
- 15.1-12-07 School districts – transfer of real property upon annexation, reorganization, or dissolution
- 15.1-12-19 School board of reorganized district - may sell school building - if purchaser or recipient is a political subdivision, the board, upon unanimous vote, may sell building for less than fair market value

- 15.1-30-06 School boards - annual contracts for the provision of transportation services - except as provided in § 15.1-30-11, board shall provide notice of its intent to contract by publishing the time and place for submission of sealed bids - what notice must include - board may reject any and all bids - bidders must submit bond - this section does not apply to a school district that owns its own buses and employs its own bus drivers
- 15.1-30-11 School boards - a contract for the transportation of students that was originally bid may be renewed through direct negotiation in a public meeting if school board has solicited and obtained written quotes
- 15.1-30-12 School boards - except as otherwise provided in § 15.1-30-11, transportation contracts must be awarded to lowest responsible bidder who furnishes a satisfactory bond and whose vehicle and drivers are satisfactory
- 15.1-35-08 School districts – contracting to provide meals, snacks, or other food services
- Chapter 15.1-36 School boards - school or facility construction, purchase, repair, or improvement over \$150,000 - approval by superintendent of public instruction - school construction loans
- 17-05-05 North Dakota Transmission Authority – may contract, borrow money, issue evidences of indebtedness, accept grants, and enter lease-sale contracts – may finance, own, lease, rent, and dispose of transmission facilities
- 17-05-11 North Dakota Transmission Authority – disposal of transmission facilities
- 18-04-05 Cities, rural fire protection districts, and certified rural fire departments – shall receive from the Insurance Commissioner distributions from the insurance tax distribution fund
- 18-05-04 Firefighters relief associations organized in cities, rural fire departments, or rural fire protection districts – shall receive one-half of distributions received under § 18-04-05
- 18-06-10 Townships – electors may authorize board of township supervisors to provide for the prevention and extinguishment of fires

- 18-10-06 Rural fire protection districts – board of directors may purchase or lease firefighting equipment, ambulances, supplies, and other real and personal property; may incur indebtedness
- 18-10-10 Rural fire protection districts and federal, state, or local government agencies – may contract and cooperate for fire protection services
- 18-10-15 Rural fire protection districts – any club, lodge, chapter, charitable home, dormitory, state or county fair association, or like organization located within the rural fire protection district and outside a city shall pay the district for fire protection
- 18-11-09 Alternative firefighters relief association plan – receipt of distributions under § 18-04-05
- 18-12-03 School districts and institutions of higher education - plans and specifications for new school buildings and for additions to and remodeling of existing school buildings must be submitted for approval to the State Fire Marshal, chief of the fire department or fire protection district, and the Superintendent of Public Instruction or Board of Higher Education
- 18-12-04 School districts and institutions of higher education - school buildings - plans and specifications for construction over \$100,000 must be prepared by and the construction supervised by architects or engineers registered in this state - school district projects are subject to approval under § 15.1-36-01, and projects involving institutions of higher education are subject to approval under ch. 15-10
- 18-12-05 State Fire Marshal and fire chiefs - State Fire Marshal and chief of fire department or fire protection district shall approve plans and specifications for school buildings before construction is started – person that prepared plans or person that is supervising construction must notify the State Fire Marshal and fire chief when the building is complete
- 18-12-06 School districts and institutions of higher education – construction requirements for schools are in the state building code as defined in § 54-21.3-03
- 18-12-16 School districts and institutions of higher education – requirements for fire alarm systems in school buildings

18-12-22	School districts and institutions of higher education – requirements for use of gas in school buildings
18-12-23	School districts and institutions of higher education – requirements for electrical wiring and apparatus in school buildings
20.1-02-05	Game and Fish Department – director may purchase, lease, condemn, exchange, or sell real estate – may secure game birds, animals, and fish for breeding by purchase or exchange
20.1-02-05.1	Game and Fish Department – process for land acquisitions
20.1-02-17.1	Game and Fish Department – proposed wildlife and fish restoration programs involving proposed acquisitions by purchase, lease, easement, or servitude of wetlands, water, or land areas – involvement of, and feedback from, the board of county commissioners
20.1-02-18	Governor – must approve the United States’ acquisition of land or water in this state to establish migratory bird reservations
20.1-05.1-01	Game and Fish Department – director shall authorize the issuance of one license per year to the national wild turkey federation to hunt wild turkeys and federation shall hold a raffle, or auction to highest bidder – director shall authorize the issuance of one license per year to the midwest chapter of the wild sheep foundation to hunt bighorn sheep and the foundation shall hold a raffle or auction – director shall authorize the issuance of one license per year to the mule deer foundation to hunt mule deer and the foundation shall hold a raffle or auction
Chapter 20.1-10	Game and Fish Department, game wardens, and law enforcement officers - confiscation or seizure of property related to unlawful taking of game and fish - manner of disposition of such property
20.1-11-12	Board of University and School Lands – may exchange state school land for other land from the Game and Fish Department for wildlife restoration projects

- 20.1-11-14 Game and Fish Department – director may seize property presumed abandoned on state game refuges, real property leased or managed by the Department, and state game or fish management areas – may dispose of it, or turn it over to the North Dakota wildlife federation to be sold for the highest price obtainable
- 21-02-02 Political subdivisions – may borrow against revenues through the issuance of certificates of indebtedness – “revenues” includes uncollected taxes; and amounts to be received from state or federal sources, or from the issuance and sale of obligations (see § 21-02-01)
- 21-02-11 Political subdivisions – when borrowing upon certificates of indebtedness, shall follow procedure and is subject to penalties in ch. 21-03 relating to the sale of bonds – certificates of indebtedness need not be advertised for bids under listed circumstances
- 21-03-04 Counties, cities, townships, school districts, park districts, recreation service districts, and rural fire protection districts – may borrow money and issue bonds – limitations on indebtedness
- 21-03-06 Counties, cities, townships, school districts, park districts, recreation service districts, and rural fire protection districts – purposes and specific limitations on bond issues
- 21-03-06.1 School boards - may not make payments to a building authority or other entity in connection with acquisition, improvements, or construction of any property or structure costing 4 million dollars or more to be used by the school district unless approved by a majority vote if an election would be required if the school district undertook the project through issuance of bonds - may not make payments to a building authority or other entity regarding construction, purchase, repair, or improvement of any building or facility to be used by the school district without approval of the superintendent of public instruction under § 15.1-36-01, if such approval would be required if the school district undertook the project itself
- 21-03-07 Counties, cities, townships, school districts, park districts, recreation service districts, and rural fire protection districts – may not issue bonds unless approved by 60% of voters – exceptions

- 21-06-08 State agencies and political subdivisions - may contract with the United States or its agencies for the purchase or lease of any equipment, supplies, materials, or other property without advertising for bids - may authorize its officials or employees to enter bids and make payments at sale by United States or its agencies
- 21-06-09 State agencies and political subdivisions - may accept loans or advances from the federal government for architectural, engineering, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other actions preliminary to the construction of public works and improvements, and may repay to the federal government such loans or advances when construction is undertaken - this section does not apply to loans, grants, or advances to the Department of Transportation by the federal government or loans, grants, or advances made to political subdivisions by the Department of Transportation
- 21-06-10 Counties, school districts, and townships – moneys received through leasing of lands acquired by United States for flood control, distributed by State Treasurer for schools and roads
- 21-06-12 School districts – may provide use of public property or in-kind services of personnel for the creation and administration of nonprofit public school education foundations
- 21-13-02 Political subdivisions – may borrow against its anticipated revenue (“revenue” means amounts to be received from a distribution of federal monies or state monies) from a bank or credit union in this state
- 21-13-03 Political subdivisions – bank or credit union loans under this chapter are limited to \$500,000 and must be paid within 5 years – the loan documents must describe the revenues (defined in § 21-13-01) that will be used to pay off the loan – collateral may consist only of property purchased with loan proceeds
- 21-13-04 Political subdivisions – loans from bank or credit union – if designated revenues are not sufficient to pay a loan balance, in addition to the designated revenues, the political subdivision may set aside up to 10% of the amount of the collections from current tax revenues to pay on a monthly basis until the delinquent loans have been paid in full

- 23-11-11 City and county housing authorities - may acquire and lease housing projects and property – may borrow money and issue bonds - laws regarding acquisition and disposition of property by other public bodies do not apply unless there is a specific provision to that effect - construction of a housing project is a public improvement and is subject to the requirements of ch. 48-01.2
- 23-12-08 Counties and cities – may, on their own or cooperatively, provide for emergency medical service – may buy or lease vehicles, equipment, facilities, or services
- 23-13-04 Public entities – all doors of ingress and egress in public buildings must conform to the requirements of the state building code in ch. 54-21.3 and the Americans with Disabilities Act
- 23-24-08 Vector control districts – may purchase equipment, supplies, and materials needed to eradicate mosquitoes and flies - may acquire, manage, and dispose of real or personal property
- 23-30-06 Hospital districts – may contract, incur indebtedness, build, equip, and maintain a hospital
- 23-35-10 Public health units – a district board of health may acquire property by lease, purchase, construction, or gift; and may issue bonds
- 23.1-08-12 Political subdivisions – may apply for grants or low-interest loans from the Department of Environmental Quality from the solid waste management fund, for waste reduction, planning, resource recovery, and recycling projects
- 23.1-15-04 State agencies and political subdivisions – certain abandoned motor vehicles over 7 years old must be disposed of to a scrap iron processor – no notice required
- 23.1-15-07 State agencies and political subdivisions - must sell certain unreclaimed abandoned motor vehicles to highest bidder at public auction after reasonable published notice
- 23.1-15-08 State agencies and political subdivisions - if no bid is received on abandoned motor vehicle, may dispose of it by contract with scrap iron processor

- 24-01-18 Department of Transportation – director may acquire lands and materials for state highway purposes
- 24-01-28 Department of Transportation – director may vacate land no longer needed for highway purposes – governor may sell property no longer needed for highway purposes
- 24-01-32 Department of Transportation, counties, and cities – may acquire property for controlled-access facilities and service roads
- 24-02-03.1 Department of Transportation – to facilitate national defense, the director may cooperate with federal agencies in acquiring land and constructing flight strips and roads and bridges – work may be performed by force account
- 24-02-03.2 Department of Transportation – whenever federally financed construction or maintenance activities are likely to affect any public road, the director may negotiate with any contractor or any agency of the federal government for the repair of damage or extraordinary maintenance of such public road
- 24-02-03.3 Department of Transportation – director shall establish a central vehicle management system for motor vehicles owned or leased by the state – upon agreement between a state agency and the director for the use of the motor vehicle–related equipment, the director may purchase or lease motor vehicle–related equipment and include that equipment in the system – director shall advise the Office of Management and Budget as to the need to acquire or dispose of system motor vehicles

- 24-02-07.3 Department of Transportation - may prequalify consultants in the areas of engineering, land surveying, architecture, traffic safety, business administration, and related matters - prequalified consultants are entitled to receive requests for proposals, proposals, and other solicitations for work in the areas in which the consultant is prequalified - certain provisions of § 54-44.7-03 must be complied with - not required to comply with § 54-44.7-04 - may procure services of certain consultants for projects with consultant costs estimated to be not more than \$100,000 through direct negotiation - may procure services of consultants for projects with consultant costs estimated to be greater than \$100,000 but not more than \$300,000 by notifying all prequalified firms in the specific area of need, allowing a minimum of seven days to respond, and following the process in § 54-44.7-03 - may procure services of consultants for projects with consultant costs estimated to be greater than \$300,000 by notifying all prequalified firms, allowing a minimum of 21 days to respond, and following the process in § 54-44.7-03 - may include multiple projects in one solicitation, but the requirements for the project within the highest dollar threshold will apply to all of the projects in the multiple project solicitation
- 24-02-08 Department of Transportation and governmental units – director may provide consulting engineering services upon request of any governmental unit
- 24-02-11 Department of Transportation - records relating to the financial condition of a party who has applied for prequalification as a bidder, and a party who is designated as a prequalified bidder pursuant to ch. 24-02, are not open for public inspection
- 24-02-16 Department of Transportation (DOT) - bids - if DOT provides materials and supplies, the Office of Management and Budget or DOT may request and let bids
- 24-02-17 Department of Transportation (DOT) - when cost of construction improvement exceeds \$20,000, DOT shall advertise, request bids, and award contracts as provided in ch. 24-02 - may accept bids and bid bonds submitted by electronic media

- 24-02-18 Department of Transportation (DOT) - in cases where the public interest and the preservation of the state highways from deterioration requires it, DOT may do minor grading reconstruction without letting a contract - DOT may contract with county to perform minor grading reconstruction work on a cost basis
- 24-02-19 Department of Transportation (DOT) - request for bids for construction work or the improvement of any state highway, or any structure in excess of \$20,000 must be published in the official newspaper of the county; DOT may also advertise by additional publication or written solicitation of qualified contractors; contents of solicitation - request for bids for purchase of equipment, materials, and supplies, exclusive of equipment repairs and except as provided in § 25-16.2-02 (bids from "work activity centers"), in excess of \$20,000 must be published in the official newspaper of the county
- 24-02-20 Department of Transportation - time and place for opening of bids - bid accompanied by certified or cashier's check in the amount of 5% of bid, or bidder's bond in the amount of 10% of bid - retention of checks or bonds
- 24-02-21 Department of Transportation (DOT) - may request informal bids - must be requested and contract awarded upon basis and procedure of DOT
- 24-02-22 Department of Transportation - when any highway improvement involves structural work, dirt grading and traffic service gravel, graveling, stabilizing and oiling, or concrete surfacing, or any two or more of them, then wherever practicable and not contrary to any federal law or regulations, separate proposals and bids must be received on each separate type of work
- 24-02-23 Department of Transportation - contract exceeding \$20,000 must be awarded to the responsible bidder submitting the lowest and best bid, but may reject all bids - may call for new bids - successful bidder must furnish a bond in at least the amount of the contract
- 24-02-24 Department of Transportation - if a county or city pays for part of cost of improvement, board of county commissioners or city officials shall be notified of the time set for opening bids

- 24-02-26 Department of Transportation – a controversy arising out of a contract for the construction or repair of a highway entered by the director must be submitted to arbitration
- 24-02-35.1 Department of Transportation - may sell road materials in small quantities on an occasional basis to local governmental units, when the local governmental units are unable to economically procure those quantities of road materials from the private sector
- 24-02-45.1 Department of Transportation (DOT) – director may enter an agreement with a private entity to construct an item on the state highway system which will benefit the private entity and the traveling public – DOT may provide any engineering or contracting services needed, or it may procure the services under § 24-02-07.3 and § 24-02-17
- 24-02-47 Department of Transportation (DOT) - notwithstanding any other law, DOT may use the design-build method of project delivery to expedite the construction of a project by combining the design and construction elements of a highway or bridge project into a single contract - this method may only be used on one signal light project and one box culvert structure project - DOT must adopt policies for procuring the projects using this method
- 24-02-48 Department of Transportation (DOT) and state agencies – upon request, the DOT shall provide air transportation to other state agencies
- 24-03-04 Department of Transportation – in case of great emergency requiring immediate action, and if delay would cause a public injury, the work may be done by force account
- 24-03-12 Office of Management and Budget – as central purchasing agency, may purchase, lease, or acquire all road material, road machinery, tools, equipment, and supplies necessary for constructing, maintaining, and administering the state highway system – may delegate such authority to the director of the Department of Transportation
- 24-03-13 Office of Management and Budget and Department of Transportation - may purchase equipment, materials, supplies, or other personal property from the United States government or its agencies without compliance with § 24-02-17

- 24-03-14 Department of Transportation – may construct, rent, or purchase the necessary land and buildings for the storage of road materials, road machinery, equipment, and tools
- 24-03-15 Department of Transportation (DOT) - obsolescent road machinery, equipment, and material offered for sale to political subdivisions must be sold by negotiation at DOT's established market value - if offered at general sale and valued at more than \$3,000, it must be sold at public auction or by sealed bids at the highest and best bid, reserving the right to reject all bids
- 24-03-22 Department of Transportation – may purchase and maintain a radio communications network – may enter into an agreement with the federal civil defense administration for the purchase of radio equipment
- 24-03-23 Department of Transportation - motor vehicles abandoned on state highways may be disposed of as provided in ch. 23.1-15
- 24-04-03 Department of Transportation – director may expend federal funds on roads or streets not on the state highway system, and assist in the development and improvement of transportation systems in rural and small urban areas, and the purchase of buses used in public transportation service
- 24-04-05 Cities – may raise funds to meet its share of the cost of construction, financing, or acquiring a right of way of a federal-aid highway through general taxes or special assessment
- 24-05-04 Board of county commissioners - shall advertise for bids for a contract for a highway improvement over \$100,000 – if a contract for a highway improvement is over \$50,000 and not over \$100,000, county, when possible, shall seek quotes from at least two contractors - a purchase of county road machinery and any rental contract or agreement for the use of road machinery and other articles, except necessary repairs for road machinery, which exceeds \$50,000 must be advertised for bids - may enter lease-purchase agreements if provide for full payment within seven years from the date of the execution of the lease-purchase agreement according to § 44-08-01.1 – bids opened and awarded as in § 48-01.2-07

- 24-05-09 Board of county commissioners – may purchase or condemn, under eminent domain, lands necessary for county highways
- 24-05-18 Counties – may cooperate with the Department of Transportation to improve or construct county roads
- 24-05-20 Counties, townships, and Department of Transportation – may enter into agreements with each other for the control of plant pests on road and highway rights of way
- 24-06-02 Board of township supervisors - may contract for and purchase, upon credit or otherwise, road machinery, implements, or equipment
- 24-06-04 Board of township supervisors - road implements purchased must be paid out of highway taxes and may be paid in not to exceed five annual installments - not more than one-half of highway taxes may be applied to the payment thereof in any one year
- 24-06-07 Board of township supervisors - may dispose of road machinery as in its discretion is best for the interests of the township - may purchase or lease road machinery as may be necessary
- 24-06-09 Board of township supervisors - may contract with board of county commissioners, and other board of township supervisors, or directors of a soil conservation district for the construction, improvement, or repairing of township roads and bridges without advertising for bids
- 24-06-10 Board of township supervisors - when highway improvements are made on surveyed and blocked land contiguous to, adjoining, and outside the limits of a city, the contract must be let to the lowest responsible bidder
- 24-06-15 Board of county commissioners - shall expend all road taxes from unorganized territory to improve highways, pay the district overseer of highways, purchase implements, and repair bridges in the road district in which the taxes were levied, under such regulations as it deems most expedient for the public interests

- 24-06-19 Board of township supervisors - shall expend all road taxes to improve highways under such regulations as it deems most expedient for the public interests - not over 50% of the township road and bridge fund may be expended upon state or county highways unless authorized by the electors at a township meeting - this limitation also applies to any special road fund set up under § 57-15-19.2
- 24-06-26 Counties and townships – acquisition of land to provide ditches for road drainage
- 24-06-26.3 Board of township supervisors – may authorize any private party to maintain or shape a ditch along a township road at that party’s own expense and in accordance with this section
- 24-07-03.1 Counties and townships – may give approval for an interested person to improve a section line, at that person’s expense, for the purpose of travel for agricultural purposes
- 24-07-16 Counties and townships – damages awarded to landowners when laying out, altering, or discontinuing a road
- 24-08-01 Board of county commissioners - a majority of freeholders in a civil township, or a majority of freeholders living within a radius of three miles of the proposed location, may petition the board for a bridge at a specified location within the township or a city - if cost exceeds \$500 and board approves petition, it shall advertise for sealed bids - bidder must give a bond - contract awarded to lowest responsible bidder, but board may reject all bids and readvertise - if lowest bid is less than \$15,000, board may refuse all bids and construct bridge itself, and contract for labor or materials
- 24-08-02.1 Counties – shall furnish and install, at county expense, such culverts as are necessary to be used along township roads at points of intersection with established drains, in accordance with §§ 24-08-01 and 24-08-02
- 24-08-03 Board of county commissioners - bridges built under § 24-08-01 must be rebuilt or repaired by the county - if cost exceeds \$30,000, board shall advertise for bids and award contract pursuant to § 24-08-01 - if there is an emergency, board need not advertise for bids

- 24-08-05 Board of county commissioners – after petition and a hearing, the board may determine the need for a bridge across a navigable river, and may appropriate money therefor
- 24-08-10 Counties and cities - a county or city may assist in the construction, maintenance, or repair of a bridge over a navigable river - need not comply with § 24-08-01, except that bridges constructed entirely within this state must comply with § 24-08-01
- 25-01-10 Department of Human Services or Superintendent of Public Instruction – may accept and hold in trust for the North Dakota Vision Services–School for the Blind, School for the Deaf, State Hospital, or the Life Skills and Transition Center, any lands conveyed or devised and any money or other personal property given or bequeathed for such institutions
- 25-01-12 Department of Human Services or Superintendent of Public Instruction – may not sell or convey real estate belonging to the North Dakota Vision Services–School for the Blind, School for the Deaf, State Hospital, or the Life Skills and Transition Center, without the consent of the legislative assembly – exception related to gifts and trusts
- 25-01.1-24 Office of Management and Budget (OMB) - after receipt of bids, OMB lets contracts for furnishing supplies for the State Hospital and the Life Skills and Transition Center - copy of contract provided to the State Hospital and the Life Skills and Transition Center, and Department of Human Services
- 25-01.1-33 State Hospital, the Life Skills and Transition Center, and Department of Human Services - all work for the erection, repair, or improvement of buildings, grounds, or properties must be let by contract, except that the work of patients may be utilized if approved by the superintendent of the institutions and the use of such labor will not substantially depart from the requirements of ch. 48-01.2
- 25-01.1-34 Department of Human Services, State Hospital, and the Life Skills and Transition Center – no member or employee may be interested in any contract, purchase, or sale for or on account of the institutions

- 25-01.1-35 Department of Human Services, State Hospital, and the Life Skills and Transition Center – no member, officer, agent, or employee may accept any gift or gratuity from any person dealing in goods, merchandise, or supplies which may be used by the institutions
- 25-16.2-02 Office of Management and Budget and Department of Transportation - purchase of highway grade stakes - shall request bids from and award contract to “work activity centers” (facilities employing individuals with physical disabilities, developmental disabilities, or chronic mental illnesses)
- 25-16.2-04 State entities and political subdivisions - may enter a contract to purchase directly from a work activity center without obtaining competition if acceptable commodities or services are produced or provided by the work activity center at fair market price
- 26.1-22-10 State fire and tornado fund - in lieu of coverage by the fund, buildings and their contents owned by State Mill and Elevator Association, at the option of the Industrial Commission, may be insured by private insurance companies after soliciting competitive sealed bids from the fund and private insurance companies, and Industrial Commission may reject any or all bids - in lieu of coverage by the fund, all public buildings owned by a political subdivision may be insured on the basis of competitive sealed bids solicited from the fund and private insurance companies
- 26.1-22-21 Commissioner of Insurance - shall procure, through the solicitation of bids, excess loss reinsurance for the state fire and tornado fund - shall contract with entity submitting lowest and best bid - Commissioner may disregard this section after the available bids are studied
- 26.1-22-21.1 State fire and tornado fund - fund may contract for insurance broker of record services to assist in procuring excess loss reinsurance by soliciting bids - fund may award contract to an insurance broker to serve the interests of the fund and its policyholders - fund may renew, renegotiate, or rebid contract based upon contract performance, cost, and the best interests of the fund and policyholders

26.1-23.1-01	State agencies and political subdivisions – may self-insure against legal liabilities by using government self-insurance pools
27-05.2-10	Court facilities improvement advisory committee – may make grants to counties for court facilities improvement and maintenance projects
28-23-01	Sales under execution - sale of personal property, other than crops or perishable property, taken on execution of a judgment - notice of sale by publication
28-23-04	Sales under execution - sale of real property or interest taken on execution of a judgment - notice of sale by publication and sometimes mailing
28-23-07	Sales under execution - sale of real or personal property under execution - must be sold at public auction to highest bidder
28-23-08	Sales under execution - sale of real or personal property under execution or foreclosure - sale may be postponed under certain circumstances - notice of sale
28-23-11	Sales under execution - sale of real property under execution - certificate of sale must state the price bid
28-33-02	State agencies and political subdivisions – acquiring interpreters for deaf persons
29-01-20	Peace officers - property alleged to have been stolen or embezzled that comes into the custody of a peace officer must be held, subject to the order of a magistrate to direct its disposal (see §§ 29-01-21 through 29-01-24)
29-01-25	Peace officers and police officers - when money or other property is taken from a defendant arrested upon a charge of a public offense, receipts listing the property must be given to the defendant and the clerk of court - city police officer to deliver a receipt, with the property, to the clerk of court or another person in charge of the police officer, or to the magistrate (see also § 29-01-26)
Chapter 29-31.1	Law enforcement agencies - seizure and disposition of nonforfeitable property - seizure and disposition of forfeitable property

Chapter 32-03	Judicial remedies - damages and compensatory relief
32-12.2-07	Office of Management and Budget - risk management fund - director may request bids from, or negotiate with, insurance entities, and may enter into agreement with entities best qualified to underwrite and service insurance or coverage programs through the risk management fund
Chapter 32-15	State agencies and political subdivisions – eminent domain – procedure to follow when taking private property for public use
32-31-01	Court action to foreclose on tax liens - manner of sale of real property
32-31-05	Court action to foreclose on tax liens - if no bidders offer minimum amount, county treasurer shall bid that amount
35-22-08	State agencies and instrumentalities - foreclosure on mortgages of real property by advertisement when mortgage contains a power of sale upon default - sale must be at public auction to highest bidder
35-22-11	State agencies and instrumentalities - foreclosure on mortgages of real property by advertisement when mortgage contains a power of sale upon default - certificate of sale must include the price bid for each distinct lot or parcel
37-03-07	Office of Management and Budget (OMB) and Adjutant General – military property must be purchased by OMB, or as otherwise provided by law – under certain circumstances, the Governor may direct the Adjutant General to purchase military property in the open market
37-03-08	Adjutant General - unsuitable military property must be disposed of by sealed bid or at public auction after advertisement, or Governor may order it be sold at private sale - scrap material may be sold to scrap dealers at current prices - Adjutant General shall suspend sale whenever better prices may or should be obtained
37-10-03	Adjutant General – shall provide for the acquisition of national guard facilities, and may lease property for national guard facilities, but no lease may exceed 50 years

- 37-10-03.2 Adjutant General and political subdivisions - Adjutant General may exchange or sell lands owned by the state and used for military purposes, and may purchase land – sales must be made under §§ 54-01-05.1 and 54-01-05.2 – Adjutant General may lease parts of military installations to any person - land acquired from a political subdivision for nominal consideration may be conveyed back to the political subdivision
- 37-10-03.3 Adjutant General and political subdivisions – Adjutant General may participate with political subdivisions to match federal funds for the construction of national guard facilities
- 37-15-21 Veterans' Home – administrator may accept and expend funds from any source, including federal or private sources and donations or bequests
- 37-17.1-18 State, counties, and cities – emergency services – whenever the federal government or any person or corporation offers to the state, or any county or city, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for emergency management, the state, county, or city, may accept such offer
- 37-17.1-19 Governor, counties and cities – emergency services – Governor may receive temporary housing units for disaster or emergency victims, from the United States, for counties and cities – counties and cities may acquire sites for temporary housing units for disaster or emergency victims
- 37-17.3-02 Division of State Radio in Department of Emergency Services - may purchase apparatus and equipment to establish a radio broadcasting system
- 37-17.3-08 Division of State Radio in Department of Emergency Services – shall establish fees for access to the state radio system and North Dakota law enforcement telecommunications systems and other systems to enhance public safety – fees for law enforcement entities, and state and federal agencies, to access the North Dakota teletype system

37-17.3-09	Division of State Radio in Department of Emergency Services, and political subdivisions – division may provide primary public safety answering point services to a political subdivision that has a population fewer than 25,000 – division may provide these services and other public safety answering point related services during emergencies and other times of need as agreed in a mutual aid agreement
37-17.3-12	Information Technology Department – may accept funds, grants, or services for the statewide interoperable radio network
Chapter 37-17.4	Acquiring voluntary health or veterinary services during an emergency
37-18-12	Department of Veterans' Affairs – may accept and expend funds from any source, including federal or private sources – use of funds
37-18-15	Department of Veterans' Affairs – may expend gifts or grants received for commemorative memorial coins
38-08-04.4	Industrial Commission - well plugging, removal or repair of related equipment, or reclamation work - sealed bids solicited by publication of notice - bids opened publicly and contract let to lowest responsible bidder, but may reject any or all bids - under certain circumstances, bids need not be solicited
38-09-01	State of North Dakota and state departments – when transferring land, 50% of all oil, natural gas, or minerals must be reserved to the state
38-09-01.1	State of North Dakota and state entities – may convey lands to the United States or its agencies free from any reservation of oil, gas, minerals, and archeological materials
38-09-01.2	State of North Dakota and state entities – may release to the United States or its agencies certain reserved oil, gas, or minerals or archaeological materials
38-09-01.3	State of North Dakota and state departments – lands sold to a person, from whom the state derived the title to such lands, or to the person's spouse or lineal descendants, must be sold free of reservation of minerals

- 38-09-02 Townships, cities, school districts, and park districts – may lease lands for oil and gas development for 10-year term – may extend lease term
- 38-09-05 Board of county commissioners – may adopt any oil and gas lease on lands which are subject to delinquent tax charges – this section applies to lands against which tax charges have been adjusted by contract and to lands which have been forfeited to the county and held under tax deeds
- 38-09-11 Board of county commissioners – may demise, lease, or let, real and personal property acquired through purchase or forfeiture or by operation of law, for the purpose of mining, gas and oil operations, or laying pipelines thereon
- 38-09-14 State of North Dakota, state agencies, and political subdivisions – no lands or reservation of oil and gas rights may be leased for oil and gas exploration or production except as provided for in §§ 38-09-14 through 38-09-20
- 38-09-15 State of North Dakota and state agencies - leasing of state land or mineral rights – notice
- 38-09-15.1 State of North Dakota and state agencies - sale of private mineral interests at public offerings for lease of state-owned mineral interests - advertised as provided in § 38-09-15 - bidder must pay an amount equal to the bonus offered for the lease - executed lease delivered to successful bidder
- 38-09-16 Political subdivisions - leasing of political subdivision land or mineral rights - advertise as provided in § 38-09-15 - location of leasing
- 38-09-17 State agencies and political subdivisions - offers for leasing of oil and gas rights may be made in writing and opened at the time of the leasing and bids may be offered orally at the leasing - may reject all bids - bid accepted only when bidder pays an amount equal to the first year's rental plus any bonus offered
- 38-09-19 State agencies and political subdivisions - leasing of public land for exploration or development of oil and gas production - when advertising as provided in § 38-09-15 need not occur

- 38-11-02 State agencies and political subdivisions – leasing of mineral interests other than oil or gas, topsoil, or surface rocks – may issue prospecting permits or issue leases for minerals in owned land or minerals reserved in sold land
- 38-11-02.1 State agencies and political subdivisions – leasing of mineral interests other than oil or gas, topsoil, or surface rocks – shall issue mineral prospecting permits or mineral leases in accordance with the terms, policies, or rules promulgated by the Board of University and School Lands
- 38-11-02.4 State agencies and political subdivisions – leasing of mineral interests other than oil or gas, topsoil, or surface rocks – may contract with the Board of University and School Lands for the purpose of conducting the mineral prospecting or minerals leasing negotiations or sale
- 38-11-04 State agencies and political subdivisions - leasing of mineral interests other than oil or gas, topsoil, or surface rocks - notice as required by Board of University and School Lands - leasing must be by public auction
- 38-14.2-03(7), (14) Public Service Commission – may lease or acquire land adversely affected by past coal mining or noncoal mining practices for the purpose of reclamation - eligibility of bidders for abandoned mine lands contracts
- 38-14.2-07 Public Service Commission – may expend funds for abandoned mine reclamation on public facilities such as utilities, roads, recreation, and conservation facilities adversely affected by past coal mining practices
- 38-14.2-10 Public Service Commission – may acquire land which is adversely affected by past coal mining or noncoal mining practices
- 38-14.2-12 Public Service Commission - sale of land acquired under ch. 38-14.2 by public sale and competitive bidding, and must comply with ch. 54-01 and other laws and regulations
- 38-14.3-07 Industrial Commission - surface coal mining and reclamation bond fund - contract for reinsurance may be entered into without public bids - issuance of evidences of indebtedness at public or private sale

- 38-22-20 Industrial Commission - contracts relating to underground storage of carbon dioxide - unless circumstances require otherwise, must follow process in § 38-08-04.4 - if emergency exists, may enter contracts without public notice and without competitive bidding
- 39-01-19 Department of Transportation – may issue permits for vending machines at rest areas
- 39-02-03 Department of Transportation (DOT) - director may enter direct negotiations and contract with qualified vendors to provide branch office services - contracts may extend five years - DOT may lease or provide office space to independent motor vehicle branch managers
- 39-04.2-04 Department of Transportation – distribution of funds to counties, political subdivisions, and other entities to establish and maintain public transportation
- 39-05-31 Department of Transportation – director may purchase supplies necessary to carry out the provisions of this chapter, regarding motor vehicle title registration
- 39-12-18 County sheriff - if violator cannot pay costs for violation of motor vehicle size, weight, width, and height restrictions, judge shall order vehicle confiscated and sold by sheriff at public sale to highest bidder
- 39-22-05.2 State agencies and political subdivisions - a bidder for the sale of motor vehicles to state agencies or political subdivisions need not submit a bidder's bond or certified or cashier's check if the bidder is bonded under § 39-22-05 - successful bidder may be required to submit a performance bond
- 39-22-25 State agencies and political subdivisions - new motor vehicles - a manufacturer or franchiser may not offer to sell, directly or indirectly, any new motor vehicle, except through a new motor vehicle dealer holding a franchise for the line make covering the new motor vehicle
- 39-30-04(13), (14) State and local law enforcement agencies - chop shops - sale of seized unidentifiable motor vehicles or parts at public sale to highest bidder, notice - if valued at \$1,000 or less, agency shall authorize disposal

- 40-01-06 Cities – all bonds, contracts, and conveyances, except as otherwise provided, shall be signed by the executive officer and countersigned by the auditor or clerk
- 40-02-16 Arbitration of differences between township and newly organized city upon division of property and indebtedness - under certain circumstances, personal property must be sold at public auction to highest bidder, and city and township may bid
- 40-05-01(2), (5), (7), (8), (31), (41), (46), (50), (55), (56), (57), (58) Cities - may control its finances and borrow money – may establish streets, public grounds, and parking lots – may establish markets and slaughterhouses – may establish jails and cemeteries – may construct public buildings - may acquire, sell, or lease real and personal property – may grant and regulate franchises - may construct airports
- 40-05-01(52) Cities - may provide that supplies shall be furnished by contract let to lowest responsible bidder
- 40-05-01(10), (11), (36), (59), (64), (66), (67), (76) Cities - may construct public works for water supply, flood control, and sewage disposal - may sell public utility - may acquire light and power plants and gas distribution systems – may lease waterworks or sewage systems
- 40-05-02(5), (7), (10), (21) Cities – may establish a jail and hospitals, and take charge of abandoned auditoriums and other property – may prescribe the manner of constructing buildings
- 40-05-02(8), (27) Cities – may construct bridges and tunnels – may provide for a public transportation system
- 40-05-02(17), (18), (19) Cities - may acquire a water supply and erect dams
- 40-05-02(20) Cities - may provide for taking, storage, and disposal of personal property abandoned or left unclaimed on the public streets and alleys, and the sale of such property at public sale after proper notice
- 40-05-02(23) Cities – may demolish, repair, or remove substandard buildings or structures
- 40-05-05 Cities – may contract for the furnishing, or purchase of electrical energy or gas

- 40-05-09 Cities – if an emergency exists, may contract for the purchase of firefighting apparatus and equipment – contracts shall not exceed \$10,000
- 40-05-09.2 Cities – may contract with a nonprofit corporation for fire protection services if the nonprofit corporation has provided such services to the city for not less than 20 years
- 40-05-10 Cities – in addition to other powers, cities have the same powers as townships
- 40-05-11 Cities in other states that are within 5 miles of this state – may purchase or lease real estate in this state for waterworks or sewerage purposes, and may lease or convey the land – may acquire property for an electrical power transmission line which connects to facilities distributing electrical power generated at Garrison Dam
- 40-05-13 Cities in other states – may convey real estate in this state by warranty or quitclaim deed executed by the executive officer and auditor
- 40-05-14 Cities with population of 10,000 or less – may enter into agreement with counties, for counties to construct and maintain streets in the city
- 40-05-16 Cities – may contract with nonprofit corporation to provide programs and activities for senior citizens
- 40-05-18 Cities with population of 5,000 or more – if permitted by ordinance or law, shall allow all persons or firms wishing to do so, to contract with commercial enterprises for the private collection of garbage
- 40-05-19 Cities – may contract with nonprofit corporations to provide animal shelters
- 40-05-20 Cities and park districts – may contract with nonprofit corporations to provide programs and activities for handicapped persons
- 40-05.1-06(1) Cities with home rule powers – may include in home rule charter, authority to self-govern in certain areas, including acquisition and disposal of property and control over finances

- 40-08-09 City councils – despite restrictions on city council members, a member may be employed or contracted as an ambulance crew member, or as a volunteer firefighter or ambulance crew member – a council member in a city of 500 or less may hold a position of remuneration in the employment of the city if certain requirements are met
- 40-09-17 City commissioners – despite restrictions on city commission members, a commissioner may be employed or contracted as an ambulance crew member, or as a volunteer firefighter or ambulance crew member – a commission member in a city of 500 or less may hold a position of remuneration in the employment of the city if certain requirements are met
- 40-10-06 Cities - city manager plan of government - city manager shall purchase supplies, materials, and equipment - for purchases over \$1,000, governing body shall establish procedure for purchasing
- 40-11-04 Cities - shall enact an ordinance providing for the sale or lease of personal or real property - property valued at less than \$2,500 may be sold at private sale - in all other cases, property must be sold at public sale or by nonexclusive listing agreements under § 40-11-04.2 - certain leases excepted
- 40-11-04.1 Cities - sale of real property - publication of notice - notice to specify whether bids are to be received at auction or as sealed bids - sold to highest bidder if bid is sufficient
- 40-11-04.2 Cities - sale of real property by nonexclusive listing agreements - city may reject any and all offers determined to be insufficient
- 40-13-05 Cities with population of 10,000 or more – municipal officer may not be interested in any contract, work, or business of the city; or the sale of any article; or the purchase of real estate or other property being sold by the city – however, these prohibitions are not applicable if unanimously approved by the city governing body to be necessary because the services or property obtained are not otherwise available at equal cost
- 40-13-05.1 Cities – member of governing body must disclose any personal interest in any contract requiring the expenditure of city funds – penalty

- 40-22-01 Cities – may use special assessments for the following improvements: a water supply or sewerage system, a street system, boulevards and other public places, flood protection, and parking lots and garages
- 40-22-03 Cities – may acquire private or public property outside the city limits if needed for sewage or water supply systems – may be paid for with special assessments
- 40-22-05 Cities – process for taking of land or rights of way needed to make improvements authorized by this chapter – may levy special assessments or general taxes to pay the cost
- 40-22-06 Cities – may enter into agreements with state agencies, boards of county commissioners, water resource boards, or federal agencies, for the improvement of streets, sewers, water mains, flood control projects, or of any of such facilities, where the contract is to be let by a party other than the city – may create a special improvement district and make special assessments for this purpose – may also use bonds and cash on hand – may also use general taxation of all the taxable property in the city if approval is obtained – if a portion is to be paid by special assessments, a resolution of necessity must be published – protests
- 40-22-16 Cities – a city constructing a sewer or water improvement or a parking lot, with special assessments, may pay a portion of the cost through service charges for the use of the improvement – may also use general taxes
- 40-22-19 Cities - improvements by special assessment - proposals for the work of making the improvement must be advertised in newspaper - all other provisions for proposals under this chapter are governed by ch. 48-01.2
- 40-22-26 Cities - if governing body has called for bids on more than one kind of pavement, owners of the property to be specially assessed may petition for a certain kind of pavement
- 40-22-28 Cities - if the contemplated improvement consists of paving or repaving, the governing body, after it has opened and considered the bids, shall determine the kind of pavement to be laid, and may award the necessary contracts

- 40-22-29 Cities - before adopting or rejecting any bid, the engineer shall make a detailed statement of the estimated cost of the work for which proposals were advertised under § 40-22-19 - governing body may not award contract to any bidder if this engineer's estimate exceeds the engineer's estimate of the cost of the work prepared pursuant to § 40-22-10(1) by 40% or more
- 40-22-36 Cities - improvements by special assessment - after contract has been awarded and before work has been completed, the city may, without advertising for bids, order additional work done by that contractor of the same character, but the total price paid to the contractor for additional work may not exceed 20% of the amount estimated by the engineer to be payable for that character of work under the original contract
- 40-22-37 Cities - improvements by special assessment - payment of contractor - retainage of 10% of estimates until project is 50% complete - final payment following completion and acceptance of the project - investment of retainage
- 40-22-38 Cities – may use special assessments to purchase an existing waterworks system, sewage treatment or disposal plant, or system of sewers
- 40-22-44 Cities - improvements by special assessment - governing body, after public hearing, may discontinue operation of parking lot - governing body may negotiate for the sale of the parking lot
- 40-22.1-01 Cities – may use special assessments for the promotion of business activity and new business development, including advertising, public information, marketing, maintenance and decoration of public places, promotion of public events, furnishing of music in any public place, providing professional management, planning, and promotion, and the promotion of trade activities – may make agreements to exercise the powers and functions under this chapter
- 40-22.1-03 Cities – special assessments for promotion of business activity – an improvement district under this chapter may include only property devoted to commercial or business use

- 40-22.1-10 Cities - special assessments for promotion of business activity - after a contract has been awarded and before work has been completed, the city may, without advertising for bids, order additional work done by that contractor of the same character, but the total price paid to the contractor for additional work may not exceed 20% of the amount estimated by the city auditor to be payable for that character of work under the original contract
- 40-22.1-14 Cities – before adopting or rejecting any proposed contract, the city auditor shall make a detailed statement of the estimate cost of the work – governing body may not award contract if this city auditor’s estimate exceeds the city auditor’s estimate of the cost of the work prepared under § 40-22.1-04 – if all proposals are not rejected, governing body shall award the contract to the entity best able to perform the work, upon the basis of cash payment for the work
- 40-23-05 Cities – assessment of benefits in special assessment districts – the total cost of the improvement shall include the estimated construction cost, a reasonable allowance for cost of extra work which may be authorized, engineering, fiscal agent’s and attorney’s fees, costs of publication and printing, and all expenses incurred – if an error is made in estimating the cost, a supplemental assessment may be made
- 40-23-06 Cities - assessment of benefits in special assessment districts - if work consists of improvements to sewers or water mains already installed or paving already laid, and all bids were rejected and the work done by the city, and if the work can be done in separate sections or work units, it is not necessary that all of the work be completed before the special assessments are made
- 40-24-10 Cities – improvements by special assessment – may provide for the payment, by general taxation, of not more than one-fifth of the cost of the improvement other than the opening and widening of streets or the laying of sewer or water connections from the main to the curb line – the general assessment amount must be within the constitutional debt limit of the city – may have election to increase debt limit

- 40-24-19 Cities - special assessments - after it has been determined that the protests are insufficient, and in anticipation of collection of special assessments and any taxes or revenues derived from service charges, the governing body may issue warrants or improvement bonds - there is no interest rate ceiling on warrants or improvement bonds sold at public sale or to state agencies or instrumentalities
- 40-25-01 Cities - real property shall be sold to enforce the collection of special assessments which have become delinquent at the same time and in the same manner as provided in title 57 for the sale of real property for delinquent general taxes
- 40-25-02 Cities - if real estate is sold for both delinquent general taxes and delinquent special assessments and there is no bidder, the county auditor shall strike off the parcel of land to the county and one certificate of sale shall cover both general taxes and special assessments which are delinquent
- 40-25-03 Cities – if the foreclosure is made only for special assessments assessed by a city or by a taxing district other than the county, the county auditor shall issue a tax deed to the city or taxing district which assessed such special assessments
- 40-28-07 Cities - service connections - governing body shall advertise for bids in accordance with ch. 48-01.2 for the construction of service connections
- 40-29-07 Cities - bids for construction of sidewalks must be made in accordance with ch. 48-01.2
- 40-31-04 Cities - at least once every year that the city plans to construct or repair curbing or gutters, the city auditor shall solicit bids in accordance with ch. 48-01.2
- 40-32-07 Cities and city park districts - construction of boulevards, or planting trees, sowing grass seed, trimming trees, or cutting grass on boulevards, or watering or maintaining boulevards - contracts must be let in the manner prescribed in ch. 40-29 for the letting of contracts for sidewalks

- 40-33-01 Cities - city utilities, including electric, telephone, water, heat, and gas - city may purchase, construct, operate, maintain, enlarge, improve, or lease from any person or sell or lease to any person, these utilities - city lease of waterworks may include soliciting proposals, and city may accept proposal that it determines to be in the public interest
- 40-33-02 Cities – city utilities, including electric, telephone, water, heat, and gas – may not purchase, erect, substantially enlarge, improve, or extend an existing plant, or lease from others any plant, system, or line unless approved by a majority vote of the qualified electors – exceptions when election is not required
- 40-33-03 Cities - city utilities, including electric, telephone, water, heat, and gas - city may not sell any plant, system, or line, or lease the same to any entity, unless the entity has filed with the city a written offer or proposition, and the majority of electors approve such sale or lease – this section does not apply to a lease by a city of a waterworks plant, system, or line to a state entity under § 40-33-01
- 40-33-04 Cities – city utilities, including electric, telephone, water, heat, and gas – city may pay the cost of purchasing, erecting, enlarging, improving, or leasing any city plant, system, or line, out of earnings of the plant, system, or line, by special assessments, or by issuing bonds – city may pay the cost of leasing any city waterworks plant, system, or line from a state entity under § 44-33-01 from revenues or other listed funds
- 40-33-13 Cities – may sell surplus electricity or water outside of city limits
- 40-33-16 Cities - city owning a system for the distribution of water, whose water supply is unsuitable or inadequate, may contract to purchase water upon such terms and during such period, not exceeding 40 years, as the city governing body shall deem appropriate - such contract shall be authorized by an ordinance submitted to the voters for approval
- 40-33-17 Cities – a city that owns and operates a system of waterworks may contract with an entity for the purchase of a plant to treat the water
- 40-33-22 Cities – may join with other cities to jointly construct, acquire, or operate gas transmission lines, systems, and plants

- 40-33-23 Cities – a jointly operated gas utility may sell and dispose of gas outside the city limits as prescribed by the Public Service Commission
- 40-33-26 Cities – public transportation system – may pay cost through issuance of revenue bonds or general obligation bonds or both
- 40-33-30 Cities – right of municipal electrical utilities or municipal power agencies to construct and operate certain electric transmission lines
- 40-33.1-03 Municipal steam heating authorities – may acquire and dispose of personal property, and acquire real property – may make contracts and leases – may construct buildings, structures, and facilities – may accept grants and borrow money
- 40-33.1-04 Municipal steam heating authorities and cities – authority may provide funds by charging fees, issuing notes, or making special assessments – cities may assist through the issuance of bonds, budgeting of current funds, or the levy of taxes or special assessments
- 40-33.1-06 Municipal steam heating authorities and cities – city may convey to an authority real and personal property – city may acquire real property for projects of the authority – authority may acquire real property, and may sell, lease, or otherwise dispose of real property at public or private sale
- 40-33.1-07 Municipal steam heating authorities - shall let contracts for construction in the same manner as provided for contracts of cities - if contract does not exceed \$500, it may be entered into without public bid letting - this section does not limit the power to do any construction directly by the officers, agents, and employees of the authority
- 40-33.2-04 Municipal power agencies – may acquire or construct projects – may acquire and dispose of revenues and money – may acquire, lease, and dispose of personal property or real property - may borrow money and issue bonds or notes – may purchase or sell electrical energy – may accept gifts or grants, or loans of funds or property
- 40-33.2-06 Municipal power agencies – may acquire property by condemnation and eminent domain

- 40-33.2-08 Cities – may exercise the powers granted in this chapter to a municipal power agency
- 40-33.2-09 Municipal power agencies and cities - may contract for the planning, acquisition, construction, reconstruction, operation, maintenance, repair, extension, and improvement of generation and transmission facilities without advertising for bids, preparing final plans and specifications in advance of construction, or securing performance and payment bonds - if a payment bond is secured as provided in ch. 48-01.2, it is enforceable
- 40-33.2-11 Municipal power agencies and cities – powers relating to electrical utilities may be exercised jointly with other public agencies – agreement may create a separate entity to carry out the purpose of the agreement
- 40-33.3-06 Municipal pipeline authorities – may acquire or construct facilities for the transmission of liquids or of natural or synthetic gas – may acquire, lease, and dispose of property – may purchase or sell liquids or natural or synthetic gas – may acquire and dispose of revenues and money – may accept gifts or grants, or loans of funds or property – may issue revenue bonds
- 40-34-01 Cities – sewage and garbage disposal – may, individually or jointly, acquire and construct sewers, including pumping stations, plants for the treatment and disposal of liquid and solid wastes, sewage, and night soil, or a plant or system for the disposal of garbage – may issue bonds – may acquire, by gift, grant, purchase, or condemnation necessary lands – may use eminent domain to acquire land
- 40-34-02 Cities – sewage and garbage disposal – may pay the cost of a sewage or garbage disposal system by using general current tax revenues, general liability bonds, or mortgage bonds – may pay the cost of leasing a sewage system from a state entity by using revenues from the system, investment funds, city funds, or funds from federal or state sources

- 40-34-15 Cities – may enter into agreements with governmental entities outside this state to erect sewers and sewage treatment plants, or to provide sewage disposal – may acquire lands and personal property and erect structures thereon, including dams and damsites – may erect dams upon streams located within or without this state – may purchase property within or without this state and may use eminent domain
- 40-34-19 Cities – may lease to, or lease from, a state entity or person, its sewage system and all related real and personal property – may solicit and accept one or more proposals for a lease transaction – may accept a proposal that is in the public interest
- 40-35-02 Cities – in this chapter, “undertaking” means systems, plants, and properties used in revenue-producing undertakings, including the obtaining of water and the conservation, treatment, distribution, and disposal of water; the collection, treatment, and disposal of sewage, waste, and storm water; the generation and distribution of gas or electric energy; the operation of parking lots, trailer courts, and facilities for motor vehicles and house trailers; the acquisition and operation of a public transportation system; the acquisition, construction, and operation of an airport; and the acquisition, construction, and operation of a hospital
- 40-35-03 Cities – may acquire property to construct or improve any undertaking in § 40-35-02 – may collect fees, tolls, or charges for the services, facilities, or commodities furnished by such undertaking – may issue revenue bonds to finance, in whole or in part, the undertaking – may operate sewerage facilities to reduce the pollution of waters caused by industrial wastes by industrial establishments and contract with the industrial establishments to pay the cost – may enter into agreements with other political subdivisions and state institutions concerning such sewerage facilities – may accept loans or grants from the federal government for undertakings
- Chapter 40-36 Cities – revenue bond refinancing law
- 40-37-01 Cities – may levy a tax for a band
- 40-37-03 Cities – may use general fund monies for a band

- 40-38-01 Cities and counties – after sufficient petition or election, governing body shall provide public library service, either singly or in cooperation with the state library or other cities or counties, or by participation in an approved state plan – methods to discontinue library service
- 40-38-02 Cities and counties – tax levy for library service – election
- 40-38-03 Cities and counties – may appoint library board or may contract with another library board to provide library service
- 40-38-04 Library board of cities or counties – may contract to furnish library service and to receive library service from other counties, school districts, and cities in North Dakota and other states, and the state library
- 40-38-05 Library boards, cities, and counties – library board, with approval of city or county, may build, lease, lease-purchase, or purchase a building and site for a library – after a hearing, a city or county may establish a library building fund for the construction, alteration, or purchase of a building to be used as a public library – the library fund shall consist of all moneys received from federal, state, county, city, or private sources
- 40-38-10 Cities with population under 2,500 – may use general fund monies or certain other monies to purchase books and periodicals to be loaned to a local library, without an election – or city may contract with another library for the provision of public library service for the city
- 40-38-11 Cities and counties – public library services may be jointly provided through a written agreement between the involved cities and counties – need approval of electors of each city and county involved
- 40-38.1-01 Cities – need approval of electors to establish a municipal arts council – methods to discontinue municipal arts council
- 40-38.1-02 Cities – need approval of electors for a tax for a municipal arts fund, to be used for the municipal arts council and for grants to arts organizations in the city

- 40-38.1-05 Municipal arts councils and cities – municipal arts council, with approval of city, may build, lease, lease-purchase, or purchase office space and a site – after a hearing, a city may establish a municipal arts council building fund for the construction, alteration, or purchase of a building to be used for offices for the municipal arts council – the municipal arts council building fund shall consist of all moneys received from federal, state, county, city, or private sources
- 40-38.1-09 Cities with population under 2,500 – may use general fund monies or certain other monies for the municipal arts council, without an election
- 40-39-02 Cities – may take private property by purchase or eminent domain to open, lay out, widen, or enlarge streets or alleys – may levy special assessments or general taxes to pay the price
- 40-40-18 Cities – emergency caused by destruction of necessary property, by epidemic, or by entry of a judgment against the city – governing body, upon two-thirds or unanimous vote, may use monies in certain other funds to meet the emergency – if city has not reached its debt limit, it may borrow an amount to meet the emergency
- 40-40-20 Cities – except as provided in this chapter and in § 40-05-05, no contract shall be made and no expense shall be incurred unless there shall have been a previous appropriation – if a contract for the furnishing of water for fire protection to the city is entered into for a period not longer than 20 years, a previous appropriation is necessary for only the first year
- 40-45-04 Cities with population over 5,000 – board of trustees overseeing a police pension fund may accept money or real or personal property for the benefit of the police pension fund
- 40-46-07 Cities – board of trustees overseeing a city employees' pension fund may accept money or real or personal property for the benefit of the city employees' pension fund
- 40-48-06 City planning commissions - may contract with architects, city planners, engineers, and other consultants
- 40-48-14 City planning commissions – may accept and use gifts

- 40-49-01 Cities – may receive, by gift or devise, real estate, within city limits or 5 miles thereof, for use as parks or public grounds
- 40-49-04 City park districts – may acquire and maintain real and personal property for use as parks, boulevards, and ways – “park” includes public grounds for airfields, parade grounds, public recreation areas, playgrounds and athletic fields, memorial or cemetery grounds, and sites devoted to use and accommodation of the public
- 40-49-07.2 City park districts – plan for dissolving district may specify the disposition and maintenance of land and other property
- 40-49-10 City boards of park commissioners – member may not be directly or indirectly interested in any contract requiring the expenditure of park district funds unless the contract has been approved by a two-thirds vote of the park board, and the service or property is not readily available elsewhere at equal cost – but, park board may contract with members for minor supplies or incidental expenses
- 40-49-12 City boards of park commissioners – may acquire land within or outside this state and erect structures thereon – may sell and convey land – may construct, maintain, and manage buildings or grounds – may levy special assessments and taxes – may issue bonds and borrow money – may lease and demise lots for residential or concession purposes
- 40-49-14 City park districts - except as provided in ch. 48-01.2, all contracts exceeding \$25,000 must be let to the lowest responsible bidder after advertisement in the official newspaper of the city once each week for two successive weeks - board may reject any or all bids – debt may not exceed 1% of the taxable property within the district
- 40-49-15 City boards of park commissioners – if an emergency exists in that it is desirable and necessary that additional lands be acquired for park purposes, the board may enter into a contract for the purchase of such land and for the payment of the purchase price in annual installments – this power is subject to listed conditions
- 40-49-23 City or city park districts – may abandon and discontinue as a park or recreational area any land acquired under § 11-27-08 – may sell or convey such lands

- 40-49-24 City boards of park commissioners - may collect user fees and, in anticipation of the collection of such revenues, may issue evidences of indebtedness for the purpose of acquiring, constructing, improving, and equipping parks and park and recreational buildings and facilities, and for the purpose of acquiring land for those purposes
- 40-50.1-05 Donations or grants to the public on plats of townsites or subdivisions of land – sufficient to vest fee simple title – the land intended to be used for streets, alleys, ways, or other public uses must be held in the corporate name of the jurisdiction in trust for the uses and purposes intended
- 40-50.1-16 Public rights derived from plats, subdivisions of land, or townsites – vacation before sale of lots divests all public rights in streets, alleys, easements, and public grounds described in the plat – if lots have been sold, vacation of streets and public rights is not effective without endorsement by the governing body that has the power to approve the plat
- 40-53.1-07 Board of county commissioners – if a city is dissolved, board shall control property and shall employ a person to manage and operate the property or dispose of the property in accordance with ch. 11-27
- 40-53.1-13 Dissolution of city by court – may order the sale of assets and payment of debts, and order any surplus paid into the general fund of the county
- 40-54-01 Cities - city auditor may, at the discretion of the governing body, advertise for bids for the furnishing of gravel in place for gravel surfacing of highways within the city, upon a cubic yard basis - bid specifications - each bid must be accompanied by a separate envelope containing a certified or cashier's check - contract shall be made only to such person who furnishes good and sufficient bond for the performance thereof
- 40-54-02 Cities - contract for the furnishing of gravel for highways awarded to lowest responsible bidder

- 40-55-02 Cities, townships, park districts, and school districts – may acquire or lease lands or buildings, within or beyond the corporate limits, for community centers, playgrounds, recreation centers, or other character-building purposes – may provide for their conduct, equipment, and maintenance by making an appropriation from the political subdivisions' general funds
- 40-55-03 Cities, townships, park districts, and school districts – may establish a system of public recreation and may vest the power to conduct such system in a recreation board or commission
- 40-55-04 Cities, townships, park districts, and school districts – any two or more may jointly conduct a public recreation system, and acquire property therefor
- 40-55-05 Cities, townships, park districts, and school districts – may issue bonds to acquire lands, buildings, and equipment for community centers, playgrounds, recreation centers, and other character-building purposes
- 40-55-07 Cities, townships, park districts, school districts, and recreation boards or commissions – may accept any grant or devise of real estate or any gift or bequest of money or other personal property for recreation purposes
- 40-55-08 Cities, park districts, or school districts – election for the establishment, maintenance, and conduct of a public recreation system – may provide funding from revenues derived from the general fund levy
- 40-55-09 Cities – election for levy authority for up to 6 mills for the establishment, maintenance, and conduct of a public recreation system – election to discontinue the levy
- 40-56-03 Cities – governing body may determine a portion of a residential paving project shall be borne by the city as a whole

40-57-02

Cities, counties, city parking authorities, and the Public Finance Authority – Municipal Industrial Development Act – in this chapter, “project” includes real property, buildings, infrastructure, and equipment; and personal property, including working capital used for a revenue-producing enterprise related to agricultural, mineral, or manufactured products, child care facilities, health care facilities and services, control of environmental pollution, and public career and technical education – in this chapter, “revenue agreement” means an agreement whereby the contracting party agrees to pay amounts sufficient to pay bonds – a “revenue agreement” may be a lease, mortgage, direct or installment sale contract, loan agreement, or take-or-pay agreement

40-57-03(12)

Cities, counties, city parking authorities, and the Public Finance Authority - Municipal Industrial Development Act – may acquire real property, buildings, easements, and profits – may issue revenue bonds – may lease projects to any industrial or commercial enterprise or nonprofit corporation or to any school district for career and technical education purposes – may enter into revenue agreements whereby bond proceeds are loaned to the contracting party to pay costs of the project and the contracting party repays the loan – may enter into agreements with other political subdivisions and state agencies concerning the planning, construction, lease, or other acquisition, and the financing of such facilities, and maintenance thereof - may accept loans or grants from the federal government – may sell and convey properties acquired in connection with projects - project financed relating to real property or buildings must comply with ch. 48-01.2 and other applicable statutes; however, if contracting party is not a governmental entity or a public institution, ch. 48-01.2 need not be complied with – may not pay out of the general fund, or otherwise contribute to a project

40-57-04

Cities, counties, and city parking authorities – Municipal Industrial Development Act - the acquisition, construction, improvement, or financing of any project, and the issuance of revenue bonds, may be authorized by an ordinance or resolution of the governing body – the governing body must hold a hearing and may not approve the bond issue unless approval is in the public interest – no election is required

- 40-57-10 Cities, counties, city parking authorities, and the Public Finance Authority – Municipal Industrial Development Act - revenue bonds may be sold at private or public sale
- 40-57.1-03 Cities and counties – may grant property tax exemptions or require payment of in lieu of property taxes, for a project that is a primary sector business
- 40-57.1-04 State Board of Equalization – may grant an income tax exemption to a project operator for a project that is a primary sector business or relates to tourism
- 40-57.1-04.3 Cities and counties – may grant a property tax exemption on buildings or improvements constructed and owned by a local development organization to attract new industry to this state
- 40-57.2-01 Cities and counties – may enter into contracts with an entity for the purpose of obtaining site surveys and site development plans, structural and mechanical plans and surveys, market surveys, and similar plans and surveys relating to industrial development and plant location, design, construction, equipment, and operation – may enter into similar contracts for the providing of career and technical education and on-the-job training for state residents in industries located in this state
- 40-57.3-01 Cities – may impose up to a 2% tax upon the gross receipts of retailers on the leasing of hotel, motel, or tourist court accommodations for periods of less than 30 consecutive days or 1 month – shall deposit the proceeds in the visitors' promotion fund
- 40-57.3-01.1 Cities – may also impose up to a 1% tax upon the gross receipts of retailers on the leasing of hotel, motel, or tourist court accommodations for periods of less than 30 consecutive days or 1 month and upon the gross receipts of a restaurant from any sales of prepared food or beverages – shall deposit the proceeds in the visitors' promotion capital construction fund
- 40-57.3-01.2 Cities – may impose up to a 1% tax upon the gross receipts of a retailer on the rental of any motor vehicle for fewer than 30 days if the renter is at, or picked up at, an airport – shall deposit the proceeds in the city visitors' promotion fund

- 40-57.3-02 Cities – moneys in the visitors’ promotion fund must be used to encourage and attract visitors to come to the city and use the travel and tourism facilities – moneys in the visitors’ promotion capital construction fund must be used for tourism or the purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings or property consistent with visitor attraction or promotion
- 40-57.3-03 Cities – moneys in the visitors’ promotion fund may not be used for capital construction or purchase of real property – moneys in the visitors’ promotion capital construction fund may be used only for the payment of bonds issued and related costs, or for tourism or capital construction, maintenance, and repair or acquisition of property
- 40-57.4-01 Cities – may create or discontinue a job development authority
- 40-57.4-03 City job development authorities – duty to assist in development of employment in the city – may acquire by gift, trade, or purchase, and hold, improve, and dispose of real or personal property – may cooperate with political subdivisions – may loan, grant, or convey any funds or other real or personal property – may take an equity position in, provide a loan to, or use any other innovative financing mechanism to provide capital for a new or expanding business in this state or for a business relocating to this state
- 40-57.4-04 Cities – a city which has a job development authority shall establish a city job development authority fund and levy a tax – shall transmit funds to the job development authority – in lieu of establishing a job development authority, a city may enter into a contract with an industrial development organization for performance of the functions of a city job development authority
- 40-57.4-05 Cities – may dedicate any portion of revenues from the tax authorized under this chapter to payment of any loan entered or grant awarded for any purpose to carry into effect the objective of the job development authority

- 40-58-07 Cities – urban renewal law – may undertake development or renewal projects, including the development of commercial or industrial property, or the elimination or prevention of the development or spread of slums and blight – may acquire by purchase, lease, or gift, any real property or personal property; and may hold, improve, or prepare such property for development or redevelopment; and may mortgage, pledge, encumber, or dispose of any real property – may borrow money and accept loans, grants, and any financial assistance from the federal government, the state, county, or other public body, or from any public or private sources
- 40-58-09 Cities – urban renewal law – disposal of property in a development or renewal area
- 40-58-13 State agencies and political subdivisions - urban renewal law – any public body may, with or without consideration, dedicate, sell, or lease property, or grant easements or licenses to a city; or lend, grant, or contribute funds to a city; or furnish to a city public buildings and facilities, parks, educational facilities, water and sewer, and streets - any sale, conveyance, lease, or agreement provided for in this section may be made by a public body without appraisal, public notice, advertisement, or public bidding
- 40-58-15 Cities, urban renewal agencies, and housing authorities – city may elect to have its urban renewal project powers exercised by an urban renewal agency or a housing authority
- 40-58-17 Cities, urban renewal agencies, and housing authorities – no public official or employee shall acquire any interest in any development or renewal project – if a public official or employee presently or recently owned any interest, disclosure must be made and the official or employee may not participate in any action affecting the property
- 40-58-18 Cities – urban renewal law - repair, closing, and demolition of dwellings unfit for human habitation
- 40-58-20 Cities – urban renewal law – use of tax increment financing to pay off general obligation bonds, special improvement warrants, or refunding improvement bonds – as an alternative to the sale of bonds to be amortized with tax increments, a city may grant a total or partial tax exemption for the project

- 40-58-20.1 Cities – urban renewal law - may use tax increment financing to assist a project developer in the development of industrial or commercial property
- 40-59-02 Cities – may call an election for approval to levy a tax of up to 2 mills per year for an armory or memorial
- 40-60-02 Cities – may acquire, construct, and improve parking facilities – may use general funds, special assessments, or bonds to finance – may use land, buildings, structures, and equipment owned by the city – may operate and maintain parking facilities and collect charges for the use thereof by public and private entities – may lease parking facilities, or any part thereof, to any public or private entity
- 40-61-03 Municipal parking authorities – may acquire and dispose of personal property – may acquire by purchase or condemnation, and use real property – may construct buildings, structures, and facilities – may reconstruct, improve, maintain, and operate projects – may accept grants, loans, or contributions from United States agencies, state agencies, the city, or individuals – may collect charges for the use of the projects – may construct, operate, or maintain all facilities in connection with a project – may contract for the construction, operation, and maintenance of any part of a project or for any service to be performed – may rent parts of a project, and grant concessions – may lease parking facilities, or any part thereof, to any public or private entity to encourage commercial development and use of space above, below, or adjacent to parking facilities
- 40-61-03.1 Municipal parking authorities – may provide funds by issuing bonds or notes – may cooperate with cities, whereby cities issue bonds or other obligations, use general fund moneys, or levy special assessments
- 40-61-05 Cities and municipal parking authorities – a city may convey, with or without consideration, to an authority, real and personal property – a city may acquire, by purchase or condemnation, real property for a project – an authority may acquire real property for a project by purchase or condemnation – if an authority no longer needs real property acquired at the expense of a city, the authority may surrender the property to the city – if an authority no longer needs real property acquired at the expense of the authority, the authority may sell, lease, or otherwise dispose of the real property at public or private sale

- 40-61-06 Municipal parking authorities - shall let contracts for construction in the same manner as provided for contracts of cities - if contract does not exceed \$500, it may be entered into without public bid letting - this section does not limit the power to do any construction directly by the officers, agents, and employees of the authority
- 40-62-01 Cities – pedestrian mall improvements – a city may create a special improvement district; issue warrants and bonds, and levy special assessments for the improvement of one or more streets within its central business district for a mall for primarily pedestrian use, or for the construction of skyways within its central business district
- 40-63-03 Cities – renaissance zones – a city may apply to the department of commerce division of community services to designate a portion of that city as a renaissance zone – must include a development plan
- 41-02-45 Sale of goods at auction - if seller bids, without notice, buyer may avoid sale or take goods at price of last good-faith bid prior to completion of sale
- 43-03-23 State agencies and political subdivisions - architect or landscape architect not liable for safety of construction site, or for construction techniques, or for the actions of any construction contractor, subcontractor, or material supplier, unless liability is assumed by contract or by actual conduct
- 43-07-01 Administrative bodies, governing bodies, agencies, and commissions having power to enter into public contracts - “public contract,” as used in § 43-07-06, means a contract with the state of North Dakota or any board, commission, or department thereof, or with any county, city, township, or school board authorized to award contracts for the construction or reconstruction of public work when the contract cost exceeds \$4,000 and includes subcontracts undertaken to perform work covered by the original contract when the price of the work included in such subcontract exceeds \$4,000

- 43-07-06 Administrative bodies, governing bodies, agencies, and commissions having power to enter into public contracts defined in § 43-07-01 - may impose reasonable requirements and conditions as conditions precedent to the awarding of a contract for the construction or reconstruction of public works in addition to the requirements imposed by ch. 43-07
- 43-07-08 Ch. 43-07 does not apply to any representative of the United States, the state of North Dakota, or any county, city, irrigation district, reclamation district, or other political corporation
- 43-07-11.1 State agencies and political subdivisions - contractor may not enter into contract until satisfactory showing is made that the contractor has paid all delinquent income, sales, or use taxes, if any
- 43-07-12 State agencies except Department of Transportation and Public Service Commission, and political subdivisions - all bids and proposals for the construction of any public contract project exceeding \$2,000 must contain a copy of the contractor's license of the appropriate class enclosed in the required bid bond envelope - contractor must hold license at least 10 days prior to date set for receiving bids to be a qualified bidder - a bid submitted without this information properly enclosed in the bid bond envelope may not be read nor considered and must be returned to the bidder - certain bids excepted from this requirement
- 43-07-20 State agencies and political subdivisions - in all contracts, except those involving certain federal funds, or engineering, superintendence, management, or office or clerical work, there shall be inserted a provision in which the contractor must give preference to the employment of North Dakota residents and veterans - no contract may be let that does not comply with this section
- 43-12.3-03 Public entities – if a public entity is in need of any health care professional (like a physician, nurse, counselor, or social worker) it may participate in a student loan repayment program administered by the Health Council whereby the professional agrees to provide services in that area – the public entity must provide matching funds

- 43-12.3-07 Health Council – may receive and expend any gifts, grants, and other funds for the purposes of the health care professional student loan repayment program
- 43-19.1-28 State agencies and political subdivisions - except as otherwise provided by law, the state and its political subdivisions may not construct public works over \$150,000 involving the practice of professional engineering unless the engineering drawings and specifications and estimates have been prepared by, and the construction administration and construction observation services are executed under the supervision of a registered professional engineer
- 43-23-20 State Real Estate Commission - may negotiate by bid with an insurance provider for a group policy under which coverage is available to all licensees
- 43-28.1-09 Health Council and public entities – the Health Council may accept gifts or grants to repay dentists’ educational loans when the dentists provide services in areas having a defined need for dental services – the Health Council may contract with any public entity and may expend any moneys to obtain matching funds for the purposes of this chapter
- 43-29.1-08 Health Council and public entities – the Health Council may accept gifts and grants to repay veterinarians’ education loans when the veterinarians provide services in communities that are in need of veterinarians – the Health Council may contract with a public entity and may expend any moneys to obtain matching funds for the purposes of this chapter
- 44-04-07 State departments, industries, institutions, boards, associations, or commissions – person in charge shall maintain an inventory of property – must include statements of all property disposed of
- 44-04-09 State officials and employees – may not enter into a personal service contract with a close relative, as listed in this section
- 44-04-12 Elected or appointed officers – shall deliver to the officer’s successor in office all public moneys, books, records, accounts, papers, documents, and property

- 44-04-13 Officers – upon the death, resignation, suspension, or removal from office, all books and papers belonging to the office, and all moneys and property in the officer's hands, must be delivered to the officer's successor
- 44-04-18.4 Public entities - bids or proposals may be confidential or exempt from the open records law - bids received in response to an invitation for bids are exempt until all bids have been received and opened – proposals received in response to a request for proposals are exempt until a notice of intent to award is issued - records included with any bid or proposal naming and generally describing the entity submitting the proposal are open
- 44-04-22 Political subdivisions – member of a board, council, commission, or other body, acting in a legislative or judicial capacity, must disclose any direct and substantial personal or pecuniary interest in a matter, and may not participate in or vote on that matter without the consent of a majority of the rest of the body
- 44-08-01 State agencies and political subdivisions - contracts for purchasing of goods or equipment, building or repairing of structures, and professional services - must give preference to North Dakota bidders, sellers, or contractors - in specifying goods or equipment, may not specify any trademarked or copyrighted brand or name, nor the product of any one manufacturer, nor any patented product or equipment, where the same will prevent proper competition, unless bidders also are asked for bids upon other articles of like nature, utility, and merit - when it is advantageous that the purchase be of a particular brand or of products of a particular manufacturer, the purchasing board or entity must document those circumstances and provide written justification for the proprietary specification or purchase - purchasing board or entity shall procure the proprietary product through a competitive process unless the needed product is available exclusively from one source of supply or other circumstances exist under which competition can be waived

- 44-08-01.1 Political subdivisions - when required to solicit bids for the purchase of personal property and equipment, must accept only sealed bids - must designate time and place for opening of bids - if all bids are not rejected, purchase must be made from bidder submitting the lowest and best bid meeting the specifications - if two or more bids are identical, preference must be given to North Dakota vendors
- 44-08-02 State agencies and political subdivisions - definition of a resident North Dakota bidder, seller, or contractor, as used in § 44-08-01
- 44-08-05.1 Office of Management and Budget, State Board of Higher Education, political subdivisions, and public officers and employees – use of purchasing cards
- 44-08-22 State entities and political subdivisions – may not purchase a flag of the United State of America unless the flag was manufactured in the United States of America
- 46-01-02 Office of Management and Budget - shall bid and let all contracts for requested printing
- 46-02-01 Office of Management and Budget - has charge of all printing for state agencies except as provided in § 46-02-09
- 46-02-05 Office of Management and Budget (OMB) - at least two months before each legislative session, OMB shall invite sealed bids for each class of legislative-related printing - invitation for bids shall include the specifications for form, style, quantity, and timing in accordance with the rules of the legislature or as directed by the legislative council
- 46-02-06 Office of Management and Budget - shall award contracts for legislative-related printing to lowest bidder, subject to other provisions of title 46
- 46-02-07 Office of Management and Budget (OMB) - proposals for legislative-related printing let under competitive bids must be in writing, sealed, and addressed to OMB - OMB may reject bids from certain printers, and may reject any or all bids if in its judgment the best interests of the state would be subserved thereby

46-02-08	Office of Management and Budget - no bids may be received after the hour specified in the published notice - no bid may be changed after it has been received
46-02-09	Office of Management and Budget (OMB) - all state printing in classifications 3 and 6 must be purchased by OMB, or delegated, according to ch. 54-44.4, unless the work is done by the central duplicating service of OMB
46-02-15	Office of Management and Budget, state entities, and political subdivisions - if practicable, all state and political subdivision printing, binding, and blank book manufacturing, blanks, and other printed stationery must be awarded to a resident bidder as defined in § 44-08-02
46-02-20	Office of Management and Budget (OMB), and state departments and institutions, except for the State College of Science, the University of North Dakota, North Dakota State University, and Valley City State University – central duplicating services of OMB and printing services under the jurisdiction of the Board of Higher Education, except at those institutions indicated, may not provide the following services: printing of coated stock, continuous or snap-out forms, envelopes over twenty thousand, process color except as indicated, and larger print or duplicate paper as indicated, excluding work done on plotters
46-03-11.2	Legislative Council – may contract with a publisher with respect to editorial, information processing, and publication services relating to the Century Code – may continue any agreement with the publisher and may contract for continuing editorial work and publication services to assure continuity as long as the Council deems it to the advantage and best interests of the state – chs. 46-01 and 46-02 do not apply to any contract under this section
Chapter 46-04	Secretary of State, state agencies, and political subdivisions – distribution of state laws, session laws, and journals
47-09-18	State and local governmental entities – a transfer of land between any federal, state, or local governmental entities must have a deed with a proper legal description filed with the county recorder
Chapter 47-10	Real property transfers
Chapter 47-16	Leasing of real property

- 47-30.1-02.1 State agencies – any warrant issued by the state which the payee or legal holder fails to present for payment within 2 years of issue is void and cancelled – if the payee or legal holder presents the void or cancelled check for payment, the original issuing agency may issue a new warrant, which the State Treasurer is authorized to pay
- 47-30.1-03.1 State and local government entities – all intangible property held by a federal, state, or local government entity, or any other entity, if the owner has not claimed or corresponded in writing within 3 years after the date prescribe for payment or delivery, is presumed abandoned and subject to the custody of this state as unclaimed property if listed requirements are met
- 47-30.1-13 State agencies and governmental subdivisions – intangible property held for the owner by a court, state, governmental subdivision or agency, public corporation, or public authority which remains unclaimed by the owner for more than 3 years is presumed abandoned – however, unclaimed intangible property held for the owner by a public employee pension program is not subject to abandonment
- 47-30.1-17 Administrator of the Abandoned Property Office in the State Land Department – a person holding tangible or intangible property presumed abandoned under this chapter shall report and deliver the property to the Administrator as provided in this section
- 47-30.1-20 Administrator of the Abandoned Property Office in the State Land Department – upon the payment or delivery of property to the Administrator, the state assumes custody and responsibility for the safekeeping of the property
- 47-30.1-22 Administrator of the Abandoned Property Office in the State Land Department – not less than 3 years after the receipt of abandoned property, the Administrator shall sell it to the highest bidder at public sale, after notice, if bid is sufficient – exceptions
- 47-30.1-23 Administrator of the Abandoned Property Office in the State Land Department – shall deposit in the state treasury to the credit of the common schools trust fund, all funds received under this chapter

- 47-30.1-24.1 State agencies and Administrator of the Abandoned Property Office in the State Land Department – within 1 year of receipt of state agency property, the Administrator shall notify the agency by certified mail – if the state agency has not submitted a claim for the property within 1 year of receipt of the certified mail, upon approval of the Budget Section of the Legislative Management, the agency relinquishes its right to recover its property
- 47-30.1-28 Administrator of the Abandoned Property Office in the State Land Department – if the Administrator determines that any property under this chapter has insubstantial commercial value, the Administrator may destroy or otherwise dispose of the property at any time
- 48-01.2-01 State entities and political subdivisions - public improvement bids and contracts - includes definitions of “agency construction management,” “construction,” “construction administration,” “construction management at-risk,” “construction manager,” “construction observation,” “contract,” “contractor,” “design services,” “design-bid-build,” “emergency situation,” “guaranteed maximum price,” “lowest responsible bidder,” and “public improvement” - “construction” means the process of building, altering, repairing, improving, or demolishing any public structure or building or other improvement; “construction” does not include the routine operation or maintenance of existing facilities, structures, buildings, or real property or demolition projects costing less than the threshold established under § 48-01.2-02.1 - “public improvement” means any improvement paid for with any public funds including public loans, bonds, leases, or alternative funding, and is constructed on public land or within an existing or new public building or any other public infrastructure or facility if the result of the improvement will be operated and maintained by the governing body; “public improvement” does not include any county road construction and maintenance, state highway, or public service commission project governed by titles 11, 24, or 38

- 48-01.2-02 State entities and political subdivisions - except as otherwise provided in ch. 48-01.2, if the estimated cost for the construction of a public improvement is in excess of the threshold established under § 48-01.2-02.1, the state entity or political subdivision shall procure plans, drawings, and specifications from an architect or engineer - exceptions for public buildings used by North Dakota agricultural experiment station and Department of Transportation
- 48-01.2-02.1 State entities and political subdivisions - the threshold for bidding construction of a public improvement is \$150,000 - the threshold for procuring plans, drawings, and specifications from an architect or engineer for construction of a public improvement is \$150,000
- 48-01.2-03 State entities and political subdivisions - may not request bids for any article of a specified or copyrighted brand or name, the product of any one manufacturer, or any patented apparatus or appliance when the requirement will prevent proper competition, unless the specifications also request bids on other similar articles of equal value, utility, and merit or unless as provided in § 44-08-01
- 48-01.2-04 State entities and political subdivisions - except as otherwise provided in ch. 48-01.2, if the estimated cost for the construction of a public improvement is in excess of the threshold established under § 48-01.2-02.1, the state entity or political subdivision shall advertise for bids by publication - place, manner, and timing of publication - if emergency situation is declared, may contract for public improvement without seeking bids

48-01.2-05

State entities and political subdivisions - advertisement for bids required by § 48-01.2-04 must state: 1) the nature of the work and the type and location of the proposed public improvement, 2) when and where plans, drawings, and specifications may be examined, 3) place, date, and time bids will be opened, 4) that each bid must be accompanied by a separate envelope containing the contractor's license and a bidder's bond in a sum equal to 5% of the full amount of the bid, 5) that a bidder must be licensed as required by §§ 43-07-05 and 43-07-12, exception for a bidder on a municipal, rural, and industrial water supply project authorized for certain federal funding, 6) that no bid may be read or considered if it does not fully comply with the requirements of this section and that any deficient bid submitted must be resealed and returned to the bidder immediately, and 7) that the governing body reserves the right to reject any and all bids and rebid the project until a satisfactory bid is received

48-01.2-06

State entities and political subdivisions - public improvements - when any contract or any combination of contracts is in excess of the threshold established under § 48-01.2-02.1, multiple prime bids for the general, electrical, and mechanical portions of a project are required - if a general, mechanical, or electrical contract is estimated to be less than 25% of the threshold, the contract may be included in one of the other prime contracts - governing body may allow submission of a single prime bid for the complete project or bids for other specialized portions of the project - single prime bid may not be accepted unless it is lower than the combined total of the lowest responsible multiple bids - if a bid for the general, electrical, or mechanical portions of a project is not received, a governing body may negotiate a contract amendment, up to an additional \$150,000, with the general, electrical, or mechanical contractor whose contract would represent the largest portion of the project cost for providing the portion of the project for which a bid was not received without rebidding all or part of the project

48-01.2-07

State entities and political subdivisions - public improvements - shall open publicly and read aloud each responsible bid received and award contract to lowest responsible bidder - may reject any and all bids and readvertise for bids if no bid is satisfactory or if it determines there is an agreement to prevent competition - may advertise for new bids until a satisfactory bid is received

- 48-01.2-08 State entities and political subdivisions – any member, employee, or appointee of a governing body may not be pecuniarily interested in a contract for a public improvement entered by the governing body
- 48-01.2-09 State entities and political subdivisions - public improvements - shall enter a contract with the lowest responsible bidder - the contract must contain 1) written terms of the agreement and any associated documents, 2) the required surety bond, and 3) any other document deemed appropriate by the governing body and identified in the advertisement for bids
- 48-01.2-10 State entities and political subdivisions - public improvements over \$150,000 - unless otherwise provided in ch. 48-01.2, the governing body shall take from the contractor a bond before any work is done - the bond must be for an amount equal at least to the contract price - the bond must be conditioned to be void if the contractor and all subcontractors fully perform the work and pay for all labor and materials - the bond must run to the governing body - a governing body may not require any person required to provide a surety bond to obtain the surety bond from a specified insurance or surety company or insurance producer or to submit financial data to the company or producer
- 48-01.2-13 State entities and political subdivisions – public improvements - payments for labor and materials - retainage of 10% of estimates until project is 50% completed - final payment following completion of all work, acceptance of the project, and the provision of necessary releases
- 48-01.2-14 State entities and political subdivisions – public improvements - failure to pay estimates or make final payment - rate of interest
- 48-01.2-16 State entities and political subdivisions - contracts for public improvements under ch. 48-01.2 - governing body shall employ the architect, landscape architect, or engineer, or other qualified person to provide construction administration and construction observation services

48-01.2-17

State entities and political subdivisions - if a public improvement is awarded as multiple prime contracts for the general, electrical, mechanical work, and other prime contracts as contained in the bid for the project, the governing board may assign the coordination of the electrical and mechanical contracts and any other contracts to the general contractor to facilitate the coordination of the work

48-01.2-18

State entities and political subdivisions - public improvements - may use "agency construction management" or "construction management at-risk" delivery methods if the agency construction manager or construction manager at-risk have no prohibited common ownership or conflicts of interest - governing body shall determine 1) that it is in the best interest of the public to use the chosen delivery method, 2) that the agency construction manager or construction manager at-risk planning and design phase services will not duplicate services normally provided by an architect or engineer, and 3) that the agency construction manager or construction manager at-risk construction services will be in addition to and not duplicate the services provided for in the architect and engineer contracts - governing body shall provide written documentation of these determinations upon written request

48-01.2-19

State entities and political subdivisions - public improvements - if utilizing the “agency construction management” delivery method, the governing body shall establish a construction management services selection committee composed of certain individuals - committee shall develop a description of the proposed public improvement, enumerate each required agency construction management service, and prepare the formal invitation request for qualifications - governing body shall publish notice of request for qualifications and mail copies upon request - committee shall hold interviews and evaluate each person on certain criteria - committee shall rank the three most qualified persons - committee shall submit report to governing body - governing body shall determine final ranking - governing body shall negotiate a contract for services with the most qualified person at a compensation which is fair and reasonable to the governing body - if negotiations with the most qualified person does not result in a satisfactory contract, negotiations with the next qualified person must commence, etc. - governing body, at any time, may reject all proposals and readvertise or select another allowed project delivery method

48-01.2-20

State entities and political subdivisions - public improvements - if utilizing the “construction management at-risk” delivery process, the governing body shall create a selection committee composed of certain persons - before issuing a notice of request for qualifications to enter a construction management at-risk services contract, the committee shall establish the content of the request for qualifications, which must include certain listed information - committee shall determine evaluation criteria - committee shall evaluate each submission based on criteria and shall include the numeric scoring of each criteria item on a weighted basis - committee shall include the three highest ranked on a list - committee shall recommend to governing body the construction manager at-risk receiving the highest score - if the construction manager at-risk is unable to reach agreement with the governing body, the governing body shall negotiate with the construction manager at-risk with the next highest score, etc. - if list of finalists is exhausted, governing body may be required to select another allowed public improvement delivery method - upon reaching an agreement with a construction manager at-risk on compensation and contract terms for construction management planning and design services, the governing body shall enter a written contract

48-01.2-21

State entities and political subdivisions - public improvements - after the governing body and the construction manager at-risk have finalized the contract for planning and design phase services and the process has progressed sufficiently to provide the construction manager at-risk the necessary project details, the governing body and the construction manager at-risk shall enter negotiations for a guaranteed maximum price and contract terms for the general construction of the public improvement - if the governing body is unable to negotiate a satisfactory contract with the highest qualified person on the list of finalists, the governing body shall commence negotiations with the next most qualified person, etc. - if the governing body reaches an agreement with a construction manager at-risk on a guaranteed maximum price and on contract terms, the governing body and construction manager at-risk shall enter a written contract for the general construction management at-risk construction services

48-01.2-22

State entities and political subdivisions - public improvements - an agency construction manager selected for a public improvement shall publicly advertise and publicly open bids from subcontractors for the work items necessary to complete the general construction portions of the improvement - a construction manager at-risk selected for a public improvement shall publicly advertise and publicly open bids from subcontractors for the work items the construction manager at-risk chooses not to perform, and shall evaluate the bids and determine which is the most responsible - the governing body may influence the selection of the subcontractors, but only insofar as the governing body's past experience with a subcontractor or a current legal dispute with a subcontractor

- 48-01.2-23 State entities and political subdivisions - public improvements - an agency construction manager, before starting any work, shall provide the governing body with a bond that is equal to the cost of the agency construction manager's services; under an agency construction manager delivery method, each contractor performing services on the public improvement shall provide the governing body with a separate bond for the contractor's portion of the public improvement – a construction manager at-risk, before starting any construction, shall provide the governing body with a bond in an amount at least equal to the amount of the guaranteed maximum price; the bond must be conditioned to be void if the contractor and all subcontractors fully perform the construction services and pay for all labor and materials; the bond must run to the governing body – under a construction manager at-risk delivery method, the governing body may not require each contractor to provide a separate bond
- 48-01.2-24 State entities and political subdivisions – public improvements - shall require a statement from any person preparing plans and specifications for a public building or facility, that the plans and specifications are in conformance with the Americans with Disabilities Act accessibility guidelines for buildings and facilities
- 48-01.2-25 State entities – public improvements – may not significantly change or expand a public improvement beyond what has been approved by the legislative assembly unless legislative assembly approves - approval of budget section of legislative management during certain times when legislative assembly is not in session
- 48-02.1-03 State entities, cities, counties, and townships - development of public facilities by private operators - public authority may solicit proposals from private operators for the constructing, improving, rehabilitating, operating, managing, and owning of a facility - after a hearing, the public authority may accept a proposal that it determines to be in the public interest - public authority may negotiate and enter into a development agreement with any private operator

- 48-02.1-04 State entities, cities, counties, and townships – development of public facilities by private operators – a development agreement may provide for private ownership of the facility without reversion of title; for operating the facility under lease or management contract; for build, operate, and transfer facilities, or build, transfer, and operate facilities; or any other form of ownership or operation – a development agreement may permit the private operator to assemble funds from any source, including federal, state, and local grants, bond revenues, contributions, and pledges – a development agreement may include grants of title, easements, rights of way, and leasehold estates that are necessary to the facility
- 48-02.1-05 State entities, cities, counties, and townships – development of public facilities by private operators – when necessary for the construction or improvement of a project, a public authority may acquire any real or personal property by eminent domain and may lease the property or right of way to a private operator
- 48-02.1-08 State entities, cities, counties, and townships – development of public facilities by private operators – may exercise its powers to facilitate the development and construction of infrastructure projects under this chapter – may provide services for which it is reimbursed with respect to preliminary planning, environmental certification, and preliminary design of infrastructure projects
- 48-02.1-09 State entities, cities, counties, and townships – development of public facilities by private operators – mandatory provisions of development agreements
- 48-02.1-10 State entities, cities, counties, and townships – development of public facilities by private operators – use by private operator of fee-based charge for the use of the facility – after any lease to a private operator has expired, and the public authority has title to the facility, the public authority may continue to charge a fee for the use of the facility

- 48-02.1-11 State entities, cities, counties, and townships – development of public facilities by private operators – the public authorities involved may enter into a compact to delegate to one or more of the public authorities or a board appointed by the public authorities, the authority to exercise all the powers, duties, and functions of the other public authorities regarding the facility – title to or authority over the facility may be tendered to an agreed-upon public authority, which may accept the title of authority to administer pursuant to the development agreement and this section
- 48-02.1-12 State entities, cities, counties, and townships - development of public facilities by private operators - for portions of the project that do not involve contractor ownership, the construction, improvement, rehabilitation, operation, and management of a facility by private operators are subject to all competitive bidding and procurement requirements under state and local laws, rules, and ordinances, if so determined by resolution of the governing body of the public authority
- 48-04-01 Townships and cities - when authorized by three-fourths of the voters of each, may acquire and use jointly, public buildings and grounds
- 48-04-03 Townships and cities – may incur indebtedness and provide payment for the acquisition of any such buildings and grounds in the manner provided in ch. 21-03
- 48-05-02.1 State entities and political subdivisions - purchase of coal for heating purposes - preference to bidders supplying coal mined in North Dakota - when advertising for or reviewing bids, may not mandate the use of any particular type of coal or the region where the coal is to be mined
- 48-05-09 State entities and political subdivisions - request for proposals for energy conservation measures must include the scope of the project, the criteria for awarding a contract, the right to reject the request for proposals, and other listed items
- 48-05-10 State entities and political subdivisions - shall evaluate all proposals received as the result of request for proposals for energy conservation measures
- 48-05-11 State entities and political subdivisions - may enter into a guaranteed energy savings contract with a qualified provider if the energy and operating cost savings over a period of 15 years will meet or exceed the cost of the project

- 48-05-12 State entities and political subdivisions - guaranteed energy savings contracts are not subject to the requirements of ch. 48-01.2 which relate to competitive bidding
- 48-06-04 Office of Management and Budget – shall purchase postage meter machines and other equipment, materials, and supplies necessary for a central mailing bureau in the state capitol
- 48-08-01 Cities, townships, and school districts – may pay the rental of any hall or auditorium, when it is used for any public meeting or purpose and no charge is made for admission – this section does not apply to a city that has its own suitable public hall
- 48-08-04 Between legislative sessions, the committee rooms, halls, and other space in the state capitol used by the legislative assembly may not be used without legislative council authorization
- 48-08-06 Cities, counties, and townships - may permit the use of or lease its public buildings for any legal purpose, giving equal opportunity to all persons, and may make reasonable rules - may require a bond from the lessee or user
- 48-08-07 Cities, counties, and townships – no lease under § 48-08-06 may be for a longer term than 2 years, unless otherwise provided by city ordinance or county resolution - if lease a public building, lease must be to a responsible party offering the highest return and the use or occupation may not interfere with the use of such building for public purposes - governing body may reserve right to reject any and all bids
- 48-08-08 State agencies, counties, and municipalities – entities having control of the use of any state, county, or local municipal buildings may provide space for emergency operating centers and disaster offices
- 48-09-01 State entities, cities, and counties - may grant concessions in public buildings or on the grounds for any café, restaurant, or confectionery, by renting, leasing, and licensing the concession to the highest responsible bidder at a reasonable rental per month, for a period not exceeding 8 years, and may reject any and all bids - but North Dakota Fair Association or county park board may grant a concession without letting bids

- 48-09-02 State entities, cities, and counties - if a concession under § 48-09-01 has estimated gross sales worth more than \$25,000 annually, an advertisement for bids must occur as specified and concession must be awarded to the highest responsible bidder
- 48-09-03 State entities, cities, and counties - governing body may require a deposit of security by the successful bidder within 10 days after notice of the acceptance of the bid - if deposit is not furnished, the concession may be let to the next highest bidder, and if there is no other bidder, to some other party - vending, service, and merchandising machines shall be permitted in public buildings only upon payment of an adequate compensation for such privilege
- 48-10-02 Capitol Grounds Planning Commission – may cause any lands in the capitol building fund and its interest and income fund to be sold at market value
- 48-10-03 Capitol Grounds Planning Commission – except as otherwise provided in this section, the Commission has exclusive authority to accept or reject gifts for exterior placement on the capitol grounds or for the improvement of the exterior construction of any building or facility on the capitol grounds
- 48-12-02 State entities and political subdivisions - when awarding a contract for the construction, repair, remodeling, or demolition of a facility (“facility” includes real property owned or leased through a building authority, and includes roads, runways, rails, or buildings and structures along with appurtenances) may not include in the bid specifications, or other controlling documents, a term that relates to the involvement of a bidder, offeror, contractor, or subcontractor, in a labor organization
- 48-12-03 State entities and political subdivisions - may not award a grant, tax abatement, or tax credit that is conditioned upon a requirement that the awardee include a term prohibited under § 48-12-02
- 48-12-04 State entities and political subdivisions - may determine, after public notice and a hearing, that special circumstances require an exemption from the requirements of ch. 48-12, to avert an imminent threat to public health or safety

- 49-02-01.1 Public Service Commission (PSC), state agencies, and political subdivisions – nothing in ch. 49-02 (powers of PSC generally) or in ch. 49-21 (telecommunications companies) authorizes the PSC to make any order affecting rates, contracts, services rendered, adequacy, or sufficiency of facilities, or the rules or regulations of any public utility owned and operated by the state or by any political subdivision of the state – a city not served on August 1, 2017, with natural gas distribution service from a public utility may request an exemption from listed state laws; the PSC shall grant the exemption if the public utility has a franchise to supply customers in the city and extraterritorial area and serves no more than 2500 customers within the city and extraterritorial area – upon approval of the exemption, the rates, contracts, or services rendered by the public utility within the exempted area are subject to regulation by the city – rescinding exemption
- 49-03-05 Municipalities and public authorities – if a public utility or an electric transmission provider engages in construction or operation without a certificate of public convenience and necessity, or constructs or extends its line, plant, or system, or supplies electric service in violation of this chapter, any municipality or public authority may file a complaint with the Public Service Commission
- 49-03-06 Cities – the governing board may require approval or disapproval of a service area agreement between electric providers to the extent the agreement encompasses service locations within the city – nothing in ch. 49-03 limits the authority of a city governing board to exercise its franchise authority under § 40-05-01
- 49-03.1-08 Municipalities and public authorities – if a public utility engages in construction or operation without a certificate of public convenience and necessity, any municipality or public authority may file a complaint with the Public Service Commission
- 49-04.1-02 Municipalities – a municipally owned utility may bring a civil action for damages against any person who knowingly receives utility service through means of bypassing, tampering, or unauthorized metering
- 49-05-02 Counties and cities – may make complaints to the Public Service Commission as to the reasonableness of rates or charges of any heat, gas, electrical, water, or telecommunications utility

- 49-09-04 Abandoned railways – public lands taken under § 49-09-01 that are no longer used by railway corporations for railway purposes for 1 year, revert to the state
- 49-09-04.2 Abandoned railroad right of way – must be offered to listed persons, including a person presenting a reasonable plan for using it for public recreational use – if offered for wildlife programs or projects, the proposed acquisitions must first be approved by the board of county commissioners under § 20.1-02-17.1 if offered to the state Game and Fish Department, or under § 20.1-02-18.1 if offered to the United States Department of the Interior – if 5 years have passed since abandonment, and the right of way has not been sold, the railroad may deed it to the county if the county agrees
- 49-09-04.3 State agencies, cities, and counties – may request the Public Service Commission to require any railroad corporation abandoning a railway line to remove all rail, ties, materials, and debris and leave the surface in a drivable condition, and to control noxious weeds
- 49-09-16 Municipal corporations – the governing board may grant the right of way for the construction and operation of a railway, telecommunications line, electric light system, or a gas or oil pipeline system over or upon its public grounds, streets, alleys, or highways – may establish conditions, restrictions, and regulations
- 49-10.1-17 Governor, Department of Transportation (DOT), Commissioner of Commerce, and political subdivisions – governor or DOT may make agreements with Montana and federal agencies to renew service on the Amtrak north coast Hiawatha route from Fargo to Spokane, Washington – governor, DOT, or Commissioner of Commerce may enter agreements with any political subdivision, state, and federal agency to restore daily service on the Amtrak empire builder route
- 49-17.1-02 Department of Transportation (DOT) – the DOT, with approval of the Public Service Commission, may exercise powers to qualify for federal rail service assistance grants – may provide for the equitable distribution of grants among state, local, and regional transportation authorities

- 49-19-04 Cities and public corporations – may not grant a franchise to furnish natural gas to the public without making a reservation that a percentage of native natural gas shall be used if and when the same is produced in commercial quantities (see N.D.C.C. §§ 49-19-05 through 49-19-07)
- 49-20-10 Cities and Public Service Commission (PSC) – city may petition PSC for the extension of a public utility’s electrical transmission line into the city – if PSC agrees, the city shall grant a franchise to the public utility
- 49-21-01.1 Institutions of Higher Education – may not unreasonably restrict access by a telecommunications company to institution facilities for the purpose of furnishing telecommunications services to residents in institution housing or to other persons or entities leasing institution facilities, except institutions may limit access to residence halls – may require reasonable payment for and adopt reasonable restrictions on the use of institution telecommunications infrastructure
- 49-21-01.9 State entities and political subdivisions – may not regulate the entry, rates, terms, or conditions for internet protocol-enabled or voice over internet protocol service – nothing in this section affects or modifies authority of a political subdivision to exercise its zoning power under chs. 40-47, 58-03, or 11-33
- 49-21-26 Political subdivisions – unless previously approved by its electors, a political subdivision may not impose a fee on a telecommunications company for the use of the political subdivision’s right of way, other than a fee for management costs – management costs must be allocated among all users of the public rights of way, including the political subdivision itself – this section does not prohibit the collection of a franchise fee as permitted in § 49-21-29
- 49-21-27 Political subdivisions – may not require in-kind services by a telecommunications company right-of-way user, or require in-kind services as a condition of the use of the political subdivision’s right of way
- 49-21-28 Political subdivisions – a telecommunications company may request the governing body to review a denial of use or access, a revocation of a right of way permit, or a fee imposition – governing body’s decision may go to arbitration or an action may be brought in district court

- 49-21-29 Political subdivisions – Sections 49-21-26 through 49-21-28 do not modify the terms of an existing franchise between a political subdivision and a telecommunications company – a city that collects a franchise fee may not collect a fee under § 49-21-26
- 49-22-16 Public Service Commission (PSC) and political subdivisions – PSC shall require a gas or liquid transmission facility to comply with road use agreements of the impacted political subdivision – “road use agreement” means permits required for road use, including road maintenance and repair mitigation plans
- 49-23-03 Nonprofit corporation, North Dakota One-Call, Incorporated, governing excavation notification center – board of directors shall establish a competitive bidding procedure to select a vendor to provide the notification service – any agreement between the center and a vendor may be modified by the board, and any agreement shall be reviewed at least once every 3 years, with an opportunity to receive new bids, if desired, by the board
- 50-06-05.1(9) Department of Human Services – may hold and administer any property or funds donated to it
- 50-06-05.1(22) Department of Human Services – with approval of the Governor, may lease or transfer use of any part of the Life Skills and Transition Center facilities or properties to the federal government, or any public or private agency, organization, or business enterprise, or any worthy undertaking, if certain listed provisions are met
- 50-06-05.5 Regional Human Service Centers – a director, subject to the approval of the Department of Human Services, may contract with public or private agencies or with individuals and organizations to discharge the Center’s service delivery responsibilities
- 50-06-06.6 Department of Human Services (DHS) – may lease surplus farm and pastureland at the State Hospital and the Life Skills and Transition Center – may also lease real and personal property if it will result in a net economic gain – any lease for the purpose of providing child care services must meet the requirements of DHS

- 50-06-06.7 Department of Human Services – may, if approved by the Governor, sell any surplus steam heat at the Life Skills and Transition Center, to the city of Grafton
- 50-06-21 Department of Human Services – shall contract with qualified treatment service providers for a program for gambling prevention, awareness, crisis intervention, rehabilitation, financial counseling, and mental health treatment services – the program may provide various services for individuals with a gambling disorder
- 50-06-26 Department of Human Services – in consultation with a nongovernmental entity that provides alternatives-to-abortion services, shall contract to inform the public about this program
- 50-06-30 Department of Human Services (DHS) and Department of Corrections and Rehabilitation (DOCR) – agreement must provide that the DOCR will train, consult, and assist DHS with the provision and enforcement of safety and security procedures at the State Hospital for patients, staff, visitors, and volunteers
- 50-06-33 Department of Human Services – shall contract with a private provider for a dementia care services program in each area of the state served by a regional human service center
- 50-06-34 Department of Human Services – may accept grants and other funding for the development of a program for services to transition-aged youth at risk
- 50-06-35 Department of Human Services – shall contract with a statewide charitable food recovery and distribution organization to develop and implement new methods of delivering charitable food assistance services in underserved counties
- 50-06-37 Department of Human Services – shall contract with a consultant by Sept. 1, 2011, to develop a payment system relating to development disabilities service providers – shall contract with a team of support intensity scale assessors by Sept. 1, 2011

- 50-06-38 Department of Human Services – shall review construction or remodeling proposals of all intermediate care facility providers, and may limit allowable construction and remodeling costs to ensure the costs are reasonable and appropriate
- 50-06.1-08 Vocational Rehabilitation Division of the Department of Human Services – may accept and use gifts to carry out the purposes in ch. 50-06.1 on vocational rehabilitation
- 50-06.1-13 Vocational Rehabilitation Division of the Department of Human Services – may contract for a blind licensee to operate a vending facility on federal property
- 50-06.2-03 Department of Human Services – may pay qualified service providers for the following services: homemaker services, chore services, respite care, home health aide services, case management, family home care, personal attendant care, and adult family foster care
- 50-06.2-04 County social service boards – may contract with qualified service providers to provide services
- 50-06.4-04 Department of Human Services – may accept funds, grants, gifts, or services from federal agencies, and private agencies or individuals, for services to individuals with brain injuries
- 50-06.4-06 Department of Human Services – may accept and expend moneys from public or private sources, for any purpose involving brain injuries
- 50-06.4-07 Department of Human Services – shall contract with public or private entities for the provision of informal supports to individuals with brain injury – exempt from ch. 54-44.4
- 50-06.4-08 Department of Human Services – may contract for the provision of social and recreational services to individuals with brain injury
- 50-06.4-09 Department of Human Services – shall provide or contract for the provision of increased and specialized vocational rehabilitation and consultation to individuals with brain injury who receive case management for personal care services, including those at risk of losing their employment

- 50-06.5-06 Vocational Rehabilitation Division of the Department of Human Services and the Statewide Independent Living Council – may award grants to eligible agencies to administer centers for independent living
- 50-09-02 Department of Human Services – shall supply forms to county social service boards – may contract with any public or private agency or person, relating to the child support enforcement program and medical support enforcement program
- 50-11.1-11 State and local government agencies – may not purchase early childhood services, including care provided by or in the home of a relative, unless approved by the Department of Human Services
- 50-11.1-11.1 Department of Human Services – may make grants to public and private nonprofit entities for the operation of early childhood services
- 50-11.1-18 Department of Human Services – may award grants to early childhood service providers that provide care for children with disabilities or developmental delays – may accept gifts and donations for an early childhood services inclusion support services and grant program
- 50-17-03 State – if, as a result of any conservation work projects on state, county, or municipally owned land, the state derives a direct profit from the sale of any such land or the products thereof, the proceeds must be divided equally between the state and federal government
- 50-24.1-01.2 Department of Human Services - may contract for a private entity to administer a dental insurance coverage plan for persons eligible for medical assistance
- 50-24.1-28 Department of Human Services – with respect to the state medical assistance program, may purchase the services of an outside consultant to assist in the development of a medicare prescription drug plan – ch. 54-44.4 does not apply
- 50-24.1-37 Department of Human Services - shall expand medical assistance coverage to individuals under age 65 with income below 138% of the federal poverty level, by bidding through private carriers or utilizing the health insurance exchange

- 50-24.7-02 Department of Human Services – may pay qualified service providers for the following services for the elderly and disabled: adult day care, adult family foster care, case management, chore services, family home care, homemaker services, nonmedical transportation, and respite care
- 50-24.7-03 County social service boards – may contract with qualified service providers to provide services for the elderly and disabled
- 50-29-06 Department of Human Services – may accept gifts, grants, and donations for the children’s health insurance program
- 52-04-22 Job Service North Dakota – federal advance interest repayment fund may be used for acquisition and renovation of, and paying lease costs for, office buildings
- 52-08.1-06 Job Service North Dakota – may accept and use gifts, grants, and other funds for the North Dakota workforce 20/20 program
- 52-11-01 North Dakota National Guard - may establish employee retirement program by contract - shall prepare specifications which must be submitted to not less than 3 companies or agencies with a request for bids - after submission of at least 3 bids, the Adjutant General shall, with approval of the Governor, execute a contract with the company or agency submitting the lowest and best bid
- 53-06.2-04 North Dakota Racing Commission – pari-mutuel horse racing - Commission shall adopt rules governing, restricting, or regulating bids on licensees’ concessions and leases on equipment
- 53-12.1-05 North Dakota lottery - before a contract for a gaming system or marketing services is awarded, the director shall use an open and competitive bid process which reflects the best interest of the state - director shall consider all relevant factors, including security, competence, experience, timely performance, and maximization of net proceeds
- 53-12.1-11(1)(c) North Dakota lottery - information on bids is confidential if the disclosure would be harmful to the efforts of the lottery to contract for goods and services on favorable terms

- 54-01-05 State institutions and industries – the state may acquire property by eminent domain, for the use of any state institution or state industry
- 54-01-05.1 State departments or agencies – real property held in the name of the state for the use and benefit of any department or agency, may be conveyed by quitclaim deed executed by the governor and attested by the secretary of state
- 54-01-05.2 State agencies other than Board of University and School Lands, Housing Finance Agency, and Bank of North Dakota - real property authorized to be sold must be sold for cash at public auction at the relevant county courthouse after publication of notice of sale - must reserve right to reject any and all bids - may not sell at auction for less than appraised value - if no bid is received at public auction, the land may be sold for not less than 90% of appraised value
- 54-01-05.5 State agencies, boards, commissions, departments, or institutions, and Commissioner of University and School Lands – when a legislative bill is introduced proposing to sell or exchange land, the entity shall prepare a written report including listed information about the land – the Commissioner of University and School Lands may provide a written assessment to the legislative standing committee concerning the proposed sale or exchange
- 54-01-12 State agencies - may exchange certain state-owned land on Indian reservations in this state with land belonging to the United States government on Indian reservations in this state - no notice of exchange or bidding necessary
- 54-01-13 State agencies - may exchange certain state-owned land on Fort Berthold Reservation for land belonging to the United States government located outside of the Fort Berthold Reservation - no notice of exchange or bidding necessary
- 54-01-13.1 State – may convey to the United States, lands in Theodore Roosevelt National Park, in exchange for federal lands outside the Park
- 54-01-14 State – lease of land in Morton County to the United States Northern Great Plains Dairy Station terminates if the land ceases to be used for an experimental dairy station

- 54-01-17.1 State agencies – may grant easements upon or across real property they administer and which is owned by the state for the use or benefit of state institutions under their jurisdiction
- 54-01-27 State agencies and institutions – may enter agreements to lease any real or personal property to or from any state agency or institution or any person
- 54-01-29 Governmental entities – may not provide funds through grant, contract, or other agreement to a nongovernmental entity that is a nonprofit organization for the purpose of holding any interest in real property or an easement for wildlife or conservation purpose – this section does not apply to a governmental entity in a partnership with a nongovernmental entity, if the governmental entity derives a benefit from the partnership
- 54-03-29 Legislative Assembly – may accept donations of funds – may be expended by concurrent resolution or upon motion
- 54-06-17 State entities - with approval of the Office of Management and Budget, any state entity leasing or renting office equipment may convert the agreement to a rental-purchase-type agreement
- 54-06-18 State entities – state entities, except higher education institutions, may not obtain or use a postage meter unless authorized to do so by the Office of Management and Budget
- 54-06-23 State entities – may provide for child care services to the children of employees, students, or clients
- 54-06-37 State entities – may not purchase or lease an aircraft without authorization from the legislative assembly or the budget section of the legislative management – does not apply to Adjutant General or the UND school of aviation
- 54-10-01 State Auditor – may not hire a consultant to assist with a performance audit of a state agency without approval of the legislative audit and fiscal review committee – may contract with a private public accountant or other qualified professional for other audits and reviews
- 54-10-14 Political subdivisions – may be audited by a public accountant rather than by the State Auditor

- 54-10-27 Occupational and professional boards – shall generally provide for an audit once every 2 years by a public accountant
- 54-10-29 State Auditor – when conducting a review of computer systems and related security systems, may procure the services of a specialist in information security systems or other contractors – exempt from ch. 54-44.4
- 54-10-30 State Auditor – may hire consultants to assist with higher education audits subject to approval by the legislative audit and fiscal review committee
- 54-12-08 State entities – may not employ legal counsel except upon written appointment by the Attorney General
- 54-16-12 Board of Higher Education – Emergency Commission may approve the acquisition of property near one of the state institutions of higher education and make funds available if the time during which the purchase must be consummated does not permit obtaining a legislative appropriation
- 54-17-07.6 Industrial Commission – in its capacity as a State Housing Finance Agency, may accept any grant, contribution, or aid from any source
- 54-17-10 Industrial Commission – in the operation of utilities, industries, enterprises, and businesses, may acquire and sell property, construct buildings, and equip and maintain properties
- 54-17-11 Industrial Commission - shall employ such contractors, architects, builders, and other experts, as in the judgment of the Industrial Commission the interests of the state may require
- 54-17-12 Utilities, industries, enterprises, or business projects administered by the state - subject to the control of the Industrial Commission, the manager of such entity shall appoint and employ such contractors, architects, builders, and other experts as in the manager's judgment are required
- 54-17-36 Industrial Commission – may enter agreements to lease or lease-purchase all or part of an interest in any waterworks, water distribution system, or sewage system to or from a political subdivision, a state agency, or any person

- 54-17-40 Housing Finance Agency – after a public hearing, shall create an annual allocation plan for the distribution of the housing incentive fund – at least 25% to be used for housing in developing communities – priority to housing for essential service workers, and families of low or moderate income – recipients can include local governments and housing authorities, and regional planning councils
- 54-17.2-03 Industrial Commission, acting as the North Dakota Building Authority – may issue evidences of indebtedness to make funds available for projects – may acquire, lease, construct, operate, or sell any project
- 54-17.3-07 State Geologist – may exchange with or transfer to universities, governmental bodies, and scientific institutions duplicate paleontological resources
- 54-17.4-10 State Geologist – may purchase cartographic products from the federal government to resell to the public
- 54-17.5-04 Industrial Commission – may make grants or loans for lignite research, development, and marketing projects – may accept aid and grants
- 54-17.6-04 Industrial Commission – may make grants or loans for oil and gas research, development, marketing, and educational projects – may accept donations and grants
- 54-17.7-04 Industrial Commission, acting as the North Dakota Pipeline Authority – may accept aid and grants to facilitate the development of pipeline facilities – may finance, develop, acquire, own, lease, and dispose of pipeline facilities
- 54-17.8-03 Industrial Commission – shall use the outdoor heritage fund to provide grants to state agencies and political subdivisions to provide land access for sportsmen, improve water quality, develop wildlife and fish habitat, and develop recreation areas
- 54-18-04 Industrial Commission – North Dakota Mill and Elevator Association – shall acquire property and may purchase, lease, or construct buildings and equipment – may acquire and dispose of farm and food products

- 54-18-05 Industrial Commission - North Dakota Mill and Elevator Association - shall employ such contractors, architects, builders, and other experts, as in the judgment of the Industrial Commission the interests of the state may require
- 54-18-06 North Dakota Mill and Elevator Association - subject to the control of the Industrial Commission, the manager of the Association shall appoint and employ such contractors, architects, builders, and other experts, as the manager finds are required by the interests of the Association
- 54-18-18 North Dakota Mill and Elevator Association - contract let for construction or provision of equipment to Association - payments to contractor during progress of work
- 54-21-19 Office of Management and Budget – shall provide all services and supplies for the capitol grounds – purchases must be made in accordance with ch. 54-44.4
- 54-21-24 Office of Management and Budget – obtaining additional office space outside the state capitol
- 54-21-27 State agencies - may sell or remove unsafe public buildings after obtaining approval - economics shall dictate whether or not the sale or removal shall be by advertising for public bids and awarding same to the lowest responsible bidder
- Chapter 54-21.2 State agencies and political subdivisions - energy conservation standards in new building construction
- Chapter 54-21.3 State agencies and political subdivisions - state building code
- 54-23.3-04 Department of Corrections and Rehabilitation - director may contract for and provide correctional services - may lease land - may sell or exchange land, and sell, trade, lease, or grant mining easements - must request bids in published notice - exempt from § 54-01-05.2 - reservation of right to reject any and all bids

- 54-27-22 State agencies - funds must be made available from the Office of Management and Budget for studies, planning, architectural programming, schematic designs, and cost estimates relating to proposed new capital improvements and major remodeling of existing facilities - submission of written requests to the Office of Management and Budget and the budget section of the Legislative Council
- 54-27-27.2 State agencies – each state agency, excluding entities controlled by the State Board of Higher Education, prior to applying for federal grant funds, shall consider the federal requirements, and determine that acceptance of the funds does not subject the state to undue federal oversight or regulation, and does not conflict with legislative intent
- 54-34-12 Division of Economic Development and Finance in Department of Commerce - may enter service contracts on a competitive bid basis to establish and operate the venture capital network - may approve contract proposals to establish the venture capital network
- 54-34.3-13 Department of Commerce and cities – cities with a population under 2,500 may apply to be designated as a rural growth incentive city – eligible for loans for primary sector businesses – eligible for grants for feasibility studies for the location of new businesses
- 54-34.3-15 Department of Commerce Division of Economic Development and Finance – may provide training to assist local economic developers – may contract with a service provider to assist in implementing the program
- 54-40-01 State agencies and political subdivisions – governmental units, including other states and the U.S. government and departments thereof, having in common any portion of their territory or boundary, by agreement, may jointly or cooperatively exercise their powers to acquire, construct, and maintain any building for their joint use – counties and cities may jointly or cooperatively exercise their powers to acquire equipment or construct roads and bridges – state agency or institution may enter an agreement with South Dakota to form a bistate authority to jointly exercise any authorized function – counties and cities may jointly issue bonds for the purposes provided for in ch. 21-03

- 54-40-08 State agencies and political subdivisions – any political subdivision of this state may enter into an agreement with any state agency or institution of this state for the use of buildings and facilities under the control of the state agency or institution
- 54-40-12 State agencies and political subdivisions – any political subdivision, nonprofit hospital, or nursing home of this state may enter into an agreement with any state agency or institution of this state to furnish or receive heat from a central heating source
- 54-40.1-04 Regional councils and political subdivisions – regional councils may receive funds and contract for services for planning and development purposes – may purchase and manage real property for business incubator and administrative functions
- 54-40.2-02 State agencies, political subdivisions, and Indian tribes - ch. 54-40.2, authorizing agreements between public entities and Indian Tribes, does not apply to agreements entered into under § 24-02-02.3 (with director of Department of Transportation) and ch. 54-38 (with Department of Human Services) or agreements entered into pursuant to a state or federally funded program or other activity, including any publicly announced offer of a grant, loan, request for proposal, bid, or other contract originating with a public agency, for which the tribal government is otherwise eligible under federal, state, or local law
- 54-40.3-01 State agencies and political subdivisions – any political subdivision of this state may enter into an agreement with any other political subdivision of this state for the joint administration of any power of one or more of them – any political subdivision of this state may enter into a joint powers agreement with a political subdivision of another state or Canadian province if the power to be jointly administered is authorized by this state and the other state or Canadian province – any political subdivision of this state may enter into an agreement with any agency, board, or institution of this state for the undertaking of any power which any of the parties is permitted by law to undertake
- 54-40.3-04 State or local criminal justice agencies - with approval of governing body, may enter an agreement with another state or a political subdivision of another state, for the joint exercise of peace officer duties

Chapter 54-40.4	County – city home rule
54-40.5-03	Political subdivisions – may enter into an agreement to transfer to the county its legal, administrative, and financial responsibilities for carrying out a power
54-44-04.5	Office of Management and Budget - shall fairly distribute, through donation, federal surplus property received by the state, to public agencies for the benefit of political subdivisions, and to certain nonprofit corporations - may collect service charges
54-44-04.6	Office of Management and Budget (OMB) - if surplus property is not disposed of by transfer at fair market value to state agencies, political subdivisions, and certain nonprofit corporations, it may be disposed of as follows: 1) if valued over \$3,000, dispose of by sealed bids or public auction to highest and best bidder or, 2) if valued at less than \$3,000, dispose of by sealed bids, public auction, or negotiation at fair value - OMB may establish a program to recycle and dispose of surplus property determined to be unsalable
54-44-14	Office of Management and Budget - may sell, lease, exchange, or transfer title or use of San Haven facilities and properties to the federal government or any public or private agency, organization, or business enterprise or any worthy undertaking - exempt from § 54-01-05.2
54-44.3-18	North Dakota Human Resource Management Services – may enter into agreement with any political subdivision to furnish services and facilities for the administration of the political subdivision’s personnel on merit principles
54-44.4-01	State agencies and institutions - shall obtain necessary commodities and services at competitive cost, consistent with quality, time, and performance requirements, except as otherwise provided by law
54-44.4-02	Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - OMB shall procure for all state agencies all materials, furniture, fixtures, printing, insurance, services, and other commodities, except those listed - OMB and state agencies must make purchases in accordance with this chapter, OMB rules, and OMB written policies

- 54-44.4-02.1 Office of Management and Budget (OMB) and state agencies or institutions - must comply with standards and guidelines for procurement of services established by OMB
- 54-44.4-03 Office of Management and Budget - may delegate to state agencies the authority to purchase certain items - delegation must specify what may be purchased and duration of the delegation
- 54-44.4-04 Office of Management and Budget - shall adopt rules necessary to administer the state purchasing under ch. 54-44.4 - certain written directives need not be adopted as rules
- 54-44.4-05 Office of Management and Budget (OMB) and procurement officers - except as otherwise provided in § 44-08-01, ch. 25-16.2, and this chapter, purchasing contracts must be awarded through bidding to the lowest responsible bidder considering conformity with specifications, terms of delivery, and quality and serviceability, unless it is determined to be advantageous to the state to select a contractor through a competitive proposal process using other or additional criteria - procurement officer may reject any or all bids or negotiate for a lower price with the successful bidder - OMB may enter into term contracts for the acquisition of commodities or services, and may make multiple awards for term commodity or service contracts when it is in the best interests of the state - all bids are exempt from the open records law until the date and time the bids are opened - OMB shall adopt rules specifying circumstances under which competition may be waived or limited, when negotiation may be used, and specifying the required justifications and procedures for using those methods of purchasing - OMB shall adopt rules related to sending notice of intent to make limited competitive, noncompetitive, and negotiated purchases - notice must describe needed commodity or service, the intended procurement method, and must state that vendors may submit bids or proposals for contracts to be awarded under this section

- 54-44.4-06 Office of Management and Budget (OMB) and institutions of higher education - definition and development of specifications - when it is determined to be impractical to initially prepare a purchase description to support an award based on price, a solicitation may be issued requesting the submission of unpriced offers to be followed by a competitive bidding or competitive proposal process limited to those bidders or offerors found to be qualified under the criteria set forth in the first solicitation
- 54-44.4-07 Office of Management and Budget (OMB), institutions of higher education, and state agencies to which authority to purchase has been delegated by OMB - are encouraged to purchase environmentally preferable products - where practicable, specifications for purchasing newsprint printing services should specify the use of soybean-based ink - in requesting bids for paper products, OMB must request information on the recycled content of such products - where practicable, biobased products should be specified - OMB and State Board of Higher Education shall develop guidelines for a biobased procurement program
- 54-44.4-08 Office of Management and Budget and any state agency that has authority to purchase products - shall ensure that at least 20% of the total volume of paper products being purchased contain at least 25% recycled material

54-44.4-09

Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - OMB shall maintain current lists of persons that desire to provide commodities or services to the state - every person that desires to bid or submit a proposal on contracts for commodities or services awarded under ch. 54-44.4 must be an approved vendor in order to be placed on the bidders list - OMB or purchasing agency shall use the list when issuing invitation for bids or request for proposals over the amount established for small purchases, except as otherwise provided in this section - OMB or purchasing agency shall use the list when sending notice of intent to make cooperative, limited competitive, noncompetitive, and negotiated purchases - procedure to become approved - procurement officer may authorize receipt of a bid or proposal from a vendor that is not on the list of approved vendors if the procurement officer makes a written determination that it is in the best interest of the state - the successful bidder or offeror must become approved before the award, but this approval requirement may be waived under certain circumstances - if two or more bids are identical, preference must be given pursuant to § 44-08-01.1, or preference must be given to approved vendors

54-44.4-10

Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - a contract for commodities or services may be entered by competitive sealed proposals when a determination is made that the use of competitive sealed bidding is either not practicable or not advantageous to the state - the request for proposal must state the relative importance of price and other factors and subfactors, if any - proposals are exempt from the open records law until an award is made - discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award - unless all proposals are rejected, award must be made to the responsible offeror whose proposal conforms to the solicitation and is determined, in writing, to be the most advantageous to the state, taking into consideration price and the evaluation factors set forth in the request for proposals - notice of award to be given to all offerors

54-44.4-11

Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - a procurement not exceeding the amount established by OMB or the State Board of Higher Education may be made in accordance with small purchase procedures - a small purchase need not be made through competitive sealed bidding or competitive sealed proposals, but small purchases must be made with competition that is practicable under the circumstances

54-44.4-12

Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - an interested party may protest the award of a contract, the notice of intent to award a contract, or a solicitation for commodities or services - process to deal with protest - decision by procurement officer - appeal to OMB of decision of procurement officer regarding protest

54-44.4-13

Office of Management and Budget (OMB) - OMB shall purchase commodities or services as requested by entities under the State Board of Higher Education and the legislative and judicial branches of state government - when OMB and State Board of Higher Education determine it is in the best interest of the state, OMB and entities under the State Board of Higher Education shall make joint purchases of like commodities or services of high common usage - if in best interest of the state, after considering price, contractual terms and conditions, and the availability of competition from approved vendors under § 54-44.4-09, OMB may agree to purchase commodities or services under contracts entered into by the United States general services administration or contracts of other government entities - OMB may participate in, sponsor, or administer a cooperative purchasing agreement with one or more government entities or a nonprofit organization established on behalf of public entities for the procurement of commodities or services in accordance with an agreement entered into between the participants - OMB may coordinate with the Department of Transportation (DOT) to establish or participate in contracts which may be made available to entities that have been determined by DOT to be transportation providers under ch. 39-04.2 eligible to receive state or federal funds - cooperative purchasing may include open-ended contracts that are available to other government entities, nonprofit organizations established on behalf of public entities, tribal agencies, or eligible transportation providers - before entering into a cooperative purchasing agreement, OMB must determine that the contracts were awarded through full and open competition or source selection methods specified in § 54-44.4-05 and shall send notice to approved vendors of OMB's intent to make a cooperative purchase

- 54-44.4-14 Office of Management and Budget (OMB) and state agencies to which authority to purchase has been delegated by OMB - OMB shall establish and maintain a procurement information web site on the Internet - web site must provide current information regarding North Dakota government procurement opportunities to inform potential vendors of the commodities and services sought by state entities - notwithstanding § 54-44.4-09, for each purchase of services or commodities over the amount established for small purchases, OMB and every purchasing agency shall provide procurement information on the web site - the time period and manner of providing procurement information on the web site must be in accordance with OMB rules - OMB may contract with a third party to assist in providing or maintaining the procurement information web site - a state entity may use the procurement information web site for the purchase of services and commodities that are not subject to the procurement requirements of ch. 54-44.4, including those listed
- 54-44.5-04 Department of Commerce Division of Community Services – shall assist political subdivisions, planning agencies, and the state with planning
- 54-44.5-07 Department of Commerce Division of Community Services – shall distribute federal community services block grant funds to community action agencies to carry out community action programs
- 54-44.7-01 State agencies - “architect, engineer, construction management, and land surveying services” includes incidental services, including studies, investigations, surveys, evaluations, consultations, planning, programming, conceptual designs, plans and specifications, cost estimates, inspections, construction management, shop drawing reviews, sample recommendations, preparation of operating and maintenance manuals, and other related services
- 54-44.7-02 State agencies - architect, engineer, construction management, and land surveying services must be procured as provided in ch. 54-44.7 - shall negotiate contracts for services on the basis of demonstrated competence and qualification for the particular type of services required

- 54-44.7-03 State agencies - each state agency shall establish its own architect, engineer, construction management, and land surveying services selection committee - committee shall, for each project, enumerate all required professional services, and prepare a formal invitation to firms for submission of information - invitation must be published and mailed upon request - committee shall hold interviews and evaluate each firm on certain criteria - committee shall select three firms, in priority order - committee shall submit report to governing body of state agency - agency determines finality of ranking report - governing body shall negotiate a contract for services with the most qualified firm at a compensation which is fair and reasonable to the state - if negotiations with the most qualified firm do not result in a satisfactory contract, negotiations with the next qualified firm must commence, etc.
- 54-44.7-04 State agencies - all state agencies securing architect, engineer, construction management, or land surveying services for projects for which the fees are estimated not to exceed \$35,000 may employ the architects, engineers, construction managers, and land surveyors by direct negotiation and selection, taking into account certain listed criteria - this procedure shall still follow state policy in ch. 54-44.7 - but fees to such firm may not exceed \$70,000 in the preceding year
- 54-44.7-05 State agencies - may not separate contracts for architect, engineer, and land surveying services or split or break projects for the purpose of circumventing the provisions of ch. 54-44.7
- 54-44.8-05 Information Technology Department - shall contract with a qualified provider to design and implement a telecommunications relay service that will allow persons who are communications-impaired to communicate via the telecommunications network with noncommunications-impaired persons - shall award this contract to the offeror whose proposal is the most advantageous to the state, considering certain listed criteria
- 54-46-12 Information Technology Department – the chief information officer, as the state records administrator, shall adopt rules regarding retention and disposition of county, city, and park district records, which these entities may use

- 54-46.1-05 Information Technology Department – except for higher education institutions, no state agency may enter into any contract for the purchase or lease of any microfilm equipment or services without approval of the chief information officer, as the state records administrator
- 54-52-02.1 Political subdivisions – may enter agreements with the Public Employees Retirement System Board to extend retirement benefits to employees
- 54-52.1-04 Public Employees Retirement Board - shall receive bids for the providing of hospital benefits coverage, medical benefits coverage, life insurance benefits coverage, and employee assistance program services - may receive bids separately for prescription drug coverage - shall accept one or more bids that best serves the interests of the state and its eligible employees - bids must be solicited by advertisement - consultants may be used in preparing bid proposals and evaluating bids - board shall consider certain listed factors when considering bids - may reject any or all bids and, in the event it does so, shall again solicit bids
- 54-52.1-04.1 Public Employees Retirement Board - notwithstanding § 54-52.1-04, the Board may contract with one or more health maintenance organizations to provide eligible employees the option of membership in a health maintenance organization
- 54-52.1-04.2 Public Employees Retirement Board - may establish a self-insurance plan for providing health insurance benefits coverage and prescription drug coverage - may be established only if the Board determines that self-insurance is less costly than the lowest bid submitted by a carrier for underwriting the plan with equivalent contract benefits - upon establishing a self-insurance plan, the Board shall solicit bids and the Board may negotiate an existing self-insurance contract during the interim - bids must be opened at public meeting
- 54-52.1-04.7 Public Employees Retirement Board - may establish a dental plan, a vision plan, or both, for eligible employees - shall receive bids pursuant to § 54-52.1-04 - may reject any or all bids and provide a plan of self-insurance

- 54-52.1-04.8 Public Employees Retirement Board - shall establish a long-term care plan for eligible employees - shall receive bids under § 54-52.1-04 - may reject any or all bids and provide a plan of self-insurance
- 54-52.1-04.9 Public Employees Retirement Board - shall establish an employee assistance program available to persons in the medical and hospital benefits coverage group - shall receive bids under § 54-52.1-04
- 54-52.1-04.15 Public Employees Retirement Board – if the prescription drug coverage component of a health insurance benefits coverage contract received in response to a request for bids under § 54-52.1-04 utilizes the services of a pharmacy benefits manager, in addition to the factors in § 54-52.1-04, the Board shall give preference to an insurer’s contract that provides listed information to the Board
- 54-52.1-05 Public Employees Retirement Board – contracts for hospital benefits coverage, medical benefits coverage, medical benefits coverage, or prescription drug coverage – board may renew contract without soliciting a bid under § 54-52.1-04, if certain determinations are made – if the board makes certain determinations and determinates to solicit a bid under § 54-52.1-04, the board shall specify its reasons for soliciting a bid
- 54-59-02 Information Technology Department (ITD), state agencies, and political subdivisions – ITD is responsible for all wide area network services planning, selection, and implementation for all state agencies, counties, cities, and school districts
- 54-59-05 Information Technology Department (ITD), state agencies, and political subdivisions - ITD shall provide, supervise, and regulate information technology of all state agencies, excluding the institutions under the control of the Board of Higher Education - ITD may purchase, finance the purchase, or lease equipment, software, or implementation services, or replace, including by trade or resale, equipment or software – ITD may provide wide area network services to a state agency, city, county, school district, or other political subdivision

- 54-59-08 Information Technology Department (ITD), state agencies, and political subdivisions – each state agency, county, city, and school district that desires access to wide area network services shall obtain those services from ITD – exemptions for certain political subdivisions and 911 services
- 54-59-09 Information Technology Department (ITD), state agencies, and other entities – executive branch agencies except higher education institutions shall comply with statewide information technology policies unless exempted – unless exempted, entities receiving wide area network services provided by ITD shall comply with policies
- 54-59-22 Information Technology Department (ITD) and state agencies – each state agency, excluding the legislative and judicial branches, higher education institutions, the attorney general, and other exempted entities, shall obtain electronic mail, file and print server administration, database administration, storage, application server, and hosting services through ITD
- 54-59-22.1 Information Technology Department (ITD) and state agencies – certain listed state agencies shall obtain centralized desktop support services from ITD
- 54-59-32 Information Technology Department (ITD) and state agencies – executive branch agencies, excluding higher education institutions, proposing to conduct a major information technology project, ITD, and the Office of Management and Budget, in consultation with the Attorney General shall collaborate on the procurement, contract negotiation, and contract administration of the project – involvement of an executive steering committee – contract and amendments may not be entered unless signed by agency head and ITD
- 54-60-04 North Dakota Economic Development Foundation – shall seek funding from the private sector and distribute private sector funds for use in commerce – related activities
- 54-60-28 Department of Commerce - shall, to the extent possible, use competitive bidding in the establishment and administration of an unmanned aircraft systems test site
- 54-60.3-03 Agricultural Products Utilization Commission – may contract with public entities or private parties for services

- 55-01-02 State Historical Society – board may dispose of or transfer articles in the collections – may acquire lands, materials, and easements for historical purposes
- 55-01-10 State Historical Society - upon authorization by the State Historical Board, the State Historical Society may transfer certain lands to another state agency in exchange for lands held by the other agency, and the other agency may make the necessary conveyance to transfer lands held by it to the State Historical Society to effect the exchange
- 55-02-07.2 State agencies and political subdivisions – process to follow before improving, altering, or destroying historically significant property to protect public health or safety, to provide access for disabled persons, and to ensure structural integrity
- 55-03-06 State agencies and municipal subdivisions – when land is sold or leased, the title to all archaeological or paleontological materials must be retained
- 55-04-01 State and counties – may acquire or lease lands to establish a public park or recreation area for the purpose of constructing and operating any water or wildlife conservation project
- 55-08-01.3 Parks and Recreation Department – director shall accept gifts of property; acquire real property; lease, sell or exchange real property; and sell, mortgage, or dispose of property
- 55-10-08 State agencies and political subdivisions – process to follow before demolishing or altering a state historic site – may acquire fee title to a state historic site, or a historic easement
- 55-10-11 State Historical Society, and state agencies and local governments - State Historical Society may transfer funds made available to the state to other state agencies, local governments, etc., for the acquisition of title or interests in and for the development of, any district, site, property, structure, or object significant in American history, architecture, archaeology, and culture
- 55-11-05 Parks and Recreation Department – may acquire nature preserves by gift, exchange, or purchase, with approval of the legislative assembly or the Governor

- 57-06-22 County sheriff - collection of delinquent taxes from public utilities - county treasurer shall collect such delinquent taxes in the same manner as provided in ch. 57-22 for the collection of delinquent personal property taxes - where collection is made by seizure and sale, the county sheriff must sell at public auction at county courthouse
- 57-14-08(2) Board of county commissioners - may order a new assessment of property for tax purposes - may select a special assessor by competitive bidding or a process determined by the board of county commissioners
- 57-15-06.6 Board of county commissioners - may levy a tax not exceeding 10 mills plus any voter-approved additional levy for the following capital projects: correctional centers or contracting for corrections center space capacity; real estate for public parks, and constructing and maintaining recreational facilities; real estate for county buildings and operations, and constructing and maintaining county buildings and property; real estate for county fair buildings and operations, and constructing and maintaining county fair buildings and property; acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and debt service for county supported airports or airport authorities and expenditures for the cost of leasing as an alternative means of financing for these purposes
- 57-15-12.3 Board of city park commissioners - may levy taxes not exceeding 10 mills for acquiring real estate, and for construction, renovation, repair, and furnishing of recreation facilities
- 57-15-19.2 Board of township supervisors - special road fund may be expended for road construction, graveling, snow removal, or surfacing
- 57-15-19.4 Townships - electors may levy a tax for cooperating with the county in constructing and maintaining roads and bridges

- 57-15-38 Cities - may levy a tax for a capital improvements fund not exceeding 10 mills when authorized by a majority of the electors - the capital improvements fund may be used for waterworks systems, sewage systems, public buildings, public improvements, acquiring real estate for public buildings, participating in urban renewal programs, capital improvements and equipment for fire department stations, capital improvements and equipment for stations for police protection services and correctional facilities, and acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and supporting debt service for city-supported airports or airport authorities – may levy a tax for a capital improvements fund not exceeding 10 mills under § 57-15-10 when authorized by 60% or more of voters – may levy an additional tax for a capital improvements fund between 10 and 20 mills under § 57-15-10 when authorized by 60% or more of voters
- 57-15-42 Cities - may provide funding from the capital improvements fund levy under § 57-15-38, for a fire department capital improvements and equipment acquisition and maintaining structural and mechanical components for fire department stations
- 57-15-53 Cities - may provide funding from the capital improvements fund levy under § 57-15-38, for construction costs and costs of maintaining structural and mechanical components of stations for police protection services and correctional facilities
- 57-22-04 County sheriff - collection of delinquent personal property taxes - when collection by distraint, sheriff shall take property and sell at public auction after posting notice
- 57-28-14 Counties - lands received for nonpayment of taxes when lands not redeemed - notice of annual sale - sale to begin on third Tuesday of November
- 57-28-15 Counties - lands received for nonpayment of taxes when lands not redeemed - annual sale - land sold at auction to highest qualified bidder for no less than minimum sale price fixed before the sale - unqualified bidder is one who owes delinquent taxes to any county

- 57-28-17 Counties - lands received for nonpayment of taxes when lands not redeemed - between annual sales, lands may be sold at private sale - lands subject to a city's special assessment lien may be sold to that city for cash at any price agreed upon by the county and the city
- 57-28-17.1 Counties - lands received for nonpayment of taxes when lands not redeemed - between annual sales, lands may be sold at private sale using real estate brokers and nonexclusive listing agreements - county may reject any and all insufficient offers - lands subject to a city's special assessment lien must first be offered for sale to the city
- 57-28-18 Counties - lands received for nonpayment of taxes when lands not redeemed - lands sold at private sale between annual November sales - same terms and conditions as at annual sale - sale of farmland is subject to any existing lease for that year - notice to interested parties of right to repurchase farmland
- 57-28-19 Counties - lands received for nonpayment of taxes when lands not redeemed - rights of repurchase - if there are delinquent special assessments owed to a city, the city has a right to purchase the property for cash, prior to that of any party
- 57-28-20 Counties - lands received for nonpayment of taxes when lands not redeemed - distribution of proceeds of public or private sale of lands
- 57-28-23 Counties - may lease lands received for nonpayment of taxes when lands not redeemed
- 57-28-27 Counties - may refuse to sell or lease any agricultural lands held under a tax deed in certain listed circumstances
- 57-29-01 State agencies - suspension of tax liens on state-acquired lands
- 57-30-01 Counties - may maintain any action to determine adverse claims and to quiet title to lands acquired through tax deed proceedings
- 57-32-05 Tax Commissioner - taxation of express companies and air transportation companies - collection of delinquent taxes by seizure and sale at public auction to highest bidder, after public notice

- 57-39.2-12(3) Tax Commissioner - may require deposit of securities, which may be sold at public or private sale, without notice, if sales taxes or penalties are due and unpaid
- 57-40.2-07(8) Tax Commissioner - may require deposit of securities, which may be sold at public or private sale, without notice, if use taxes or penalties are due and unpaid
- 57-45-13 State officers charged with enforcement of payment or collection of taxes owed to the state - after notice, certified to sheriff for collection - sheriff shall distrain sufficient property belonging to taxpayer - after posting notice, sheriff shall sell property at public sale
- 57-51-12 Tax Commissioner - if oil and gas gross production tax is delinquent, Tax Commissioner shall direct sheriff to seize property - sheriff shall sell property, as upon execution - Tax Commissioner may bid at sale
- 57-61-01.5 Industrial Commission - shall adopt rules for submission and consideration of research, development, and marketing proposals and entering into contracts under the lignite research, development, and marketing program
- 57-65-15 Tax Commissioner - if potash tax is delinquent, Tax Commissioner shall direct sheriff to seize property - sheriff shall sell property and make return upon execution - Tax Commissioner may bid at sale
- 58-02-28 Townships - disposition of property and records when township is dissolved
- 58-03-01 Townships – may purchase lands and personal property
- 58-03-16 Townships - sale of real property - if valued at less than \$1,000, it may be sold at private sale - otherwise, it must be sold at public sale, after published notice - notice must specify whether the bids are to be received at auction or as sealed bids - must be sold to highest bidder if deemed sufficient
- 58-05-12 Townships - conditions under which township officers may have an interest in a contract with the township - solicitation of bids

- 58-13-04 Townships - if charges for impounded animals are not paid for and animals removed, poundmaster shall publish notice of public sale - shall sell animals to highest bidder
- 58-17-01 Townships – may acquire, construct, lease, and operate parks
- 58-18-08 Townships – may construct projects through the collection of special assessments under chs. 40-22, 40-23, 40-23.1, 40-24, 40-25, 40-26, 40-27, and 40-28 and the issuance and sale of warrants and bonds for financing improvements
- 61-02-14 State Water Commission – may construct and operate works and projects – may sell or lease waters – may acquire and develop lands
- 61-02-22 State Water Commission – acquisition of necessary property and power of condemnation
- 61-02-23.2 State Water Commission - may issue request for proposals to design and build Devils Lake outlet - may select proposal that is most advantageous to state - chs. 48-01.2, 54-44.7, and other laws requiring bidding do not apply if the design and build procedure is used
- 61-04.1-16 North Dakota Atmospheric Resource Board - application and issuance of weather modification operations permits - applicant must furnish performance bond required by § 61-04.1-34 and bid bond required by § 61-04.1-35
- 61-04.1-33 North Dakota Atmospheric Resource Board - contracts for licensed persons to engage in weather modification activities - when contract is over \$10,000 in any one year, the Board shall advertise for proposals - Board shall follow the manner and form of bidding required for the purchase of supplies by the Office of Management and Budget
- 61-04.1-34 North Dakota Atmospheric Resource Board - contracts for licensed persons to engage in weather modification activities - persons must provide surety bond or cash or negotiable securities for the faithful performance of the contract

- 61-04.1-35 North Dakota Atmospheric Resource Board - contracts for licensed persons to engage in weather modification activities - bids must be accompanied by a separate envelope containing a bidder's bond or cash or negotiable securities in a sum equal to 5% of the bid
- 61-07-01 Irrigation districts – may lease and own real and personal property – may exercise right of eminent domain
- 61-07-03 Irrigation districts – board shall acquire rights of way, lands, easements, power lines, water rights, and existing irrigation works – board shall determine a method for financing irrigation works – board shall enter into contracts or leases for the purpose of financing irrigation works – board shall acquire real property, buildings, improvements, and equipment
- 61-07-09 Irrigation districts - board of directors shall secure bids for irrigation works as provided in ch. 48-01.2 - contracts for purchase of materials awarded to lowest and best bidder - person awarded bid shall furnish a performance bond in an amount at least equal to the contract price - this section does not apply to contracts with United States agencies or the State Water Commission
- 61-11-09 Irrigation districts - dissolution - board of directors shall publish notice of sale of irrigation district's property and shall receive sealed bids - board of directors shall open and consider all bids, and may reject any and all bids which do not offer a fair and just consideration
- 61-11-10 Irrigation districts - dissolution - if all bids are rejected, board of directors, by private negotiation, may sell and convey the property
- 61-12-25 County boards of flood irrigation - shall advertise bids in accordance with ch. 48-01.2 for the construction of all work required for its projects, as shown by the plans and specifications on file

- 61-16.1-09 Water resource districts – board may exercise the power of eminent domain; accept funds and property, hire experts; construct dams, water conservation and management devices, and water channels; construct and operate recreational facilities; acquire real and personal property; sell or lease personal and real property; finance the construction of water conservation and flood control projects; borrow money; construct and operate sanitary and storm sewer systems; and develop water supply systems
- 61-16.1-09.1 Water resource districts – board may snag, clear, and maintain natural watercourses – may finance through special assessments
- 61.16.1-12 Water resource districts – board may purchase or lease land or other property in adjoining states or provinces
- 61-16.1-14 Water resource districts - if cost of construction or maintenance of a project does not exceed the amount provided for construction of a public improvement under § 48-01.2-02, the work may be done on a day work basis or a contract may be let without being advertised - if cost of construction or maintenance exceeds the amount provided for construction of a public improvement under § 48-01.2-02, board must let contract in accordance with ch. 48-01.2
- 61-16.1-44 Water resource districts - board may advertise for bids to supply culverts and pipe arches and may accept one or more low bids - board may utilize bids for such materials received by the county within which the board has jurisdiction and may accept one or more low bids - board may then purchase materials from the accepted low bidder or bidders for a period of one year
- 61-21-25 Water resource districts - board shall let contracts for the construction of the drain, culverts, bridges and appurtenances thereto, or portions thereof in accordance with ch. 48-01.2
- 61-21-26 Water resource districts - board may relet unfinished portion of contract to lowest responsible bidder and shall take security
- 61-21-27 Water resource districts - levies and assessments for drain - § 61-21-52 applies

- 61-21-30 Water resource districts - additional assessment to meet deficit or additional expense - § 61-21-52 applies
- 61-21-32.1 Water resource districts - board may advertise for bids to supply culverts and pipe arches and may accept one or more low bids - board may utilize bids for such materials received by the county within which the board has jurisdiction and may accept one or more low bids - board may then purchase materials from the accepted low bidder or bidders for a period of one year
- 61-21-45 Water resource districts - if cost of any work of cleaning out or repairing any drain, or system of legal drains, if more than one cleaning or repair project is carried on under one contract, does not exceed the amount provided for construction of a public improvement under § 48-01.2-02 in any one year, the work may be done on a day work basis or a contract may be let without being advertised - if the cost of such work exceeds the amount provided for construction of a public improvement under § 48-01.2-02 in any one year, a contract must be let in accordance with ch. 48-01.2 - bidding may be waived if board determines that an emergency exists requiring the prompt repair of a project
- 61-21-52 Water resource districts - assessments for drains - special drain taxes shall be collected and enforced in the same manner as for other taxes provided in title 57 - if no satisfaction of tax lien is made, the affected property shall pass absolutely to the board on foreclosure of tax lien upon proper payment, and may thereafter be sold by the board at public sale
- 61-24-08 Garrison Diversion Conservancy District – board may exercise the power of eminent domain; accept funds and property; construct an office or other buildings or facilities; sell or exchange real property; borrow money; issue bonds; and construct projects

- 61-24.3-03.1 State Water Commission - contracts for the purchase of pipeline materials, labor, or services regarding the construction of the southwest water pipeline project - must be awarded to North Dakota resident pipeline manufacturers and bidders for labor and services making the lowest responsible bids if those bids do not exceed by more than 5% the lowest responsible bid submitted by a nonresident pipeline manufacturer or bidder for labor or services - this section does not apply to certain federal contracts, contracts covered under ch. 48-01.2, or to architect, engineer, professional right of way, and land surveying services
- 61-24.3-10 State Water Commission - may sell, transfer, or exchange property acquired for the southwest pipeline project that is not necessary - § 54-01-05.2 does not apply
- 61-24.5-09 Southwest Water Authority – board may exercise the power of eminent domain; accept funds, property, and services; construct or purchase an office or other buildings; sell or exchange real property; and pay for leasing any waterworks, mains, and water distribution system
- 61-35-12 Water districts – board may exercise the power of eminent domain; accept funds, property, and services; construct, lease, or purchase an office or other buildings; sell or exchange real property; borrow money; issue bonds; acquire property required for any project; and pay for leasing any waterworks, mains, and water distribution system
- 61-35-13 Water districts - if cost of construction or maintenance of a project does not exceed the amount provided for construction of a public improvement under § 48-01.2-02, the work may be done on a day work basis or a contract may be let without being advertised - if cost of the construction or maintenance exceeds the amount provided for construction of a public improvement under § 48-01.2-02, the lowest and best bid must be accepted - board must comply with §§ 61-35-88 through 61-35-103 when bidding a project - bidding may be waived if board determines an emergency exists requiring the prompt repair of a project
- 61-35-59 Water districts - if less than 50% of the landowners vote against the project, it may proceed - shall comply with §§ 61-35-88 through 61-35-103 unless there is an agreement that a party other than the board will let the contract

- 61-35-88 Water districts - proposals for the work of making improvements over the amount provided for construction of a public improvement under § 48-01.2-02 must be advertised - board may combine two or more improvements and award one contract - contents of advertisement for bids
- 61-35-89 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - bids must be accompanied by a separate envelope containing a bidder's bond in the amount of 5% of the bid
- 61-35-90 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - bidder's bond may be provided by a surety company or by a bank letter of credit, a cash bond, or a certified check
- 61-35-91 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - contents of bidder's bond - must provide that the bidder awarded the contract will execute a contract bond in a sum equal to the amount of the bid and a contract to complete the work and pay for all labor and materials
- 61-35-92 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - bids must be sealed and have a statement on the outside of the envelope indicating what work the proposal is for - only bids accompanied by a bidder's bond provided for in § 61-35-89 may be considered
- 61-35-93 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - after being opened, bids must be entered upon meeting minutes and preserved by secretary

- 61-35-94 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - board may reject any and all bids - if all bids are rejected, board may: 1) readvertise for new bids, 2) cause the work to be done directly by the water district or in any other manner provided the improvement is no more than the amount provided for construction of a public improvement under § 48-01.2-02, or 3) cause the work to be reevaluated by the engineer for the district so the board may determine whether the entire project or only a portion of the project is feasible
- 61-35-95 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - before adopting or rejecting any bid, the board shall require the district's engineer to estimate the cost of the work - board may not award the contract to any bidder if the engineer's estimate exceeds the engineer's previous estimate by 40% or more - if all bids are not rejected, board shall award contract to lowest responsible bidder
- 61-35-96 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - successful bidder shall file with the district a contract bond in a sum equal to the full amount of the contract - bond must be executed by contractor and by surety company
- 61-35-97 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - contents of contractor's bond - must provide that the contractor will perform the work and pay for all labor and materials - recovery under the contractor's bond
- 61-35-98 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - contractor's bond must be approved by governing body - upon execution of contract and approval of contractor's bond, bidder's bond must be returned
- 61-35-99 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - if successful bidder does not execute contractor's bond and a contract, the board may cause the work to be done, or it may contract with some other contractor to do or complete the work - district may recover on the defaulting bidder's bond

- 61-35-100 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - if board, at any time, deems the bond of a contractor insufficient, it may require the contractor to furnish a new bond - effect of failure to furnish new bond
- 61-35-102 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - contract must provide that the board has the right to suspend work for improper construction and to relet the contract or order reconstruction - district's engineer shall provide construction administration and observation of the work during its progress - after contract is awarded and before work is completed, a district, without advertising for bids, may order additional work done by that contractor of the same character as the work that was contracted for provided the additional work does not exceed 20% of the amount estimated by the district's engineer to be payable for that character of work under the original contract
- 61-35-103 Water districts - improvements over the amount provided for construction of a public improvement under § 48-01.2-02 - payment of contractor - retainage of 10% of estimates until project is 50% complete - final payment following completion and acceptance of the project - investment of retainage
- 62.1-01-02 Law enforcement agencies, political subdivisions, Game & Fish Department, and state agencies – firearm or dangerous weapon used or possessed while committing a felony or misdemeanor involving violence or intimidation must be seized, and dangerous weapon must be disposed of in manner indicated – subject to the duty to return firearms to innocent owners, all firearms which are forfeited, recovered as stolen and unclaimed, or abandoned, and are no longer needed, shall be disposed of as provided in this section
- 62.1-05-01 Law enforcement agencies - a weapon seized for unlawful purchase, sale, or possession may be sold at public auction, retained for use, or destroyed pursuant to the court's order

65-02-21

Workers Compensation Bureau - may contract for the services of a third-party administrator to implement a managed care program by soliciting bids - Bureau shall award contract to bidder who will best serve the interests of the Bureau and the employees - contract must be for the period of a biennium - Bureau may renew, renegotiate, or rebid a contract based upon contract performance, cost, and the best interests of an employee who suffers a compensable injury

65-05.1-06.2

Workers Compensation Bureau - may contract with vocational rehabilitation vendors to provide vocational rehabilitation services to injured employees - Bureau may contract with the vendor for additional services