

AMENDMENTS TO LB790

Introduced by Slama, 1.

1 1. Strike original section 4 and insert the following new sections:

2 Section 1. Section 13-2904, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 13-2904 (1) Notwithstanding the procedures for public lettings in
5 sections 73-101 to 73-106 or any other statute relating to the letting of
6 bids by a political subdivision, a political subdivision which follows
7 the Political Subdivisions Construction Alternatives Act may solicit and
8 execute a design-build contract or a construction management at risk
9 contract.

10 (2) The governing body of the political subdivision shall adopt a
11 resolution selecting the design-build contract or construction management
12 at risk contract delivery system provided under the act prior to
13 proceeding with the provisions of sections 13-2905 to 13-2914. The
14 resolution shall require the affirmative vote of at least two-thirds of
15 the governing body of the political subdivision. The resolution shall
16 include a statement that the political subdivision has made a
17 determination that the design-build contract or construction management
18 at risk contract delivery system is in the public interest based, at a
19 minimum, on one of the following criteria: (a) Savings in cost or time;
20 or (b) requirement of specialized or complex construction methods
21 suitable for the design-build contract or construction management at risk
22 contract delivery system.

23 Sec. 2. Section 13-2914, Revised Statutes Supplement, 2019, is
24 amended to read:

25 13-2914 (1) A political subdivision shall not use a design-build
26 contract or construction management at risk contract under the Political
27 Subdivisions Construction Alternatives Act for a project, in whole or in

1 part, for road, street, or highway, ~~water, wastewater, utility, or sewer~~
2 construction. ~~7~~

3 ~~(2) A except that~~ a city of the metropolitan class may use a design-
4 build contract or construction management at risk contract under the
5 Political Subdivisions Construction Alternatives Act for the purpose of
6 complying with state or federal requirements to control or minimize
7 overflows from combined sewers.

8 (3) A political subdivision may use a design-build contract or
9 construction management at risk contract under the Political Subdivisions
10 Construction Alternatives Act for a project, in whole or in part, for
11 water, wastewater, utility, or sewer construction.

12 Sec. 3. Original sections 13-2904, 73-507, 81-153, and 81-1118.06,
13 Reissue Revised Statutes of Nebraska, and section 13-2914, Revised
14 Statutes Supplement, 2019, are repealed.

15 2. Renumber the remaining sections accordingly.