

AMENDMENTS TO LB242

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

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

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

11 (2) The governing body of the political subdivision shall adopt a
12 resolution selecting the design-build contract or construction management
13 at risk contract delivery system provided under the act prior to
14 proceeding with the provisions of sections 13-2905 to 13-2914. The
15 resolution shall require the affirmative vote of at least two-thirds of
16 the governing body of the political subdivision.

17 (3) For projects described under subsection (2) of section 13-2914,
18 the governing body of the political subdivision may adopt a resolution
19 which provides for project payment on a set schedule over a period of
20 time that extends beyond the completion of construction.

21 Sec. 2. Section 13-2914, Revised Statutes Cumulative Supplement,
22 2020, is amended to read:

23 13-2914 (1) Except as specifically provided in subsection (2) of
24 this section, a A political subdivision shall not use a design-build
25 contract or construction management at risk contract under the Political
26 Subdivisions Construction Alternatives Act for a project, in whole or in
27 part, for road, street, highway, water, wastewater, utility, or sewer

1 construction, except that a city of the metropolitan class may use a
2 design-build contract or construction management at risk contract for the
3 purpose of complying with state or federal requirements to control or
4 minimize overflows from combined sewers.

5 (2) A political subdivision may use a design-build contract or
6 construction management at risk contract under the Political Subdivisions
7 Construction Alternatives Act for a project, in whole or in part, to
8 repair, retrofit, reconstruct, or replace any bridge.

9 Sec. 3. Original section 13-2904, Reissue Revised Statutes of
10 Nebraska, and section 13-2914, Revised Statutes Cumulative Supplement,
11 2020, are repealed.