

HB168 ENROLLED



1 KJ7EUA-3
2 By Representatives Underwood, Pettus, Rigsby, Lomax, Woods
3 RFD: State Government
4 First Read: 21-Mar-23
5 2023 Regular Session



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1 Enrolled, An Act,

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5 Relating to public works contracts; to amend Sections

6 39-1-1, 39-2-1, 39-2-2, and 39-2-6, Code of Alabama 1975, to

7 increase the threshold dollar amount for which competitive

8 bidding is generally required; to further provide for certain

9 notice procedures; to authorize the publication of notice by

10 electronic means; to authorize the use of electronic sealed

11 bids; and in connection therewith would have as its purpose or

12 effect the requirement of a new or increased expenditure of

13 local funds within the meaning of Section 111.05 of the

14 Constitution of Alabama of 2022.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 39-1-1, 39-2-1, 39-2-2, and 39-2-6,

17 Code of Alabama 1975, are amended to read as follows:

18 "§39-1-1

19 (a) Any person entering into a contract with an

20 awarding authority in this state for the prosecution of any

21 public works ~~shall~~, before commencing the work, shall execute

22 a performance bond, with penalty equal to 100 percent of the

23 amount of the contract price. In addition, another bond,

24 payable to the awarding authority letting the contract, shall

25 be executed in an amount not less than 50 percent of the

26 contract price, with the obligation that the contractor or

27 contractors shall promptly make payments to all persons

28 supplying labor, materials, or supplies for or in the



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29 prosecution of the work provided in the contract and for the
30 payment of reasonable ~~attorneys'~~attorney fees incurred by
31 successful claimants or plaintiffs in civil actions on the
32 bond.

33 (b) Any person that has furnished labor, materials, or
34 supplies for or in the prosecution of a public work and
35 payment has not been made may institute a civil action upon
36 the payment bond and have their rights and claims adjudicated
37 in a civil action and judgment entered thereon.
38 Notwithstanding the foregoing, a civil action shall not be
39 instituted on the bond until 45 days after written notice to
40 the surety of the amount claimed to be due and the nature of
41 the claim. The civil action shall be commenced not later than
42 one year from the date of final settlement of the contract.
43 The giving of notice by registered or certified mail, postage
44 prepaid, addressed to the surety at any of its places of
45 business or offices shall be deemed sufficient under this
46 section. In the event the surety or contractor fails to pay
47 the claim in full within 45 days from the mailing of the
48 notice, then the person or persons may recover from the
49 contractor and surety, in addition to the amount of the claim,
50 a reasonable ~~attorney's~~attorney fee based on the result,
51 together with interest on the claim from the date of the
52 notice.

53 (c) Every person having a right of action on the last
54 described bond as provided in this section ~~shall~~, upon written
55 application to the authority under the direction of whom the
56 work has been prosecuted, indicating that labor, material,



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57 foodstuffs, or supplies for the work have been supplied and
58 that payment has not been made, shall be promptly furnished a
59 certified copy of the additional bond and contract. The
60 claimant may bring a civil action in the claimant's name on
61 the bond against the contractor and the surety, or either of
62 them, in the county in which the work is to be or has been
63 performed or in any other county where venue is otherwise
64 allowed by law.

65 (d) In the event a civil action is instituted on the
66 payment bond, at any time more than 15 days before the trial
67 begins, any party may serve upon the adverse party an offer to
68 accept judgment in favor of the offeror or to allow judgment
69 to be entered in favor of the offeree for the money or as
70 otherwise specified in the offer. If within 10 days after the
71 service of the offer, the adverse party serves written notice
72 that the offer is accepted, either party may then file the
73 offer and notice of acceptance together with proof of service
74 and the clerk of the court shall enter judgment. An offer not
75 accepted shall be deemed withdrawn and evidence of the offer
76 shall not be admissible. If the judgment finally obtained by
77 the offeree is less favorable than the offer, the offeree
78 shall pay the reasonable ~~attorney's~~attorney fees and costs
79 incurred by the offeror after the making of the offer. An
80 offer that is made but not accepted does not preclude a
81 subsequent offer. When the liability of one party to another
82 party has been determined by verdict, order, or judgment, but
83 the amount or extent of the liability remains to be determined
84 by further proceedings, any party may make an offer of



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85 judgment, which shall have the same effect as an offer made
86 before trial if the offer is made no less than 10 days prior
87 to the commencement of hearings to determine the amount or
88 extent of liability.

89 (e) This section shall not require the taking of a bond
90 to secure contracts in an amount less than ~~fifty thousand~~
91 ~~dollars (\$50,000)~~ one hundred thousand dollars (\$100,000).

92 (f) (1) The contractor ~~shall~~, immediately after the
93 completion of the contract, shall give notice of the
94 completion by ~~an advertisement in a newspaper of general~~
95 ~~circulation published within the city or county in which the~~
96 ~~work has been done, for a period of four successive~~
97 ~~weeks.~~ publishing the notice for a minimum of three weeks using
98 one or more of the following methods:

99 a. In a newspaper of general circulation in the county
100 or counties in which the work, or some portion thereof, has
101 been done.

102 b. On a website that is maintained by a newspaper of
103 general circulation in the county or counties in which the
104 work, or some portion thereof, has been done.

105 c. On a website utilized by the awarding authority for
106 publishing notices.

107 (2) If no newspaper is published in the county in which
108 the work was done, and if the awarding authority does not
109 utilize a website for the purpose of publishing notices, the
110 notice may be given by posting at the courthouse for 30 days,
111 and proof of the posting of the notice shall be given by the
112 awarding authority and the contractor.



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113 (3) A final settlement shall not be made upon the
114 contract until the expiration of 30 days after the completion
115 of the notice. Proof of publication of the notice shall be
116 made by the contractor to the authority by whom the contract
117 was made by affidavit of the publisher or website owner and a
118 printed copy of the notice published. ~~If no newspaper is
119 published in the county in which the work is done, the notice
120 may be given by posting at the courthouse for 30 days, and
121 proof of same shall be made by the judge of probate, sheriff,
122 and the contractor.~~

123 (4) For contracts for road resurfacing materials that
124 are awarded on an annual basis, where the bid specifications
125 include options such as a unit price for materials, a unit
126 price for the delivery of materials, or a unit price for
127 materials to be laid in place by the bidder, notice of
128 completion pursuant to this subsection may be given on an
129 annual basis upon completion of the project as a whole, rather
130 than at the completion of each proceed order.

131 (g) Subsection (f) shall not apply to contractors
132 performing contracts of less than ~~fifty thousand dollars~~
133 ~~(\$50,000)~~ one hundred thousand dollars (\$100,000) in amount. ~~In
134 such cases, the governing body of the contracting agency, to
135 expedite final payment, shall cause notice of final completion
136 of the contract to be published one time in a newspaper of
137 general circulation, published in the county of the
138 contracting agency and shall post notice of final completion
139 on the agency's bulletin board for one week, and shall require
140 the contractor to certify under oath that all bills have been~~



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141 ~~paid in full. Final settlement with the contractor may be made~~
142 ~~at any time after the notice has been posted for one entire~~
143 ~~week."~~

144 "§39-2-1

145 As used in this title, the following words shall have
146 the meanings ascribed to them as follows:

147 (1) AWARDING AUTHORITY. Any governmental board,
148 commission, agency, body, authority, instrumentality,
149 department, or subdivision of the state, its counties and
150 municipalities. This term includes, but shall not be limited
151 to, the Department of Transportation, ~~the State Building~~
152 ~~Commission~~ the Division of Real Property Management of the
153 Department of Finance, the State Board of Education, and any
154 other entity contracting for public works. This term shall
155 exclude the State Docks Department and any entity exempted
156 from the competitive bid laws of the state by statute.

157 (2) FORCE ACCOUNT WORK. Work paid for by reimbursing
158 for the actual costs for labor, materials, and equipment usage
159 incurred in the performance of the work, as directed,
160 including a percentage for overhead and profit, where
161 appropriate.

162 (3) LIFE CYCLE COSTS. The total cost of ownership over
163 the extended life of a public works project, taking into
164 consideration the costs of construction, operation, and
165 maintenance, less any value obtained from salvage and
166 quantifiable environmental benefits, or the sum of all
167 recurring and one-time (non-recurring) costs over the full
168 life span or a specified period of a good, service, structure,



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169 or system, including purchase price, installation costs,
170 operating costs, maintenance and upgrade costs, and remaining
171 (residual or salvage) value at the end of ownership or its
172 useful life.

173 (4) PERSON. Natural persons, partnerships, limited
174 liability companies, corporations, and other legal entities.

175 (5) PUBLIC PROPERTY. Real property which the state,
176 county, municipality, or awarding authority thereof owns or
177 has a contractual right to own or purchase, including
178 easements, rights-of-way, or otherwise.

179 (6) PUBLIC WORKS. The construction, installation,
180 repair, renovation, or maintenance of public buildings,
181 structures, sewers, waterworks, roads, curbs, gutters, side
182 walls, bridges, docks, underpasses, and viaducts as well as
183 any other improvement to be constructed, installed, repaired,
184 renovated, or maintained on public property and to be paid, in
185 whole or in part, with public funds or with financing to be
186 retired with public funds in the form of lease payments or
187 otherwise."

188 "§39-2-2

189 (a) (1) Before entering into any contract for a public
190 works involving an amount in excess of ~~fifty thousand dollars~~
191 ~~(\$50,000)~~ one hundred thousand dollars (\$100,000), the
192 awarding authority shall advertise for sealed bids, except as
193 provided in subsection (j).

194 (2)a. If the awarding authority is the state, or ~~or~~ a
195 county, or an instrumentality thereof, it shall advertise for
196 sealed bids at least once each week for three consecutive



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197 weeks in a newspaper of general circulation in the county or
198 counties in which the improvement, or some part thereof, is to
199 be made.

200 b. If the awarding authority is a municipality, or an
201 instrumentality thereof, it shall advertise for sealed bids at
202 least once in a newspaper of general circulation published in
203 the municipality where the awarding authority is located. If
204 no newspaper is published in the municipality, the awarding
205 authority shall advertise by posting notice thereof on a
206 bulletin board maintained outside the purchasing office and in
207 any other manner and for the length of time as may be
208 determined. In addition to bulletin board notice, sealed bids
209 shall also be solicited by sending notice by mail to all
210 persons who have filed a request in writing with the official
211 designated by the awarding authority that they be listed for
212 solicitation on bids for the public works contracts indicated
213 in the request. If any person whose name is listed fails to
214 respond to any solicitation for bids after the receipt of
215 three such solicitations, the listing may be canceled.

216 ~~(3) With the exception of the Department of~~
217 ~~Transportation, for all public works contracts involving an~~
218 ~~estimated amount in excess of five hundred thousand dollars~~
219 ~~(\$500,000), awarding authorities shall also advertise for~~
220 ~~sealed bids at least once in three newspapers of general~~
221 ~~circulation throughout the state.~~

222 ~~(4)~~ (3) The advertisements shall briefly describe the
223 improvement, state that plans and specifications for the
224 improvement are on file for examination in a designated office



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225 of the awarding authority, state the procedure for obtaining
226 plans and specifications, state the time and place in which
227 bids shall be received and opened, and identify whether
228 prequalification is required and where all written
229 prequalification information is available for review.

230 ~~(5)~~ (4) All bids shall be opened publicly at the
231 advertised time and place.

232 ~~(6)~~ (5) No public work, as defined in this chapter,
233 involving a sum in excess of ~~fifty thousand dollars (\$50,000)~~
234 one hundred thousand dollars (\$100,000) shall be split into
235 parts involving sums of ~~fifty thousand dollars (\$50,000)~~ one
236 hundred thousand dollars (\$100,000) or less for the purpose of
237 evading the requirements of this section.

238 (b) (1) An awarding authority may let contracts for
239 public works involving ~~fifty thousand dollars (\$50,000)~~ one
240 hundred thousand dollars (\$100,000) or less with or without
241 advertising or sealed bids.

242 (2) An awarding authority may enter into a contract for
243 public works if an advertisement for sealed bids for the
244 contract was submitted by the awarding authority to a
245 newspaper and the newspaper only published the advertisement
246 for two weeks if the authority can provide proof that it, in
247 good faith, submitted the advertisement to the newspaper with
248 instructions to publish the notice in accordance with the
249 provisions of this section.

250 (c) All contracts for public works entered into in
251 violation of this title shall be void and violative of public
252 policy. Anyone who willfully violates this article concerning



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253 public works shall be guilty of a Class C felony.

254 (d) (1) Excluded from the operation of this title shall
255 be contracts with persons who shall perform only
256 architectural, engineering, construction management, program
257 management, or project management services in support of the
258 public works and who shall not engage in actual construction,
259 repair, renovation, or maintenance of the public works with
260 their own forces, by contract, subcontract, purchase order,
261 lease, or otherwise.

262 (2) Excluded from operation of the bidding requirements
263 in this title are contracts for the purchase of any heating or
264 air conditioning units or systems by any awarding authority
265 subject to Chapter 13B of Title 16, or Article 3, commencing
266 with Section 41-16-50, of Chapter 16 of Title 41, or Article
267 5, commencing with Section 41-4-110, of Chapter 4 of Title 41,
268 provided the contract is entered into with an Alabama vendor
269 who has been granted approved vendor status for the sale of
270 heating or air conditioning units or systems as a part of a
271 purchasing cooperative, and each of the following occur:

272 a. The heating or air conditioning unit or system being
273 purchased is available as a result of a competitive bid
274 process conducted by a governmental entity which has been
275 approved by the Department of Examiners of Public Accounts.

276 b. The purchase of the heating or air conditioning unit
277 or system is not available on the state purchasing program at
278 the time or the purchase under the purchasing cooperative is
279 available at a price that is equal to or less than that
280 available through the state purchasing program.



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281 c. The entity entering into the contract for the
282 purchase of the heating or air conditioning unit or system has
283 been notified by the Department of Examiners of Public
284 Accounts that the competitive bid process utilized by the
285 cooperative program offering the goods complies with this
286 subdivision.

287 d. Upon request, the vendor has provided the purchasing
288 entity with a report of sales made under this subdivision
289 during the previous 12-month period, to include a general
290 description of the heating or air conditioning units and
291 systems sold, the number of units sold per entity, and the
292 purchase price of the units.

293 e. The exemption from the requirement to utilize sealed
294 bids for the purchase of heating or air conditioning units or
295 systems authorized by this section shall not serve to exempt
296 any public works project from the remaining provisions of this
297 article, including, but not limited to, design, installation,
298 and review requirements, compliance with all applicable codes,
299 laws, specifications, and standards, and the compensation of
300 engineers, architects, or others as mandated by state law or
301 rule.

302 (e) ~~(1) In case of an emergency affecting public health,~~
303 ~~safety, or convenience, as declared in writing by the awarding~~
304 ~~authority, setting forth the nature of the danger to the~~
305 ~~public health, safety, or convenience which would result from~~
306 ~~delay, contracts may be let to the extent necessary to meet~~
307 ~~the emergency without public advertisement. The action and the~~
308 ~~reasons for the action taken shall immediately be made public~~



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309 ~~by the awarding authority upon request.~~ In case of an
310 emergency for which a delay in remedying would cause immediate
311 harm to a person or public property, contracts may be let to
312 the extent necessary to meet the emergency without public
313 advertisement or bidding.

314 (2) In case of an emergency affecting public health,
315 safety, or convenience, as declared in writing by the awarding
316 authority, setting forth the nature of the danger to the
317 public health, safety, or convenience which would result from
318 delay, contracts may be let to the extent necessary to meet
319 the emergency without public advertisement.

320 (3) Any action taken under subdivision (1) or (2), and
321 the reasons for the action taken, shall immediately be made
322 public by the awarding authority and published in writing.

323 (f) No awarding authority may specify in the plans and
324 specifications for the improvement the use of materials,
325 products, systems, or services by a sole source unless all of
326 the following requirements are met:

327 (1) Except for contracts involving the construction,
328 reconstruction, renovation, or replacement of public roads,
329 bridges, and water and sewer facilities, the awarding
330 authority can document to the satisfaction of the ~~Division of~~
331 ~~Construction Management~~ Division of Real Property Management
332 of the Department of Finance, or in the case of an educational
333 institution or state educational institution as provided
334 pursuant to Sections 41-4-353 and 41-4-400, to the
335 satisfaction of its governing board, that the sole source
336 product, material, system, or service is of an indispensable



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337 nature for the improvement, that there are no other viable
338 alternatives, and that only this particular product, material,
339 system, or service fulfills the function for which it is
340 needed.

341 (2) The sole source specification has been recommended
342 by the architect or engineer of record as an indispensable
343 item for which there is no other viable alternative.

344 (3) All information substantiating the use of a sole
345 source specification, including the recommendation of the
346 architect or engineer of record, shall be documented and made
347 available for examination in the office of the awarding
348 authority at the time of advertisement for sealed bids.

349 (g) In the event of a proposed public works project,
350 acknowledged in writing by the Alabama Homeland Security
351 Department as: (1) having a direct impact on the security or
352 safety of persons or facilities; and (2) requiring
353 confidential handling for the protection of such persons or
354 facilities, contracts may be let without public advertisement
355 but with the taking of informal bids otherwise consistent with
356 the requirements of this title and the requirements of
357 maintaining confidentiality. Records of bidding and award
358 shall not be disclosed to the public and shall remain
359 confidential.

360 (h) If a pre-bid meeting is held, the pre-bid meeting
361 shall be held at least seven days prior to the bid opening
362 except when the project has been declared an emergency in
363 accordance with subsection (e).

364 (i) The awarding authority may not offer a contract for



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365 bidding unless confirmation of any applicable grant has been
366 received and any required matching funds have been secured by
367 or are available to the awarding authority.

368 (j) Notwithstanding subsection (a), the Department of
369 Transportation may enter into contracts for road construction
370 or road maintenance projects that do not involve more than two
371 hundred fifty thousand dollars (\$250,000) without advertising
372 for sealed bids, provided the project is listed on the
373 department website for at least seven calendar days before
374 entering into the contract. The total cost of all projects not
375 subject to advertising and sealed bids pursuant to this
376 subsection may not exceed one million dollars (\$1,000,000) in
377 the aggregate per year.

378 (k) For the purposes of this chapter, sealed bids may
379 also be solicited and submitted through electronic means
380 including, but not limited to, electrical, digital, magnetic,
381 optical, electromagnetic, or any other similar technology,
382 provided that the awarding authority adopts rules and policies
383 to ensure that all electronic submissions are transmitted
384 securely and bids remained sealed until bid opening.

385 (l)(1) Notwithstanding any other provision of law, any
386 entity subject to this chapter that is an awarding authority
387 of a contract for public works, by resolution or board action,
388 may purchase materials or equipment pursuant to subdivisions
389 (14), (16), 17), (18), or (19) of Section 41-16-51(a), even
390 when those materials or equipment are otherwise part of the
391 contract for public works subject to the requirements of this
392 title.



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393 (2) Except for those materials or equipment described
394 in subdivision (1), the remaining portion of the public works
395 project shall be subject to the requirements of this title,
396 even if the remaining portion would involve an amount less
397 than one hundred thousand dollars (\$100,000) as a result of
398 the exclusion of the purchase of the materials or equipment as
399 described in subdivision (1)."

400 "§39-2-6

401 (a) The contract shall be awarded to the lowest
402 responsible and responsive bidder, unless the awarding
403 authority finds that all the bids are unreasonable or that it
404 is not ~~to~~in the interest of the awarding authority to accept
405 any of the bids. A responsible bidder is one who, among other
406 qualities determined necessary for performance, is competent,
407 experienced, and financially able to perform the contract. A
408 responsive bidder is one who submits a bid that complies with
409 the terms and conditions of the invitation for bids. Minor
410 irregularities in the bid shall not defeat responsiveness. The
411 bidder to whom the award is made shall be notified by
412 ~~telegram,~~ confirmed facsimile, electronic mail, or letter at
413 the earliest possible date. If the successful bidder fails or
414 refuses to sign the contract, to make bond as provided in this
415 chapter, or to provide evidence of insurance as required by
416 the bid documents, the awarding authority may award the
417 contract to the second lowest responsible and responsive
418 bidder. If the second lowest bidder fails or refuses to sign
419 the contract, make bond as provided in this chapter, or to
420 provide evidence of insurance as required by the bid



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421 documents, the awarding authority may award the contract to
422 the third lowest responsible and responsive bidder.

423 (b) If no bids or only one bid is received at the time
424 stated in the advertisement for bids, the awarding authority
425 may advertise for and seek other competitive bids, or the
426 awarding authority may direct that the work shall be done by
427 force account under its direction and control or, with the
428 exception of the Department of Transportation, the awarding
429 authority may negotiate for the work through the receipt of
430 informal bids not subject to the requirements of this section.
431 Where only one responsible and responsive bid has been
432 received, any negotiation for the work shall be for a price
433 lower than that bid.

434 (c) ~~When~~ With the exception of the Department of
435 Transportation, when two or more bids are received, and all
436 bids exceed available funding for the contract, ~~a local board~~
437 ~~of education or a public two-year or four-year institution of~~
438 ~~higher education~~ the awarding authority may negotiate for the
439 work with the lowest responsible and responsive bidder,
440 provided that the ~~local board of education or public two-year~~
441 ~~or four-year institution of higher education~~ awarding
442 authority can document the shortage of funding, that time is
443 of the essence, and that the negotiated changes are in the
444 public interest and do not materially alter the scope and
445 nature of the project.

446 (d) If the awarding authority finds that all bids
447 received are unreasonable or that it is not to the interest of
448 the awarding authority to accept any of the bids, the awarding



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449 authority may direct that the work shall be done by force
450 account under its direction and control.

451 (e) On any construction project on which the awarding
452 authority has prepared plans and specifications, has received
453 bids, and has determined to do by force account or by
454 negotiation, the awarding authority shall make available the
455 plans and specifications, an itemized estimate of cost, and
456 any informal bids for review by the Department of Examiners of
457 Public Accounts and, upon completion of the project by an
458 awarding authority, the final total costs together with an
459 itemized list of cost of any and all changes made in the
460 original plans and specifications shall also be made available
461 for review by the Department of Examiners of Public Accounts.
462 Furthermore, the above described information shall be made
463 public by the awarding authority upon request. Upon the
464 approval of the awarding authority, its duly authorized
465 officer or officers, when proceeding upon the basis of force
466 account, may let any subdivision or unit of work by contract
467 on informal bids.

468 (f) No provision of this section shall be interpreted
469 as precluding the use of convict labor by the awarding
470 authority. This section shall not apply to routine maintenance
471 and repair jobs done by maintenance personnel who are regular
472 employees of the awarding authority, nor shall it apply to
473 road or bridge construction work performed by an awarding
474 authority's regular employees and own equipment.

475 (g) No contract awarded to the lowest responsible and
476 responsive bidder shall be assignable by the successful bidder



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477 without written consent of the awarding authority, and in no
478 event shall a contract be assigned to an unsuccessful bidder
479 whose bid was rejected because he or she was not a responsible
480 or responsive bidder.

481 (h) Any agreement or collusion among bidders or
482 prospective bidders in restraint of freedom of competition to
483 bid at a fixed price or to refrain from bidding or otherwise
484 shall render the bids void and shall cause the bidders or
485 prospective bidders to be disqualified from submitting further
486 bids to the awarding authority on future lettings. Any bidder
487 or prospective bidder who willfully participates in any
488 agreement or collusion in restraint of freedom of competition
489 shall be guilty of a felony and, on conviction thereof, shall
490 be fined not less than five thousand dollars (\$5,000) nor more
491 than fifty thousand dollars (\$50,000) or, at the discretion of
492 the jury, shall be imprisoned in the penitentiary for not less
493 than one nor more than three years.

494 (i) Any disclosure in advance of the terms of a bid
495 submitted in response to an advertisement for bids shall
496 render the proceedings void and require advertisement and
497 award anew.

498 (j) The lowest responsible and responsive bidder on a
499 public works project may be determined to be the bidder
500 offering the lowest life cycle costs. The lowest responsible
501 and responsive bidder shall otherwise meet all of the
502 conditions and specifications contained in the invitation to
503 bid, except that a bidder may still be considered responsive
504 if he or she responds with a bid using different construction



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505 materials than those specified in the invitation to bid if the
506 materials' use would result in lower life cycle costs for the
507 public works project. To utilize this provision to determine
508 the lowest responsible and responsive bidder, the awarding
509 authority must include a notice in the invitation to bid that
510 the lowest responsible and responsive bidder may be determined
511 by using life cycle costs, and must also include in the
512 invitation to bid the criteria under which it shall evaluate
513 the life cycle costs."

514 Section 2. Although this bill would have as its purpose
515 or effect the requirement of a new or increased expenditure of
516 local funds, the bill is excluded from further requirements
517 and application under Section 111.05 of the Constitution of
518 Alabama of 2022, because the bill defines a new crime or
519 amends the definition of an existing crime.

520 Section 3. This act shall become effective on the first
521 day of the third month following its passage and approval by
522 the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 23-May-23, as amended.

John Treadwell
Clerk

Senate

01-Jun-23

Passed