

## LEGISLATIVE BILL 85

Approved by the Governor March 1, 1971

Introduced by C. W. Holmquist, 16th District

AN ACT to amend section 16-321, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the amount of contracts which cities of the first class may enter into without advertising for bids; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 16-321, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-321. The city engineer shall, when requested by the mayor or city council, make estimates of the cost of labor and material which may be done or furnished by contract with the city, and make all surveys, estimates, and calculations necessary to be made for the establishment of grades, building of culverts, sewers, electric light system, waterworks, power plant, public heating system, bridges, curbing and gutters, and the improvement of streets and erection and repair of buildings, and shall perform such other duties as the council may require; Provided, when the city has appointed a board of public works, and the mayor and city council have by ordinance so authorized, such board shall have the right to utilize its own engineering staff, and shall have the right to hire consulting engineers for the design and installation of extensions and improvements of the works under the jurisdiction of the board of public works. Whenever the mayor and city council have authorized the same, the board of public works shall have the right to purchase material and employ labor for the enlargement and improvement of the water and electric departments; Provided, except as provided in section 18-412.01, no such enlargement or improvement costing over five thousand dollars shall be made unless it is first approved by the city council. Except as provided in section 18-412.01, before the city council shall make any contract in excess of five thousand dollars for general improvements, such as water extensions, sewers, public heating system, bridges, or work on streets, any motor or other mechanical equipment, including parking meters and street machinery or any other work or improvement where the cost of such improvement shall be assessed to the property, an

estimate of the cost thereof shall be made by the city engineer and submitted to the council; and no contract shall be entered into for any such work or improvement or for the purchase of such equipment, for any price exceeding ~~two~~ five thousand dollars without advertising for bids. In advertising for bids for any such work, or for the purchase of such equipment, the council may cause the amount of such estimate to be published therewith. Such advertisement shall be published at least ten days in some newspaper of general circulation published in the city; Provided, that in case of a public emergency resulting from infectious or contagious diseases, destructive windstorms, floods, snow, war, or an exigency or pressing necessity or unforeseen need calling for immediate action or remedy to prevent a serious loss of, or serious injury or damage to life, health, or property, estimates of costs and advertising for bids may be waived in the emergency ordinance provided under section 16-405 when adopted by a three-fourths vote of the council and entered of record.

Sec. 2. That original section 16-321, Reissue Revised Statutes of Nebraska, 1943, is repealed.