

Senate Amendments to House Bill No. 698

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7 **SECTION 1.** The following shall be codified as Section
8 31-5-39, Mississippi Code of 1972:

9 31-5-39. On or before the date and time established to
10 receive bids for any contract related to the construction of any
11 building, highway, road, bridge or other public work or
12 improvement by the State of Mississippi, its agencies,
13 departments, institutions, or instrumentalities of the state or
14 political subdivisions of the state, such entity shall establish a
15 budget for the project. The budget shall reflect the total amount
16 of funds allocated to the project, including the specific amount
17 allocated for construction. Additional funds may be allocated to
18 a project at any time, including for purposes of awarding a
19 contract to the lowest and best bidder. Additional funds may not
20 be allocated after the date and time established for the receipt
21 of bids for the purpose of increasing negotiation authority.

22 **SECTION 2.** This act shall take effect and be in force from
23 and after July 1, 2019, and shall stand repealed on June 30, 2019.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE NEW SECTION 31-5-39, MISSISSIPPI CODE OF
2 1972, TO ALLOW PUBLIC ENTITIES TO ALLOCATE ADDITIONAL FUNDS TO A
3 PROJECT BUDGET IN ORDER TO ALLOW AN AWARD TO THE LOWEST AND BEST
4 BIDDER WHILE MAINTAINING THE CURRENT LIMITATION ON NEGOTIATION
5 AUTHORITY; AND FOR RELATED PURPOSES.

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Liz Welch
Secretary of the Senate