

**Lewistown School District**

**SCHOOL FACILITIES**

9242

Contractor Assurance

No contract shall be let to any contractor who is not licensed or registered as required by the laws of this state. Nor shall a contractor be granted a contract unless a statement is submitted and sworn to which states that the contractor is in compliance with the state laws relating to prevailing wage and residence requirements for public works and with state and federal laws relating to non-discrimination in hiring. A statement to this effect must be a part of every appropriate contract.

No contract shall be let to any contractor if the provision conflicts with the provisions of 20-9-204, MCA.

Contractor Surety Bonds and Insurance

Each contractor's bid must be accompanied by a bid bond or other security authorized by state law in the amount of at least ten percent (10%) of the total bid amount, excluding taxes. Any bid which is not successful shall entitle the bidder to a refund of its security or bond. The successful bidder shall have its bond or security retained until such a time as it is determined that the bidder shall complete the contract. All bids received shall specify whether the District or the contractor shall carry fire, liability, or other insurance during construction.

The successful bidder is required to make, execute and deliver to the Board a good and sufficient performance bond with two (2) or more sureties or a surety company which shall state that the contractor shall execute and faithfully perform the provisions of the contract and shall pay all subcontractors and materialmen as required by law.

Legal Reference:	2-2-303, MCA	Agreements to appoint relative to office unlawful
	18-2-402, MCA	Standard prevailing rate of wages
	18-2-403, MCA	Preference of Montana labor in public works - wages - tax-exempt project - federal exception
	18-2-404, MCA	Approval of public works contract - bond
	20-9-204, MCA	Conflicts of interests, letting contracts, and calling for bids
	18-1-201, MCA	Requirements for bidder's security
	18-1-202, MCA	Advertisement for bid to specify required security
	18-1-203, MCA	Form of security

Policy History:

Adopted on: June 28, 2004

Revised on: