

1 required to award any contract for work which can be done
2 advantageously, economically and practicably by commission forces
3 or prison labor and by use of state road equipment, or for
4 materials and supplies, which are manufactured, processed or
5 assembled by the commissioner: *Provided*, That the commissioner may
6 not be required to award any contract for work, materials or
7 supplies for an amount less than \$3,000. In all the work, the
8 commissioner shall utilize state road forces or prison labor and
9 state road equipment and shall manufacture, process and assemble
10 all the materials and supplies for the work whenever and wherever
11 the commissioner, in his or her discretion, finds work and services
12 advantageous, economical and practicable in the state road program.

13 (b) If the work is to be done, or the materials therefor are
14 to be furnished by contract, the commissioner shall thereupon
15 publish the following described advertisement as a Class II legal
16 advertisement, in compliance with the provisions of article three,
17 chapter fifty-nine of this code, and the publication area for the
18 publication shall be the county or municipality in which the road
19 lies.

20 (c) The advertisement shall also be published at least once in
21 at least one daily newspaper published in the city of Charleston
22 and in other journals or magazines as may to the commissioner seem
23 advisable. The advertisement shall solicit sealed proposals for
24 the construction or other improvement of the road, and for the

1 furnishing of materials therefor, accurately describing the same,
2 and stating the time and place for opening the proposals and
3 reserving the right to reject any and all proposals: *Provided,*
4 That whenever the estimated amount of any contract for work or for
5 materials or supplies is less than \$3,000, the commissioner may not
6 be required to advertise the letting of the contract in newspapers
7 as above required, but may award the contract to the lowest
8 responsible bidder, when two or more sealed proposals or bids have
9 been received by him or her without the advertisement, but the
10 contract may not be so awarded unless the bid of the successful
11 bidder is \$3,000 or less.

12 (d) The commissioner shall have the power to prescribe proper
13 prequalifications of contractors bidding on state road construction
14 work: *Provided,* That a vendor who has been debarred pursuant to
15 the provisions of sections thirty-three-a through thirty-three-f,
16 article three, chapter five-a of this code, may not bid on or be
17 awarded a contract under this section.

18 (e) To all sealed proposals there shall be attached the
19 certified check of the bidder or bidder's bond acceptable to the
20 commissioner, in the amount as the commissioner shall specify in
21 the advertisement, but not to exceed five percent of the aggregate
22 amount of the bid; but the amount shall never be less than \$500.
23 The proposals shall be publicly opened and read at the time and
24 place specified in the advertisement, and the contract for the

1 work, or for the supplies or materials required therefor shall, if
2 let, be awarded by the commissioner to the lowest responsible
3 bidder for the type of construction selected.

4 (f) In case all bids be rejected, the commissioner may
5 thereafter do the work with commission forces or with prison labor,
6 or may readvertise in the same manner as before and let a contract
7 for the work pursuant thereto.

8 (g) A person submitting a bid for, or signing a contract to
9 work on, the construction, reconstruction, alteration, remodeling
10 or repair of any bridge by the state or a political subdivision,
11 which necessitates the painting thereof, shall ensure that all
12 applicators have successfully completed the SSPC Coating
13 Application Specialist (CAS) Program prior to beginning the work.

14 **ARTICLE 17. TOLL BRIDGES.**

15 **§17-17-7. Purchase, construction or repair of toll bridge.**

16 (a) When it is necessary to build or repair a toll bridge on
17 any county-district road, or to purchase any existing toll bridge
18 on such road within any county, or across the boundary thereof, the
19 county ~~court~~ commission of the county may contract for the same, or
20 any part thereof, on such terms as may be agreed upon, and take
21 bond and security from the contractors in the sum of fifty percent
22 of the amount of such contract, and pay for the same out of the
23 county road fund or out of the road funds of the district or
24 districts in which such improvement is located, or by issuing bonds

1 for the amount that may be agreed upon; and to this end the court
2 shall appoint a competent engineer to make a thorough investigation
3 and estimate of the cost of such improvement. Upon receiving the
4 estimate of cost, the court, if satisfied with the correctness of
5 same and the necessity and importance of such improvement, may
6 advertise for and receive proposals and make such other orders in
7 the premises from time to time as shall be necessary and proper.

8 (b) A person submitting a bid for, or signing a contract to
9 work on, the construction, reconstruction or repair of any toll
10 bridge by the state or a political subdivision, which necessitates
11 the painting thereof, shall ensure that all applicators have
12 successfully completed the SSPC Coating Application Specialist
13 (CAS) Program prior to beginning the work.

14 **§17-17-16. Repair of toll bridge before purchase.**

15 (a) At or before the time any such bridge shall be acquired by
16 purchase the State Road Commissioner, he or she shall determine
17 what repairs, replacements, additions or betterments will be
18 necessary to place the bridge in safe and efficient condition for
19 the use of the public, and to cause an estimate of the cost of such
20 improvement to be made and submitted to the commissioner by an
21 engineer or engineers appointed by the commissioner. Such
22 improvements shall be ordered by the commissioner before the sale
23 of any bridge revenue bonds hereinafter authorized for the purchase
24 of the bridge, and shall be paid for out of the proceeds of such

1 bonds.

2 (b) A person submitting a bid for, or signing a contract to
3 work on, the reconstruction, alteration, remodeling or repair of
4 any toll bridge by the state or a political subdivision, which
5 necessitates the painting thereof, shall ensure that all
6 applicators have successfully completed the SSPC Coating
7 Application Specialist (CAS) Program prior to beginning the work.

8 **§17-17-17. Construction of toll bridge; purchase of land, etc.,**
9 **therefor.**

10 (a) The State Road Commissioner may construct, whenever he or
11 she shall deem such construction expedient, but solely by means of
12 or with the proceeds of the bridge revenue bonds hereinafter
13 authorized, any toll bridge or bridges over and across any river or
14 stream lying wholly or partly within the state or forming a
15 boundary of the state, of such design or designs and at such place
16 or places as may be approved by the State Road Commission. The
17 commissioner may purchase within this state and within any
18 adjoining state, solely from funds provided under the authority of
19 this article, such lands, structures, rights-of-way, franchises,
20 easements and other interests in lands, including lands under water
21 and riparian rights of any person, railroad or other corporation or
22 municipality or political subdivision, deemed necessary for the
23 construction of any such bridge, upon terms and at such prices as
24 may be considered by him or her to be reasonable and can be agreed

1 upon between him or her and the owner thereof, title thereto to be
2 taken in the name of the state.

3 (b) A person submitting a bid for, or signing a contract to
4 work on, the construction of any toll bridge by the state or a
5 political subdivision, which necessitates the painting thereof,
6 shall ensure that all applicators have successfully completed the
7 SSPC Coating Application Specialist (CAS) Program prior to
8 beginning the work.

NOTE: The purpose of this bill is to require that state bridges be painted by workers who have successfully completed the SSPC Coating Application Specialist (CAS) Program.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.