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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 4514

05/16/2018 Authored by Theis  
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act  
1.2 relating to municipal contracting; increasing transparency for certain bids; amending  
1.3 Minnesota Statutes 2016, section 471.345, subdivision 6.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 471.345, subdivision 6, is amended to read:

1.6 Subd. 6. **Applicability of other laws; conflict of interest.** (a) The purpose of this section  
1.7 is to establish for all municipalities, uniform dollar limitations upon contracts which shall  
1.8 or may be entered into on the basis of competitive bids, quotations or purchase or sale in  
1.9 the open market. To the extent inconsistent with this purpose, all laws governing contracts  
1.10 by a particular municipality or class thereof are superseded. In all other respects such laws  
1.11 shall continue applicable.

1.12 (b) For contracts subject to subdivisions 3 and 3a, a municipality must avoid the  
1.13 appearance of a conflict of interest by ensuring that contracts:

1.14 (1) do not permit an individual manufacturer to draft a bid specification for the  
1.15 municipality;

1.16 (2) do not allow an entity that has a financial stake in the outcome of the contract to  
1.17 review the bid with or on behalf of the municipality; or

1.18 (3) allow the use of alternative materials that have been certified as equivalent by an  
1.19 engineer or other expert with knowledge of the product.

1.20 (c) When practicable, contracts subject to subdivisions 3 and 3a must use standards by  
1.21 which equivalencies can be measured for materials and products required for the project.