

State of Minnesota

H. F. No. **4185**

1.1 A bill for an act

1.2 relating to electrical inspectors; prohibiting mandatory extended reporting coverage

1.3 in state electrical inspection vendor contracts; amending Minnesota Statutes 2018,

1.4 section 16C.28, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2018, section 16C.28, subdivision 1, is amended to read:

1.7 Subdivision 1. **Award requirements.** (a) All state building and construction contracts

1.8 entered into by or under the supervision of the commissioner or an agency for which

1.9 competitive bids or proposals are required may be awarded to either of the following:

1.10 (1) the lowest responsible bidder, taking into consideration conformity with the

1.11 specifications, terms of delivery, the purpose for which the contract is intended, the status

1.12 and capability of the vendor or contractor, other considerations imposed in the call for bids,

1.13 and, where appropriate, principles of life-cycle costing; or

1.14 (2) the vendor or contractor offering the best value, taking into account the specifications

1.15 of the request for proposals, the price and performance criteria as set forth in subdivision

1.16 1b, and described in the solicitation document.

1.17 (b) The vendor or contractor must secure bonding, commercial general insurance

1.18 coverage, and workers' compensation insurance coverage under paragraph (a), clause (1)

1.19 or (2). The commissioner shall determine whether to use the procurement process described

1.20 in paragraph (a), clause (1), or the procurement process described in paragraph (a), clause

1.21 (2), and paragraph (c). If the commissioner uses the method in paragraph (a), clause (2),

1.22 and paragraph (c), the head of the agency shall determine which vendor or contractor offers

2.1 the best value, subject to the approval of the commissioner. Any or all bids or proposals  
2.2 may be rejected.

2.3 (c) When executing a contract with a vendor providing electrical inspection services in  
2.4 the state, the commissioner must not require vendors to obtain extended reporting period  
2.5 coverage for a professional technical errors or omission insurance policy.

2.6 ~~(e)~~ (d) When using the procurement process described in subdivision 1, paragraph (a),  
2.7 clause (2), the solicitation document must state the relative weight of price and other selection  
2.8 criteria. The award must be made to the vendor or contractor offering the best value applying  
2.9 the weighted selection criteria. If an interview of the vendor's or contractor's personnel is  
2.10 one of the selection criteria, the relative weight of the interview shall be stated in the  
2.11 solicitation document and applied accordingly.