365.37 CONFLICTS, BIDS, EMERGENCIES, PENALTY, REMOVAL.

Subdivision 1. **No conflicts; exceptions.** Except as provided in sections 471.87 to 471.89, a supervisor or town board must not be a party to, or be directly or indirectly interested in, a contract made or payment voted by the town board.

Subd. 2. **To lowest responsible bidder.** A contract let on bid must be let to the lowest responsible bidder.

Subd. 2a. **Best value alternative.** As an alternative to the procurement method described in subdivision 2, a contract for construction, building, alteration, improvement, or repair work may be awarded to the vendor or contractor offering the best value under a request for proposals as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 3. **Notice.** Before a contract is let on bid, ten days' public notice of the time and place of receiving bids must be given. The notice must be posted in the three most public places in the town or published for two weeks in a newspaper generally circulated in the town.

Subd. 4. **Special emergency exception.** If a special emergency comes up, a contract may be let without notice or competitive bidding. A special emergency is a situation requiring immediate action essential to the health, safety, or welfare of the town.

Subd. 5. **Violation; misdemeanor and removal.** A contract made or payment voted or made contrary to this section is void. A town officer who violates this section is guilty of a misdemeanor and must leave office.

History: *(1096) RL s 688; 1913 c 164 s 1; 1951 c 74 s 1; 1951 c 379 s 4; 1957 c 76 s 1; 1984 c 562 s 15; 1985 c 169 s 8; 1Sp1985 c 16 art 2 s 11; 1987 c 90 s 3; 1987 c 229 art 8 s 1; 2007 c 148 art 3 s 20*