

267.240 Construction contract -- Bond -- Board may construct.

- (1) Upon final reference to it by the court of any drainage proceedings, the board shall give notice by publication pursuant to KRS Chapter 424 in the county in which the improvement is located, of the time and place of letting the work of construction and of the approximate amount of work to be done and the time fixed for its completion. On the date appointed for the letting the board, together with the chief engineer, shall convene and let the work to the lowest responsible bidder, either as a whole or in sections, as they may deem most advantageous for the district. No bid shall be entertained that exceeds the estimated cost unless for good reasons it is shown that the original estimate was erroneous. The board may reject all bids and advertise again, if it believes it will be in the interest of the district to do so. The board may employ persons and teams and lease, rent, hire or purchase machinery and equipment, and directly construct the improvement according to the plans and specifications, without letting a contract. The board may exercise the same power in cleaning out, straightening and reconstructing old public ditches, but the expense in any case shall not exceed the estimate of the drainage engineer for the work.
- (2) If the board accepts a bid, the successful bidder shall be required to enter into a contract with the board and to execute a bond for the faithful performance of such contract, with sufficient sureties, in favor of the board for the use and benefit of the district, in an amount equal to fifty percent (50%) of the estimated cost of the work awarded to him. The board may maintain action for breach of the contract against any contractor and the sureties on his bond, and in case of breach of the contract the work may be advertised and relet in the same manner as the original letting.

Effective: June 21, 1974

History: Amended 1974 Ky. Acts ch. 386, sec. 53, effective June 21, 1974. -- Amended 1966 Ky. Acts ch. 239, sec. 183. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2380-26, 2380-28.