CHAPTER 25-16.2
WORK ACTIVITY CENTER CONTRACT AWARDS

25-16.2-01. Work activity center - Definition. As used in this chapter "work activity center" means a facility located in the state and operated by a nonprofit corporation organized for the primary purpose of employing and providing rehabilitative activities for physically handicapped, developmentally disabled, and chronically mentally ill persons.

25-16.2-02. Direct bidding with work activity centers for highway grade stakes. Unless no work activity center bids on the contract, the office of management and budget or the department of transportation, whichever may be authorized to purchase highway grade stakes, shall award any contract for the purchase of highway grade stakes to work activity centers. The office of management and budget or the department of transportation shall request bids from work activity centers and shall award any contract for the purchase of highway grade stakes on the basis of these factors:

1. Whether the product contracted for is supplied by the work activity center at a fair market price.

2. Whether the product to be supplied by the work activity center meets the specifications of the department of transportation.

3. The ability, capacity, and skill of the work activity center to perform the contract required.

4. The character, integrity, reputation, judgment, experience, and efficiency of the work activity center.

5. Whether the work activity center can perform the contract within the time specified.

6. The quality of performance of previous contracts negotiated with the work activity center.

7. The previous and existing compliance by the work activity center with laws relating to the contract.

25-16.2-03. Contract requirement. Any contract awarded pursuant to this chapter must be in writing and must be made available by the purchasing party to any person upon request. The contract must include the purchase price, the quantity of product purchased, and the time period for which the product will be provided.