

SEC. 38. After the receipt of such plans and specifications and estimate by the Board of County Commissioners of any county in Maryland from said State Roads Commission, said Board of County Commissioners, if they elect to proceed further hereunder, or if ten per centum of the estimated cost has been paid or secured as hereinbefore provided in Section 33, shall advertise for two consecutive weeks in at least one newspaper published in such county, and also during the time of such publication in such county newspaper, at least three consecutive times in at least one newspaper published in Baltimore City, for bids for such road building or improvement, setting forth the place where such road is to be built or improved, and giving a general description of said proposed work, and stating that sealed proposals for the performance of said proposed work in accordance with the plans and specifications will be received until a day named in the advertisement, provided that nothing in this Section shall require the County Commissioners of any county, upon the petition of such persons agreeing to pay ten per centum to advertise for work to be done under the provisions of this subtitle to an amount greater than twenty-five per centum of the road levy of said county; and the Board of County Commissioners shall furnish a copy of the said specifications for such proposed work to any prospective bidder who may request the same; and the said board shall reserve the right to reject any and all bids and to do the work according to aid plans and specifications by such arrangement as they may deem best.

SEC. 39. On the day stated in such advertisements, the proposals shall be publicly opened and read and the contract shall be awarded to the lowest responsible bidder, provided his bid does not exceed the amount estimated by the State Roads Commission aforesaid as a proper maximum cost of said work; and provided further, that any and all bids may be rejected in the discretion of the County Commissioners, and if all bids shall exceed the amount specified, or be rejected, then no contract shall be given unless the County Commissioners and the State Roads Commission shall both agree to give the same, and proceedings may be had anew in the same manner as first provided, and the contractor shall in all cases before entering upon his work be required to execute a contract with the Board of County Commissioners to perform the work according to the specifications, and also give bond to said County Commissioners conditioned for the faithful performance of such contract in a sum not less than the total amount of the contract and with such incorporated surety company as surety as the board may approve.