

To all bids over \$500,000 there shall be attached the certified check of the bidder according to the schedule above set forth, or he may, with the approval of the State Roads Commission, accompany said bid by a bid bond with such surety or sureties, acceptable to the Commission, in penalties equal to the respective amounts set forth in the foregoing schedule, the obligation of which said bond shall be that the bidder to whom the contract is awarded shall promptly and properly execute the contract and furnish bond for the completion of the work provided thereunder, as provided in the specifications.

To all bids over \$1,000,000 there shall be attached a bid bond with such surety or sureties, acceptable to the Commission, in a penalty equal to five per cent. (5%) of the amount of said bid, the obligation of which said bond shall be that the bidder will promptly and properly execute the contract and bond provided for in the specifications.

If any bidder who files a bid bond under the provisions of this section shall fail to promptly and properly execute the bond for the completion of the work provided thereunder, as provided in the specifications, then said bid bond shall be in default and the surety shall be liable thereon for the full amount of damage sustained by the State Roads Commission by reason of the failure of the bidder to promptly and properly execute a bond for the completion of the work.

The checks of the unsuccessful bidders shall be returned to them after opening the bids and awarding the contract to the successful bidder. Provided, however, that the said Commission may itself do any part or parts of any such work under such conditions in every respect as it may prescribe by day labor in all cases wherein the funds provided for the carrying on or performance of such work are provided by the government of the United States of America, or any agency thereof, and the said government, or any agency thereof, shall require that such work be performed by day labor employed by said Commission. And provided further that nothing in this section shall be construed to prohibit the use by the said Commission of free labor supplied by relief or charity agencies or organizations.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1943.

Approved February 25, 1943.