

**176.110 Breach of contract -- Cancellation to keep expenditures within annual income.**

- (1) If any person having a contract with the department fails to carry out the contract, the department may cancel the contract and reaward it without advertisement if it can obtain a qualified contractor to perform the work at the original contract price or for less. Otherwise the work shall be advertised as required by law.
- (2) When the department ascertains that the cost of any contract or the cost of continued work on any contract will exceed the revenues of the fiscal year, the department may cancel any such contract or any portion thereof necessary in order to keep expenditures within the revenues of the fiscal year, and may contract for the completion of such work when the funds are available without advertising the work if it can obtain a qualified contractor to assume the work at the original contract price. Otherwise the work shall be advertised as required by law.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4356t-3f.