

HOUSE BILL No. 5492

December 11, 2001, Introduced by Reps. Jelinek, Switalski, Bovin, Pumford, Godchaux, DeRossett, Patterson and Hager and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1266.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1266. (1) THE DEPARTMENT SHALL ESTABLISH, MAINTAIN,
2 AND MAKE AVAILABLE TO SCHOOL DISTRICTS, INTERMEDIATE SCHOOL DIS-
3 TRICTS, AND PUBLIC SCHOOL ACADEMIES A LIST OF CONTRACTORS THAT
4 HAVE WORKED ON SCHOOL CONSTRUCTION PROJECTS IN THIS STATE. THIS
5 LIST IS INTENDED TO HELP SCHOOL DISTRICTS, INTERMEDIATE SCHOOL
6 DISTRICTS, AND PUBLIC SCHOOL ACADEMIES MAKE INFORMED DECISIONS IN
7 SELECTING CONTRACTORS FOR SCHOOL CONSTRUCTION PROJECTS.

8 (2) THE LIST REQUIRED UNDER SUBSECTION (1) SHALL CONSIST OF
9 INFORMATION VOLUNTARILY SUBMITTED BY SCHOOL DISTRICTS,
10 INTERMEDIATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES THAT

1 HAVE EXPERIENCE WITH THE CONTRACTOR ON A SCHOOL CONSTRUCTION
2 PROJECT, INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

3 (A) THE NAME OF THE CONTRACTOR.

4 (B) THE TYPE OF PROJECT OR PROJECTS INVOLVED.

5 (C) INFORMATION ABOUT THE CONTRACTOR'S PERFORMANCE ON THE
6 PROJECT. THIS INFORMATION MAY INCLUDE ANY OF THE FOLLOWING:

7 (i) A RATING OF THE CONTRACTOR'S PERFORMANCE ACCORDING TO A
8 RATING SYSTEM DEVELOPED BY THE DEPARTMENT UNDER SUBSECTION (3).

9 (ii) INFORMATION ON THE TYPE AND QUALITY OF WORK PERFORMED
10 BY THE CONTRACTOR ON THE PROJECT.

11 (iii) INFORMATION CONCERNING ANY PROBLEMS ENCOUNTERED WITH
12 THE CONTRACTOR ON THE PROJECT, SUCH AS NONCOMPLIANCE WITH CON-
13 TRACT, DELAYS, OR POOR WORKMANSHIP.

14 (D) RECOMMENDATIONS OF CONTRACTORS, EITHER OVERALL OR FOR
15 PARTICULAR TYPES OF WORK OR PROJECTS.

16 (3) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS, INTERMEDI-
17 ATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES OF THE OPPORTU-
18 NITY TO SUBMIT INFORMATION UNDER THIS SECTION AND SHALL DEVELOP
19 AND MAKE AVAILABLE TO THEM A FORM FOR REPORTING INFORMATION UNDER
20 THIS SECTION. THE FORM SHALL INCLUDE INSTRUCTIONS FOR COMPLETION
21 OF THE FORM, INCLUDING AT LEAST A RATING SYSTEM FOR RATING A
22 CONTRACTOR'S PERFORMANCE. AFTER THE LIST HAS BEEN ESTABLISHED,
23 THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS, INTERMEDIATE SCHOOL
24 DISTRICTS, AND PUBLIC SCHOOL ACADEMIES OF THE AVAILABILITY OF THE
25 LIST.

26 (4) AS USED IN THIS SECTION, "CONTRACTOR" INCLUDES A GENERAL
27 CONTRACTOR OR SUBCONTRACTOR.