



# SENATE BILL No. 164

January 26, 1993, Introduced by Senator BOUCHARD and referred to the Committee on Education.

A bill to amend section 1267 of Act No. 451 of the Public Acts of 1976, entitled as amended  
"The school code of 1976,"  
as amended by Act No. 159 of the Public Acts of 1990, being section 380.1267 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1267 of Act No. 451 of the Public Acts  
2 of 1976, as amended by Act No. 159 of the Public Acts of 1990,  
3 being section 380.1267 of the Michigan Compiled Laws, is amended  
4 to read as follows:

5 Sec. 1267. (1) Before commencing construction of a new  
6 school building, or addition to or repair or renovation of an  
7 existing school building, except repair in emergency situations,  
8 the board of a school district other than a first class school  
9 district shall obtain competitive bids on all the material and

1 labor required for the complete construction of a proposed new  
2 building or addition to or repair or renovation of an existing  
3 school building.

4 (2) The board shall advertise for the bids required under  
5 subsection (1) once each week for 2 successive weeks in a newspa-  
6 per of general circulation in the area where the building or  
7 addition is to be constructed or where the repair or renovation  
8 of an existing building is to take place. THE ADVERTISEMENT FOR  
9 BIDS SHALL DO ALL OF THE FOLLOWING:

10 (A) SPECIFY THE DATE AND TIME BY WHICH ALL BIDS MUST BE  
11 RECEIVED BY THE BOARD.

12 (B) STATE THAT THE BOARD WILL NOT CONSIDER OR ACCEPT A BID  
13 RECEIVED BY THE BOARD AFTER THE DATE AND TIME SPECIFIED FOR BID  
14 SUBMISSION.

15 (C) IDENTIFY THE TIME, DATE, AND PLACE OF A PUBLIC MEETING  
16 AT WHICH THE BOARD WILL OPEN AND READ ALOUD EACH BID RECEIVED BY  
17 THE BOARD BY THE DATE AND TIME SPECIFIED IN SUBDIVISION (A).

18 (3) The board shall require each bidder for a contract under  
19 this section to file with the board security in an amount not  
20 less than 1/20 of the amount of the bid conditioned to secure the  
21 school district from loss or damage by reason of the withdrawal  
22 of the bid or by the failure of the bidder to enter a contract  
23 for performance, if the bid is accepted by the board.

24 (4) ~~All bids required under this section shall be opened~~  
25 ~~and read aloud in a public bid meeting at the time and place~~  
26 ~~advertised for the receipt of the bids.~~ THE BOARD SHALL NOT  
27 OPEN, CONSIDER, OR ACCEPT A BID THAT THE BOARD RECEIVES AFTER THE

1 DATE AND TIME SPECIFIED FOR BID SUBMISSION IN THE ADVERTISEMENT  
2 FOR BIDS DESCRIBED IN SUBSECTION (2).

3 (5) AT A PUBLIC MEETING IDENTIFIED IN THE ADVERTISEMENT FOR  
4 BIDS DESCRIBED IN SUBSECTION (2), THE BOARD SHALL OPEN AND READ  
5 ALOUD EACH BID THAT THE BOARD RECEIVED AT OR BEFORE THE TIME AND  
6 DATE FOR BID SUBMISSION SPECIFIED IN THE ADVERTISEMENT FOR BIDS.  
7 The board may reject any or all bids, and if all bids are reject-  
8 ed, shall readvertise in the manner required by this section.

9 (6) ~~-(5)-~~ This section does not apply to buildings, renova-  
10 tions, or repairs costing less than \$12,500.00 or to repair work  
11 normally performed by school district employees. The maximum  
12 amount specified in this subsection shall be adjusted each year  
13 by multiplying the amount for the immediately preceding year by  
14 the percentage by which the average consumer price index for all  
15 items for the 12 months ending August 31 of the year in which the  
16 adjustment is made differs from that index's average for the  
17 12 months ending on August 31 of the immediately preceding year  
18 and adding that product to the maximum amount that applied in the  
19 immediately preceding year, rounding to the nearest whole  
20 dollar.