

HOUSE BILL No. 5376

December 11, 2003, Introduced by Reps. Caswell, Nitz, Milosch, Garfield, Stewart, Emmons, Huizenga, Wenke, Pappageorge, Middaugh, Stahl, Sheen, Ehardt, Mortimer, Newell, Kooiman, DeRossett, Amos, Hummel, Brandenburg, Taub, Farhat, Drolet, Meyer and Voorhees and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1267 (MCL 380.1267), as amended by 1995 PA
289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1267. (1) Before commencing construction of a new
2 school building, or addition to or repair or renovation of an
3 existing school building, except repair in emergency situations,
4 the board of a school district or board of directors of a public
5 school academy, shall obtain competitive bids on all the material
6 and labor required for the complete construction of a proposed
7 new building or addition to or repair or renovation of an
8 existing school building.

9 (2) The board or board of directors shall advertise for the
10 bids required under subsection (1) ~~once each week for 2~~

1 ~~successive weeks in a newspaper of general circulation in the~~
2 ~~area where the building or addition is to be constructed or where~~
3 ~~the repair or renovation of an existing building is to take~~
4 ~~place~~ by posting an advertisement for bids for at least 2 weeks
5 on the department of management and budget website on a page on
6 the website maintained for this purpose or on a website
7 maintained by a school organization and designated by the
8 department of management and budget for this purpose. If the
9 department of management and budget designates a school
10 organization website for this purpose, the department of
11 management and budget shall indicate this fact on its website and
12 include a link on its website to the school organization
13 website.

14 (3) The advertisement for bids shall do all of the
15 following:

16 (a) Specify the date and time by which all bids must be
17 received by the board or board of directors.

18 (b) State that the board or board of directors will not
19 consider or accept a bid received by the board or board of
20 directors after the date and time specified for bid submission.

21 (c) Identify the time, date, and place of a public meeting at
22 which the board or board of directors or its designee will open
23 and read aloud each bid received by the board or board of
24 directors by the date and time specified in subdivision (a).

25 (4) ~~-(3)-~~ The board or board of directors shall require each
26 bidder for a contract under this section to file with the board
27 or board of directors security in an amount not less than 1/20 of

1 the amount of the bid conditioned to secure the school district
2 from loss or damage by reason of the withdrawal of the bid or by
3 the failure of the bidder to enter a contract for performance, if
4 the bid is accepted by the board or board of directors.

5 (5) ~~-(4)-~~ The board or board of directors shall not open,
6 consider, or accept a bid that the board or board of directors
7 receives after the date and time specified for bid submission in
8 the advertisement for bids described in subsection ~~-(2)-~~ (3).

9 (6) ~~-(5)-~~ At a public meeting identified in the advertisement
10 for bids described in subsection ~~-(2)-~~ (3), the board or board of
11 directors or its designee shall open and read aloud each bid that
12 the board or board of directors received at or before the time
13 and date for bid submission specified in the advertisement for
14 bids. The board or board of directors may reject any or all
15 bids, and if all bids are rejected, shall readvertise in the
16 manner required by this section.

17 (7) ~~-(6)-~~ This section does not apply to buildings,
18 renovations, or repairs costing less than ~~-\$12,500.00-~~ \$17,932.00
19 or to repair work normally performed by school district
20 employees. The maximum amount specified in this subsection shall
21 be adjusted each year by multiplying the amount for the
22 immediately preceding year by the percentage by which the average
23 consumer price index for all items for the 12 months ending
24 August 31 of the year in which the adjustment is made differs
25 from that index's average for the 12 months ending on August 31
26 of the immediately preceding year and adding that product to the
27 maximum amount that applied in the immediately preceding year,

1 rounding to the nearest whole dollar.