

FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONSTRUCTION ACT (EXCERPT)
Act 98 of 2011

408.879 Exemption of project, contract, subcontract, grant, tax abatement, or tax credit from certain requirements; special circumstances.

Sec. 9. The head of a governmental unit may exempt a particular project, contract, subcontract, grant, tax abatement, or tax credit from the requirements of any or all of the provisions of section 5 or 7 if the governmental unit finds, after public notice and a hearing, that special circumstances require an exemption to avert an imminent threat to public health or safety. A finding of special circumstances under this section shall not be based on the possibility or presence of a labor dispute concerning the use of contractors or subcontractors who are nonsignatories to, or otherwise do not adhere to, agreements with 1 or more labor organizations, or concerning employees on the project who are not members of or affiliated with a labor organization.

History: 2011, Act 98, Imd. Eff. July 19, 2011;—Am. 2012, Act 238, Imd. Eff. June 29, 2012.