

**CONSTRUCTION OF SCHOOL BUILDINGS (EXCERPT)**  
**Act 306 of 1937**

**388.851a Definitions.**

Sec. 1a. As used in this act:

- (a) "Addition" means added space that results in additional cubic contents to an existing school building.
- (b) "Construction" means the construction, erection, reconstruction, alteration, conversion, demolition, repair, moving, or equipping of buildings or structures.
- (c) "Design-build construction services" means a project delivery method that meets all of the following requirements:
  - (i) A school district engages the services of a design-criteria developer, an architect, or a professional engineer who is licensed in this state and is not employed by the design-builder to do both of the following:
    - (A) Assist the school district in the selection and compensation of a design-build team or design-builder.
    - (B) Provide for the scope of the services of a design-build team or design-builder.
  - (ii) A school district contracts with a single entity for both design services and construction services.
  - (iii) Design and construction of the project is either of the following:
    - (A) Sequential, with the entire design complete before construction commences.
    - (B) Concurrent, with the design produced in 2 or more phases and construction of some phases commencing before the entire design is complete.
  - (iv) Selection is a single-phase selection using price and qualification to determine best value.
- (d) "Design build team" means a team that consists of both of the following:
  - (i) A design-builder.
  - (ii) An architectural or engineering firm providing professional services in accordance with section 2010 of the occupational code, 1980 PA 229, MCL 339.2010.
- (e) "Design-builder" means an individual, a partnership, a joint venture, a corporation, or other legal entity that meets both of the following conditions:
  - (i) Furnishes design and general contracting services for a project.
  - (ii) Completes design services in accordance with article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014, or through a subcontract with a design firm that complies with article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.
- (f) "Design-criteria developer" means an individual or firm that meets both of the following requirements:
  - (i) Is a licensed architect or a licensed professional engineer in this state.
  - (ii) Is responsible for preparing a design-criteria package, and may provide construction inspection services.
- (g) "Design-criteria package" means a set of documents that provides sufficient information to permit a design-builder to prepare a proposal in response to a school district's request for proposals.
- (h) "Remodeling" means the alteration, construction, or remodeling of partitions, hallways, stairways, and means of egress, and the replacement, relocation, or reconstruction of heating, ventilating, and sanitary equipment.
- (i) "School building" means a building used for school purposes.
- (j) "Total cost" means the monetary worth of the building when ready for occupancy, regardless of the source of funds, labor, or material and includes the cost of general construction, plumbing, heating and ventilation, electrical work, all fixed equipment, and the cost of architects, engineers, and building superintending services.

**History:** Add. 1941, Act 148, Eff. Jan. 10, 1942;—CL 1948, 388.851a;—Am. 1949, Act 231, Imd. Eff. May 31, 1949;—Am. 2024, Act 67, Eff. Apr. 2, 2025.

**Compiler's note:** For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.