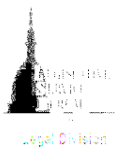


HOUSE BILL NO. 4573

May 08, 2019, Introduced by Reps. Cherry, Guerra, Sneller, Ellison, Chirkun, Witwer, Kennedy, Kuppa and Gay-Dagnogo and referred to the Committee on Transportation.

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the



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truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,"

by amending section 11c (MCL 247.661c), as amended by 2015 PA 182.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 11c. (1) All construction projects of the department
- 2 concerning highways, streets, roads, and bridges, whose cost
- 3 exceeds \$100,000.00 for construction or preservation as defined in
- 4 section 10c, shall be performed by contract awarded by competitive
- 5 bidding unless the department affirmatively finds that under the



1 circumstances relating to those projects, some other method is in
2 the public interest. The director of the department shall report
3 his or her findings to the state transportation commission 90 days
4 before work is commenced and promptly in writing to the
5 appropriations committees of the senate and house of
6 representatives. However, in a case in which the department
7 determines emergency action is required, the reports need not be
8 filed before a contract is awarded but shall be promptly filed.

9 (2) All construction projects of a local road agency whose
10 costs exceed \$100,000.00 for construction or preservation,
11 excluding maintenance, shall be performed by contract awarded by
12 competitive bidding unless the local road agency affirmatively
13 finds that under the circumstances relating to those projects, some
14 other method is in the public interest. Installation or upgrading
15 of advanced traffic management and signals is exempt from this
16 subsection. A county road commission shall report its findings
17 before work is commenced in writing to the county board of
18 commissioners of that county. A city or village shall report its
19 findings before work is commenced in writing to the governing
20 elected body of that city or village. As used in this subsection
21 **and subsection (3)**, "local road agency" means that term as defined
22 in section 9a.

23 (3) **In awarding contracts under this act, the department and**
24 **local road agencies shall give preference to contractors that meet**
25 **1 or more of the following:**

26 (a) **Agree, as part of the construction contract, to have not**
27 **less than 75% of the construction mechanics, who are to work under**
28 **that contract, reside within 60 miles of the work site of the**
29 **proposed contract.**



1 (b) Maintain or participate in an apprenticeship program for
2 construction mechanics that is certified by the United States
3 Department of Labor as determined by the department.

4 (4) As used in subsection (3), "construction mechanic" means a
5 skilled or unskilled mechanic, laborer, worker, helper, assistant,
6 or apprentice working on the construction project but does not
7 include executive, administrative, professional, office, or
8 custodial employees.

