



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 157 (as introduced 2-14-17)  
Sponsor: Senator Rick Jones  
Committee: Michigan Competitiveness

Date Completed: 3-14-17

**CONTENT**

**The bill would enact the "Public Works Quality Materials Procurement Act" to prohibit a public entity from entering into a contract involving a public works project (a water supply or wastewater project) that was entirely or partially financed by public funds, unless the pipe or piping material met or exceeded recognized standards.**

"Public entity" would mean the State or an agency or authority of the State, or a school district, community college district, intermediate school district, city, village, township, county, public authority, or public airport authority. "Public funds" would include legislative appropriations and local or State tax revenue. "Water supply project" would mean pipe and piping materials, lines, and other facilities needed for the pumping, treatment, and distribution of drinking water. "Wastewater project" would mean sewers, pipe and piping materials, interceptors or waste treatment facilities, and facilities for the collection and disposal of liquid and solid waste.

Specifically, except as otherwise provided below, the pipe or piping materials used for a public works project financed in whole or in part by public funds would have to meet or exceed the recognized standards for pipe and piping materials on similar projects as determined by the American Society for Testing and Materials (ASTM) or the American Water Works Association (AWWA), that were in effect on the bill's effective date, and would have to meet the performance specifications for the public works project.

Notwithstanding any other law, charter provision, or ordinance to the contrary, if pipe and piping materials met or exceeded the recognized standards for pipe and piping materials on similar projects as determined by the ASTM or the AWWA, a public entity could not exclude that pipe and piping materials when soliciting bids for a public works project.

The requirement that pipe and piping materials meet ASTM or AWWA standards would not limit the professional judgment of a project's engineer to select any acceptable pipe and piping materials that met the requirements of the public works project.

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government because it would codify current practices.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.