

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1257
Version: As Introduced

DATE: March 13, 2015

Authors: Zerwas

Subject: Responsible contractor law

Analyst: Mark Shepard

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Overview

Amends the 2014 Responsible Contractor Law that governs public construction contracts.

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- 1 Definitions; “contractor”.** Under the current Responsible Contractor Law, a “contractor” does not include a material supplier. This section clarifies the exclusion, so that a “contractor” does not include a material supplier, including when delivering supplies and when providing ancillary services related to supplying materials.
- 2 Responsible contractor required.** The current law applies to a publicly owned or financed project when the contract with the prime contractor is estimated to exceed \$50,000. This section provides that in determining whether a contract exceeds \$50,000, the value of tax increment financing and other contracting authority contributions to a project that are not payments for contractor services must be excluded.
- 3 Minimum criteria; “responsible contractor”.** Under current law, a contractor is not a responsible contractor if the Commissioner of Labor and Industry has found that the contractor “repeatedly *or* willfully violated” specified laws. This bill changes the provision to read “repeatedly *and* willfully violated” any of these laws.
- 4 Verification of compliance.** Strikes requirement that a statement verifying compliance with the responsible contractor requirements be under oath and be sworn.
- 5 Additional criteria.** Current law says that the law does not restrict the authority of a contracting authority to “establish additional criteria for defining a responsible contractor”. This section strikes that language, and provides that the law does not restrict discretion of a

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contracting authority to “impose additional obligations on a project contractor that are authorized by other law, rule, or authority”. States that this subdivision is not an independent grant of authority to a contracting authority to establish additional obligations.