

Amendment to SB 78

1 Amend the bill by replacing section 1 with the following:

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3 1 New Sections; Public Works Design and Construction; Subcontractor Bids; Worksite
4 Accountability. Amend RSA 21-I by inserting after section 81 the following new sections:

5 21-I:81-a Requirement for Listing Subcontractor Bids for State Construction Contracts. The
6 following requirements apply to the construction, reconstruction, installation, demolition,
7 maintenance, or repair of any building by a state agency, including the community college system
8 and university system of New Hampshire, that is required to be awarded through competitive
9 bidding.

10 I. A general contractor shall provide to the awarding state agency, community college, or
11 university system a list of the names, addresses, CEO, CFO, other LLC principals, and each
12 subcontractor to be used in the performance of the contract as soon as is practicable after the
13 contract award, but in any event prior to the date on which the subcontractor begins work on the
14 project. This provision applies to all subcontractors engaged to work on the project, regardless of the
15 date of their engagement.

16 II. This section provides minimum disclosure standards regarding subcontractors and shall
17 not preclude an awarding state agency or the community college or university system from setting
18 more rigorous standards for construction work under their jurisdiction.

19 21-I:81-b Worksite Accountability. At the onset of work on any state construction project,
20 including any construction project undertaken by the community college system and the university
21 system of New Hampshire, the general contractor or designated project construction manager, if any,
22 shall provide to the awarding state agency a current list of all subcontractors and independent
23 contractors that the general contractor has agreed to use on the job site, with a record of the entity to
24 whom that subcontractor or independent contractor is directly contracted and by whom that
25 contractor or subcontractor is insured for worker's compensation purposes. This list shall be posted
26 on the jobsite and updated as needed to reflect any new subcontractors or independent contractors
27 and also posted on the state agency website, to be updated every 30 days. If it is determined that a
28 subcontractor or independent contractor is present on a state construction site without the
29 contractor's name and direct contracting relationship being posted in a visible location at the
30 worksite, the general contractor or designated project manager shall require the subcontractor or
31 independent contractor to provide the information within 36 hours and to post the information in a
32 visible location at the worksite. If the information is not provided within 36 hours of its request, the

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1 general contractor shall suspend the contractor until the information is provided and posted.