

1 SB36
2 115246-1
3 By Senators Bedford and Ross
4 RFD: Finance and Taxation General Fund
5 First Read: 12-JAN-10
6 PFD: 11/17/2009

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8 SYNOPSIS: Under existing law, subcontractors are not
9 required to be disclosed to the awarding agency.

10 This bill would require all contractors who
11 bid on contracts to include as part of their
12 submitted bid a list of all subcontractors with
13 which they will directly contract on each project.

14 The bill would require the list of
15 subcontractors to be posted on the Internet
16 database for state expenditures.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Relating to public contracts; to require contractors
23 to disclose all subcontractors which they will directly
24 contract with on each project; and to provide that the
25 information be posted on the Internet.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) All contracts governed by Titles 39
2 and 41 of the Code of Alabama 1975, involving seven thousand
3 five hundred dollars (\$7,500) or more, made by or on behalf of
4 any state department, board, bureau, commission, committee,
5 institution, corporation, authority, or office shall include
6 the following:

7 (1) Contractors shall provide, to the awarding
8 authority or purchasing agent, as applicable, a written list
9 identifying contractors, subcontractors, and suppliers, and
10 their owners and primary places of business, for all
11 subcontracts or purchase orders that exceed seven thousand
12 five hundred dollars (\$7,500).

13 (2) Contractors shall supply this list within 20
14 days after the execution of the contract.

15 (3) Contractors shall amend this list within 10 days
16 after any change involving a subcontractor or a supplier.

17 (b) Failure to provide the requirements listed in
18 this section may result in the cancellation of the contract.

19 (c) With each application for payment, the
20 contractor shall furnish an affidavit listing the following:

21 (1) The number and name of every subcontractor
22 associated with the work.

23 (2) Every person furnishing labor or materials for
24 the work.

25 (3) The amounts due or to become due to the
26 subcontractors, laborers, or material suppliers as of the date
27 of the application for payment.

1 Section 2. The Comptroller shall include on the
2 Internet database for state expenditures a listing of all
3 subcontractors for public contracts.

4 Section 3. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.