

**LAPEER COUNTY DRAIN COMMISSIONER**

**ORDER ADOPTING  
PREQUALIFICATION CRITERIA FOR DRAIN MAINTENANCE PROJECTS**

**WHEREAS**, effective March 24, 2021, Section 221(2)(b) of the Michigan Drain Code, Public Act 40 of 1956, as amended (“Drain Code”), authorizes the Lapeer County Drain Commissioner (“Drain Commissioner”) to utilize certain prequalified contractors to perform non-petitioned maintenance work under MCL 280.196 without advertising for sealed bids; and

**WHEREAS**, in order to utilize prequalified contractors, the Drain Commissioner must maintain a list of prequalified contractors that is fully accessible to the public; and

**WHEREAS**, the Drain Commissioner must adopt certain prequalification criteria to determine whether a contractor is a prequalified contractor; and

**WHEREAS**, the prequalification criteria must also be fully accessible to the public.

**THEREFORE, BE IT ORDERED** by the Drain Commissioner that the following prequalification criteria are hereby adopted:

- (1) **Satisfactory completion of Lapeer County drain maintenance project.** Prequalified contractors shall have, within the preceding ten (10) years, completed a drain maintenance project within Lapeer County and to the Drain Commissioner’s satisfaction.
- (2) **Compliance with Soil Erosion and Sedimentation Control (SESC) requirements.** Prequalified contractors shall be willing and able to comply with all SESC plan requirements of the Lapeer County Drain Commissioner as an Approved Public Agency (APA).
- (3) **Liability Insurance.** Prequalified contractors shall maintain liability insurance in the amount of at least One Million (\$1,000,000) Dollars per occurrence covering any maintenance work performed. The insurance must be written by a company rated by A.M. Best Company requiring an “A-“ or better rating.
- (4) This Order does not prohibit the Lapeer County Drain Commissioner from bidding drain maintenance projects.
- (5) This Order does not apply to emergency conditions under Section 196(8).
- (6) This Order is applicable to county drains under the jurisdiction of the Lapeer County Drain Commissioner and does not apply to intercounty drain maintenance projects unless otherwise specified by each board.

**BE IT FURTHER ORDERED**, that this Order Adopting Prequalification Criteria for Drain Maintenance Projects shall be available upon request and shall be posted and maintained on the Drain Commissioner’s website.

  
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Joseph E. Suma  
Lapeer County Drain Commissioner