

ACT 105

S. B. NO. 846

A Bill for an Act Relating to Pollution Control Costs on Construction Projects.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 103, Hawaii Revised Statutes, is amended by adding thereto a new part to be appropriately numbered and to read as follows:

“PART . POLLUTION CONTROL

Section 103- . All public contracts awarded pursuant to Chapter 103, Hawaii Revised Statutes, shall make provisions for pollution control, if any, which will be encountered in the execution of the contract. The cost for any pollution control activity that is not specified in the construction contract or otherwise provided for but is deemed necessary by the awarding agency after the contract has been awarded shall be paid for on a force account basis, and the installation of required controls shall be under the direction of the contracting officer. Force account shall mean the sum of the cost of all labor including labor taxes and insurance, materials and equipment rental. To the sum of the latter shall be added a fixed percentage as determined by the contracting agency for overhead and profit, and there shall also be added the applicable gross income tax.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 25, 1971.)