

DTMB-SFA- DESIGN AND CONSTRUCTION

Frequently Asked Questions for Recent Law Changes

April 8, 2025

Asbestos Abatement Law

Q: What has changed for asbestos abatement law?

A: [Public Act 59 of 2024](#) now requires Owners to conduct a background investigation of any asbestos abatement contractors or subcontractors that perform asbestos abatement.

Q: What is a background investigation?

A: All bids containing asbestos abatement are required to be submitted with the newly created Asbestos Abatement Attestation form. The Owner shall review the State and Federal records for violation notice, consent orders, and consent judgements.

Q: How will the background investigation results be used?

A: Contractors or subcontractors with 5 or more notices of violation of environmental regulations or subject to an administrative consent order or a consent judgment involving environmental regulations cannot contract for work with the State of Michigan DTMB Design and Construction for asbestos abatement.

Q: When will the investigation be conducted?

A: The owner will conduct the investigation as a part of the bid review period.

Q: Where is the newly added Asbestos Abatement Attestation form found?

A: The Asbestos Abatement Attestation form is located in the contract documents posted with the project bid documents.

Q: What happens to my bid if I do not submit the Asbestos Abatement Attestation form and the work contains asbestos Abatement?

A: The bid may be considered not responsible and will not be considered for award of a contract.

Q: What happens if we find asbestos during the work that was unknown when the project was bid?

A: The **Asbestos Abatement Attestation form will need to be submitted and** a background investigation of the contractor and subcontractor will be conducted at that time.

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