

**SENATE . . . . . No. 214**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Thomas M. McGee***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to projects funded by the school building authority..

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PETITION OF:

NAME:

*Thomas M. McGee*

DISTRICT/ADDRESS:

*Third Essex*

**SENATE . . . . . No. 214**

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By Mr. McGee, a petition (accompanied by bill, Senate, No. 214) of Thomas M. McGee for legislation relative to projects funded by the school building authority. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 247 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to projects funded by the school building authority..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 9 of Chapter 70B, as appearing in the 2006 Official Edition, is  
2 hereby amended by adding at the end of subsection (a), the following:- (5) the applicant shall not  
3 enter into a contract for design services unless the designer has obtained professional liability  
4 insurance covering negligent errors, omissions and acts of the designer or of an person or  
5 business entity for whose performance the designer is legally liable arising out of the  
6 performance of the contract. Notwithstanding the provisions of Chapter 7 Section 38H  
7 paragraph (f), the total amount of such insurance shall at a minimum equal fifty per cent of the  
8 project’s estimated cost of construction, or such larger amounts as the board may require, for the  
9 applicable limitations. A designer required by the authority to obtain all or a portion of such  
10 insurance coverage at his own expense shall furnish a certificate of certificates of insurance  
11 coverage to the applicant prior to the award of the contract.