

**SENATE . . . . . No. 1628**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Kenneth J. Donnelly***

*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 state contracting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1628) of Kenneth J. Donnelly, Jason M. Lewis, Barbara L'Italien, Michael O. Moore and other members of the General Court for legislation relative to state contracting. State Administration and Regulatory Oversight.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to state contracting.

*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. Chapter 7 of the General Laws is hereby amended by inserting after section  
2 22O the following new section:-

3 Section 22P. Any state executive, legislative or judicial department, office, commission,  
4 board, bureau, institution, regional or independent authority, or any instrumentality thereof  
5 contracting for cleaning, maintenance or security guard services in any buildings shall abide by  
6 section 27H of chapter 149 and any rules promulgated thereunder. Any procurement bid or offer  
7 with the operational services division or any other state procurement agent that does not follow  
8 the requirements under this section and any rules promulgated under this section is a  
9 nonresponsive bid or offer. Any contract entered into by any department, office, commission,  
10 institution or regional authority, after the effective date of this section, shall be void if it is not in  
11 compliance with this section and section 27H of chapter 149. Any solicitation by a state  
12 department, office, commission, institution or regional authority contracting for cleaning,

13 maintenance or security guard services in any building shall include (1) a statement of required  
14 hours; and (2) a worksheet requiring a breakdown of the cost components of the hourly proposed  
15 rate as developed by the Executive Office for Administration and Finance or its designee; and (3)  
16 a provision for annual adjustments to the contract price to reflect increases to wage and benefits  
17 requirements as determined by the director of the department of labor standards.

18 SECTION 2. Section 27H of chapter 149 of the General Laws, as appearing in the 2012  
19 Official Edition, is hereby amended by striking, in lines 1 and 2, the words "the cleaning and  
20 maintenance of" and inserting in place thereof the following words:- "cleaning, maintenance or  
21 security guard services in";

22 and inserting, after the word "maintenance", on line 6, the following words: " , security  
23 guard".