

HOUSE No. 2755

The Commonwealth of Massachusetts

PRESENTED BY:

Tram T. Nguyen, (BY REQUEST)

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 eliminate the MGL30B exemption for solid waste, recycling, etc.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Keith Saxon</i>		<i>1/17/2019</i>

HOUSE No. 2755

By Ms. Nguyen of Andover (by request), a petition (accompanied by bill, House, No. 2755) of Keith Saxon for legislation to remove certain uniform procurement law solid waste and recycling exemptions. State Administration and Regulatory Oversight. (Corrected 12/3/19)

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act eliminate the MGL30B exemption for solid waste, recycling, etc.

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

1 The guts of this bill would simply be "Subsection (b) of section 1 of chapter 30B of the
2 General Laws, as so appearing, is hereby amended by striking out clause (30)."

3 The why of this bill is that Cities & Towns spend millions & millions of dollars on these
4 services (>\$2.2mm in Andover alone) yet are not required to competitively bid these services
5 under the Public Procurement Law process despite the opportunity for significant savings.
6 Furthermore competition is thwarted and less robust than otherwise would be the case as
7 potential bidders/respondents to RFQs know that municipalities do not need to change their
8 favorite vendor even if significant savings &/or service improvements are provided. Numerous
9 bills have been proposed in the last several legislature sessions regarding solid waste & recycling
10 all with at least one stated primary goal as being to provide cost savings to cities & towns. This
11 bill is one that actually does that immediately.

12 The why now of this bill is that there are many Solid Waste/Recycling vendors available
13 to all municipalities thus providing the opportunity for both cost savings & alternatives. This was
14 not the case 25-yrs ago when many towns handled such services themselves necessitating an
15 exemption from public procurement . Further while the recycling industry is undergoing
16 significant changes & dependent on volatile commodity markets, contract protections &
17 flexibility are already provided for under the Chapter 30B procurement law in Section 13A.