

SENATE No. 2339

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

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 public bidding.

PETITION OF:

NAME:

Diana DiZoglio

DISTRICT/ADDRESS:

First Essex

SENATE No. 2339

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 2339) (subject to Joint Rule 12) of Diana DiZoglio for legislation relative to public bidding. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act relative to public bidding.

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 44A of Chapter 149 of the General Laws shall be amended to add:-

2 “Quasi-Public Agency“ means a department, agency, board, commission, authority,
3 entity, or other instrumentality that is created by legislation which is legally separate from the
4 commonwealth but receives state grants or federal grants or has authority to issue bonds or any
5 combination of those factors.

6 SECTION 2. Each lettered subsection in GL c. 149 sec. 44A shall be amended to add “or
7 procured through or administered by quasi-public agencies” after the words “public agency”
8 every time the term “public agency” appears.

9 SECTION 3. Section 44A1/2 of Chapter 149 of the General Laws shall be amended to
10 add the words “or entity receiving assistance or contracts through or administered by a quasi-
11 public agency” after the words “public agency” every time the words “public agency” appear in
12 all subsections.

13 SECTION 4. Section 27 of Chapter 149 of the General Laws shall be amended as
14 follows:-

15 After the words “public works” add “or contracts procured through or administered by a
16 quasi-public agency” every time the term “public works” appears.

17 SECTION 5. Section 39M of Chapter 30 of the General Laws shall be amended as
18 follows:-

19 After the words “public work” add the term “or work receiving the benefit of public
20 dollars as through a process connected to a ‘quasi-public agency’ as defined in GL c. 149 Sec.
21 44A or a project for which a private company has garnered a public tax credit”.

22 After the words “commonwealth, or political subdivision thereof,” add “or connected to
23 services provided by or administered by a quasi-public agency”.

24 After the words, “This paragraph shall not apply to the award of any contract subject to
25 the provisions of sections forty-four A to forty-four J, inclusive, of chapter one hundred and
26 forty-nine and every such contract shall continue to be awarded as provided therein” add the
27 words, “Provided, however, all contracts for projects that receive some public benefit such as
28 one procured via a quasi-public agency, a tax credit, or a public grant or any combination of the
29 same shall comport with this paragraph. All projects subject to this section shall post on
30 COMMBUYS, the free internet-based access for all public procurement designed in order to
31 promote transparency, increase competition, and achieve best value for Massachusetts
32 taxpayers.”