HOUSE DOCKET, NO. 5196 FILED ON: 6/21/2022

# HOUSE . . . . . No. 5025

## The Commonwealth of Massachusetts

PRESENTED BY:

***Paul F. Tucker and Joan B. Lovely***

*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 bidding requirements for a certain affordable housing project in the city of Salem.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Paul F. Tucker* | *7th Essex* | *6/21/2022* |
| *Joan B. Lovely* | *Second Essex* | *6/21/2022* |

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# HOUSE . . . . . No. 5025

By Representative Tucker of Salem and Senator Lovely, a joint petition (subject to Joint Rule 12) of Paul F. Tucker and Joan B. Lovely (with the approval of the mayor and city council) relative to bidding requirements for the state-funded public housing project known as Lee Fort Terrace in the city of Salem. Housing. [Local Approval Received.]

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court**
**(2021-2022)**

An Act relative to bidding requirements for a certain affordable housing project in the city of Salem.

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

SECTION 1. Construction and development activity related to redevelopment by the Salem Housing Authority of the state-funded public housing project known as Lee Fort Terrace, at 1 Lee Fort Terrace and 2 Lee Fort Terrace in the City of Salem or any part thereof, shall not be subject to any general or special law related to the procurement and award of contracts for the planning, design, construction management, construction, reconstruction, installation, demolition, maintenance or repair of buildings by a public agency but shall be subject to sections 26 to 27H, inclusive, of chapter 149 of the General Laws. Contracts for the construction, reconstruction, alteration, remodeling or repair of any publicly-owned public works that service this project and that would otherwise be subject to section 39M of chapter 30 of the General Laws shall be subject to said section 39M if the redevelopment of the project is funded in part by a state or federal low-income housing tax credit, grant, or loan or pursuant to the issuance of tax-

exempt bonds authorized by general law. A conveyance of the project, whether by leasehold or fee estate, shall be subject to chapter 30B of the General Laws to the extent that the project is conveyed to an entity that is not owned, controlled or managed by the Salem housing authority on the date of the conveyance. Subject to compliance with the requirements of chapter 30B, the project may be conveyed to and may be owned, maintained and operated by an entity that is not owned, controlled or managed by the Salem housing authority; provided, that such entity enters into a binding legal contract and land use restriction with the Salem housing authority and with the department of housing and community development that requires such entity to preserve or construct the required portion of public housing units and operate such units subject to compliance with chapter 121B of the General Laws and 760 CMR 4.00 et seq., 5.00 et seq. and 6.00 et seq. in the same manner and to the same effect as if such entity were a housing authority, subject to such regulatory waivers given by the department of housing and community development as may be necessary to secure financing.

SECTION 2. This act shall take effect upon its passage.