

SENATE No. 1054

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 amending the contract procedures in the city of Boston.

PETITION OF:

NAME:

Michael F. Rush

DISTRICT/ADDRESS:

Suffolk and Norfolk

SENATE No. 1054

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1054) of Michael F. Rush for legislation to amend contract procedures in the city of Boston. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act amending the contract procedures in the city of Boston.

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. Notwithstanding any general or special law to the contrary,
2 Section 6 of chapter 418 of the acts of 1890 is hereby amended by striking out the first sentence,
3 as most recently amended by section 1 of chapter 262 of the acts of 1998, and inserting in place
4 thereof the following sentence:-

5 “All contracts made by any department of the city of Boston or by any officer,
6 board or official of the county of Suffolk having power to incur obligations on behalf of said
7 county in cases where said obligations are to be paid for wholly from the treasury of said city,
8 shall, when the amount involved is at the threshold amount for purchases requiring competitive,
9 sealed bids or proposals under M.G.L. c 30B, or when the contract comes within section 30 of
10 chapter 486 of the acts of 1909, be in writing; and no such contract shall be deemed to have been
11 made or executed until the approval of the mayor of said city has been affixed thereto in writing
12 and the auditor of said city has certified thereon that an appropriation is available therefor or has

13 cited thereon the statute under authority of which the contract is being executed without an
14 appropriation.”

15 SECTION 2. Notwithstanding any general or special law to the contrary,
16 Section 30 of chapter 486 of the acts of 1909 is hereby amended by striking the entire section, as
17 most recently amended by section 2 of chapter 373 of the acts of 1992, and inserting in place
18 thereof the following:-

19 “Every officer or board in charge of a department in said city and every officer,
20 board or official of the county of Suffolk having power to incur obligations on behalf of said
21 county in cases where said obligations are to be paid for wholly from the treasury of said city,
22 when authorized to erect a new building or to make structural changes in and existing building,
23 shall make contracts therefore, not exceeding five, each contract to be subject to the approval of
24 the mayor; and when about to do any work or make any purchase, the estimated cost of which
25 alone, or in conjunction with other similar work or purchase which might properly be included in
26 that same contract, amounts to or exceeds the threshold amount for purchases requiring
27 competitive, sealed bids or proposals as set forth in M.G.L. c. 30B, shall, unless the mayor gives
28 written authority to do otherwise, invite solicitations therefore by advertisements in the City
29 Record. Such advertisement shall state the time and place for opening the solicitations in answer
30 to said advertisement, and shall reserve the right to the officer or board to reject any or all
31 solicitations. No authority to dispense with advertising shall be given by the mayor unless the
32 said officer or board furnishes him with a signed statement which shall be published in the City
33 Record giving in detail the reasons for not inviting solicitations by advertisement.