



The Commonwealth of Massachusetts
JOINT COMMITTEE ON STATE ADMINISTRATION AND
REGULATORY OVERSIGHT
STATE HOUSE, BOSTON 02133

Joint Committee on State Administration and Regulatory Oversight

Rep. Antonio F. D. Cabral
House Chair

Sen. Nick Collins
Senate Chair

PUBLIC HEARING NOTICE

Date of Hearing: Wednesday, October 8, 2025

Time: 1:00 PM-5:00 PM

Location: 222 and Virtual

Matters concerning public construction and honorary designations

All matters filed in the House that are listed above are required to be reported on by November 9, 2025, subject to extensions consistent with House Rule 27.

Please be advised that the schedule and agenda are subject to change at the discretion of the chairs. Further, the Chairs may schedule an executive session to coincide with this hearing. Per Committee Rules, Joint Committee members will be given any advance notice and materials to review.

IN-PERSON/VIRTUAL TESTIMONY REGISTRATION: Legislators, public officials, and the public *must* register to provide oral testimony. To register to testify **virtually** or **in-person**, please provide the contact information requested in this [form](#) by **12:00 PM on Monday, October 6**. Once registered, you will receive further instruction on how to participate virtually.

WRITTEN TESTIMONY: Written testimony can be submitted via email to Nicole Janeiro at nicole.janeiro@mahouse.gov or Riley Nichols at riley.nichols@masenate.gov. Alternatively, testimony can be physically mailed to either the House or Senate Chair:

Chair Antonio F.D. Cabral

Joint Committee on State Administration and Regulatory Oversight

ATTN: Svetlana Yefimenko

24 Beacon St, Suite 466

Boston, MA 02133

Chair Nick Collins

Joint Committee on State Administration and Regulatory Oversight

ATTN: Riley Nichols

24 Beacon St, Room 511-A

Boston, MA 02133

Written testimony is encouraged and will continue to be accepted after the hearing until the relevant bill is acted upon.

Please be advised that all oral and written testimony may be publicly available.

A livestream of this hearing will be available on the General Court website, <https://malegislature.gov/>

You may contact committee staff with any questions by emailing at nicole.janeiro@mahouse.gov or riley.nichols@masenate.gov

Bill No.	Sponsor	Title
H3300	Cabral, Antonio F. D. (HOU)	An Act relative to bidding for public construction contracts
H3315	Diggs, Kip A. (HOU)	An Act directing the superintendent of state office buildings to install a permanent memorial in the Massachusetts State House in honor of Mercy Otis Warren
H3325	Duffy, Patricia A. (HOU)	An Act to create the buy clean Massachusetts program
H3327	Elliott, Rodney M. (HOU)	An Act relative to designating a certain structure on the state house grounds as the Ranger Joanne Croken guard house
H3333	Ferrante, Ann-Margaret (HOU)	An Act relative to the definition of fraud in public construction bid laws
H3334	Galvin, William C. (HOU)	An Act relative to timely public payments for work not included in original construction contracts
H3340	González, Carlos (HOU)	An Act relative to minority participation goals in exclusive contracts
H3341	González, Carlos (HOU)	An Act relative to supplier diversity recertification

Bill No.	Sponsor	Title
H3347	Holmes, Russell E. (HOU)	An Act relative to the fair participation of minority and women-owned businesses on public construction projects
H3350	Honan, Kevin G. (HOU)	An Act relative to Commonwealth building projects
H3359	Hunt, Daniel J. (HOU)	An Act relative to the state property zoning exemption
H3361	Hunt, Daniel J. (HOU)	An Act relative to timely decisions by awarding authorities
H3371	Kilcoyne, Meghan K. (HOU)	An Act relative to public construction certification
H3372	Kilcoyne, Meghan K. (HOU)	An Act relative to the submission of design-build proposals
H3385	Markey, Christopher M. (HOU)	An Act further defining fraud in public construction contracts
H3401	Pease, Kelly W. (HOU)	An Act state funded construction work
S2120	Creem, Cynthia Stone (SEN)	An Act relative to removing the term hearing impaired from the general laws
S2122	Crighton, Brendan P. (SEN)	An Act relative to increasing transparency in public construction
S2169	Mark, Paul W. (SEN)	An Act clarifying eligibility to the Massachusetts Cultural Facilities Fund
S2180	Moore, Michael O. (SEN)	An Act relative to the definition of fraud in public construction bid laws
S2181	Moore, Michael O. (SEN)	An Act to promote safety, efficiency and accountability in transportation projects through public inspections
S2186	Moore, Michael O. (SEN)	An Act relative to timely public payments for work not included in original construction contracts
S2198	Oliveira, Jacob R. (SEN)	An Act relative to the submission of design build proposals
S2199	Oliveira, Jacob R. (SEN)	An Act relative to public construction certification
S2202	Oliveira, Jacob R. (SEN)	An Act relative to commonwealth building projects
S2548	Brady, Michael D. (SEN)	An Act designating bar pizza as the official pizza of the Commonwealth

Please be advised that the schedule and agenda are subject to change at the discretion of the chair per committee rules.

You may contact committee staff with any questions at (617) 722-2017 or (617) 722-1150.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3300
<u>TITLE</u>	An Act relative to bidding for public construction contracts
<u>SPONSORS</u>	Representatives Cabral of New Bedford, Kearney of Scituate, Elliott of Lowell, Howard of Lowell, McMurtry of Dedham, Worrell of Boston, Sabadosa of Northampton, Uyterhoeven of Somerville, Stanley of Waltham, Higgins of Leominster, Sena of Acton, Mendes of Brockton, and Hawkins of Attleboro; Senators Keenan and Feeney
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2023-24) H2995: Favorable, referred to House Ways and Means

(2021-22) H3112: Favorable, referred to House Ways and Means

CURRENT LAW

Section 44D of chapter 149 regarding submission of bids or offers for contracts or procurement for building construction by a public agency

SUMMARY

Inserts a new sentence into Subsection 2 of Section 44D of Chapter 149, making public record an application for a certificate of eligibility and update statements, except financial information contained in the application, which shall not be public record.

Inserts a new sentence into Subsection 12 of Section 44D of Chapter 149, making public record an application for a certificate of eligibility and update statements, except financial information contained in the application, which shall not be public record.

Current law exempts a bid or offer from being public record.

HOUSE No. 3300

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

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 for public construction contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/8/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>3/3/2025</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>3/3/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/3/2025</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>3/3/2025</i>
<i>Christopher J. Worrell</i>	<i>5th Suffolk</i>	<i>3/5/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/6/2025</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/19/2025</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/6/2025</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>4/6/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>4/6/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/9/2025</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>4/28/2025</i>
<i>Rita A. Mendes</i>	<i>11th Plymouth</i>	<i>6/10/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/12/2025</i>

HOUSE No. 3300

By Representative Cabral of New Bedford, a petition (accompanied by bill, House, No. 3300) of Antonio F. D. Cabral and others relative to bidding for public construction contracts. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to bidding for public construction contracts.

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. Subsection 2 of section 44D of chapter 149 of the General Laws, as
2 appearing in the 2022 Official Edition, is hereby amended by striking out the fifth sentence, in
3 lines 66-67, inclusive, and inserting in place thereof the following sentence:

4 An application for a certificate of eligibility and update statements shall be public record
5 as defined in section 7 of chapter 4 except that financial information contained in the application
6 shall not be a public record.

7 SECTION 2. Subsection 12 of said section 44D, of said chapter 149, as so appearing, is
8 hereby amended by striking out the fifth sentence, in lines 279-281, inclusive, and inserting in
9 place thereof the following sentence:

10 Applications for a certificate of eligibility and update statements shall be public record as
11 defined in section 7 of chapter 4 except that financial information contained in the application
12 shall not be a public record.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3315
<u>TITLE</u>	An Act directing the superintendent of state office buildings to install a permanent memorial in the Massachusetts State House in honor of Mercy Otis Warren
<u>SPONSORS</u>	Representatives Diggs of Barnstable and Xiarhos of Barnstable
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

2023-24 (H.3013): Favorable, referred to House Steering, Policy and Scheduling

2021-22 (H.4281): Favorable, referred to House Steering, Policy and Scheduling

CURRENT LAW

Chapter 6, Section 20: Art commission; members; powers and duties

Chapter 8: State Superintendent of Buildings, and State House

SUMMARY

This legislation would direct the superintendent of state office buildings to install and maintain a memorial in the State House honoring Mercy Otis Warren, subject to approval by the State House Art Commission. The memorial, donated by Cape Cod artist David Lewis, would be installed at no cost to the Commonwealth.

HOUSE No. 3315

The Commonwealth of Massachusetts

PRESENTED BY:

Kip A. Diggs

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 directing the superintendent of state office buildings to install a permanent memorial in the Massachusetts State House in honor of Mercy Otis Warren.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>1/15/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>4/22/2025</i>

HOUSE No. 3315

By Representative Diggs of Barnstable, a petition (accompanied by bill, House, No. 3315) of Kip A. Diggs that the Superintendent of State Office Buildings be authorized to install a permanent memorial in the State House in honor of Mercy Otis Warren. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3013 OF 2023-2024.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—————

An Act directing the superintendent of state office buildings to install a permanent memorial in the Massachusetts State House in honor of Mercy Otis Warren.

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 superintendent of state office buildings shall, subject to the approval of the State
2 House Art Commission as to size and content, install and maintain in a conspicuous place of the
3 Art Commission’s choosing in the State House, a memorial honoring Mercy Otis Warren, of
4 Barnstable, Massachusetts, a leading author, playwright, satirist, and patriot in colonial
5 Massachusetts, whose essays contributed to the creation of the Constitution’s Bill of Rights, and
6 whose book, History of the Rise, Progress, and Termination of the American Revolution became
7 this country's first published history of the American Revolution. Said memorial shall be the gift
8 of Cape Cod artist David Lewis who will bear all costs associated with the creation,
9 transportation, and installation of the artwork.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

BILL NUMBER House, No. 3325

TITLE An Act to create the buy clean Massachusetts program

SPONSORS Representative Duffy of Holyoke

HEARING DATE Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

SIMILAR MATTERS None

PRIOR HISTORY

None

SUMMARY

This act shall be known and cited as the buy clean Massachusetts act, and it establishes a “buy clean” program.

Beginning July 1, 2027, all new construction projects larger than 100,000 square feet must submit to DCAMM information for at least 90% of the cost of covered products that includes product quantity, a current environmental product declaration, a health product declaration, manufacturer name and location, and office of minority and women-owned business enterprises certification. Beginning July 1, 2029, all new construction contracts must submit this data. This requirement does not apply to a covered product for a particular covered project if obtaining this information would cause significant delays or cost increases.

Covered products include concrete, steel, and engineered wood. Covered projects include construction projects greater than 50,000 square feet; renovation projects where the cost is greater than 50 percent of the assessed value and the project is larger than 50,000 square feet; or transportation infrastructure projects where the contract is greater than \$3,000,000 which include at least 200 cubic yards of concrete.

Beginning July 1, 2027, specifications for a bid or project proposal contract may only include performance-based, rather than prescriptive, specifications for concrete.

After July 1, 2029, DCAMM must create a public database for selected firms for project contracts to submit the data required in this act and may seek state funding for this purpose.

By July 1, 2027, DCAMM must further elaborate covered product definitions using material industry standards, develop measurement and reporting standards, and create model language. Additionally, DCAMM must produce an educational brief.

By December 1, 2026, DCAMM must convene a technical work group to identify opportunities for and barriers to growth of the use and production of lower-carbon materials, promote high labor standards in manufacturing, and expand lower-carbon materials manufacturing in Massachusetts. By September 1, 2027, the technical work group must submit a report to the legislature and governor, and, by September 1, 2028, the technical work group must submit policy recommendations. The section establishing and outlining the technical work group expires on January 1, 2030.

No later than January 1, 2030, awarding authorities must include in pre-bid specification documents instructions regarding specific goals for use of lower-carbon products in all major capital construction projects valued over \$10,000,000 that are required to complete a pre-design, with recommendations for use of lower-carbon products reflecting the recommendations of the technical work group.

HOUSE No. 3325

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Duffy

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 to create the buy clean Massachusetts program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>1/17/2025</i>

HOUSE No. 3325

By Representative Duffy of Holyoke, a petition (accompanied by bill, House, No. 3325) of Patricia A. Duffy relative to construction contracts. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to create the buy clean Massachusetts program.

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. Definitions.

2 Section 1. As used in this chapter, the following words shall have the following meanings
3 unless the context clearly requires otherwise:

4 "Actual production facilities", the final manufacturing facility and the facilities at which
5 production processes occur that contribute to 70 percent or more of the product's cradle-to-gate
6 global warming potential, as reflected in the environmental product declaration.

7 "Awarding authority", state or local institution or department authorized to issue bids and
8 contracts on the Commonwealth's behalf including:

9 (i) Public institutions of higher education;

10 (ii) The division of capital asset management and maintenance through the operational
11 services division;

- 12 (iii) The executive office of transportation;
- 13 (iv) Municipal governments and departments; and
- 14 (v) Any other state government agency that receives funding from the Commonwealth for
15 a public works project contracted directly by the state agency.

16 "Covered product", construction materials under the purview of this act, including:

17 (i) Structural concrete products, including ready mix, shotcrete, precast, and concrete
18 masonry units;

19 (ii) Reinforcing steel products, specifically rebar and posttensioning tendons;

20 (iii) Structural steel products, specifically hot rolled sections, hollow sections, metal
21 deck, and plate; and

22 (iv) Engineered wood products, such as cross-laminated timber per ANSI form no. PRG
23 320, glulam beams, laminated veneer lumber, parallel strand lumber, dowel laminated timber,
24 nail laminated timber, glulam laminated timber, prefabricated wood joists per ASTM D5055,
25 wood structural panel per product standard 1 or product standard 2, solid sawn lumber per
26 product standard 20, structural composite lumber per ASTM D5456, and structural sawn lumber.

27 (a) For the purposes of this subsection:

28 "ANSI", the American national standards institute.

29 "ASTM", the American society for testing and materials.

30 "Product standard", a voluntary product standard published by the United States
31 department of commerce national institute of standards and technology.

32 "Covered project", projects that are subject to this act including:

33 (i) A construction project larger than 50,000 gross square feet in completion;

34 (ii) A building renovation project where the cost is greater than 50 percent of the assessed
35 value and the project is larger than 50,000 gross square feet of occupied or conditioned space; or

36 (iii) A transportation infrastructure project where the contract is greater than \$3,000,000
37 which include a concrete pay item with estimated quantity of at least 200 cubic yards.

38 "Division", the division of capital asset management and maintenance.

39 "Environmental product declaration", a type III environmental product declaration, as
40 defined by the international organization for standardization standard 14025 or similarly robust
41 life-cycle assessment methods that have uniform standards in data collection consistent with the
42 international organization for standardization standard 14025, industry acceptance, and integrity.

43 When available, the environmental product declaration must be supply chain specific,
44 and shall reflect an environmental product declaration that includes supply chain specific data for
45 production processes that contribute 70 percent or more of a product's cradle-to-gate global
46 warming potential, as defined in international organization for standardization standard 21930,
47 and reports the overall percentage of supply chain specific data included.

48 "Greenhouse gas", any chemical or physical substance that is emitted into the air and that
49 may reasonably be anticipated to cause or contribute to climate change including, but not limited

50 to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur
51 hexafluoride.

52 "Health product declaration", a supply chain specific health product declaration, as
53 defined by the health product declaration open standard maintained by the health product
54 declaration collaborative, that has robust methods for product manufacturers and their ingredient
55 suppliers to uniformly report and disclose information about product contents and associated
56 health information.

57 "Lower-Carbon", materials with low embodied energy and carbon emissions throughout
58 their production, assembly, and transportation when compared to conventional products,
59 assembly or transportation.

60 "Product and facility specific report", an environmental product declaration whereby the
61 environmental impacts can be attributed to a single manufacturer and a specific manufacturing or
62 production facility.

63 SECTION 2. (1)(a) Beginning July 1, 2027, an awarding authority must require in all
64 newly executed construction contracts that the selected firm for a construction contract for a
65 covered project larger than 100,000 gross square feet submit to the division the following data
66 for each covered product used before substantial completion, including at a minimum:

67 (i) Product quantity;

68 (ii) A current environmental product declaration;

69 (iii) Health product declaration, if any, completed for the product;

70 (iv) Manufacturer name and location, including state or province and country; and

71 (v) Office of minority and women-owned business enterprises certification, if any.

72 (b) Beginning July 1, 2029, an awarding authority must require in all newly executed
73 construction contracts that the selected firm for a construction contract for a covered project
74 submit the data required by (a) of this subsection for each covered product used before
75 substantial completion. All data shall be shared with the division at the time of submittal.

76 (c) The selected firm for a contract for a covered project shall provide the data required
77 by this subsection for at least 90 percent of the cost of each of the covered products used in the
78 project.

79 (2) The selected firm for a contract for a covered project is required to collect and submit
80 from product suppliers the information required in subsection (1)(a)(ii) through (vi) of this
81 section. The selected firm is not required to verify the information received from product
82 suppliers.

83 (3) If a supply chain specific environmental product declaration is not available, a
84 product and facility specific report may be submitted.

85 (4) This section does not apply to a covered product for a particular covered project if the
86 awarding authority determines, upon written justification provided to the division, that the
87 requirements in this section would cause a significant delay in completion, significant increase in
88 overall project cost, or result in only one product supplier being able to provide the covered
89 product.

90 (5) An awarding authority must include the information and reporting requirements in
91 this section in a specification for bids for a covered project.

92 (6) Subject to funds appropriated for this specific purpose, the division may provide
93 financial assistance to small businesses, as allocated by the Legislature, to help offset the costs to
94 the small business of producing an environmental product declaration required under this
95 section. Such financial assistance supports the production of environmental product declarations
96 and achievement of reductions of embodied carbon in the built environment while ensuring that
97 small manufacturers are not put at a competitive disadvantage in state contracting as a result of
98 the requirements of this chapter.

99 SECTION 3. By July 1, 2027, and to the extent practicable, specifications for a bid or
100 proposal for a project contract by an awarding authority may only include performance-based
101 specifications for concrete used as a structural material. Awarding authorities may continue to
102 use prescriptive specifications on structural elements to support special designs and emerging
103 technology implementation.

104 SECTION 4. (1) The division must develop, maintain, and refine a publicly accessible
105 database after July 1, 2029 for selected firms for contracts for covered projects to submit the data
106 required in section 3 of this act to the division and to promote transparency. The division may
107 seek specific state funding for this purpose.

108 (2) The database maintained pursuant to subsection (1) of this section must publish global
109 warming potential as reported in the environmental product declarations.

110 (3) By July 1, 2027, the division must:

111 (i) Further elaborate covered product definitions using applicable material industry
112 standards;

113 (ii) Develop measurement and reporting standards to ensure that data is consistent and
114 comparable, including standards for reporting product quantities;

115 (iii) Create model language for specifications, bid documents, and contracts to support
116 the implementation of section 3 of this act; and

117 (iv) Produce an educational brief that:

118 (a) Provides an overview of embodied carbon;

119 (b) Describes the appropriate use of environmental product declarations, including the
120 necessary preconditions for environmental product declarations to be comparable;

121 (c) Outlines reporting standards, including covered product definitions, standards for
122 reporting product quantities, and working conditions;

123 (d) Describes the data collection and reporting process for all information required in
124 section 3 of this act;

125 (e) Provides instructions for the use of the database; and

126 (f) Lists applicable product category rules for covered products.

127 (4) The division may contract for the use of nationally or internationally recognized
128 databases of environmental product declarations for purposes of implementing this section.

129 SECTION 5.

130 (1) By December 1, 2026, the division must convene a technical work group that includes
131 the following representatives:

- 132 (i) Two designees chosen by the Massachusetts chapter of the American Institute of
133 Architects with expertise in the fields of public design, structural design, or specification;
- 134 (ii) Two designees chosen by Construction Industries of Massachusetts with experience
135 in public construction;
- 136 (iii) Two representatives each from Massachusetts manufacturers of each of the
137 following, with the stipulation that each product category include one conventional and one
138 lower-carbon supplier where practicable:
- 139 (a) Steel;
- 140 (b) Wood; and
- 141 (c) Concrete;
- 142 (iv) Two designees from the division of capital asset management and maintenance, as
143 chosen by the Secretary;
- 144 (v) Two designees from the department of transportation, as chosen by the Secretary;
- 145 (vi) One designee from the executive office of energy and environmental affairs, as
146 chosen by the Secretary;
- 147 (vii) The assistant secretary for operational services in the operational services division,
148 or their designee;
- 149 (viii) Two designees from two environmental groups that focus on embodied carbon and
150 climate change, as recommended by the secretary of energy and environmental affairs;

151 (ix) A representative from the minority and women-owned business community with
152 experience in public construction projects, as designated by the division of capital asset
153 management and maintenance; and

154 (x) Representatives of other agencies and independent experts as necessary to meet the
155 objectives of the technical work group as described in this section.

156 The Secretary of the executive office for administration and finance or their designee
157 shall function as the chairperson.

158 (2) The division intends formation of subgroups with technical work group members who
159 have subject matter expertise or industry experience to develop technical information,
160 recommendations, and analysis specific to individual material types, and the feasibility of supply
161 chain specific environmental product declarations. The recommendations must, where possible,
162 align with state and national principles and laws for environmental product declaration
163 development.

164 (3) The purpose of the technical work group is to identify opportunities for and barriers to
165 growth of the use and production of lower-carbon materials, promote high labor standards in
166 manufacturing, and preserve and expand lower-carbon materials manufacturing in
167 Massachusetts. The group shall also make recommendations for the implementation of the use of
168 lower-carbon materials in all future public projects, including but not limited to aligning
169 specifications of future covered projects, incentives for the use of lower-carbon materials and
170 necessary changes to Commonwealth purchasing procedures.

171 (4) By September 1, 2027, the technical work group must submit a report to the
172 legislature and the governor that includes:

173 (i) A lower-carbon materials manufacturing plan that recommends policies to preserve
174 and grow the in-state manufacturing of lower-carbon materials and accelerate industrial
175 decarbonization. For this plan, the technical work group must:

176 (a) Examine barriers and opportunities to maintain and grow a robust in-state supply of
177 lower-carbon building materials including, but not limited to, state and domestic supply of raw
178 materials and other supply chain challenges, regulatory barriers, competitiveness of local and
179 domestic manufacturers, cost, and data availability from local, state, national, and foreign
180 product suppliers; and

181 (b) Identify opportunities to encourage the continued conversion to lower-carbon
182 cements, including the use of performance-based specifications and allowing Type 1-L cement in
183 specifications for public projects.

184 (ii) Recommendations for consistent treatment in the reporting for covered products; and

185 (iii) Consideration of how additional information relevant to reducing embodied carbon
186 through strategies including, but not limited to, product life-cycle assessments could be
187 incorporated into future reporting.

188 (5)(a) By September 1, 2028, the technical work group must submit a report on policy
189 recommendations, including any statutory changes needed, to the legislature and the governor.
190 The report must consider policies to expand the use and production of lower-carbon materials,
191 preserve and expand lower-carbon materials manufacturing in Massachusetts, including
192 opportunities to encourage continued conversion to lower-carbon blended cements in public
193 projects, and recommend ways to incorporate lower-carbon materials into public construction
194 projects.

195 (b) For this report, the technical work group must:

196 (i) Summarize data collected pursuant to section 3 of this act, including product
197 quantities, global warming potential, health product declarations, and any obstacles to the
198 implementation of this chapter;

199 (ii) Make recommendations for improving environmental production declaration data
200 quality including, but not limited to, integrating reporting on variability in facility, product, and
201 upstream data for key processes;

202 (iii) Make recommendations, if any, for changing or clarifying the definition of "actual
203 production facilities" in section 2 of this act to better define and refine reporting and compliance
204 obligations;

205 (iv) Identify barriers and opportunities to the effective use of the database maintained
206 under section 5 of this act and the data collected pursuant to this chapter;

207 (vi) Identify emerging and foreseeable trends in local, state, federal, and private policy on
208 embodied carbon and the procurement and use of lower-carbon materials and opportunities to
209 promote consistency across public and private embodied carbon and lower-carbon materials
210 policies, rules, and regulations; and

211 (vii) Recommend approaches to designing lower-carbon state building projects.

212 (6)(a) The division may update reporting standards and requirements based on input from
213 the technical work group.

214 (b) The division must provide updated guidance on reporting standards by January 1,
215 2029.

216 (7) This section expires January 1, 2030.

217 SECTION 6.

218 (1) Awarding authorities in the Commonwealth are hereby directed to include in pre-bid
219 specification documents instructions beginning no later than January 1, 2030 specific goals for
220 use of lower-carbon products in all major capital construction projects valued over \$10,000,000
221 that are required to complete a predesign.

222 (a) The recommendations for use of lower-carbon products shall reflect the
223 recommendations of the technical work group created in Section 6, and shall meet the goals of
224 the Massachusetts Clean Energy and Climate Plan for 2050, as published on December 21, 2022.

225 (b) The operational services division shall provide technical assistance to municipalities
226 and counties on implementation of these goals.

227 (2) For proposed capital projects identified in this subsection that are requesting state
228 funding:

229 (i) Whether there was regional coordination during project development;

230 (ii) Whether local and additional funds were leveraged;

231 (iii) The financial impact of using lower-carbon materials in the project; and

232 (iv) Whether environmental outcomes and the reduction of adverse environmental
233 impacts were examined.

234 (3) For projects subject to subsection (1) of this section, the operational services division
235 shall request the required information be provided during the predesign process of major capital
236 construction projects to reduce long-term costs and increase process efficiency.

237 (5) The executive office of administration and finance, in the completion of capital
238 budget and investment plans, must take into account information gathered under subsections (1)
239 and (2) of this section in an effort to promote state capital facility expenditures that minimize
240 unplanned or uncoordinated infrastructure and development costs, support economic and quality
241 of life benefits for existing communities, and support local government planning efforts.

242 SECTION 7. This act shall be known and cited as the buy clean Massachusetts act.

243 SECTION 8. If any provision of this act or its application to any person or circumstance
244 is held invalid, the remainder of the act or the application of the provision to other persons or
245 circumstances is not affected.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3327
<u>TITLE</u>	An Act relative to designating a certain structure on the state house grounds as the Ranger Joanne Croken guard house
<u>SPONSORS</u>	Representatives Elliott of Lowell and Ultrino of Malden
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

None

CURRENT LAW

Chapter 6, Section 20: Art commission; members; powers and duties

Chapter 8: State Superintendent of Buildings, and State House

SUMMARY

This legislation would designate the guard house at the corner of Bowdoin Street and Mount Vernon Street on the State House grounds as the "Ranger Joanne Croken Guard House" in honor of her service to the Commonwealth. It would also direct the superintendent of the Bureau of the State House, in consultation with the State House Art Commission, to install and maintain a plaque reflecting this designation.

HOUSE No. 3327

The Commonwealth of Massachusetts

PRESENTED BY:

Rodney M. Elliott

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 designating a certain structure on the state house grounds as the Ranger Joanne Croken guard house.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>1/17/2025</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/20/2025</i>

HOUSE No. 3327

By Representative Elliott of Lowell, a petition (accompanied by bill, House, No. 3327) of Rodney M. Elliott relative to designating a certain structure on the State House grounds as the Ranger Joanne Croken guard house. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

—————
In the One Hundred and Ninety-Fourth General Court
(2025-2026)
—————

An Act relative to designating a certain structure on the state house grounds as the Ranger Joanne Croken guard house.

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. The guard house located on the State House grounds at the corner of
2 Bowdoin Street and Mount Vernon Street in the city of Boston shall be designated and known as
3 the "Ranger Joanne Croken Guard House" in recognition of Department of Conservation and
4 Recreation Ranger Joanne Croken's longtime service to the commonwealth and to the state
5 capitol.

6 SECTION 2. The superintendent of the Bureau of the State House is hereby authorized
7 and directed, after consultation with the state house art commission as to size and content, to
8 install and maintain a plaque on the exterior of the guard house bearing this designation.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3333
<u>TITLE</u>	An Act relative to the definition of fraud in public construction bid laws
<u>SPONSORS</u>	Representatives Ferrante of Gloucester, Sabadosa of Northampton, Murray of Milford, Hawkins of Attleboro, Moran of Lawrence, Whipps of Athol, Kearney of Scituate, Domb of Amherst, Uyterhoeven of Somerville, Garry of Dracut, Markey of Dartmouth, Sena of Acton, Hong of Lowell, Cabral of New Bedford, and Ramos of North Andover; Senators Lewis, Brady, Eldridge, and Tarr
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	S2180 (Sen. Moore)
<u>PRIOR HISTORY</u>	
	(2023-24) H.3030: Favorable, referred to House Ways and Means
	(2021-22) H.3142: Favorable, referred to House Ways and Means
<u>CURRENT LAW</u>	
	Section 39M of Chapter 30, outlining the procurement process for public works contracts
	Section 44A of Chapter 149, establishing definitions related to public works bids
	Section 2 of Chapter 149A, establishing definitions related to public construction alternative delivery methods
	Section 19 of Chapter 149A, regarding design bid contracts and RFPs
	Subsection (f) of section 8 of chapter 149A, regarding responses submitted to RFQs

SUMMARY

SECTION 1. Amends section 39M of chapter 30 by requiring any person submitting a bid pursuant to this section certify that the bid is made without collusion or fraud.

SECTION 2. Amends section 44A of chapter 149 by adding a definition of "fraud". "Fraud" is defined as a statement act or omission relating to a material fact that (i) has the natural tendency to be relied upon by an average person, (ii) is knowingly false or misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead, regardless of whether the statement, act or omission is actually relied upon.

This section also amends the definition of "responsible" by adding a requirement that the bidder certify that his bid contains no misrepresentations, omissions, or falsehoods.

SECTION 3. Amends section 2 of chapter 149A by adding a definition for "fraud". "Fraud" is, again, defined as a statement act or omission relating to a material fact that (i) has the natural tendency to be relied upon by an average person, (ii) is knowingly false or misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead, regardless of whether the statement, act or omission is actually relied upon.

SECTION 4. Amends clause 6 of section 19 of chapter 149A by requiring any person submitting a bid pursuant to this section certify that the bid is made without collusion or fraud.

SECTION 5. Amends Subsection (f) of section 8 of chapter 149A by changing the grounds on which the prequalification committee's decision can be appealed. The committee's decisions are final unless there is a claim the submission contains intentional, material misrepresentations, omissions, or false statements, or of collusion.

HOUSE No. 3333

The Commonwealth of Massachusetts

PRESENTED BY:

Ann-Margaret Ferrante

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 the definition of fraud in public construction bid laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>1/17/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/30/2025</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/30/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/30/2025</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/30/2025</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/30/2025</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/30/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/30/2025</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/30/2025</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>1/30/2025</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/30/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/26/2025</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>2/26/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>2/26/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/26/2025</i>
<i>Tara T. Hong</i>	<i>18th Middlesex</i>	<i>2/26/2025</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/13/2025</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>3/13/2025</i>

HOUSE No. 3333

By Representative Ferrante of Gloucester, a petition (accompanied by bill, House, No. 3333) of Ann-Margaret Ferrante and others relative to the definition of fraud in public construction bid laws. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3030 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the definition of fraud in public construction bid laws.

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. Subsection (a) of section 39M of chapter 30 of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 21 to 23, the
3 words “The undersigned certifies under penalties of perjury that this bid is in all respects bona
4 fide, fair and made without collusion or fraud with any other person” and inserting in place
5 thereof the following words:-

6 The undersigned certifies under penalties of perjury that this bid is in all respects bona
7 fide, fair and made without collusion with any person and contains no intentional
8 misrepresentations, omissions or false statements. As used in this paragraph the word “person”
9 shall mean any natural person, joint venture, partnership, corporation or any other business or
10 legal entity.

11 SECTION 2. Section 44A of chapter 149 of the General Laws, as so appearing, is hereby
12 amended by inserting after the definition of “Eligible” the following definition:-

13 “Fraud”, a statement, act or omission relating to a material fact that (i) has the natural
14 tendency to be relied upon by or to influence the average person, (ii) is knowingly false or
15 misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead,
16 regardless of whether the statement, act or omission is actually relied upon;

17 And further, by striking the definition of “responsible” and inserting in place thereof the
18 following new definition:-

19 ““Responsible” means demonstrably possessing the skill, ability and integrity necessary
20 to faithfully perform the work called for by a particular contract, based upon a determination of
21 competent workmanship and financial soundness in accordance with the provisions of section
22 forty-four D of this chapter and shall certify that his bid contains no misrepresentations,
23 omissions, or false statements.”

24 SECTION 3. Section 2 of chapter 149A of the General Laws, as so appearing, is hereby
25 amended by inserting after the definition of “Designer” the following definition:-

26 “Fraud”, a statement, act or omission relating to a material fact that (i) has the natural
27 tendency to be relied upon by or to influence the average person, (ii) is knowingly false or
28 misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead,
29 regardless of whether the statement, act or omission is actually relied upon.

30 SECTION 4. Section 19 of said chapter 149A of the General Laws, as so appearing, is
31 hereby amended by striking out the clause six in its entirety, and replacing it with the following:-

32 “(6) The RFP shall require that every response shall be accompanied by a bid deposit in
33 the form of a bid bond, or cash, or a certified check on, or a treasurer’s or cashier’s check issued
34 by a responsible bank or trust company, payable to the awarding authority. The amount of such
35 bid deposit shall be 5 per cent of the value of the bid. Any person submitting a bid under this
36 sections hall, on such a bid, certify as follows:

37 The undersigned certifies under penalty of perjury that this bid is in all respects bona fide,
38 fair, made without collusion with any other person and contains no intentional material
39 misrepresentations, omissions or false statements. As used in this paragraph the word “person”
40 shall mean any natural person, joint venture, partnership, corporation or other business or legal
41 entity.”

42 SECTION 5. Subsection (f) of section 8 of chapter 149A, as so appearing, is hereby
43 amended by striking the fourth sentence and replacing it with the following new language:-

44 “The decision of the prequalification committee shall be final and not subject to appeal
45 except on the grounds that a submission contains intentional, material misrepresentations,
46 omissions, or false statements, or of collusion.”

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3334
<u>TITLE</u>	An Act relative to timely public payments for work not included in original construction contracts
<u>SPONSORS</u>	Representative Galvin of Canton
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	S2186 (Sen. Moore)

PRIOR HISTORY

(2023-24) H.3032: Favorable, referred to House Ways and Means

(2021-22) H.4308: Favorable, referred to House Ways and Means

CURRENT LAW

Section 39G of chapter 30, outlining the process for completing public works projects

SUMMARY

SECTION 1: Inserts a new section into 39G of chapter 30 that requires contracts, subcontracts, or trade contracts to receive, within 30 days of beginning work, an approval or rejection of a written request seeking an increase in the contract price, but an additional 7 days may be added by each person at each tier of the contract.

If the contract is neither approved nor rejected within the time period, it is approved unless rejected before the payment date. A rejection shall be in writing with an explanation and subject to the dispute resolution procedure. Contract provisions that delay the dispute resolution procedure for more than 60 days are void.

HOUSE No. 3334

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

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 timely public payments for work not included in original construction contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>1/14/2025</i>

HOUSE No. 3334

By Representative Galvin of Canton, a petition (accompanied by bill, House, No. 3334) of William C. Galvin relative to timely payments for work not included in public construction contracts. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to timely public payments for work not included in original construction contracts.

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 39G of chapter 30 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the eighth paragraph the following
3 paragraph:

4 Every contract subject to section 44A of chapter 149 or subject to section 39M of chapter
5 30 or subject to chapter 149A, and every subcontract or trade contract as applicable, shall
6 provide a reasonable time period within which a written request submitted by a person seeking
7 an increase in the contract price shall be approved or rejected, whether in whole or in part. The
8 time period shall not exceed 30 days after the later of commencement of the performance of the
9 work on which the request is based or submission of the written request; provided, however, that
10 the time period, as applicable to approval or rejection by the person at each tier of contract below
11 the owner of the project, may be extended by 7 days more than the time period applicable to the
12 person at the tier of contract above the person. A request which is neither approved nor rejected

13 within such time period shall be deemed to be approved and may be submitted for payment
14 within the next application for a periodic progress payment, unless it is rejected before the date
15 payment if due. A rejection of a request, whether in whole or in part, shall be made in writing,
16 shall include an explanation of the factual and contractual basis for the rejection and shall be
17 certified as made in good faith. A rejection of a request shall be subject to the applicable dispute
18 resolution procedure. A provision in the contract which requires a party to delay commencement
19 of the procedure until a date later than 60 days after the rejection shall be void and
20 unenforceable.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3340
<u>TITLE</u>	An Act relative to minority participation goals in exclusive contracts
<u>SPONSORS</u>	Representative González of Springfield
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2023-24) H.3041: Favorable, referred to House Ways and Means

CURRENT LAW

Chapter 149: Labor and Industries

SUMMARY

This legislation adds a new Section 204 to Chapter 149 of the Massachusetts General Laws:

SECTION 1: Requires that any exclusive contract involving the Commonwealth, a county, or a municipality include a 30% minority participation goal for subcontracted services.

It also directs the commissioner to issue regulations to implement and enforce these participation goals.

HOUSE No. 3340

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González

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 minority participation goals in exclusive contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/16/2025</i>

HOUSE No. 3340

By Representative González of Springfield, a petition (accompanied by bill, House, No. 3340) of Carlos González relative to minority participation goals for sub-contractors hired by the exclusive contract to provide services. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3041 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to minority participation goals in exclusive contracts.

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

1 Chapter 149 of the General Laws, as appearing in the 2022 Official Edition, is hereby
2 amended by adding the following section:-

3 Section 204. An exclusive contract to which the commonwealth, a county or a
4 municipality is a party shall contain a 30 per cent minority participation goal for sub-contractors
5 hired by the exclusive contract to provide services.

6 The commissioner shall promulgate regulations for minority participation goals
7 established under this section.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3341
<u>TITLE</u>	An Act relative to supplier diversity recertification
<u>SPONSORS</u>	Representative González of Springfield
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

None

CURRENT LAW

Subsection (a) of Section 61 of Chapter 7: Executive Office for Administration and Finance, Powers and duties of supplier diversity office

SUMMARY

This bill amends Subsection (a) of Section 61 of Chapter 7 of the Massachusetts General Laws:

SECTION 1: Specifies that SDO (Supplier Diversity Office) certification is valid for three years before requiring recertification.

It also requires certified businesses to report any status changes affecting their compliance within 30 days.

HOUSE No. 3341

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González

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 supplier diversity recertification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/17/2025</i>

HOUSE No. 3341

By Representative González of Springfield, a petition (accompanied by bill, House, No. 3341) of Carlos González relative to supplier diversity recertification. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to supplier diversity recertification.

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

1 Subsection (a) of Section 61 of Chapter 7 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the word “businesses” the following
3 words:-

4 such SDO certification being effective for three years before recertification by the SDO.

5 Any change in status that would leave the business in non-compliance shall be reported by the
6 business to the SDO within 30 days of said status change.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3347
<u>TITLE</u>	An Act relative to the fair participation of minority and women-owned businesses on public construction projects
<u>SPONSORS</u>	Representative Holmes of Boston
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2023-24) H.3048: Favorable, referred to House Ways and Means

(2021-22) H.3138: Favorable, referred to House Ways and Means

(2019-20) H.2693: Accompanied new draft (H.4239), Favorable, referred to Rules of the Two Branches, acting concurrently

CURRENT LAW

Section 6 of Chapter 7C: Capital Asset Management and Maintenance, Affirmative marketing program to ensure fair participation of minority-owned and women-owned businesses on capital facility projects and state assisted building projects

Section 44F of Chapter 149: Labor and Industries, Plans and specifications; sub-bids; form; contents

Section 8, subsection (g) (6) of Chapter 149A: Public Construction Alternative Delivery Methods, Trade contractor selection process; bond; prequalification committee; public notice and solicitation; advertisement; RFQ; request for bids; opening of bids; form of agreement

SUMMARY

This bill makes three amendments to the Massachusetts General Laws to clarify how minority- and women-owned business enterprise (MBE/WBE) participation goals may be met on certain public construction projects:

SECTION 1: Adds a new subsection (h½) to Section 6 of Chapter 7C to:

- Limit the section's application to filed sub-bids under Chapter 149, Section 44F, and trade contractor bids under Chapter 149A, Section 8(a).
- Define "applicable projects" as those procured by DCAMM, the Massachusetts State College Building Authority, the UMass Building Authority, and MassPort under Chapters 149 and 149A, as well as state-assisted projects with an estimated cost of \$5 million or more.
- Allow awarding authorities to set MBE/WBE participation goals (up to 10% of the trade package value) for filed sub-bid and trade contractor work.
- Permit bidders to meet MBE/WBE goals by subcontracting portions of work that would otherwise need to be self-performed, provided the amount subcontracted to meet these goals does not exceed the goal by more than 10%.
- Require the commissioner to establish a pre- and post-bid waiver process for MBE/WBE goal reductions.

SECTION 2: Amends Chapter 149, Section 44F(1)(a) to explicitly allow sub-bidders on applicable projects to subcontract portions of work to meet MBE/WBE goals, in accordance with new Section 6(h½) of Chapter 7C.

SECTION 3: Amends Chapter 149A, Section 8(g)(6) to allow trade contractors on applicable projects to do the same

HOUSE No. 3347

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 the fair participation of minority and women-owned businesses on public construction projects.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/15/2025</i>

HOUSE No. 3347

By Representative Holmes of Boston, a petition (accompanied by bill, House, No. 3347) of Russell E. Holmes relative to the fair participation of minority and women-owned businesses on public construction projects. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3048 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the fair participation of minority and women-owned businesses on public construction projects.

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 6 of Chapter 7C of the Massachusetts General Laws is hereby
2 amended by adding the following new subsection:-

3 (h ½) The provisions of this section shall only apply to filed sub-bids procured under
4 section 44F of chapter 149 and trade contractor bids procured under section 8(a) of chapter
5 149A. For purposes of this section “applicable projects” shall mean any project procured by the
6 division of capital asset management and maintenance, the Massachusetts State College Building
7 Authority, the University of Massachusetts Building Authority, and the Massachusetts Port
8 Authority under sections 44A-J of chapter 149 or sections 1-12 of chapter 149A and any state
9 assisted building project with an overall estimated cost of \$5,000.000 or more and the provisions

10 of this section shall apply only to such filed sub-bid or CM at Risk trade packages. On
11 applicable projects only, the awarding authority may establish minority owned business
12 enterprise and women owned business enterprise participation goals for any of the filed sub-bid
13 classes of work under section 44F of chapter 149 and for any of the trade contractor classes of
14 work under section 8(a) of chapter 149A. The total minority owned business enterprise and for
15 women owned business enterprise participation goal set by the awarding authority for a
16 particular class of work shall not exceed 10 percent of the value of the filed sub-bid or trade
17 contractor work. Notwithstanding any general law or contractual provision to the contrary, on
18 applicable projects filed sub-bidders and trade contractors in the classes of work listed in section
19 44F of chapter 149 and referenced in section 8 of chapter 149 respectively shall be permitted to
20 meet the minority owned business enterprise and women owned business enterprise
21 participation goals by subcontracting out portions of the trade contractor work which the sub-
22 bidder or trade contractor is otherwise required by law to perform with employees on its own
23 payroll and/or portions of the trade work which is customarily performed by sub-trade
24 subcontractors within the trade. Provided, the total value of the trade work which the filed sub-
25 bidder or trade contractor is required by law to self-perform which the filed sub-bidder or trade
26 contractor subcontracts out to meet the minority owned business enterprise and women owned
27 business enterprise participation goal shall not exceed such goal by more than an additional 10
28 percent of the value of the filed sub-bidder or trade contractor's work. The commissioner shall
29 establish a good faith pre bid and post bid/pre-award waiver process for filed sub-bidders and
30 trade contractors requesting a reduction or waiver of a participation goal.

31 SECTION 2. Section 44F, subsection (1) (a) of Chapter 149 of the Massachusetts
32 General Laws is hereby amended by inserting after the third sentence in the first paragraph, the
33 following new sentence:-

34 Provided however, that a sub-bidder may subcontract out portions of its work in order to
35 meet MBE/WBE goals set on Division of Capital Asset Management and Maintenance,
36 Massachusetts State College Building Authority, University of Massachusetts Building
37 Authority, and Massachusetts Port Authority projects and on any state assisted project as set
38 forth in section 6(h1/2,) of chapter 7C.

39 SECTION 3. Section 8, subsection (g) (6) of Chapter 149A of the Massachusetts General
40 Laws is hereby amended by adding at the end thereof the following new sentence:-

41 Provided however, that a trade contractor may subcontract out portions of its work in
42 order to meet MBE/WBE goals set on Division of Capital Asset Management and Maintenance,
43 Massachusetts State College Building Authority, University of Massachusetts Building
44 Authority, and Massachusetts Port Authority projects and on any state assisted project as set
45 forth in section 6(h1/2)of chapter 7C.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3350
<u>TITLE</u>	An Act relative to Commonwealth building projects
<u>SPONSORS</u>	Representative Honan of Boston; Senator Oliveira
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	S.2202 (Sen. Oliveira)

PRIOR HISTORY

(2019-20) H.2718: Accompanied Study Order

CURRENT LAW

Section 5 of Chapter 7C: Capital Asset Management and Maintenance, Building project control and supervision by commissioner; delegation of project control and supervision to state agency or building authority

SUMMARY

This bill replaces Section 5 of Chapter 7C of the Massachusetts General Laws with a new section:

SECTION 1: Requires the Commissioner of Capital Asset Management and Maintenance to oversee building projects involving structural or mechanical work with estimated costs of over \$1,000,000.

Further allows the Commissioner to, upon request of a state agency or building authority, delegate project control and supervision of such projects under \$10,000,000 to a state agency or building authority, if they are deemed capable of control/management.

All other projects— those costing less than \$1,000,000 or not involving structural or mechanical work—shall be controlled and supervised by the respective state agency or building authority.

HOUSE No. 3350

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan

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 Commonwealth building projects.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/17/2025</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>5/20/2025</i>

HOUSE No. 3350

By Representative Honan of Boston, a petition (accompanied by bill, House, No. 3350) of Kevin G. Honan relative to Commonwealth building projects. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3049 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to Commonwealth building projects.

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

1 Strike section 5 of chapter 7c, and replace it with a new section:

2 Section 5: The commissioner shall, in a manner and to the extent provided by this
3 chapter, control and supervise any building project to be undertaken by a state agency or building
4 authority when the estimated cost of the project exceeds \$1,000,000 and involves structural or
5 mechanical work. The commissioner may, upon request of a state agency or building authority,
6 delegate project control and supervision to that state agency or building authority over projects
7 involving structural or mechanical work whose estimated cost is less than \$10,000,000 if the
8 commissioner determines that the agency or authority has the ability to control and supervise
9 such project. Except as otherwise provided in this section, any state agency or building authority

- 10 shall control and supervise its own building projects when the estimated cost of such project is
- 11 less than \$1,000,000, or if the project does not involve structural or mechanical work.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3359
<u>TITLE</u>	An Act relative to the state property zoning exemption
<u>SPONSORS</u>	Representative Hunt of Boston
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2023-24) H.3059: Favorable, referred to House Ways and Means

(2021-22) H.3175: Favorable, referred to House Ways and Means

(2019-20) H.2724: Favorable, referred to House Ways and Means

CURRENT LAW

Section 4 of Chapter 7C: Capital Asset Management and Maintenance, Jurisdiction of division of capital asset management and maintenance over capital facility projects

SUMMARY

This bill adds a new paragraph to Section 4 of Chapter 7C of the Massachusetts General Laws:

SECTION 1: Prohibits the Division of Capital Asset Management and Maintenance from approving any building project that involves a public-private agreement unless the project complies with local zoning ordinances. It also prohibits the Division from approving such projects if they would result in the issuance of a bond.

HOUSE No. 3359

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

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 the state property zoning exemption.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/14/2025</i>

HOUSE No. 3359

By Representative Hunt of Boston, a petition (accompanied by bill, House, No. 3359) of Daniel J. Hunt relative to the state property zoning exemption. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3059 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the state property zoning exemption.

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 4 of chapter 7C of the General Laws, as appearing in the 2014 Official Edition, is
2 hereby amended by adding the following paragraph:-

3 Notwithstanding section 3 of chapter 40A, or any other general or special law to the
4 contrary, the division of capital asset management and maintenance shall not approve any
5 building project which is also a public-private agreement unless said project shall be subject to
6 local zoning ordinances; and provided, further, that the division shall not approve any building
7 project which is also a public-private agreement if such project will result in the issuance of a
8 bond.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3361
<u>TITLE</u>	An Act relative to timely decisions by awarding authorities
<u>SPONSORS</u>	Representative Hunt of Boston
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2021-22) H.3174: Favorable, referred to House Ways and Means

(2019-20) H.2725: Favorable, referred to House Ways and Means

CURRENT LAW

Section 39P of Chapter 30: Contracts for construction and materials; awarding authority's decisions on interpretation of specifications, etc.; time limit; notice

SUMMARY

This bill makes two amendments to Section 39P of Chapter 30 of the Massachusetts General Laws:

SECTION 1: Changes the reference from "thirty" to "fifteen" wherever it appears in the section.

SECTION 2: Adds a provision that the specified date shall not exceed 60 days from submission.

HOUSE No. 3361

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

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 timely decisions by awarding authorities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/14/2025</i>

HOUSE No. 3361

By Representative Hunt of Boston, a petition (accompanied by bill, House, No. 3361) of Daniel J. Hunt for legislation relative to timely decisions by awarding authorities. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3057 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to timely decisions by awarding authorities.

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 39P of Chapter 30 of the General Laws is hereby amended by striking the word
2 “thirty” each time it appears and inserting in place thereof the word “fifteen” and is further
3 amended by adding at the end thereof the following:-

4 , but such date shall not exceed 60 days from submission.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3371
<u>TITLE</u>	An Act relative to public construction certification
<u>SPONSORS</u>	Representative Kilcoyne of Clinton; Senator Oliveira
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	S.2199 (Sen. Oliveira – Identical)

PRIOR HISTORY

None

CURRENT LAW

Section 44D, Subsection (2), Chapter 149: Labor and Industries, submission of bid or offer; application for certification

SUMMARY

This bill makes two amendments to Section 44D of Chapter 149 of the Massachusetts General Laws:

SECTION 1: Extends the contractor experience reporting period from five years to ten years.

SECTION 2: Requires the Division to apply an annual inflationary increase, based on the Producer Price Index, for applicants seeking recertification, when determining the classes and aggregate amount of work they are eligible to bid on.

HOUSE No. 3371

The Commonwealth of Massachusetts

PRESENTED BY:

Meghan K. Kilcoyne

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 construction certification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Meghan K. Kilcoyne</i>	<i>12th Worcester</i>	<i>1/14/2025</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/13/2025</i>

HOUSE No. 3371

By Representative Kilcoyne of Clinton, a petition (accompanied by bill, House, No. 3371) of Meghan K. Kilcoyne and Jacob R. Oliveira relative to public construction certification. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to public construction certification.

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. Subsection (2) of Section 44D of Chapter 149 of the General Laws is hereby
2 amended by striking the words “over the past five years” and replacing it with the following:
3 over the past ten years

4 Section 2: Subsection (3) of Section 44D of Chapter 149 of the General Laws is hereby
5 amended by inserting after the words “showing the classes of work and aggregate amount of
6 work on which the applicant is eligible to bid” the following:- ;provided, the division shall
7 establish an annual inflationary increase, based upon the Producer Price Index as published by
8 the U.S. Bureau of Labor Statistics, for applicants seeking recertification.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3372
<u>TITLE</u>	An Act relative to the submission of design-build proposals
<u>SPONSORS</u>	Representative Kilcoyne of Clinton
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	S.2198 (Sen. Oliveira – Identical)

PRIOR HISTORY

None

CURRENT LAW

Subsection (b) of Section 20 of Chapter 149A: Public Construction Alternative Delivery Methods, Best-value or low-bid basis for evaluation and selection

SUMMARY

This legislation amends subsection (b) of section 20 of chapter 149A of the Massachusetts General Laws to require that sealed price proposals be submitted no later than five calendar days after the sealed technical proposals.

HOUSE No. 3372

The Commonwealth of Massachusetts

PRESENTED BY:

Meghan K. Kilcoyne

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 the submission of design-build proposals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Meghan K. Kilcoyne</i>	<i>12th Worcester</i>	<i>1/14/2025</i>

HOUSE No. 3372

By Representative Kilcoyne of Clinton, a petition (accompanied by bill, House, No. 3372) of Meghan K. Kilcoyne relative to the submission of design-build proposals. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the submission of design-build proposals.

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

- 1 Subsection (b) of section 20 of chapter 149A of the General Laws is hereby amended by
- 2 striking the last sentence and inserting in place thereof the following: The awarding authority
- 3 shall require the sealed price proposal to be submitted no more than five calendar days after
- 4 submission of the sealed technical proposal.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3385
<u>TITLE</u>	An Act further defining fraud in public construction contracts
<u>SPONSORS</u>	Representative Markey of Dartmouth
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

(2023-24) H.3086: Favorable, referred to House Ways and Means

CURRENT LAW

Subsection (a) of section 39M of chapter 30

SUMMARY

This bill amends subsection (a) of section 39M of chapter 30 of the Massachusetts General Laws by revising the language of the required certification for public construction bids. It replaces the original statement—affirming that a bid is bona fide, fair, and made without collusion or fraud—with a more detailed version. The new language:

- Clarifies that collusion is prohibited with any person or entity, not just individuals.
- Defines “fraud” more precisely, specifying that it involves a materially significant act, statement, or omission that:
 - Has been relied upon to the detriment of the awarding authority
 - Is knowingly false, misleading, or made with reckless disregard for its truth
 - Is intended to mislead and is demonstrated to have done so by clear and convincing evidence
- The amendment provides greater specificity regarding what constitutes fraud in the bidding process, with an emphasis on accountability.

HOUSE No. 3385

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

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 further defining fraud in public construction contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/17/2025</i>

HOUSE No. 3385

By Representative Markey of Dartmouth, a petition (accompanied by bill, House, No. 3385) of Christopher M. Markey relative to further defining fraud in public construction contracts. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3086 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act further defining fraud in public construction contracts.

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

1 Subsection (a) of section 39M of chapter 30 of the General Laws, as appearing in the
2 2022 Official Edition is hereby amended by striking out, in lines 21 to 23, the words “The
3 undersigned certifies under penalties of perjury this bid is in all respects bona fide, fair and made
4 without collusion or fraud with any other person” and inserting in place thereof the following
5 words –

6 “The undersigned certifies under penalties of perjury that this bid is in all respects bona
7 fide, fair and made without collusion with any other person or entity or fraud. As used in this
8 paragraph the word “fraud” shall mean a statement, act or omission relating to a material fact of
9 significant importance to the construction project at issue that (i) has been relied upon to
10 detriment of an awarding authority or its representatives (ii) is knowingly false or misleading or

- 11 is in reckless disregard of its truth or falsity and (iii) is intended to mislead and has been shown
- 12 by clear and convincing evidence to have done so”

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	House, No. 3401
<u>TITLE</u>	An Act state funded construction work
<u>SPONSORS</u>	Representative Pease of Westfield
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	None

PRIOR HISTORY

None

CURRENT LAW

Chapter 149: Labor and Industries

SUMMARY

Inserts a new requirement into Chapter 149 of the General Laws, as appearing in the 2022 Official Edition, mandating that all construction contracts offered or entered into by any commonwealth agency include a two-year schedule for completion.

Establishes a financial penalty equal to ten percent of the contract value per month for failure to complete a project within the two-year schedule, continuing monthly until completion.

Allows contractors to submit a written explanation to the commissioner of the division of capital asset management and maintenance requesting an extension of up to six months due to unforeseen issues.

Directs the commissioner to promulgate rules and regulations governing the appeal and extension process.

Act takes effect upon passage.

HOUSE No. 3401

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly W. Pease

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 state funded construction work.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>1/17/2025</i>

HOUSE No. 3401

By Representative Pease of Westfield, a petition (accompanied by bill, House, No. 3401) of Kelly W. Pease relative to state funded construction work. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act state funded construction work.

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, including the
2 provisions of Chapter 149 of the General Laws, as appearing in the 2022 Official Edition, all
3 contracts for construction projects offered or entered into by any commonwealth agency must
4 specify a two-year schedule for completion. Failing to complete any project within the two-year
5 schedule shall result in a financial penalty equal to ten percent of the value of the contract, which
6 shall be levied each month until the project is concluded. If a project runs into unforeseen issues
7 or problems, the contractor may submit a written explanation to the commissioner of the division
8 of capital asset management and maintenance and appeal for an extension for a specific amount
9 of time not to exceed six months. The commissioner shall promulgate rules and regulations
10 pursuant to the approval process of said appeals.

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

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2120
<u>TITLE</u>	An Act relative to removing the term hearing impaired from the general laws
<u>SPONSORS</u>	Senator Creem
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

PRIOR HISTORY

2023-24 (S.1983): Reported favorably; referred to Senate Rules

CURRENT LAW

Section 196 of chapter 6: Commission for the deaf and hard of hearing; interpreter referral service

Section 23 of chapter 32A: Coverage for speech, hearing and language disorders

Section 1 of chapter 129: Livestock disease control

Section 4 of chapter 151B: Unlawful practices

Section 47X of chapter 175: Diagnosis and treatment of speech, hearing and language disorders

Section 8Y of chapter 176A: Diagnosis and treatment of speech, hearing and language disorders

Section 4EE of chapter 176B: Coverage for children 21 years of age or younger for hearing aids and related services

Section 4N of chapter 176G: Coverage for speech, hearing and language disorders; hearing aids

Section 92A of chapter 221: Interpreters for the deaf or hearing-impaired; court proceedings; arrests; admissibility of evidence; fees and expenses; privileged communications

SUMMARY

The legislation would remove the term “hearing impaired” from the General Laws and replace it with “deaf or hard of hearing.”

SENATE No. 2120

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 removing the term hearing impaired from the general laws.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

Norfolk and Middlesex

SENATE No. 2120

By Ms. Creem, a petition (accompanied by bill, Senate, No. 2120) of Cynthia Stone Creem for legislation to remove the term hearing impaired from the general laws. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1983 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to removing the term hearing impaired from the general laws.

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 196 of chapter 6, as appearing in the 2022 Official Edition, is
2 hereby amended by striking out, in line 17, the words “hearing–impaired” and inserting in place
3 thereof the following words:- “deaf or hard of hearing”

4 SECTION 2. Section 23 of chapter 32A, as appearing in the 2022 Official Edition, is
5 hereby amended by striking out, in line 17, the words “hearing impaired” and inserting in place
6 thereof the following words:- “deaf or hard of hearing”

7 SECTION 3. Section 1 of chapter 129, as appearing in the 2022 Official Edition, is
8 hereby amended by striking out, in line 20, the words “hearing–impaired” and inserting in place
9 thereof the following words:- “hard of hearing”

10 SECTION 4. Section 4 of chapter 151B, as appearing in the 2022 Official Edition, is
11 hereby amended by striking out, in paragraphs 6, 7 and 7A, the words “hearing impaired” and
12 inserting in place thereof in each instance, the following words:- “deaf or hard of hearing”

13 SECTION 5. Section 47X of chapter 175, as appearing in the 2022 Official Edition, is
14 hereby amended by striking out, in line 34, the words “hearing–impaired” and inserting in place
15 thereof the following words:- “deaf or hard of hearing”

16 SECTION 6. Section 8Y of chapter 176A, as appearing in the 2022 Official Edition, is
17 hereby amended by striking out, in line 28, the words “hearing impaired” and inserting in place
18 thereof the following words:- “deaf or hard of hearing”

19 SECTION 7. Section 4EE of chapter 176B, as appearing in the 2022 Official Edition, is
20 hereby amended by striking out, in line 10, the words “hearing impaired” and inserting in place
21 thereof the following words:- “deaf or hard of hearing”

22 SECTION 8. Section 4N of chapter 176G, as appearing in the 2022 Official Edition, is
23 hereby amended by striking out, in line 23, the words “hearing impaired” and inserting in place
24 thereof the following words:- “deaf or hard of hearing”

25 SECTION 9. Section 92A of chapter 221, as appearing in the 2022 Official Edition, is
26 hereby amended by striking out, each time they appear, the words “hearing–impaired” and
27 inserting in place thereof, in each instance, the following words:- “hard of hearing”

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2122
<u>TITLE</u>	An Act relative to increasing transparency in public construction
<u>SPONSORS</u>	Senators Crighton, Mark, Keenan, Feeney, and Eldridge; Representatives Kearney of Scituate, Howard of Lowell, Arena-DeRosa of Holliston, Sabadosa of Northampton, Uyterhoeven of Somerville, Stanley of Waltham, Sena of Acton, and Hawkins of Attleboro
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

PRIOR HISTORY

2023-24 (S.1985): Reported favorably; referred to Senate Ways and Means

CURRENT LAW

Section 8B of Chapter 81: Statement of qualification of persons bidding on work awarded by division of highways or department of conservation and recreation

SUMMARY

This legislation makes construction bids public record.

SENATE No. 2122

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 increasing transparency in public construction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/28/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/28/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/28/2025</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>3/3/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/8/2025</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/21/2025</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/26/2025</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>4/1/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/15/2025</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>4/30/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/12/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/13/2025</i>

SENATE No. 2122

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2122) of Brendan P. Crighton, Paul W. Mark, Patrick Joseph Kearney, Vanna Howard and other members of the General Court for legislation to increase transparency in public construction. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1985 OF 2023-2024.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—————

An Act relative to increasing transparency in public construction.

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 8B of Chapter 81 of the General laws, is hereby amended by striking the third
2 paragraph and replacing it with the following:-

3 "An application for a certificate of eligibility and update statements shall be considered a
4 public record as defined by Section 7 of Chapter 4 except that financial information contained in
5 the application shall not be a public record."

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2169
<u>TITLE</u>	An Act clarifying eligibility to the Massachusetts Cultural Facilities Fund
<u>SPONSORS</u>	Senators Mark, Comerford, Brady, and Eldridge; Representatives LeBoeuf of Worcester, Kerans of Danvers, and Sena of Acton
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

CURRENT LAW

Section 42(b)(1) of Chapter 23G: Massachusetts Cultural Facilities Fund

SUMMARY

This legislation expands the definition of “cultural facility” to include tribal governments and removes certain age and space-related limitations.

SENATE No. 2169

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

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 clarifying eligibility to the Massachusetts Cultural Facilities Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/25/2025</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/25/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>3/3/2025</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>3/5/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/10/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/12/2025</i>

SENATE No. 2169

By Mr. Mark, a petition (accompanied by bill, Senate, No. 2169) of Paul W. Mark, David Henry Argosky LeBoeuf, Joanne M. Comerford, Michael D. Brady and others for legislation to authorize cultural facilities owned by tribal governments to be financed on the same basis as projects which are municipally owned. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act clarifying eligibility to the Massachusetts Cultural Facilities Fund.

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 42(b)(1) of chapter 23G of the General Laws, as appearing in the 2022 Official
- 2 Edition, is hereby amended by striking the third sentence in the definition of “Cultural facility”
- 3 and inserting in place thereof:- Municipally or tribal government owned buildings, structures, or
- 4 sites of which at least 50 per cent is used as a cultural facility.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2180
<u>TITLE</u>	An Act relative to the definition of fraud in public construction bid laws
<u>SPONSORS</u>	Senators Moore, Lewis, Brady, Eldridge, DiDomenico, and Tarr; Representatives Murray of Milford, Hawkins of Attleboro, Whipps of Athol, Uyterhoeven of Somerville, and Stanley of Waltham
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	H3333 (Rep. Ann-Margaret Ferrante)

PRIOR HISTORY

2023-24 (S. 2034): Reported favorably; referred to Senate Ways and Means

CURRENT LAW

Subsection (a) of section 39M of chapter 30 of the General Laws: Contracts for construction and materials; manner of awarding

SUMMARY

This legislation updates transparency in public construction bidding laws. The definition of “fraud” is updated to include intentional misrepresentations, omissions, false statements, or misleading actions with the intention to deceive. It updates the definition of “responsible” bidder to include a certification of honesty in their submission. The decision of the prequalification committee will be final unless there is proof that a submission contained material that intentionally misrepresents, omits, or has false statements. Bid submissions are required to include proposals in response to the RFP and a certification of accuracy.

SENATE No. 2180

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 the definition of fraud in public construction bid laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/28/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/28/2025</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/28/2025</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/28/2025</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>1/30/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/3/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/20/2025</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/24/2025</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/3/2025</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/27/2025</i>

SENATE No. 2180

By Mr. Moore, a petition (accompanied by bill, Senate, No. 2180) of Michael O. Moore, Brian W. Murray, James K. Hawkins, Susannah M. Whipps and other members of the General Court for legislation to define fraud in public construction bid laws. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2034 OF 2023-2024.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—————

An Act relative to the definition of fraud in public construction bid laws.

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. Subsection (a) of section 39M of chapter 30 of the General Laws, as
2 appearing in the 2022 Official Edition, is hereby amended by striking out the words “The
3 undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and
4 made without collusion or fraud with any other person” and inserting in place thereof the
5 following words:-

6 “The undersigned certifies under penalties of perjury that this bid is in all respects bona
7 fide, fair and made without collusion with any person and contains no intentional
8 misrepresentations, omissions or false statements. As used in this paragraph the word “person”

9 shall mean any natural person, joint venture, partnership, corporation or any other business or
10 legal entity.”

11 SECTION 2. Section 44A of chapter 149 of the General Laws, as so appearing, is hereby
12 amended by inserting after the definition of “Eligible” the following definition:-

13 “Fraud”, a statement, act or omission relating to a material fact that (i) has the natural
14 tendency to be relied upon by or to influence the average person, (ii) is knowingly false or
15 misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead,
16 regardless of whether the statement, act or omission is actually relied upon

17 SECTION 3. Said section 44A of said chapter 149, as so appearing, is hereby further
18 amended by striking out the definition of “responsible” and inserting in place thereof the
19 following definition:-

20 “Responsible” means demonstrably possessing the skill, ability and integrity necessary to
21 faithfully perform the work called for by a particular contract, based upon a determination of
22 competent workmanship and financial soundness in accordance with the provisions of section
23 forty-four D of this chapter and shall certify that his bid contains no misrepresentations,
24 omissions, or false statements.

25 SECTION 4. Section 2 of chapter 149A of the General Laws, as so appearing, is hereby
26 amended by inserting after the definition of “Designer” the following definition:-

27 “Fraud”, a statement, act or omission relating to a material fact that (i) has the natural
28 tendency to be relied upon by or to influence the average person, (ii) is knowingly false or

29 misleading or is in reckless disregard of its truth or falsity and (iii) is intended to mislead,
30 regardless of whether the statement, act or omission is actually relied upon.

31 SECTION 5. Subsection (f) of section 8 of said chapter 149A, as so appearing, is hereby
32 amended by striking the fourth sentence and replacing it with the following sentence:-

33 “The decision of the prequalification committee shall be final and not subject to appeal
34 except on the grounds that a submission contains intentional, material misrepresentations,
35 omissions, or false statements, or of collusion.”

36 SECTION 6. Section 19 of said chapter 149A, as so appearing, is hereby amended by
37 striking out paragraph (6) and inserting in place thereof the following:-

38 (6) The RFP shall require that every response shall be accompanied by a bid deposit in
39 the form of a bid bond, or cash, or a certified check on, or a treasurer’s or cashier’s check issued
40 by a responsible bank or trust company, payable to the awarding authority. The amount of such
41 bid deposit shall be 5 per cent of the value of the bid. Any person submitting a bid under this
42 section shall, on such a bid, certify as follows:

43 The undersigned certifies under penalty of perjury that this bid is in all respects bona fide,
44 fair, made without collusion with any other person and contains no intentional material
45 misrepresentations, omissions or false statements. As used in this paragraph the word “person”
46 shall mean any natural person, joint venture, partnership, corporation or other business or legal
47 entity.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2181
<u>TITLE</u>	An Act to promote safety, efficiency and accountability in transportation projects through public inspections
<u>SPONSORS</u>	Senator Moore
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

PRIOR HISTORY

2023-24 (S. 2035): Reported favorably; referred to Senate Ways and Means

CURRENT LAW

Chapter 6C: Massachusetts Department of Public Transportation

SUMMARY

This legislation requires public employees to perform construction inspection for all surface transportation projects that have received state or federal funding.

SENATE No. 2181

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 to promote safety, efficiency and accountability in transportation projects through public inspections.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 2181

By Mr. Moore, a petition (accompanied by bill, Senate, No. 2181) of Michael O. Moore for legislation to promote safety in transportation projects through public inspections. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2035 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to promote safety, efficiency and accountability in transportation projects through public inspections.

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

1 Chapter 6C of the General Laws, as appearing in the 2022 Official Edition, is hereby
2 amended by inserting after section 79 the following section:-

3 Section 80. Public Inspections

4 (a) For purposes of this section, the following words shall have the following definitions:

5 “inspection functions” shall mean construction inspections, bridge inspections, contract
6 administration, quality control inspection, material testing, and resident engineer functions;

7 “public employee” shall mean an employee of a federal, state or local government.

8 (b) Notwithstanding any general or special law to the contrary, public employees shall
9 carry out the inspection functions for all surface transportation projects receiving State or Federal
10 funding.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2186
<u>TITLE</u>	An Act relative to timely public payments for work not included in original construction contracts
<u>SPONSORS</u>	Senator Moore
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	H3334 (Rep. William Galvin)

CURRENT LAW

Section 39G of Chapter 30: Completion of public works; semi-final and final estimates; payments; extra work; disputed items

SUMMARY

This legislation states that the timeframe for subcontracts or trade contracts to receive approval or rejection of a request for a contract price increase should not exceed 30 days. An Additional 7 days per contract tier below the project owner may be granted. If a decision is not made within the time frame, it will be automatically approved. If a request is rejected, the rejection must be documented in writing, include details of the grounds for the decision, and must be subject to the dispute resolution process.

SENATE No. 2186

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 timely public payments for work not included in original construction contracts.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 2186

By Mr. Moore, a petition (accompanied by bill, Senate, No. 2186) of Michael O. Moore relative to timely payments for work not included in public construction contracts. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3032 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to timely public payments for work not included in original construction contracts.

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 39G of chapter 30 of the General Laws, as appearing in the 2022 Official Edition,
2 is hereby amended by inserting after the eighth paragraph the following paragraph:-

3 Every contract subject to section 44A of chapter 149 or subject to section 39M of chapter
4 30 or subject to chapter 149A, and every subcontract or trade contract as applicable, shall
5 provide a reasonable time period within which a written request submitted by a person seeking
6 an increase in the contract price shall be approved or rejected, whether in whole or in part. The
7 time period shall not exceed 30 days after the later of commencement of the performance of the
8 work on which the request is based or submission of the written request; provided, however, that
9 the time period, as applicable to approval or rejection by the person at each tier of contract below

10 the owner of the project, may be extended by 7 days more than the time period applicable to the
11 person at the tier of contract above the person. A request which is neither approved nor rejected
12 within such time period shall be deemed to be approved and may be submitted for payment
13 within the next application for a periodic progress payment, unless it is rejected before the date
14 payment is due. A rejection of a request, whether in whole or in part, shall be made in writing,
15 shall include an explanation of the factual and contractual basis for the rejection and shall be
16 certified as made in good faith. A rejection of a request shall be subject to the applicable dispute
17 resolution procedure. A provision in the contract which requires a party to delay commencement
18 of the procedure until a date later than 60 days after the rejection shall be void and
19 unenforceable.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2198
<u>TITLE</u>	An Act relative to the submission of design build proposals
<u>SPONSORS</u>	Senator Oliveira
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	H3372 (Rep. Meghan Kilcoyne)

PRIOR HISTORY

2023-2024 (S2045): Sent to study

CURRENT LAW

Section 20 of Chapter 149A: Best-value or low-bid basis for evaluation and selection

SUMMARY

This legislation extends the deadline for submitting sealed price proposals, allowing them to be submitted up to five days after the technical proposal, rather than simultaneously.

SENATE No. 2198

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

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 the submission of design build proposals.

PETITION OF:

NAME:

Jacob R. Oliveira

DISTRICT/ADDRESS:

Hampden, Hampshire and Worcester

SENATE No. 2198

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 2198) of Jacob R. Oliveira for legislation relative to the submission of design build proposals. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2045 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the submission of design build proposals.

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

- 1 Subsection (b) of section 20 of chapter 149A of the General Laws is hereby amended by
- 2 striking the last sentence and inserting in place thereof the following: The awarding authority
- 3 shall require the sealed price proposal to be submitted no more than five calendar days after
- 4 submission of the sealed technical proposal.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2199
<u>TITLE</u>	An Act relative to public construction certification
<u>SPONSORS</u>	Senator Oliveira
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	H3371 (Rep. Meghan Kilcoyne)

PRIOR HISTORY

2023-2024 (S2046): Sent to study

CURRENT LAW

Section 44D of Chapter 149: Submission of bid or offer; application for certification

SUMMARY

This legislation would extend the timeframe in which applicants must provide their experience in public and private construction projects from the last 5 years to the last 10 years. Additionally, it introduces an annual inflationary adjustment to applicants seeking recertification.

SENATE No. 2199

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

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 construction certification.

PETITION OF:

NAME:

Jacob R. Oliveira

DISTRICT/ADDRESS:

Hampden, Hampshire and Worcester

SENATE No. 2199

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 2199) of Jacob R. Oliveira for legislation relative to public construction certification. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2046 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to public construction certification.

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. Subsection (2) of Section 44D of Chapter 149 of the General Laws is
2 hereby amended by striking the words “over the past five years” and replacing it with the
3 following: over the past ten years

4 SECTION 2. Subsection (3) of Section 44D of Chapter 149 of the General Laws is
5 hereby amended by inserting after the words “showing the classes of work and aggregate amount
6 of work on which the applicant is eligible to bid” the following:- ;provided, the division shall
7 establish an annual inflationary increase, based upon the Producer Price Index as published by
8 the U.S. Bureau of Labor Statistics, for applicants seeking recertification.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2202
<u>TITLE</u>	An Act relative to commonwealth building projects
<u>SPONSORS</u>	Senator Oliveira
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222
<u>SIMILAR MATTERS</u>	H3350 (Rep. Kevin Honan)

PRIOR HISTORY

2023-2024 (S2041): Sent to study

CURRENT LAW

Section 5 of chapter 7C: Building project control and supervision by commissioner; delegation of project control and supervision to state agency or building authority

SUMMARY

This legislation states that the DCAMM Commissioner is responsible for controlling and supervising state building projects that involve structural or mechanical work and have an estimated cost over \$1,000,000, compared to the current \$250,000 threshold. The commissioner may grant project control to a state agency or building authority for projects under \$10,000,000. Any state agency or building authority shall control projects less than \$1,000,000 or those without structural work.

SENATE No. 2202

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

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 commonwealth building projects.

PETITION OF:

NAME:

Jacob R. Oliveira

DISTRICT/ADDRESS:

Hampden, Hampshire and Worcester

SENATE No. 2202

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 2202) of Jacob R. Oliveira for legislation to further regulate public building projects. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2041 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to commonwealth building projects.

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 5 of chapter 7C of the General Laws is hereby amended by striking out the first
2 paragraph and inserting in place thereof the following paragraph:-

3 Section 5. The commissioner shall, in a manner and to the extent provided by this
4 chapter, control and supervise any building project to be undertaken by a state agency or building
5 authority when the estimated cost of the project exceeds \$1,000,000 and involves structural or
6 mechanical work. The commissioner may, upon request of a state agency or building authority,
7 delegate project control and supervision to that state agency or building authority over projects
8 involving structural or mechanical work whose estimated cost is less than \$10,000,000 if the
9 commissioner determines that the agency or authority has the ability to control and supervise
10 such project. Except as otherwise provided in this section, any state agency or building authority

11 shall control and supervise its own building projects when the estimated cost of such project is
12 less than \$1,000,000, or if the project does not involve structural or mechanical work. As used in
13 this section, "estimated cost" shall mean the estimated construction cost stated in a study or
14 program prepared in accordance with section 59.

Joint Committee on State Administration and Regulatory Oversight

Bill Summary

<u>BILL NUMBER</u>	Senate, No. 2548
<u>TITLE</u>	An Act designating bar pizza as the official pizza of the Commonwealth
<u>SPONSORS</u>	Senator Brady; Representative Plouffe of Brockton
<u>HEARING DATE</u>	Wednesday, October 8, 2025 at 01:00 PM - 05:00 PM, 222

CURRENT LAW

Chapter 2: Arms, great seal, and other emblems of the Commonwealth

SUMMARY

This legislation designates bar pizza as the official pizza of the Commonwealth.

SENATE No. 2548

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady

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 designating bar pizza as the official pizza of the Commonwealth.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Michael D. Brady

Second Plymouth and Norfolk

Bridget Plouffe

9th Plymouth

SENATE No. 2548

By Mr. Brady, a petition (accompanied by bill, Senate, No. 2548) (subject to Joint Rule 12) of Michael D. Brady and Bridget Plouffe for legislation to designate bar pizza as the official pizza of the Commonwealth. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act designating bar pizza as the official pizza of the Commonwealth.

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

1 Chapter 2 of the General Laws is hereby amended by inserting the following section:-

2 Section 65. Bar pizza, a type of pizza characterized by its thin, crispy crust, individual
3 10-inch pan size, edge-to-edge cheese, and a unique preparation style common to the south shore
4 region of the commonwealth, shall be the official pizza of the commonwealth.