

**Massachusetts House of Representatives
Bill Summary**

Bill #: H.4348

Title: An Act relative to a cemetery in the town of Norton

Sponsor: Rep. Steven Howitt

Committee: Joint Committee on Municipalities and Regional Government

Hearing Date: 8/14/25 9:00 AM – 8/21/25 5:00 PM

Current Law:

MGL Chapter 30, Section 39M governs public works construction bidding.

Chapter 30B of the Mass. General Laws is the Uniform Procurement Act. It applies to every contract for the procurement of supplies, services or real property and for disposing of supplies or real property by a governmental body.

For the procurement of a supply or service for a governmental body in the amount of \$10,000 or greater, but not more than \$50,000, a procurement officer shall seek written quotations from not fewer than 3 persons customarily providing the supply or service. The procurement officer shall record the: (i) names and addresses of all persons from whom quotations were sought; (ii) purchase description used for the procurement; (iii) names of the persons submitting quotations; and (iv) date and amount of each quotation. Such information shall be retained in the file. The procurement officer shall award the contract to the responsible person offering the needed quality of supply or service at the lowest quotation.

Summary:

Section 1 of the bill authorizes the Town of Norton to pay unpaid bills totaling \$34,001 to Ryan Asphalt Paving, LLC for work performed in connection with the driveway pavement projects at the Timothy Plains Cemetery notwithstanding the failure of the town to comply with the laws relative to procurement and competitive bidding in the awarding of the contracts for completion of the work.

Section 2 provides for this act to take effect upon its passage.

Notes: Approved as Article 15 at May 19, 2025 Annual Town Meeting by majority vote.

According to town officials, 3 quotes were solicited, the contractor offering the lowest price was chosen, and the work was completed. Later, however, the town accountant determined that the total value of the project exceeded the \$50,000 statutory threshold under MGL Ch. 30, Section 39M that requires advertised bids, and special legislation is necessary to correct the error. The cost will be paid from the cemetery gift fund.