HOUSE DOCKET, NO. 514 FILED ON: 1/11/2013

HOUSE . . . . . No. 2782

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 passage of the accompanying:

An Act relative to price adjustment..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Antonio F. D. Cabral	*13th Bristol*

HOUSE DOCKET, NO. 514 FILED ON: 1/11/2013

HOUSE . . . . . No. 2782

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 2782) of Antonio F. D. Cabral for legislation to include a price adjustment clause in state awarded contracts. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *822* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to price adjustment..

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

Section 39O of chapter 30, as appearing in the 2010 official edition, is hereby amended by adding the following paragraph at the end thereof:

Notwithstanding any general or special law to the contrary, contracts awarded as a result of proposals or invitation for bids issued under sections 38A½ to 38O, inclusive, of chapter 7; section 11C of chapter 25A; section 39M of this chapter; and sections 44A to 44H, inclusive, of chapter 149, exceeding $100,000 shall include a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt, concrete and steel. A base price for each material shall be set by the awarding authority or agency and included in the bid documents at the time a project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material or supply. The adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds +/- 5 per cent.