



**ACTS, 1985. - Chap. 229.**

designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of the contract. The total amount of such insurance shall at a minimum equal the lesser of one million dollars or ten per cent of the project's estimated cost of construction, or such larger amounts as the public agency may require, for the applicable period of limitations. A designer required by the public agency to obtain all or a portion of such insurance coverage at his own expense shall furnish a certificate or certificates of insurance coverage to the public agency prior to the award of the contract. For purposes of this paragraph only, "public agency" shall have the meaning set forth in section thirty-nine A.

**SECTION 2.** Section 29B of chapter 149 of the General Laws as inserted by section 43 of chapter 484 of the acts of 1984 is hereby amended by striking out said section and inserting in place thereof the following section:-

29B. No provision in specifications inviting bids for construction work reserving the right to waive or cancel the requirement for furnishing a payment bond shall be valid as a defense against a claimant who relied upon the provision requiring the furnishing of the payment bond unless that reservation appears in the specifications immediately following the provision requiring the furnishing of the payment bond.

**SECTION 3.** Section 29C of chapter 149 of the General Laws as inserted by section 43 of chapter 484 of the acts of 1984 is hereby amended by striking out said section and inserting in place thereof the following section:-

29C. Any provision for or in connection with a contract for construction, reconstruction, installation, alteration, remodeling, repair, demolition or maintenance work, including without limitation, excavation, backfilling or grading, on any building or structure, whether underground or above ground, or on any real property, including without limitation any road, bridge, tunnel, sewer, water or other utility line, which requires a subcontractor to indemnify any party for injury to persons or damage to property not caused by the subcontractor or its employees, agents or subcontractors, shall be void.

**SECTION 4.** This act shall take effect as of April 7, 1985.

Approved August 1, 1985.

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**Chapter 229. AN ACT RELATIVE TO THE RECORDS OF VETERANS.**

Be it enacted, etc., as follows:

The fifth paragraph of subsection (b) of section 15 of chapter 33 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after the word "towns", in line 40, the words:- and shall provide upon request said records to such cities and towns.