

By Mrs. Gray of Framingham, petition of Barbara E. Gray for legislation to require that estimates be taken for water using or distribution systems for state construction.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT TO REQUIRE THAT ESTIMATES BE TAKEN FOR WATER USE OR DISTRIBUTION IN STATE 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 Chapter 149 of the General Laws as most recently amended by
2 chapter 579 of the Acts of 1980 is hereby amended by inserting after
3 44I the following new section: —

4 *Section 44J.* For the purposes of this section the term “water
5 savings cost estimate”, the estimated cost of installing, financing,
6 maintaining, and replacing a water using system, including the cost
7 savings in consumption of water.

8 Every contract for architectural or engineering services neces-
9 sary for the preliminary design of all new buildings or for the
10 modification or replacement of a water-using system in an existing
11 building entered into a public awarding authority subject to the
12 bidding requirements of sections forty-four A (44) to forty-four L
13 (44L) inclusive, of this chapter shall contain a stipulation that
14 water savings cost estimates shall be obtained at an initial stage and
15 as a regular part of the services to be performed under said con-
16 tract.

17 Prior to the preparation of plans and specifications for the
18 purposes of bidding requirements of said sections forty-four A
19 (44A) to forty-four L (44L) inclusive, the awarding authority shall
20 insure that the water savings cost estimates have been completed
21 and shall file summaries of said cost estimates with the building
22 code commission and the secretary of natural resources. No con-
23 struction project shall be advertised for bids by any such awarding

24 authority, nor shall any contract for construction be awarded by
25 such authority, nor shall any building permit be issued until said
26 summaries of cost estimates have been filed with the building code
27 commission and the secretary of natural resources.

28 Any contractor for architectural services necessary to the prelim-
29 inary design of a new building who fails to obtain water savings
30 costs estimates in the performance of a contract containing lan-
31 guage which stipulates such, shall be prohibited by the secretary of
32 natural resources from contracting, directly or indirectly, with the
33 commonwealth or any political subdivision thereof for similar
34 architectural services for a period of one year from the date of
35 termination of said violation.

36 The secretary of natural resources may offer to all public award-
37 ing authorities and other interested parties assistance and training
38 in the performance of the requirements of this section. The secre-
39 tary of natural resources shall promulgate rules and regulations to
40 implement the provisions of this section.