

By Mr. Manning of Milton, petition of M. Joseph Manning for legislation to clarify the requirement for listing subcontractors in sub-bids. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT CLARIFYING THE REQUIREMENT FOR LISTING SUBCONTRACTORS IN SUB-BIDS.

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 44F of chapter 149, as most recently established by
2 chapter 579 of the acts of 1980, is hereby further amended by
3 adding the following language at the end of the second paragraph
4 of section (1): — The heating, ventilating and air conditioning section
5 of the specifications shall contain a paragraph requiring the sub-
6 bidder to list the name and bid price of the sub-subcontractor for
7 all sheet metal work and for all the insulation work in that section
8 of the HVAC specifications, and the plumbing section of the
9 specifications shall contain a paragraph requiring the sub-bidder
10 to list sub-subcontractor's name and bid price for all the insulation
11 work in that section in each case where the awarding authority
12 estimates the cost of all the sheet metal work or the cost of all
13 the insulation work will exceed one thousand dollars and the
14 awarding authority shall not require any other listing for any sub-
15 subtrade work.

16 Each sub-bidder for heating, ventilating and air conditioning
17 work shall list in their Form For Sub-Bid the name and bid price
18 of each person, firm or corporation performing all of the sheet
19 metal work and of each person, firm or corporation performing
20 all of the insulation work in the heating, ventilating and air
21 conditioning section and each sub-bidder for plumbing work shall
22 list in the sub-bid the name and bid price of each person, firm

23 or corporation performing all of the insulation work in the
 24 plumbing section in each case where the heating, insulation and
 25 air conditioning section or the plumbing section requires such
 26 listing; provided that any sub-bidder may, without listing any bid
 27 price, list his own name in said sub-bid form for all of the sheet
 28 metal work or all of the insulation work in each section and
 29 perform that work with persons on its own payroll, if such sub-
 30 bidder has customarily performed that work with persons on its
 31 own payroll and is qualified so to do. Each person, firm or
 32 corporation so listed shall have a right to a contract for the work
 33 in the amount listed and no sub-bidder shall list an amount
 34 different from the price quoted to the sub-bidder.