

# SENATE . . . . . No. 70.

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To accompany the petition of Joseph Donovan for legislation to provide for the appointment annually by the mayor of the city of Lawrence of a purchasing agent to purchase all materials and supplies used by the several city departments. Cities.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seven.

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### AN ACT

To provide for the Appointment of a Purchasing Agent  
for the City of Lawrence.

*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 1. There shall be appointed annually by  
2 the mayor of the city of Lawrence, in the month of  
3 January or whenever a vacancy may occur, a  
4 purchasing agent whose duty it shall be to purchase  
5 all supplies and materials used by the several city  
6 departments. He shall furnish a bond with good  
7 and sufficient sureties in the sum of twenty-five thou-  
8 sand dollars to insure the faithful performance of  
9 the duties of his office and he may be removed by  
10 the mayor, for cause.

1 SECTION 2. All purchases of supplies and materi-  
2 als shall be made by said purchasing agent, subject  
3 to the approval of the mayor, and so far as prac-  
4 ticable all purchases shall be made after public  
5 advertisements soliciting proposals to furnish said  
6 supplies and materials.

1 SECTION 3. All bills for supplies and materials  
2 shall show the date of purchase, date of delivery,  
3 the unit of price, the quality and quantity of articles  
4 purchased and received, the number and date of the  
5 order for purchase, and, if the purchase is under  
6 contract, the number and date of the contract, and  
7 shall be entered in full in an invoice book which  
8 shall always be open to public inspection.

1 SECTION 4. All advertisements for proposals to  
2 furnish supplies and materials shall be published in  
3 one or more papers of the city, and elsewhere if  
4 necessary, and a copy of such advertisement shall  
5 be preserved by the purchasing agent. Whenever  
6 advertisements for any supplies and materials are  
7 made the purchasing agent shall cause suitable  
8 schedules to be prepared and shown to the parties  
9 proposing to bid.

1 SECTION 5. Every contract exceeding three hun-  
2 dred dollars for any materials and supplies to be  
3 furnished the city shall be accompanied by a suit-  
4 able bond for the performance of the same, or by a  
5 deposit of money or security to the amount of said  
6 bond. All such contracts shall be executed in dupli-  
7 cate and in writing and shall be signed on the part  
8 of the city by the mayor and the purchasing agent,

9 and after being signed by all the parties no such  
10 contract shall be altered in any particular unless the  
11 mayor and purchasing agent endorse on said con-  
12 tract over their signatures their assent to such alter-  
13 ation in writing. A copy of each contract shall be  
14 filed with the city auditor.

1 SECTION 6. The mayor and purchasing agent  
2 shall not make any contract for the purchase of  
3 supplies and materials the execution of which will  
4 necessarily extend beyond one year from the date  
5 thereof unless special permission so to do shall  
6 be given by vote of the city council or of the branch  
7 thereof having authority therein, or by the statutes  
8 of the Commonwealth.

1 SECTION 7. Materials and supplies may by the  
2 direction of the mayor be purchased for two or more  
3 departments by the purchasing agent and distrib-  
4 uted in such manner as he may direct. Separate  
5 bills shall be made by the party furnishing such  
6 materials or supplies for each department so fur-  
7 nished. Whenever any department has in its pos-  
8 session materials, products or supplies which are  
9 not needed or desired by such department and the  
10 same can be utilized to advantage by some other  
11 department of the city, the mayor and purchasing  
12 agent may direct that the same be transferred from  
13 and credited to the department having the same, to  
14 such other department and utilized as aforesaid.

1 SECTION 8. Neither the mayor nor the purchasing  
2 agent shall be personally interested, either directly  
3 or indirectly, in any contract for the purchase of

4 materials or supplies in which the city is a party  
5 interested, nor shall either the mayor or the pur-  
6 chasing agent, directly or indirectly, for himself or  
7 for any other person, receive a commission, dis-  
8 count, bonus, present or reward from any person or  
9 persons making or performing such contracts; and  
10 any violation of any of the provisions of this section  
11 shall be punished by a fine of not less than fifty  
12 dollars, nor more than one thousand dollars, or by  
13 imprisonment for a term not exceeding one year, or  
14 by both such fine and imprisonment.

1 SECTION 9. All acts and parts of acts inconsistent  
2 herewith are hereby repealed.