

By Miss Howe of Somerville, petition of Marie E. Howe for requiring the Massachusetts Bay Transportation Authority to award certain contracts on the basis of public bids. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT REQUIRING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO AWARD CERTAIN CONTRACTS ON THE BASIS OF PUBLIC BIDS.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to provide that the Massachusetts
3 Bay Transportation Authority be required to award certain
4 contracts to the lowest responsible bidder in conformance
5 with similar laws enacted by the General Court governing the
6 award of such contracts by departments of the Common-
7 wealth and municipalities within the commonwealth, there-
8 fore it is hereby declared to be an emergency law, necessary
9 for the immediate preservation of the public convenience.

*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. Section 5 of chapter 161A of the General Laws
2 is hereby amended by striking out paragraph (c) and insert-
3 ing in place thereof the following paragraph:—

4 (c) Any concession in or lease of property for a term of
5 more than one year shall be awarded, after advertising for
6 bids, to the bidder who, in judgment of the directors, is the
7 highest responsible bidder; provided, however, that this pro-
8 vision shall not be applicable to an extension or renewal of
9 any concession in or lease of property if, by vote of the
10 directors, such extension or renewal is determined to be in the
11 best interest of the authority.

12 All contracts for supplies, materials, equipment and ser-
13 vices, except contracts to which section thirty-nine M of
14 chapter thirty applies, when the expense thereof will exceed
15 twenty-five hundred dollars, shall be awarded to the lowest
16 responsible bidder, after advertising for bids, excepting (1)
17 when, by vote of the directors, it is determined that an
18 emergency requires immediate delivery of supplies, materials
19 or equipment or performances of services; (2) when repair
20 parts, accessories, equipment or services are required for
21 equipment or services previously furnished or contracted for
22 or when there is only one reasonable source of supply; (3)
23 when services such as water, light, heat, power, telephone or
24 telegraph are required. Contracts shall not be split into parts
25 involving less than twenty-five hundred dollars for the pur-
26 pose of avoiding this provision.

27 The authority shall have the right to reject all bids and to
28 re-advertise for bids. If after such re-advertisement no re-
29 sponsible and satisfactory bid, within the terms of the adver-
30 tisement, is received, the authority may award the contract
31 without competitive bidding.

32 All bids in response to advertisements shall be sealed and
33 shall be publicly opened by the authority. The authority may
34 require, as evidence of good faith, that a deposit of a
35 reasonable sum, to be fixed by the authority, accompany the
36 proposals, and may also require a bond conditioned on the
37 faithful performance of work.

1 SECTION 2. Said section 5 is hereby further amended by
2 adding the following paragraphs:—

3 (l) Sections twenty-six to twenty-nine, inclusive, forty-four
4 A to forty-four L, inclusive, of chapter one hundred and
5 forty-nine of the General Laws and the provisions of sections
6 thirty-nine F to thirty-nine M, inclusive, of chapter thirty of
7 the General Laws shall apply to the authority.

8 (m) Advertisements for bids shall be published at least
9 seven days before the opening thereof in the paper published
10 by the city of Boston known as the city record. Such
11 advertisements shall state the time and place where all perti-
12 nent information relative to concessions and leases or where
13 plans and specifications of proposed construction or supplies,

14 materials and equipment may be obtained, and the time and
15 place of opening the bids in answer to said advertisements,
16 and that the authority reserves the right to reject any or all
17 such bids.

18 (n) Members of the board of directors, officers and em-
19 ployees of the authority shall not be interested directly or
20 indirectly in any contract with the authority.

1 SECTION 3. Section 19 of said chapter 161A, as so appear-
2 ing, is hereby amended by striking out the last sentence
3 thereof and inserting in place thereof the following sen-
4 tence:—

5 The provisions of general or special laws relative to rates of
6 wages, hours of employment and working conditions of public
7 employees shall not apply to the authority nor to the
8 employees thereof, but the authority and its employees shall
9 be governed with respect to hours of employment, rates of
10 wages, salaries, hours, working conditions, health benefits,
11 pensions and retirement allowances of its employees by the
12 law relating to street railway employees.

The first part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work of the office, the second with the work of the various departments, and the third with the work of the individual members of the staff.

The second part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work of the office, the second with the work of the various departments, and the third with the work of the individual members of the staff.

The third part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work of the office, the second with the work of the various departments, and the third with the work of the individual members of the staff.

The fourth part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work of the office, the second with the work of the various departments, and the third with the work of the individual members of the staff.

The fifth part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the general work of the office, the second with the work of the various departments, and the third with the work of the individual members of the staff.