

By Mr. White of Worcester, petition of the Utility Contractors of New England and Thomas P. White relative to allowing arbitration of disputes arising out of public building contracts. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO ALLOW ARBITRATION OF DISPUTES ARISING OUT OF PUBLIC BUILDING CONTRACTS.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

1 Amend chapter 30 by adding a new section 39Q reading as
2 follows:

3 *Section 39Q.* 1) Every contract subject to forty-four A of
4 Chapter 149 or Section 39M of this chapter shall provide that all
5 claims, disputes and other matters arising out of or relating to the
6 contract or breach thereof for which the amount of said claim,
7 dispute or other matters arising out of or relating to the contract of
8 breach thereof is less than fifty thousand dollars, except disputes as
9 to work assignments for mechanics and laborers by contractors or
10 subcontractors and disputes as to the right to a contract award or
11 the right to be included in a contract award, shall be decided by
12 arbitration as provided in chapter two hundred fifty-one.

13 2) Every contract subject to 44A of Chapter 149 or Section 39M
14 of this chapter may at the option of the awarding authority provide
15 that all claims, disputes and other matters arising out of or relating
16 to the contract or breach thereof, for which the amount of said
17 claim, dispute or other matters arising out of or relating to the
18 contract or breach thereof is more than fifty thousand dollars,
19 except disputes as to work assignments for mechanics and laborers
20 by contractors or subcontractors and disputes as to the right to a
21 contract award or the right to be included in a contract award, shall
22 be decided by arbitration as provided in chapter two hundred
23 fifty-one.

24 3) Sections one and two of this act shall not apply to claims
 25 submitted pursuant to section 5 of chapter 16 of the General Laws.