HOUSE DOCKET, NO. FILED ON: 1/14/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Antonio F.D. Cabral**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to price adjustment.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Antonio F.D. Cabral | 13th Bristol |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to price adjustment.

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

 Section 39O of chapter 30, as appearing in the 2006 Official Edition, is hereby amended by adding the following paragraph at the end thereof:

Notwithstanding any general or special law to the contrary, contract,s awarded as a result of proposals or invitation for bids issued under sections 38A½ to 38O, inclusive, of chapter 7; section 11C of chapter 25A; section 39M of this chapter; and sections 44A to 44H, inclusive, of chapter 149, exceeding $100,000 shall include a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt, concrete and steel.  A base price for each material shall be set by the awarding authority or agency and included in the bid documents at the time a project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material or supply.  The adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds +/- 5 per cent.