

Massachusetts Public Construction Procurement - Current vs. New Law Thresholds and Process Changes - Effective November 7, 2016

Thresholds (Law, Summary Requirements and Changes)	Type of Procurement	Current Law	New Municipal Modernization Act Changes
Vertical Building Construction, Reconstruction, Installation, Demolition, Maintenance or Repair			
G.L.c. 149, §44A - sound business practice procurement, under \$10,000 (<i>no change</i>)	Building only (lowest cost)	Under \$10,000	Under \$10,000* (<i>Can Use Agency Blanket or OSD Statewide Trade Contract</i>)
G.L.c. 149, §44A – seek 3 quotes and public notification**, was \$10,000-\$25,000 (<i>increasing</i>) now to \$50,000	Building only (low cost)	\$10,000 - \$25,000	\$10,000 - \$50,000 ** (<i>Can Use Agency Blanket or OSD Statewide Trade Contract in Lieu of Public Notification if prices acceptable</i>)
G.L.c. 149, §44A – public advertise & public bid opening, was \$25,000-\$100,000 (<i>increasing</i>) now to >\$50,000-\$150,000	Building only (low+ cost) G.L.c. 149 incorporates c.30, §39M process	\$25,000 - \$100,000	> \$50,000 - \$150,000
G.L.c. 149, §44A-J – public advertise & bid opening, <u>filed sub-bid and certification apply</u> , was >\$100,000 (<i>increasing</i>) now to >\$150,000 (<i>also increases in filed sub-bid and Paragraph E thresholds</i>)	Building only (higher cost)	Over \$100,000 Filed sub-bid threshold >\$20,000*** Par. E threshold >\$10,000***	Over \$150,000 Filed sub-bid threshold > \$25,000 *** Par. E threshold > \$25,000 ***
Horizontal Public Works (any cost), Materials and Vertical Building Projects >\$50,000-\$150,000			
G.L.c. 30, §39M- best business practice procurement, under \$10,000 (new)	Horizontal & materials only (lowest cost)	<i>Prior to new law, no process defined for horizontal under \$10,000</i>	Under \$10,000* (new) (<i>Can Use Agency Blanket or OSD Statewide Trade Contract</i>)
G.L.c.30, §39M - quotes and public notification, <i>This category did not exist for horizontal</i>	Horizontal & materials only (low cost)	<i>Prior to new law, no threshold or different process in this range for horizontal</i>	\$10,000 - \$50,000** (new) (<i>Can Use Agency Blanket or OSD Statewide Trade Contract in Lieu of Public Notification if prices acceptable</i>)
G.L.c.30, §39M – public advertise and public bid opening was \$10,000+ now to >\$50,000.	Horizontal (anything over low cost) Vertical (low+ cost)	Horizontal & Materials \$10,000 and up Vertical >\$25,000- \$100,000	Horizontal & Materials > \$50,000 and up Vertical > \$50,000- \$150,000

* Awarding authority may use quotes from OSD Statewide Contract or Blanket Contract Procured by awarding authority as sound business practice. More information to come.

** Awarding authority may seek quotes from OSD Statewide Contract or Blanket Contract Procured by awarding authority. If awarding authority receives two or more quotes from OSD Statewide or its Blanket Contract and prices acceptable, need not do public notification. More information to come.

*** Filed sub-bid and par. E threshold changes also apply to c149A CM at Risk Trade Contractor procurement.