

# HOUSE . . . . . No. 3263

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By Mr. Wagner of Chicopee, petition of Joseph F. Wagner for legislation to provide for timely final payments on contracts for public works construction projects. State Administration and Regulatory Oversight.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Seven.

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AN ACT TO PROVIDE TIMELY FINAL PAYMENT FOR CONTRACTS FOR PUBLIC WORKS CONSTRUCTION IN THE COMMONWEALTH.

*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 39G of chapter 30 of the General Laws, as appearing in  
2 the 2004 Official Edition, is hereby amended by adding the  
3 following paragraph:—

4 The awarding authority shall give written notice to the con-  
5 tractor within 365 days of issuance of a final estimate, or within  
6 425 days of receipt of notice from the contractor stating that all of  
7 the work required by the contract has been completed, whichever  
8 is later, of any quantity or amount of all or part of any work item  
9 or extra work item, which the awarding authority determines to  
10 adjust, stating specifically what item or items and the quantity or  
11 amount that the authority has determined to be a final quantity or  
12 amount. Failure of the authority to give such notice shall preclude  
13 any adjustment thereafter.