

# SENATE NO. 336

## **AN ACT** RELATIVE TO PROJECTS FUNDED BY THE SCHOOL BUILDING AUTHORITY

*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 9 of Chapter 70B is hereby amended by adding at the end of subsection  
2 (a), the following:- (5) the applicant shall not enter into a contract for design services unless the  
3 designer has obtained professional liability insurance covering negligent errors, omissions and  
4 acts of the designer or of an person or business entity for whose performance the designer is  
5 legally liable arising out of the performance of the contract. Notwithstanding the provisions of  
6 Chapter 7 Section 38H paragraph (f), the total amount of such insurance shall at a minimum  
7 equal fifty per cent of the project's estimated cost of construction, or such larger amounts as the  
8 board may require, for the applicable limitations. A designer required by the authority to obtain  
9 all or a portion of such insurance coverage at his own expense shall furnish a certificate of  
10 certificates of insurance coverage to the applicant prior to the award of the contract.