



# OSD



## Chapter 149 Construction Threshold Changes

### Buyer Frequently Asked Questions

#### When do the threshold changes take effect?

Changes took effect on September 6, 2024.

#### Does the decision impact current Tradespersons Statements of Work (SOWs) that are in place and in progress?

The decision impacts any procurement bid awarded on or after September 6, 2024.

Buyers with questions should consult their own legal counsel as instructed in the Contract User Guide. Buyer attorneys with questions may contact [OSD Legal](#). Refer construction-related questions to the [AGO](#). For municipal procurement questions, contact the Office of the Inspector General at 617-722-8838 or [30BHotline@mass.gov](mailto:30BHotline@mass.gov).

#### Does the decision impact current Tradespersons SOWs that are in place, but work has not yet started?

Same as in the previous answer.

#### If the combined labor and materials costs exceed the \$50,000 threshold, what are buyers required to do?

Buyers cannot utilize Statewide Contracts (SWCs) if the combined labor and materials costs exceed \$50,000. Buyers must follow the requirements of G.L. c. 149, which mandate most construction projects estimated to cost more than \$50,000 but not more than \$150,000, be awarded to the lowest responsible and eligible bidder on the basis of competitive bids.

#### Which OSD Statewide Contracts are impacted?

The impacted SWCs include the Tradesperson SWCs:

[TRD01](#): Tradesperson Installation, Repair and Maintenance Services (Boiler, Drain, Electrician, Fencing, General Contracting, Generator/Turbine, Glass/Window/Door, HVAC/Sheet Metal, Painting, Plumbing, Solar Array Inspection categories)

[TRD02](#): Tradesperson Installation, Repair and Maintenance Services (Asphalt Paving, Carpentry, Excavation, Masonry, and Septic categories)

[TRD03](#): Tradesperson Installation, Repair and Maintenance Services (Elevator, Exhaust System, Fire Detection, Fire Suppression, Overhead Door, Signage, and Welding categories)

[TRD04](#): Tradesperson Installation, Repair and Maintenance Services (Cleaning Restoration, Compressor, Kitchen Exhaust, Pump & Motor, Roofing, Biohazardous Site Cleaning)



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Several other OSD SWCs include optional installation services and certain projects will be subject to the new rules; however, OSD does not provide legal counsel on whether a project is or is not a construction project. Entities should consult their own legal counsel whenever purchasing installation services, or any services that may be considered construction under G.L. c. 149, including projects under the following SWCs:

[ENE57](#): Renewable and Alternative Energy Portfolio Standards and Services

[FAC98](#): Floorcoverings and Accessories, Floorcovering Installation, Maintenance, and Repairs

[WMR001](#): Hazardous/Universal, Medical, Electronic Waste Disposal and Emergency Response

[FAC120](#): Landscaping Services, Snow Removal, Tree Services and Related Services

[FAC121](#): Water Treatment Chemicals and Alternative Treatment Systems

[FAC122](#): Landscaping Products, Parks and Recreation Equipment and Related Products, Supplies and Services

[GRO39](#): Drinking Water – General and Emergency Services

[GRO40](#): Foodservice Supplies and Equipment, Institutional Commercial Grade Large and Small

[ITC71](#): Security, Surveillance, Monitoring and Access Control Systems

[ITC73](#): IT Hardware and Services

[ITT72](#): Cat 2-9: Network Services, Communications, Services & Related Equipment

[OFF39](#): Mail Equipment

[OFF50](#): Audio, Video, Multimedia Presentation Equipment, Supplies and Services

[PSE01](#): Public Safety Equipment and Two-Way Radio

[PRF69](#): Facilities Engineering

[PRF77](#): Professional Environmental and Consulting Services

[VEH122](#): Advanced Vehicle Technology Equipment, Supplies and Services