



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Chrystal Komegay, Undersecretary

## Public Housing Notice 2016-35

To: LHA Executive Directors  
From: Amy Stitely, Acting Associate Director, Division of Public Housing & Rental Assistance  
Subject: Changes to Procurement Laws and DHCD Policies  
Date: November 8, 2016

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With this Public Housing Notice, DHCD is alerting all Local Housing Authorities (LHAs) that on November 7, 2016, Chapter 218, "[An Act Modernizing Municipal Finance and Government](#)" became effective.

### What does this mean for LHAs?

- Massachusetts' Bid Laws, Ch. 30B, Ch. 149, Ch. 30§39M have all changed.
- Changes affect the following:
  - Advertising Requirements
  - Bid Amount Thresholds
  - Bidding Procedures

### DHCD policy changes effective as of today:

- To match statutory change, DHCD is increasing the 'small project' threshold for independent management by LHAs/Regional Capital Assistance Teams from \$25,000 to \$50,000. DHCD will continue to be directly involved in reviewing and managing a small number of 'complex' projects within this cost range and will identify those projects when the project is approved for implementation.
- This change will be implemented starting with projects approved with December FYE CIPs and CIP revisions approved as of January, 2017. Projects which currently have FISH #s assigned are to move forward under the guidelines that existed at the time the FISH # was assigned.

- Revised DHCD Front Ends will be required for all projects which have not yet completed the 95%/100% construction document submittals. The DHCD Front End Forms may be found at: <http://www.mass.gov/hed/housing/ph-mod/forms/>.

## Guidance on Changes

The attached DHCD procurement chart highlights the new bid law changes. Note: In a limited number of instances DHCD has continued to impose bidding requirements that are more restrictive than the statutes. These DHCD requirements are shown in **bold** lettering on the attached chart.

The Inspector General (IG) charts for public procurement procedures may be found here: <http://www.mass.gov/ig/publications/guides-advisories-other-publications/procurement-charts-november-7-2016.pdf>. Please again note that DHCD requirements differ slightly from the IG Charts.

## DHCD Website to Be Updated in November and December

DHCD will be revising and reissuing the following Guides to reflect statutory and policy changes:

- Small Project Guide,
- RCAT Program Guidelines, and
- Massachusetts State-Aided Public Housing Preservation and Modernization Program Guidelines.

If you have procurement questions, please contact Dean Harris at 617-573-1177. If you have questions about project implementation, please contact your DHCD Project Manager.