



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

March 28, 2022

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled “Petition for a Special Law Re: An Act Relative to 30B.”

This home rule petition will raise the M.G.L. ch. 30B written quote contract maximum for contracts with certified minority- and women-owned enterprises from \$50,000 to the state Small Purchase threshold. The written quote contract process is far faster for staff than pursuing a full Request for Proposal (“RFP”) and significantly simpler and cheaper for businesses than responding to an RFP. This change will dramatically lower barriers to access for minority- and women-owned enterprises, and allow the City to make a greater investment in such businesses.

Massachusetts General Law ch. 30B was passed in 1990 and establishes procedures for the acquisition of supplies or services, the disposition of surplus supplies, and real property acquisitions and dispositions by local governmental bodies. The law was drafted to ensure uniform contracting procedures and fair, robust competition for larger procurements to mitigate bias and secure public trust in government. However, it establishes the same thresholds and limits for all municipalities, regardless of their size or respective budgets.

The City of Boston’s 2020 Disparity Study showed that from 2014 to 2019, Black and Latinx-owned firms were awarded 1.2 percent (%) of the \$2.1 billion dollars in City contracts for construction and professional goods and services.

In response to these results, the City of Boston now seeks to address these historical disparities and aid in establishing intergenerational wealth for our Black and Latinx residents.

Increasing access to city contracts is an important step to building wealth in our communities and closing the racial wealth gap.

I urge your Honorable body to pass this Home Rule Petition expeditiously so we can begin to advocate for passage at the State House.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Michelle Wu', with a stylized flourish at the end.

Michelle Wu
Mayor of Boston

CITY OF BOSTON

IN CITY COUNCIL

WHEREAS, the City of Boston is committed to using every available tool to increase equity in city contracting and do our part to decrease the wealth gap that exists between White and Black, Indigenous and people of color residents of our city;

NOW, THEREFORE BE IT ORDERED

That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

PETITION FOR A SPECIAL LAW RE:

AN ACT RELATIVE TO CHAPTER 30B: UNIFORM PROCUREMENT ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows


SECTION 1: Method of Procurement. In the City of Boston, notwithstanding sections 4, 5, 6 and 7 of M.G.L. ch. 30B, any other section of ch. 30B, or any other general or special law to the contrary, the City may utilize the following:

(a) For the procurement of a supply or service in the amount of \$10,000 or greater, but not more than the Small Purchase threshold as defined by the Massachusetts Operational Services Division, a procurement officer may seek written quotations from not fewer than three disadvantaged businesses, diverse businesses, or small and local business enterprises, as certified by the Massachusetts Supplier Diversity Office or the City Of Boston, customarily providing the supply or service. The procurement officer shall record: (1) the names and addresses of all persons from whom quotations were sought, (2) the specifications used for the procurement, (3) the names of the persons submitting quotations and (4) the date and amount of each quotation. Such information shall be retained in the file required pursuant to M.G.L. ch. 30B s. 3.

(b) The procurement officer shall award the contract to the eligible and responsible bidder offering the needed quality of supply or service at the lowest quotation.

SECTION 2. Severance Clause. The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

SECTION 3: Effective Date. This act shall take effect immediately upon signing by the Governor.

BY CERTIFY
IF PASSED IN
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By 
CORPORATION COUNCIL