

**22****COMMUNITY
MITIGATION
FUND****APPENDIX H - TRANSPORTATION CONSTRUCTION GRANT APPLICATION****BD-22-1068-1068C-1068L-68403***Please complete the entire Application.***1. PROJECT INFORMATION****a) NAME OF MUNICIPALITY/GOVERNMENT ENTITY/DISTRICT AND VENDOR CODE**

City of Medford

VENDOR CODE:**VC6000192114****b) PROJECT NAME (LIMIT 10 WORDS)**

Haines Square Complete Streets Safety Improvements

c) BRIEF PROJECT DESCRIPTION (LIMIT 50 WORDS)

This project will improve safety for all modes, especially pedestrians and bicyclists, at the Haines Square intersection by calming traffic speeds and adding ADA/AAB curb ramps, detectable warning surfaces, new sidewalk, curb extensions with reduced curb radii, crosswalks, bicycle signage, and bicycle-safe drain grates.

d) CONTACT PERSON(S)/TITLE (Persons with responsibility for this grant)

Todd Blake, Director of Traffic and Transportation and Amy Ingles, Transportation Engineer

e) PHONE # AND EMAIL ADDRESS OF CONTACT PERSON(S)Todd: 781-475-5983 tblake@medford-ma.gov ; Amy: 781-475-5979 aingles@medford-ma.gov**f) MAILING ADDRESS OF CONTACT PERSON(S)**

City Hall – Room 300
85 George P. Hassett Drive
Medford, MA 02155

2. IMPACT DESCRIPTION / CONNECTION TO GAMING FACILITY

a) Please describe in detail the impact that is attributed to the operation of a gaming facility.

Introducing a new gaming facility, as with any new attraction/destination, generates demand both within the host community and the surrounding communities. Indeed, the Environmental Review Process has well documented the transportation impacts resulting from the Encore Casino, the most negative of which would be felt by the surrounding communities, including increased demand of their transportation systems borne chiefly as increased traffic volumes. Medford's Surrounding Community Agreement identifies the intersection of Fellsway West (Route 28) and Salem Street as one that is specifically impacted by the Casino development. It is therefore reasonable to assume that secondary impacts would be felt at intersections that feed into it, including the Haines Square intersection which is less than 700 feet away. The queue from Fellsway West and Salem Street extends into Haines Square today. Any further traffic increased from the Casino will further exacerbate this impact. This increased vehicular traffic creates a safety hazard at the Haines Square intersection, which was not designed to handle such high volumes. The hazard is felt most severely by vulnerable road users such as pedestrians and bicyclists. It is likely that a significant share of the increased traffic is from communities to the west of Medford who may not be familiar with the Haines Square neighborhood. Given that Salem Street is a numbered arterial, these drivers may be unaware of the pedestrian and bicyclist demand in Haines Square as they drive through on their way to the higher speed Fellsway West. Therefore, some physical cues in the form of traffic calming will be needed to help signal to drivers that they are in a pedestrian and bicyclist zone. The City has taken additional measures to promote non-automobile modes and enhance walkability in Haines Square including a new bus shelter and e-ink sign as well as outdoor seating areas in the warmer months.

b) Please provide documentation, specificity or evidence that gives support for the determination that the operation of the gaming facility caused, is causing the impact (i.e. surveys, data, reports).

Table 4-23 in the Draft Environmental Impact Report traffic impact analysis (shown in DEIR info document) shows an LOS F in the Friday PM Peak for the northbound Salem Street in the Build Condition. Many of those vehicles are also going through the Salem Street and Spring Street intersection.

c) How do you anticipate your proposed remedy will address the identified impact?

The project will improve pedestrian safety by significantly reducing crossing distances, slowing vehicle traffic traveling through the intersection, and making the crosswalks more conspicuous to drivers with signage and fresh pavement markings. All of these things encourage drivers to yield to pedestrians in the crosswalks. The improved crosswalks will also include bringing the curb ramps to ADA/AAB compliance and creating a well-defined sidewalk space between Salem Street at the small parking lot on the southeast corner.

The project improves safety for drivers as well by providing more well-defined access to/from Spring Street and the small parking lot. The intersection will also be resurfaced, which improves safety and reduces wear and tear on vehicles. Streetscape amenities such as street lighting, wayfinding, bicycle parking, stormwater management, and landscaping elements will be included in the project, further signaling to drivers that they are traveling through a pedestrian/bicyclist zone.

The improvements also include shared lane markings, or sharrows, and signage that alert drivers to the presence of bicycles and communicate their right to "take the lane" while traveling on Salem Street and on the Spring Street approach.

3. PROPOSED USE OF TRANSPORTATION CONSTRUCTION FUNDS (Please attach additional sheets/supplemental materials if necessary.)**a) Please describe how you propose to use the Transportation Construction Grant for a transportation construction project related to the gaming facility.**

This project was originally identified through the development of Medford's Complete Street Prioritization Plan, and thus is eligible for construction funding through MassDOT's Complete Streets program. However, the program has a grant cap of \$400,000, and this project is estimated at \$536,000. Therefore, the City is seeking this Gaming Commission grant to pay the remaining construction cost of \$136,000.

b) Please describe how the mitigation request will address the impact indicated.

Making this intersection more attractive and safer for vulnerable road users will mitigate the negative impact of increased vehicle exposure by reducing vehicle speeds, making drivers more aware of the presence of bicyclists and pedestrians, and provide more clearly defined spaces for pedestrians.

The project will improve pedestrian safety by significantly reducing crossing distances, slowing vehicle traffic traveling through the intersection, and making the crosswalks more conspicuous to drivers with signage and fresh pavement markings. All of these things encourage drivers to yield to pedestrians in the crosswalks. The improved crosswalks will also include bringing the curb ramps to ADA/AAB compliance and creating a well-defined sidewalk space between Salem Street at the small parking lot on the southeast corner.

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4. BUDGET & TIMELINE**a) Please identify the amount of funding requested. In determining the funding request, please round up to the nearest hundred dollars.**

We are requesting \$136,000.

b) Please provide a detailed budget for the use of funds.

Budget has been uploaded separately. Due to concerns about inflation, we have decided to use a 25% contingency in our budget.

c) Please provide the estimate and percentage of the costs projected to be funded from other federal, state, local, private contributions or unspent CMF Reserves. (Applicants may include contributions from gaming licensees and private contributions.) Please provide a detailed itemized estimate for each type of funding.

75% of the estimated project costs (\$400,000) will be paid for using Complete Streets grant money. The remaining 25% will come from the CMF grant (\$136,000).

d) Please indicate, through a commitment letter or otherwise, how such other funding will be available for the project. In the absence of a final commitment to such funding, please provide detail on any process needed to secure any non-CMF funding.

The City of Medford has been awarded \$400,000 in Complete Streets grant funding. The award contract is uploaded separately.

e) Please include a detailed timetable for the project, including but not limited to, the timetable for planning, for securing additional funds and the timetable to implement the project. Construction of the project must commence by June 30, 2023.

- City was awarded \$400,000 from MassDOT Complete Streets in March 2021 (contract included in submitted docs)
- Final Design – February to April 2022
- Procurement – April to June 2022
- Construction – June to November 2022

5. MEASUREMENT OF IMPACT

a) Please describe how you propose to measure the impact of your project.

The intersection is a high crash location for pedestrians. So we would continue to track pedestrian crashes there and determine if they have been reduced. We could potentially also do pedestrian counts before and after construction to see if there is any impact on walking trips.

6. CONSULTATION WITH MASSDOT/ REGIONAL TRANSIT AGENCY (RTA) / REGIONAL PLANNING AGENCY (RPA) AND NEARBY COMMUNITIES

a) Please provide details about the Applicant's consultation with MassDOT, the Regional Transit Agency/MBTA and the Regional Planning Agency serving the community, and nearby communities to determine the potential for cooperative regional efforts regarding transportation construction activities.

This project aligns with the goals of the Boston Metropolitan Planning Organization, expressed through the latest criteria they developed for the regional Transportation Improvement Program (TIP). The relevant criteria and an explanation of how this project aligns with them are shown in the table contained in the TIP info document.

7. RELEVANT EXCERPTS FROM HOST OR SURROUNDING COMMUNITY AGREEMENTS

a) Please describe and include excerpts from any relevant sections of any Host or Surrounding Community Agreement.

Page 1: And whereas, Wynn desires to mitigate any adverse impacts from the development and operation of the Project through the means described herein in accordance with the Act, and Medford desires to mitigate any anticipated adverse impacts from the development and operation of the Project through the means described herein, and to work proactively with Wynn to capitalize on the unique nature of Medford's community resources.

6. Transportation Impacts: Based on the trip distribution pattern for the project and a review of both the local and regional transportation system, Wynn studied the following intersections in Medford and contingent upon the receipt by Wynn of an unconditional, non-appealable License, Wynn agreed to complete all necessary improvements as determined in accordance with the MEPA process.

Following the above statement is a bulleted list of intersections that includes Fellsway West (Route 28) and Salem Street (Route 60). Given that an intersection's influence can be felt beyond its own immediate geometry, it is reasonable to include the nearest significant intersection that is connected to it via a regional arterial.

b) Please explain how this impact was either anticipated or not anticipated in that Agreement.

The Agreement acknowledges that some impacts of the Casino won't be specifically identified in the initial impact analysis and that some of these impacts may be secondary. The primary impact of increased traffic volumes is congestion, which is not a significant problem at Haines Square. However, the secondary impact of increased vehicle exposure to vulnerable road users is felt at Haines Square and intensified by the fact that the intersection was a high crash location for pedestrians before the Casino opened. It can be expected that crash danger would increase with higher volumes of traffic. This secondary impact was not identified in the impact analysis because the presence of high crash locations nearby was not a consideration of the study.

8. INTERNAL CONTROLS/ADMINISTRATION OF FUNDS

a) Please provide detail regarding the internal controls that will be used to ensure that funds will only be used to address the impact.

The City of Medford staff in charge of internal accounting and purchasing will follow all relevant, standard procedures to ensure Gaming Commission grant funds are targeted to this project using a specific account set up for the project. City grants are set up in our general ledger system through program codes. Each grant that the City receives is created in our general ledger system with its individual program code unique to the grant. Next, coinciding account numbers are created for any of the purchases outlined under the grant agreement (i.e., payroll, fringe benefits, supplies, equipment). Once the grant is created in our general ledger, a budget is then allocated to the program to ensure financial tracking and benchmarking are transparent.

b) If non-governmental entities will receive any funds, please describe what reporting will be required and how the applicant will remedy any misuse of funds.

n/a

9. CERTIFICATION BY MUNICIPALITY/GOVERNMENTAL ENTITY

On behalf of the aforementioned municipality/governmental entity I hereby certify that the funds that are requested in this application will be used solely for the purposes articulated in this Application.



Signature of Responsible Municipal
Official/Governmental Entity

Date: 1/28/22

Breanna Longo-Krehn
(print name)

Mayor
Title:

Goal Area	Criteria	How it aligns with this project
Transportation Equity	Maximizing the share of equity populations in the project area (within one-half mile of the project)	The area on the north side of Salem Street within the vicinity of this intersection is a Minority Environmental Justice community.
Safety	Focusing on enhancing safety on various types of transportation such as subways, buses, bicycles, and sidewalks by reducing the focus on criteria that measure safety solely for vehicles	The goal of this project is to improve safety for all modes, but especially for pedestrians. Vehicle mobility is not being enhanced as part of this project.
	Prioritizing traffic calming measures	Most of the infrastructure improvements included in this project are traffic calming measures.
Resiliency	Improving access to hospitals, fire stations, police stations, emergency shelters, schools, community centers, and long-term care facilities	The project area is within one mile of a school, hospital, and community center.
Transit	Increase the focus on creating bicycle and pedestrian connections to transit	The project area is within a few hundred feet of two pairs of bus stops that serve two popular bus routes, the 95 and 101.
Bicycle and Pedestrian Networks	Closing a gap in the bicycle or pedestrian network	This project fills a gap in the sidewalk network with short stretches on both Salem Street and Spring Street.
Economic Opportunity and Support	Increase the focus on projects that support access to areas with existing high densities of jobs and residents	The project area is within a business district that is surrounded by dense residential development.

Engineering DRAFT Preliminary Construction Estimate

Complete Streets - Location 4: Haines Square

DATE: 4/26/2021

ASSUMPTIONS:

- 1 Mill & overlay Salem Street & Spring Street
- 2 Assume 50% of the Mill & overlay area will require full depth reconstruction to correct profile and grading deficiencies
- 3 Existing curb and sidewalk not directly adjacent to proposed bump outs will be retained
- 4 Grading alterations shall be limited to the newly constructed parking area.
- 5 All existing curved granite curb shall be removed and discarded unless otherwise directed by the City
- 6 The existing drainage system is assumed to be adequate. Minor improvements will be limited to adding structures to alleviate puddling adjacent to the curb line improvements.
- 7 Lighting items and scope of work are assumed to be directed by the City, estimated costs were previously provided by the City.
- 8 Additional landscaping items may be required pending City Landscape Designer input and has not been included in this estimate.

ITEM	UNIT	ITEM DESCRIPTION	PRICE	QTY	TOTAL
102.511	EA	TREE PROTECTION - ARMORING & PRUNING	350.00	3.00	1,050.00
102.521	FT	TREE AND PLANT PROTECTION FENCE	9.00	120.00	1,080.00
120.	CY	EARTH EXCAVATION	35.00	820	28,700.00
146.	EA	DRAINAGE STRUCTURE REMOVED	775.00	1	775.00
151.	CY	GRAVEL BORROW	45.00	420	18,900.00
151.2	CY	GRAVEL BORROW FOR BACKFILLING STRUCTURES AND PIPES	50.00	50	2,500.00
170.	SY	FINE GRADING AND COMPACTING - SUBGRADE AREA	8.00	1,890	15,120.00
* 201.	EA	CATCH BASIN	4,500.00	2	9,000.00
* 202.	EA	MANHOLE	5,000.00	1	5,000.00
204.	EA	GUTTER INLET	2,500.00	1	2,500.00
220.	EA	DRAINAGE STRUCTURE ADJUSTED	450.00	5	2,250.00
220.2	FT	DRAINAGE STRUCTURE REBUILT	475.00	2	950.00
220.3	EA	DRAINAGE STRUCTURE CHANGE IN TYPE	1,100.00	2	2,200.00
220.5	EA	DRAINAGE STRUCTURE REMODELED	850.00	2	1,700.00
220.7	EA	SANITARY STRUCTURE ADJUSTED	450.00	3	1,350.00
* 222.3	EA	FRAME AND GRATE (OR COVER) MUNICIPAL STANDARD	950.00	4	3,800.00
* 223.1	EA	FRAME AND GRATE (OR COVER) REMOVED AND STACKED	100.00	2	200.00
227.4	SF	MASONRY PLUG	120.00	5	600.00
241.12	FT	12 INCH REINFORCED CONCRETE PIPE	110.00	90	9,900.00
* 357.	EA	GATE BOX	500.00	2	1,000.00
358.	EA	GATE BOX ADJUSTED	250.00	5	1,250.00
* 381.	EA	SERVICE BOX	400.00	2	800.00
381.3	EA	SERVICE BOX ADJUSTED	210.00	5	1,050.00
402.	CY	DENSE GRADED CRUSHED STONE FOR SUB-BASE	75.00	280	21,000.00
415.1	SY	PAVEMENT STANDARD MILLING	6.00	1,260	7,560.00
451.	TON	HMA FOR PATCHING	225.00	20	4,500.00
452.	GAL	ASPHALT EMULSION FOR TACK COAT	8.00	10	80.00
453.	FT	HMA JOINT SEALANT	1.00	700	700.00
450.22	TON	SUPERPAVE SURFACE COURSE - 9.5 (SSC-9.5)	130.00	290	37,700.00

Engineering DRAFT Preliminary Construction Estimate

Complete Streets - Location 4: Haines Square

DATE: 4/26/2021

	450.31	TON	SUPERPAVE INTERMEDIATE COURSE - 12.5 (SIC-12.5)	140.00	220	30,800.00
	472.	TON	TEMPORARY ASPHALT PATCHING	200.00	10	2,000.00
	482.3	FT	SAWCUTTING ASPHALT PAVEMENT	3.00	1,100	3,300.00
	504.	FT	GRANITE CURB TYPE VA4 - STRAIGHT	50.00	60	3,000.00
	504.1	FT	GRANITE CURB TYPE VA4 - CURVED	60.00	140	8,400.00
	509.	FT	GRANITE TRANSITION CURB FOR PEDESTRIAN CURB RAMPS - STRAIGHT	54.00	150	8,100.00
	509.1	FT	GRANITE TRANSITION CURB FOR PEDESTRIAN CURB RAMPS - CURVED	60.00	70	4,200.00
	580.	FT	CURB REMOVED AND RESET	30.00	130	3,900.00
	590.	FT	CURB REMOVED AND STACKED	8.00	180	1,440.00
	594.	FT	CURB REMOVED AND DISCARDED	6.00	20	120.00
*	697.1	EA	SILT SACK	185.00	9	1,665.00
	701.	SY	CEMENT CONCRETE SIDEWALK	65.00	430	27,950.00
	701.1	SY	CEMENT CONCRETE SIDEWALKS AT DRIVEWAYS	75.00	70	5,250.00
*	701.2	SY	CEMENT CONCRETE PEDESTRIAN CURB RAMP	100.00	80	8,000.00
*	751.	CY	LOAM BORROW	60.00	10	600.00
*	765.	SY	SEEDING	2.00	90	180.00
*	767.6	CY	AGED PINE BARK MULCH	80.00	5	400.00
	832.	SF	WARNING-REGULATORY AND ROUTE MARKER - ALUM. PANEL (TYPE A)	14.00	60	840.00
*	847.1	EA	SIGN SUP (N/GUIDE)+RTE MKR W/1 BRKWAY POST ASSEMBLY - STEEL	140.00	10	1,400.00
	852.	SF	SAFETY SIGNING FOR TRAFFIC MANAGEMENT	20.00	120	2,400.00
	853.1	EA	PORTABLE BREAKAWAY BARRICADE TYPE III	130.00	5	650.00
	854.016	FT	TEMPORARY PAVEMENT MARKINGS (PAINTED)	0.40	500	200.00
	854.1	SF	PAVEMENT MARKING REMOVAL	2.00	1,500	3,000.00
	856.12	D	PORTABLE CHANGEABLE MESSAGE SIGN	25.00	300	7,500.00
	859.	D	REFLECTORIZED DRUM	0.25	2,400	600.00
	864.04	SF	PAVEMENT ARROWS AND LEGENDS REFL. WHITE (THERMOPLASTIC)	10.00	40	400.00
*	866.104	FT	4 INCH REFLECTORIZED WHITE LINE (THERMOPLASTIC)	1.00	1,000	1,000.00
*	866.112	FT	12 INCH REFLECTORIZED WHITE LINE (THERMOPLASTIC)	4.50	1,400	6,300.00
*	867.104	FT	4 INCH REFLECTORIZED YELLOW LINE (THERMOPLASTIC)	1.00	990	990.00
*	874.	EA	STREET NAME SIGN	120.00	2	240.00
*	874.2	EA	TRAFFIC SIGN REMOVED AND RESET	120.00	1	120.00
*	874.4	EA	TRAFFIC SIGN REMOVED AND STACKED	40.00	2	80.00
		LS	STREET LIGHT AND FOUNDATION PART 1	1,850.00	1	1,850.00
		LS	STREET LIGHT AND FOUNDATION PART 2	4,890.00	1	4,890.00
		LS	STREET LIGHT AND FOUNDATION PART 2 - DECTORATIVE PENDANT	5,698.00	1	5,698.00
		SY	PRECAST CONCRETE PAVERS	300.00	75	22,500.00
		EA	STREET TREES - CANOPY	1,200.00	3	3,600.00
*	999.	HR	POLICE DETAIL	60.00	1,200	72,000.00
						\$428,778
25% Contingency						\$107,195
Total						\$535,973
SAY						\$536,000

City of Medford
Mayor's Office



Engineering DRAFT Preliminary Construction Estimate

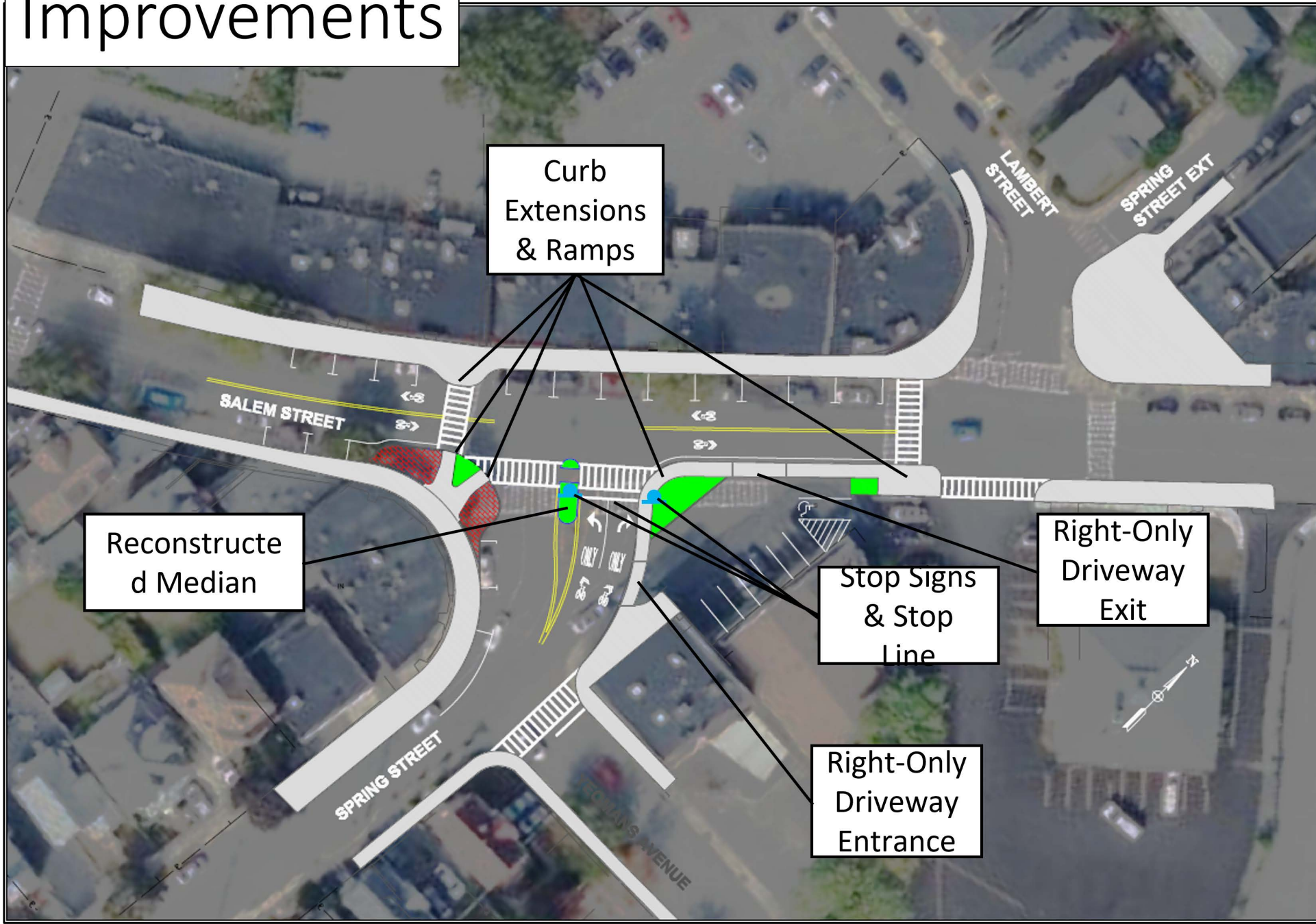
Complete Streets - Location 4: Haines Square

DATE: 4/26/2021

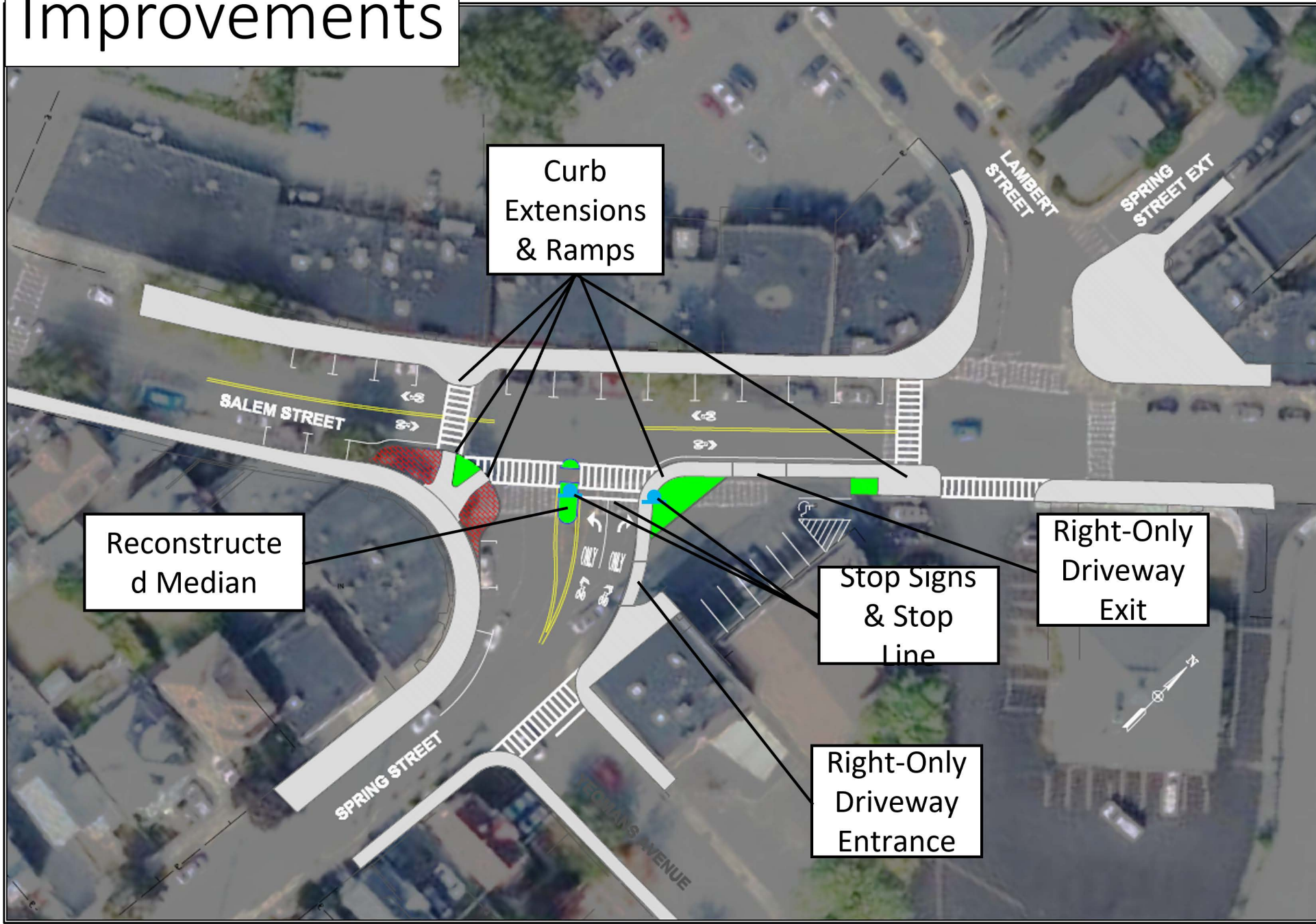
Table 4-23, Build (2023) Conditions Intersection Capacity Analysis Summary

Intersection	Friday p.m. Peak Hour				Saturday Afternoon Peak Hour			
34. (S) Fellsway West (Route 28)/Salem Street (Route 60)	E	55.7			D	35.8		
Fellsway West (Route 28) EB left	E	68.3	169	#468	D	50.3	132	#363
Fellsway West (Route 28) EB thru thru/right	D	39.0	314	#765	C	25.3	116	267
Fellsway West (Route 28) WB left	D	52.7	106	#261	D	52.6	103	#247
Fellsway West (Route 28) WB thru thru	D	52.2	331	#743	C	31.1	173	354
Fellsway West (Route 28) WB right	C	24.0	0	20	C	23.6	0	13
Salem (Route 60) NB left/thru thru/right	F	102.5	~ 204	#494	D	38.4	140	#331
Salem (Route 60) SB left/thru thru/right	D	41.8	163	#396	D	38.2	152	#359

Improvements



Improvements





Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Secretary & CEO



January 31, 2022

Joe Delaney, Chief
Division of Community Affairs
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Subject: Letter of Support for Haines Square Complete Streets Safety Improvements in Medford

Dear Mr. Delaney:

MassDOT supports the City of Medford's application for funding through the Massachusetts Gaming Commission Community Mitigation Fund Grant Program to help fund the construction of multimodal safety improvements in Haines Square.

We support municipalities in their work to improve safety on local roadways. Preliminary information for 2021 indicates more than 400 people died due to traffic-related crashes in Massachusetts – the most roadway fatalities in one year in over a decade, and thousands of more people seriously injured.

The City of Medford has a positive track record of working with the State and implementing successful projects. Recent examples include Shared Streets and Spaces Funding Program projects that created new outdoor dining areas, piloted the City's first bus lane, and implemented several shared streets around the City.

MassDOT is supportive of the City of Medford's application to make complete streets safety improvements. Please reach out with any questions or to discuss further.

Sincerely,

Jacqueline DeWolfe

Jacqueline DeWolfe, Director of Sustainable Mobility
Massachusetts Department of Transportation

Complete Streets Funding Program

Tier 3 Construction Funding Agreement

Agreement Number: _____

Date: _____

MUNICIPALITY: City of Medford

PROJECT: Haines Square - Complete Streets Funding Program - Tier 3 - FY22

This Agreement made and entered into by and between the MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, hereinafter called "MassDOT", and the City/Town of Medford, (hereinafter called the "MUNICIPALITY"), and

WHEREAS, the MUNICIPALITY proposes to construct Project/(s) from its approved Tier 3 Project Application, and

WHEREAS, the Scope of Work for each Project/(s) is described in EXHIBIT A, (hereinafter referred to as the "PROJECT") and shall be in accordance with the Tier 3 project approvals from the Complete Streets Funding Program and shall be constructed per the plans, specifications, and estimate (hereinafter referred to as "SPECIFICATIONS") and where only locally funded roads are eligible and MassDOT will not pay for work done on State Owned Roadways, and

WHEREAS, said SPECIFICATIONS set forth by the MUNICIPALITY, shall be in conformance with, but not limited to the following current documents as amended; MassDOT's Project Development and Design Guide, MassDOT's Construction Standard Details, MassDOT's Separated Bike Lane Planning and Design Guide, MassDOT's Guidelines for the Planning and Design of Roundabouts, MassDOT's Bridge Manual, MassDOT's Standard Specifications for Highways and Bridges, MassDOT's Standard Drawings for Traffic Signals and Highway Lighting, the latest edition of American Standard for Nursery Stock, 521 CMR Rules and Regulations of the Architectural Access Board (AAB) and Americans with Disabilities Act(ADA), the Manual on Uniform Traffic Control Devices, and any and all state or federal regulations,

3/22/2021

and/or to the satisfaction of MassDOT - Highway Division, Chief Engineer, and

WHEREAS, said the total estimated construction cost is \$ 400,000 , as described within EXHIBIT B, (the "Preliminary Estimate Form") for each location, and

WHEREAS, the PROJECT is to be financed by funds provided by MassDOT in accordance with appropriation _____, and

WHEREAS, MassDOT has reviewed the PROJECT's items of work described within EXHIBIT B to ensure they are commensurate with the PROJECT'S Scope of Work, EXHIBIT A, and

WHEREAS, funding was authorized through the 2014 Transportation Bond Bill and as amended by the Acts of 2016, and

WHEREAS, the construction work outlined within EXHIBIT B needs to be completed by the Agreement's Expiration Date, unless an extension of time is granted under the terms of the EXPIRATION DATE clause, and

WHEREAS, all environmental permits and approvals must be obtained prior to construction. MassDOT's Environmental Punch list must be signed by the authorized municipal official, hereby attached and labeled as EXHIBIT C, and

WHEREAS, the Contractor to be eligible to bid on said projects, shall be approved by MassDOT's prequalification process, in accordance with M.G.L. c 81 subsection 8B, and

WHEREAS, MassDOT requires a post-construction report to account for programmatic metrics and spending. A Post-Construction Report Form will be provided to the MUNICIPALITY and will include pre-and post-construction photos and relevant construction metrics for bicycle, pedestrian and transit infrastructure, and

WHEREAS, the parties hereto have reached an agreement as to the apportionment of work and expense necessary for the completion of the PROJECT.

NOW THEREFORE, in consideration of the obligations contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, MassDOT and the MUNICIPALITY hereby agree, each with the other, as follows:

DIVISION OF WORK

The MUNICIPALITY shall provide by its own Contractors and/or Subcontractors all necessary labor materials, equipment and other services to construct said PROJECT pursuant with any and all applicable SPECIFICATIONS, local, state and federal laws or regulations in accordance with the attached Scope of Work (EXHIBIT A), and the Preliminary Estimate Form (EXHIBIT B). The Contractor to be eligible to bid on said projects shall be approved in accordance with to MassDOT's prequalification process, where the application forms are located on mass.gov, under Prequalification of Horizontal Construction Firms.

In addition, any and all construction activities or related work required for the construction of said PROJECT shall be in conformance with any and all policies and procedures of MassDOT.

The MUNICIPALITY shall obtain any and all permits and easements required to complete the work for said PROJECT.

DIVISION OF EXPENSE

MassDOT will reimburse the MUNICIPALITY for the actual costs incurred to complete the PROJECT up to, but not exceeding the amount approved in EXHIBIT B. All costs incurred shall be approved by MassDOT prior to reimbursement. Any costs above this amount shall be borne by the MUNICIPALITY.

3/22/2021

METHOD OF PAYMENT TO THE MUNICIPALITY

Section 1. During the course of the PROJECT, the MUNICIPALITY may present monthly progress bills of the incurred costs for approval and payment by MassDOT.

Section 2. Upon the completion of the PROJECT to the satisfaction of MassDOT and the MUNICIPALITY, written notification shall be given to the District Highway Director of MassDOT by the MUNICIPALITY that said work has been completed and, within 120 days thereof, the MUNICIPALITY will submit to MassDOT a final detailed bill (in quintuplicate) as required, and final settlement will then be made between MassDOT and the MUNICIPALITY. The MUNICIPALITY shall follow MassDOT's CHAPTER 90 process under the Tier 3 Program to complete any and all forms for reimbursement, and as directed by MassDOT's State Aid Engineers. The said Billing shall be reviewed by the District's State Aid Engineer, and upon approval the billing shall be forwarded to MassDOT - Highway Division - Project Management Section for authorization of said payments. This information may be submitted in an electronic format compatible with MassDOT's needs.

Section 3. All reimbursable charges in connection with this Agreement will be subject to audit by representatives of MassDOT and the MUNICIPALITY will retain all records and documents pertaining to the Agreement charges until such audit is completed or until written approval to destroy the records is given by MassDOT.

The Governor or his designee, the Secretary of Administration and Finance, and the State Auditor or his designee shall have the right at reasonable times and upon reasonable notice to examine the books, records and other complications of data of the MUNICIPALITY which pertain to the performance of the provisions and requirements of this Agreement.

FUTURE MAINTENANCE

The MUNICIPALITY shall continue sole responsibility for the maintenance and upkeep of all property associated with the PROJECT and

3/22/2021

the costs thereof.

MISCELLANEOUS

This agreement shall not be considered fully executed, and work shall not commence until MassDOT signs this Agreement and the MUNICIPALITY has received an official Notice to Proceed from MassDOT.

EXPIRATION DATE

This agreement is set to expire on December 31, 2022. In the event that the MUNICIPALITY believes an extension of time is necessary, the MUNICIPALITY agrees to submit to MassDOT a written request for an extension no later than 60 days prior to the termination date specified on the attached signature page. The request will need to address the current expiration date, the proposed expiration date and any other information deemed necessary. MassDOT, in its absolute discretion, may agree to grant said request for an extension of time if it finds that sufficient justification has been provided by the MUNICIPALITY.

Exhibit A - Project Narrative(s)

Exhibit B - Project Estimate(s)

Exhibit C - Environmental Punchlist(s)