

# City of Waltham

*Jeannette A. McCarthy*  
*Mayor*

CITY OF WALTHAM  
CITY CLERK'S OFFICE

2018 JUN -7 A 11:21

RECORDED

June 7, 2018

TO: The City Council

RE: Appropriation Request – Sewer – Engineering - Woerd Avenue Bridge

Dear Councillors:

I respectfully request an appropriation of funds in the amount of \$127,500.00. These funds will be used to fund the sewer project in the Woerd Avenue bridge area.

FROM:

#600-440-5800-7500	Sewer-Inflow/Infiltration General	\$127,500.00
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TO:

#603-440-5800-7570	Sewer-Engineering (Woerd Avenue Bridge)	\$127,500.00
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Attached is a copy of a memo dated June 7, 2018 that was received from the City Engineer, Steve Casazza. Mr. Casazza will be available to answer questions concerning this request.

Sincerely,

Jeannette A. McCarthy

JAM/ccb

Enclosure

cc: Steve Casazza

CITY OF WALTHAM  
Engineering Department



Stephen A. Casazza, P.E.  
City Engineer

**MEMORANDUM**

To: Mayor Jeannette A. McCarthy

From: Stephen Casazza, P.E., City Engineer SAC

Date: June 7, 2018

Re: Request for Funding – Sewer Rehabilitation – Woerd Avenue Bridge Project

Copy: Paul Centofanti, City Auditor  
Ginny Bergin, Assistant City Auditor

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I respectfully request an appropriation of \$127,500 to fund the rehabilitation of the Woerd Avenue Sewer pipe and sewer manholes adjacent to the Woerd Avenue Bridge Replacement Project. The sewer work will be included as a “non-participating” item as part of the Mass DOT Bridge replacement project.

There is funding available in the following account to transfer for this purpose:

Sewer Improvements – General Infiltration & Inflow Mitigation Fees:

600-440-5800-7500	\$127,500
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A copy of the estimate from Mass DOT is attached.

If you have any further questions regarding this request, I am available at extension 3830.  
Thank you for your consideration of this request.

# Massachusetts Department of Transportation

## CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May

2004



**CONTRACTOR LEGAL NAME:**

**CONTRACTOR VENDOR/CUSTOMER CODE:** VC

**INSTRUCTIONS:** Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

**NOTICE:** *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

\_\_\_\_\_  
Signature

Date:

Title:

Telephone:

Fax:

Email:

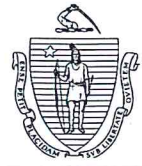
[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.



**Massachusetts Department of Transportation**  
**CONTRACTOR AUTHORIZED SIGNATORY LISTING**

Issued May  
2004



CONTRACTOR LEGAL NAME:  
CONTRACTOR VENDOR/CUSTOMER CODE: VC

**PROOF OF AUTHENTICATION OF SIGNATURE**

**It is a requirement of MassDOT to obtain authentication of signatures  
for all signatories listed on the attached Contractor Authorized Listing**

**This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.**

Signatory's full legal name (print or type):

Title:

**X** \_\_\_\_\_

Signature as it will appear on contract or other document (Complete only in presence of notary):

**AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:**

I, \_\_\_\_\_ (NOTARY) as a notary public certify that I witnessed the signature of the  
aforementioned signatory above and I verified the individual's identity on this date:

\_\_\_\_\_, 20 \_\_\_\_.

My commission expires on:

AFFIX NOTARY SEAL

I, \_\_\_\_\_ (CORPORATE CLERK) certify that I witnessed the signature of the  
aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an  
authorized signatory for the Contractor on this date:

\_\_\_\_\_, 20 \_\_\_\_.

AFFIX CORPORATE SEAL

Agreement Number: 103624

Agreement made this        of        2018, by and between the MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, hereinafter called "MassDOT", and the MUNICIPALITY OF WALTHAM, hereinafter called the "Municipality".

WHEREAS, MassDOT proposes to replace bridge number W-04-006 Woerd Avenue over Charles River, (hereinafter referred to as the "Project"), in the Municipality of Waltham, in said Commonwealth, and

WHEREAS, the Municipality desires MassDOT, in conjunction with the Project, to make certain bridge improvements. The contract items to install said improvements are attached and hereinafter called NON-PARTICIPATING WORK, and

WHEREAS, the plans and specifications for the said Project and the NON-PARTICIPATING WORK desired by the Municipality, meets with approval of the Municipality and are on file in records of MassDOT.

NOW THEREFORE, in consideration thereof, MassDOT and the Municipality hereby agree as to the apportionment of the work, the expense, ownership and future maintenance of the above-mentioned NON-PARTICIPATING WORK as follows:

#### **DIVISION OF WORK**

MassDOT, by its own contractor, will furnish on behalf of the Municipality necessary labor, materials, equipment and other services for the above-mentioned NON-PARTICIPATING WORK.

Preliminary estimates of items and quantities of work prepared by MassDOT which are necessary for the NON-PARTICIPATING WORK, is attached hereto and made a part hereof.

The terms of this agreement incorporate by reference the Project's construction contract special provisions, and MassDOT's Standard Specifications for Highways and Bridges, as amended. The Municipality hereby agrees to be bound by any decision by MassDOT concerning the Standard Specifications and Special Provisions referenced.

Any and all approvals made by MassDOT during the Project's design review shall not relieve the Municipality's responsibilities for design errors and/or omissions that are related to the said Non-Participating Work.

### **DIVISION OF EXPENSE**

In consideration of the benefits to be derived by the Municipality from the NON-PARTICIPATING WORK, the Municipality agrees to pay in amounts equal to the bid prices, of MassDOT's Contractor, for the actual quantities of the NON-PARTICIPATING WORK.

Pursuant to the applicable provisions of M.G.L. Chapter 44, the Municipality has appropriated or identified the funds necessary to construct the NON-PARTICIPATING WORK

The following costs relating to the above NON-PARTICIPATING WORK shall also be borne by the Municipality:

1. Extra work orders initiated at the request of the Municipality or its duly authorized official.
2. Claims for "changed conditions" pursuant to M.G.L. c.30§39N arising out of the NON-PARTICIPATING WORK. MassDOT shall promptly notify the Municipality upon receipt of such claims.
3. Interest charges on Contractor payments levied pursuant to M.G.L. c.30§39G.
4. Any and all construction increases that are related to the NON-PARTICIPATING WORK. The said cost increases shall include, but are not limited to (1) Extra work, (2) changed conditions, (3) traffic police, (4) item overruns, and (5) design errors and/or omissions.

Payments to be made by the Municipality are to be made directly to MassDOT's Contractor at such times and in such amounts as specified in written orders from MassDOT to the Municipality.

### **FUTURE MAINTENANCE**

The Municipality's representative shall be made available to attend MassDOT's final inspection of the Project. When all punch items identified as part of the final inspection are addressed to the satisfaction of MassDOT, MassDOT shall notify the Municipality in writing that the Project has been completed. Upon such date of notification, the Municipality shall be responsible hereafter for the maintenance and preservation for said NON-PARTICIPATING WORK including any additional work items undertaken in accordance with this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

### **MASSACHUSETTS DEPARTMENT OF TRANSPORTATION**

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**PATRICIA A. LEAVENWORTH, P.E.  
CHIEF ENGINEER**

### **MUNICIPALITY OF WALTHAM**

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(Signature)

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(Name-Printed)

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(Title)

## Office Estimate By Funding Breakouts

**Project #** : 607533  
**District** : 4  
**Location** : WALTHAM  
**Description** : WALTHAM- BRIDGE REPLACEMENT, W-04-006, WOERD AVENUE OVER CHARLES RIVER  
**Funding Description** : MUNICIPALITY (NON-PARTICIPATING ITEMS) - WALTHAM

Item #	Item Description	Unit	Unit Price	Quantity	Total
211.9	* PRECAST CONCRETE SANITARY MANHOLES MUNICIPAL STANDARD	EA	\$15,000.000	2	\$30,000.00
250.9	* CURED IN PLACE PIPE LINER	FT	\$83.000	575	\$47,725.00
253.9	* CLEANING AND TELEVISIONING OF SEWER LINES	LS	\$9,775.000	1	\$9,775.00
254.9	* TEMPORARY BYPASS PUMPING	LS	\$40,000.000	1	\$40,000.00
MUNICIPALITY (NON-PARTICIPATING ITEMS) - WALTHAM Total:					\$127,500.00