



# Finance Committee Report

## City of Newton In City Council

**Monday, April 23, 2018**

Present: Councilors Gentile (Chair), Ciccone, Cote, Noel, Grossman, and Lappin

Absent: Councilors Norton and Rice

City staff present: Maureen Lemieux (Chief Financial Officer), Jim McGonagle (Commissioner of Public Works), Lou Taverna (City Engineer), Ted Jerdee (Director of Utilities), Nick Read (Chief Procurement Officer), Joe Mulvey (Chief Information Officer), Karen Glasgow (Director of Human Resources), Karen Griffey (Director of Financial Information Systems) and Sue Dzikowski (Comptroller)

**#241-18      Appropriate \$350,000 from Free Cash to the Rainy Day Stabilization Fund**

HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred fifty thousand dollars (\$350,000) from Free Cash to the Rainy Day Stabilization Fund. This appropriation when combined with interest earned throughout FY 2018 and \$150,000 appropriated in the FY 2019 Mayor's proposed budget will allow the City to begin FY 2019 with a full 5% of the operating budget set aside in reserve.

**Action:**      **Finance Approved 5-0 (Cote not voting)**

**Note:**      Chief Financial Officer Maureen Lemieux presented the request to appropriate \$350,000 from Free Cash to increase the Rainy Day Stabilization Fund (RDSF) balance to 5% of the operating general fund for Fiscal Year 2019. The Fiscal Year 2019 proposed budget is \$412,513,389; therefore, the City needs to raise the Rainy Day Stabilization Fund balance to \$20,625,670 to reach the 5% level.

The requested appropriation of \$350,000 combined with interest earned on the RDSF and the \$150,000 appropriation in the proposed budget will ensure that the City starts the fiscal year with the full 5%. The RDSF has earned about \$30,000 per month in interest and Ms. Lemieux expects that it will generate another \$90,000 in interest by June 30, 2018.

In December 2017, \$2 million dollars was added to the RDSF to provide a buffer should the Investment Advisory Committee develop an Investment Policy for the RDSF that provides investment possibilities that are allowed by Massachusetts General Law and provide greater return on investments than what the City is currently getting on the fund. A \$2 million buffer would provide some security if the City invested a portion of the RDSF and lost money. When the appropriation of the \$2 million was approved, it was agreed that the \$2 million would revert to the Overlay Surplus Account if the City Council had not approved an investment policy for the RDSF by April 30, 2018. Reports for the discussions related to the \$2 million appropriation are attached.

Some Committee members were concerned that the \$2 million would most likely revert to overlay surplus because it is unlikely that the Council will approve the proposed investment policy by

the April 30, 2018 date. There was a suggestion that at least \$500,000 of the \$2 million should remain in the RDSF as a buffer. The Chair noted that the City could not invest the RDSF in any investment vehicle with even moderate risk, which means there is no need for a buffer. The City must abide by the Massachusetts List of Legal Investments, which is very conservative in regards to investing. He added that the proposed investment policy is even stricter than the State's legal lists of investments as it bans investment in individual stocks, which are included on the legal list of investments. It was pointed out that the City is going to contact the State to encourage a change to the legal list of investments to allow investment in mutual funds or similar less risky types of investments. If some of the \$2 million remains in the RDSF and the legal list is changed, the City will have a ready buffer to begin investing.

Ms. Lemieux explained that the \$2 million dollars would revert to the Overlay Surplus Account to be used to fund other projects. If the City does not expend the funds in this fiscal year, they will become part of next year's Free Cash. The Administration has made no decisions on how they will use the \$2 million. Ultimately, it is the Mayor's decision on whether to propose putting a portion of the \$2 million back into the Rainy Day Stabilization Fund but that decision will likely not be made until the end of the fiscal year because there may be need to expend the full \$2 million this year. Ms. Lemieux added that the Administration would not invest RDSF funds with a new investment vehicle without a buffer.

Councilor Ciccone moved approval of appropriating \$350,000 from Free Cash to the Rainy Day Stabilization Fund, which carried by a vote of five in favor and none opposed.

**#195-18 Investment Policy for the Rainy Day Stabilization Fund**

COUNCILOR GENTILE, on behalf of the Investment Advisory Committee, submitting its recommendation for an investment policy for the Rainy Day Stabilization Fund.

**Action:** Finance Held 6-0

**Note:** See above note for the discussion related to this item. The Committee previously discussed and approved the above item at its March 26, 2018 meeting; however, the Chair of Finance polled his Committee at the Council meeting on April 2, 2018 to hold the item in Committee. At the Council meeting, the Chair explained that he made the request to hold the item because the recent storms have affected the City's Free Cash position and there are a number of projects that the Administration would like to fund in the near future. The two million dollars that was appropriated to the Rainy Day Stabilization Fund from Overlay Surplus was approved with the condition that if the investment policy for the Rainy Day Stabilization Fund (RDSF) was not approved by April 30, 2018, the \$2 million would revert to Overlay Surplus. The \$2 million would give the Administration additional funding for snow/ice and other projects.

The \$2 million was added to the RDSF to provide a buffer to ensure that the RDSF remains at 5% of the General Fund if the City were to expand its investment portfolio to include less conservative investments that carry a small risk but provide greater return on investments. After learning that the State's legal list of investments is very limited in what it allows municipalities to invest in, the Chair

believes that there is no need for a \$2 million buffer. He would like to reconvene the Investment Advisory Committee to discuss whether the City needs a buffer and if it does, how much that buffer should be. He would recommend approving the Investment Policy with an amendment to strike the following language "In order to accomplish these objectives, the City has temporarily provided a reserve of \$2 million over and above the target value of the fund (5% of the City's Operating Budget)."

Several Committee members felt that some portion of the \$2 million dollar buffer should remain in the RDSF. The hope is that in the near future the State will consider revising the legal list of investments to allow the City to invest up to 30% of 1/3 of the RDSF in equities, which would require a buffer to cover any losses. The Chair would also like to see a portion of the \$2 million reappropriated to the RDSF but would like to have a discussion with the Investment Advisory Committee to understand how much of a buffer is needed. He also pointed out that the RDSF Investment Policy can be amended at any time to include additional language related to a buffer. Chief Financial Officer Maureen Lemieux stated that the City would never invest any RDSF monies in any new investment vehicles without a buffer. There was a suggestion that the Committee look at amending the RDSF Investment Policy to include some type of buffer requirement. Several Committee members supported the suggestion; however, the Law Department and the Investment Advisory Committee should vet any amendment adding language to the policy. With that, Councilor Ciccone moved hold, which carried by a vote of six in favor and none opposed.

**#153-18 Discussion with Procurement Officer on criteria for bidding contracts**

COUNCILORS GENTILE, MARKIEWICZ, AND NORTON requesting a discussion with the Chief Procurement Officer regarding the City's process for hiring consultants. Discussion should focus in particular on 1) the criteria, which determines whether a consulting contract is put out for public bid; and 2) when there is no bid process, what criteria are used to choose consultants.

**Action:** Finance Held 5-0 (Cote not voting)

**Note:** On March 26, 2018, the Finance Committee discussed and held the above item for further discussion. Chief Purchasing Officer Nick Read provided the Committee with the attached email related to whether the Council can establish thresholds for bidding contracts not subject to bidding law and a handout detailing the legal requirements vs. City of Newton policy requirements. Chief Financial Officer Maureen Lemieux began the discussion with a review of the how the City purchases goods and services through the requisition process, Law Department contract, and Purchasing Department contract. The City does approximately 5,000 requisition orders and about 120 contracts through the Purchasing Department each year. Requisitions and Purchasing contracts are subject to the requirements of Massachusetts General Law (MGL) Chapter 30B and are done through the public bidding process. The L-contracts (Law Department contracts) are exempted from MGL 30B and do not require a bid process. Since 2013, the City has entered into 636 L-contracts for a variety of services, which include design engineering services, indemnification, legal services, health services, special education services, and architectural services.

Ms. Lemieux provided the Committee with the attached list of all of the L-contracts that the city entered into since 2013. There was a request that Ms. Lemieux add a column for the amounts of each contract. The majority of these L-contracts are for design engineering services for projects within the Department of Public Works. City Engineer Lou Taverna submitted the attached memo related to the procurement of design engineering services. She added that she has additional information on all bid waivers granted since the spring of 2014 and would be happy to share that information if any Councilor were interested.

Councilor Ciccone made a motion to hold the item to review the materials submitted, which carried unanimously.

**#242-18      Rescind Order #178-17A and transfer \$75,000 to the Library Consultants Account**  
HER HONOR THE MAYOR requesting rescission of Council Order #178-17A authorizing a bond issuance in the amount of seventy-five thousand dollars (\$75,000) for the purpose of funding library renovations and authorization of the transfer of the sum of seventy five thousand dollars (\$75,000) from the Main Library Full-time Salaries Account to the Library Consultants Account as the new funding source for this initiative.

**Action:**      **Finance Approved 6-0**

**Note:**      Chief Financial Officer Maureen Lemieux explained that this is a request to change the funding source from bonded indebtedness to a transfer of funds from the Library's full-time salary account to the library's consultants account. In June 2017, the City Council split a request for \$500,000 for library renovations by approving \$75,000 from bonded indebtedness for design services and holding the remaining \$425,000 for construction. The City does not generally use bonding as a funding source for projects under \$100,000 and the Administration does not wish to bond the design funds for the library. There is \$75,000 in the Library's full-time salaries account due to attrition that is available for transfer to fund the design services. Committee members were supportive of changing the funding source and Councilor Ciccone moved approval of the item, which carried unanimously.

**#237-18      Reappointment of James Mnookin to the Investment Advisory Committee**  
PRESIDENT LAREDO re-appointing JAMES P. MNOOKIN, 40 Woodchester Drive, Chestnut Hill as a member of the INVESTMENT ADVISORY COMMITTEE for a term of office to expire April 1, 2020.

**Action:**      **Finance Approved 6-0**

**Note:**      James Mnookin is being reappointed to the Investment Advisory Committee for a two-year term. Mr. Mnookin background is in Finance and the Investment Advisory Committee is the perfect fit for his expertise. His contributions to the Committee over the last two years have been invaluable. The Committee members had an opportunity to review Mr. Mnookin's resume, which was attached to the agenda, and were impressed with his experience. Councilor Ciccone moved approval, which carried unanimously.

**#238-18 Appointment of Councilor Markiewicz to the Twombly House Fund**

PRESIDENT LAREDO appointing Councilor Christopher Markiewicz, 382 Wolcott Street, Auburndale as a Trustee of the TWOMBLY HOUSE TRUST FUND for a term of office to expire December 31, 2019.

**Action:** Finance Approved 6-0

**Note:** President Laredo is appointing Councilor Markiewicz to the Twombly House Board of Trustees as his designee. The Committee requested further information on the responsibilities of an appointee to the Board. The below ordinance sections define the membership of the Board of Trustees and their duties. A motion to approve Councilor Markiewicz's appointment was made and approved unanimously.

**Sec. 18-93. Board of trustees—Composition; compensation; treasurer.**

There shall be a board of trustees of the Twombly House Fund consisting of three (3) persons serving without compensation as follows: The chairman of the parks and recreation commission of the city, or his or her designee, the president of the city council of the city, or his or her designee, and the member of the school committee from ward five, or his or her designee. The city collector-treasurer shall be treasurer of the fund. (Rev. Ords. 1983, § 12-73; Ord. No. T-282, 7-12-93)

**Sec. 18-94. Same—Duties.**

The board of trustees of the Twombly House Fund shall have charge and management of such fund investing the same only in securities permitted by law for the investment of the funds of savings banks in the commonwealth. The income shall be expended annually in such a way as in the judgment of the trustees will best promote sportsmanship, junior citizenship and scholarship among the boys and girls of the Newton Upper Falls District as now set out as precinct one of ward five of the city.

The Committee adjourned at 10 PM and all other items before the Committee were held without discussion. Draft Council Orders for the above items that are recommended for City Council action are attached

Respectfully submitted,

Leonard J. Gentile, Chair



## Finance Committee Report

### City of Newton In City Council

**Monday, April 24, 2017**

Present: Councilors Gentile (Chair), Norton, Brousal-Glaser, Blazar, Fuller, and Lappin

Absent: Councilors Ciccone and Rice

City staff present: Elizabeth Dromey (Director of Assessing), Robert DeRubeis (Commissioner of Parks and Recreation), Josh Morse (Commissioner of Public Buildings) Maureen Lemieux (Chief Financial Officer/Chief of Staff), and Sue Dzikowski (Comptroller)

**#110-17      Appropriate \$2 million from Free Cash to the Rainy Day Stabilization Fund**  
HIS HONOR THE MAYOR requesting authorization to appropriate two million dollars (\$2,000,000) from Free Cash to the Rainy Day Stabilization Fund.  
[04/12/17 @ 9:37 PM]

**Action:      Finance Held 6-0**

**Note:** Chief of Staff Maureen Lemieux presented the request to appropriate \$2 million from Free Cash into the Rainy Day Stabilization Fund. The Chair, with input from Ms. Lemieux, explained that the City must increase the balance of the Rainy Day Stabilization Fund each fiscal year to maintain a minimum of 5% of the City's operating budget. The City currently uses its operating funds to maintain the 5% balance. It would be beneficial if the City could use return on investment to partially or fully fund the yearly increase to the fund; therefore; the Investment Advisory Committee is currently developing an investment policy for the Rainy Day Stabilization Fund, which should be complete before the end of the year. The Investment Advisory Committee may be able to provide investment possibilities that fit within the proposed investment guidelines and Massachusetts State law and provide a better return on investment (ROI) than what the City is currently getting. Once the policy is complete, it will be discussed in the Finance Committee and voted by the City Council.

If the City Council approves a separate investment policy for the Rainy Day Stabilization Fund, only a portion of the funds would be invested. The Chair envisions 1/3 of the funds being invested in an effort to get a ROI greater than the City's current investment of those funds into Certificate of Deposits (CDs). The Investment Advisory Committee is recommending that the City maintain a reserve in the Rainy Day Stabilization Fund. The reserve is necessary in order to protect the 5% balance during market downturns if a portion of the fund is invested.

There is money available right now in Free Cash to provide the \$2 million cushion in the Rainy Day Stabilization Fund without affecting any plans. If the Rainy Day Stabilization Fund Investment Policy does not come to fruition, then the City would have the funding necessary to maintain the minimum level of 5% of the operating budget for at least the next two years. In addition, CD rates are increasing and the \$2 million would earn interest.

There was concern that the City would be putting money into the Fund that is not currently needed. It requires a 2/3 majority vote of the City Council to take any funds out of the Rainy Day Fund. There are a number of projects and areas in the City that could benefit from \$2 million in funding right now. Committee members understood the logic in setting aside the funds now, as they are available and may not be in the future; however, it may make sense to reserve the requested funds in a more accessible fund just in case the funds are needed. Ms. Lemieux will check with the Department of Revenue to determine if there is an appropriate place to put the funds other than the Rainy Day Fund. She will also look into encumbering the funds but that may be an issue at the end of the fiscal year. Councilor Lappin moved hold on the item until Ms. Lemieux can provide the requested information. The motion for hold carried unanimously.



## **Finance Committee Report**

**Monday, November 27, 2017**

Present: Councilors Gentile (Chair), Norton, Brousal-Glaser, Blazar, Fuller, and Lappin  
 Also present: Councilors Auchincloss, Baker, Hess-Mahan, Kalis, Leary, Sangiolo, and Schwartz  
 City staff present: Bob DeRubeis (Commissioner of Parks & Recreation), Joe Mulvey (Chief of Information Technology), Karen Griffey (Director of Financial Information Systems), Jim McGonagle (Commissioner of Public Works), Donnalyn Kahn (City Solicitor) Sue Dzikowski (Comptroller), and Maureen Lemieux (Chief Financial Officer/Chief of Staff)

**#347-17**      **Request to transfer \$26,000 to support changes in the Comptroller's Office**  
HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-six thousand dollars (\$26,000) within the Comptroller's budget from the Staffing Reserve Account to the Full-time Salaries Account to support changes in the Comptroller's Office. [10/30/17 @ 2:13 PM]  
**Action:**      **Finance Approved as Amended 6-0 Subject to Second Call**

**Note:**      Comptroller Sue Dzikowski presented the request to transfer \$26,000 within the Comptroller's budget from the staffing reserve account to the full-time salaries account. The funds will be used to fund a retroactive salary increase of \$11,000 for an upgrade of an

employee from H7 to H9, and to fund a stipend retroactive to January 1, 2016 of last fiscal year of \$3,123 per year for another employee within the department who has taken on additional work that is within the scope of her job responsibilities. The request also includes \$10,000 to fund additional hours for the department's part-time employee.

Ms. Dzikowski would like to upgrade one of the accounting positions within the department to a Deputy Comptroller position. The Committee members explained that in order to do that it would require a reorganization of the department, which can either be done as part of the next fiscal year's budget or after a public hearing held by the City Council. Ms. Dzikowski stated that she would wait to propose the reorganization until the upcoming budget but would still like to fund the salary increase at this time.



**Nick Read**

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**From:** Nick Read  
**Sent:** Monday, April 23, 2018 12:09 PM  
**To:** Leonard J. Gentile  
**Subject:** Changes to Bidding Requirements  
**Attachments:** 20180423112052188.pdf

April 23, 2018

Hi Lenny—As discussed, the City's power to act in any way is subject to state law, municipal law (Ordinance), and whatever Policy the City may establish from time to time. Ordinances are enacted by the Council; Policies are established by the City's Executive. Ordinances may be revised or eliminated by the Council; Policies may be revised, cancelled or waived by the Executive.

If the Council wished to establish thresholds for bidding contracts not subject to the state bidding laws, it could do so by amending current Ordinance §§2-182 through 2-220, found in Article IV of Chapter 2 of the Revised Ordinances. If the Council were to establish a dollar threshold over which exempt contracts were required to be put out to bid, it might be advisable to establish a procedure whereby the Finance Committee or some other designated person or body allow for exceptions in appropriate circumstances.

It might also be advisable to at least make an exception for purchases made of public contracts that were put out to competitive bid. We buy fuel off a Brookline-bid contract and biodiesel off a Cambridge-bid contract, to name a few. Also, the City buys without a bid of its own off national bid consortiums, especially for items that are complex and difficult to spec fully. Fire apparatus, for example, is very complicated and it is in the City's best interest to rely on an Invitation For Bids put out by a public entity with some expertise in the area rather than try to craft and IFB of its own.

The foregoing is a suggested way to assure that contracts exempt from the procurement laws go out to bid. As a general matter, I am not sure this will benefit the City, since exemptions from the procurement laws are based on the recognition that certain services (There are no exemptions for supplies.) are best purchased on the basis of a vendor's qualifications rather than its price.

I have attached the pages of our Procurement Manual that relate to the foregoing.

I was not invited to the Finance Committee meeting tonight, but can attend if you would like me to.

Please call with any questions.

Thanks.

NICK

Nicholas Read  
Chief Procurement Officer  
City of Newton  
1000 Commonwealth Avenue Room 201  
Newton, Massachusetts 02459  
(t) 617.796.1222  
(f) 617.796.1227

## Legal Requirements vs. Policy Requirements

As noted, the City of Newton's procurement procedures are derived from two sources: (1) state and federal law and (2) City Policy. The City must comply with legal requirements, or its procurements are invalid and any resulting contract is unenforceable. City Policy, however, consists of self-imposed requirements that the City has adopted as a matter of sound business practice. Policy requirements will always be stricter than legal requirements. Policy requirements may be waived; legal requirements may not.

The City has no policy requirements for public works and building construction, so only legal requirements apply.

The legal requirements for the procurement of supplies and services are as follows:

0-\$9,999	\$10,000-\$50,000	Over \$50,000
Sound business practices	Solicit at least 3 written quotes	Sealed bid process (IFB or RFP)

The City's policy requirements for the procurement of supplies and services are more rigorous:

0-\$2,999	\$3,000-\$4,999	\$5,000-\$24,999	\$25,000+
Sound business practices	Solicit at least 3 oral or written quotes	Solicit at least 3 <i>written</i> quotes	Sealed bid process (IFB or RFP)

As a matter of law, you may buy supplies and services which are exempt from M.G.L. c. 30B<sup>4</sup> or buy supplies

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<sup>4</sup> Chapter 30B exempts approximately 32 supplies and services. The statutory exemptions can be found at M.G.L. c. 30B, §1(b).

and services off a state (OSD) or cooperative contract (e.g., MHEC, Plymouth County, National Joint Powers Alliance, Pennsylvania Education Purchasing Program For Microcomputers) without using a procurement process. City Policy, however, requires the following--unless there is a compelling reason to do otherwise--even when buying exempt supplies and services or buying off state or cooperative contracts:

0-\$9,999	\$10,000-\$49,999	\$50,000+
Sound business practices	Solicit at least 3 written quotes	Sealed bid process (IFB or RFP)

The reason there are quote and bid requirements for exempt supplies and services and OSD or collective contracts is to assure that the City is getting the best value and is not paying a premium for convenience. This means that while we must take the low bid where a procurement process is required, the City has the option of not necessarily taking the lowest bid on when the exempt supply or service is preferable at a higher cost and the difference between that amount and the low bid price is not material. Thus, for example, if the City puts out a bid for a heavy duty truck that is available on OSD contract VEH98 (Light Duty Vehicles), the CFO can cancel the procurement and buy the truck off the state contract even though a bid was received for a lower amount. This is of course a Policy waiver and should be documented as such.

## Requests For Policy Waivers

As noted above, City Policy requires that departments obtain quotes for ordinary procurements of \$3K-10K, obtain quotes when purchasing off a state contract when the procurement is \$10K-50K, and obtain bids when buying off a state contract when the procurement is over \$50K. See *Procedures*, pp. 9-10. For procurements of \$25,000 or less, these requirements may be waived by Nick; waivers for procurements of more than \$25,000 must be approved by Nick and Maureen.

A waiver request asks that Policy be waived wholly or in part.

The request must state the justification for a waiver. The justification should be your reasons why following the policy will be detrimental or provide no benefit to the City or the project. You should make your request as persuasive as possible. Also include what, if anything, it is you are prepared to do (if anything) to promote open and fair competition.

Also, in order to make sure Maureen gets requests that are vetted and recommended by Purchasing, all waiver requests must be submitted to Nick. The written request may be addressed to Maureen, but I will forward it to her with my recommendation only when the request is made in accordance with the foregoing guidelines.

The CPO may come back to you seeking clarification.

No particular form is required as long as it is in writing and the content is adequate. If approved, the request and its approval will be attached to the req.

"L" CONTRACTS - ISSUED BY THE LAW DEPARTMENT - 2013 THROUGH 2018

4/23/2018 MLL

#153-18

TOTAL CONTRACTS	# of Contracts per Category	Contract Number	Department	Vendor	Description	Released to Vendor	Dept Signed	Comp Signed	Law Signed	Exec Signed
<b>INDEMNIFICATION AGREEMENTS</b>										
1	1	<u>L-5907</u>	School Department	Angier After School Program	Indemnification Agreement 2012-2013				1/17/2013	
2	2	<u>L-5908</u>	School Department	Bowen After School Care Program	Indemnification Agreement 2012-2013				1/17/2013	
3	3	<u>L-5909</u>	School Department	Day-After-Day, Inc.	Indemnification Agreement 2012-2013				1/17/2013	
4	4	<u>L-5910</u>	School Department	Mason-Rice Afterschool Program	Indemnification Agreement 2012-2013				1/17/2013	
5	5	<u>L-5911</u>	School Department	Peirce Extended Day Program, Inc.	Indemnification Agreement 2012-2013				1/17/2013	
6	6	<u>L-5912</u>	School Department	Underwood After School Program	Indemnification Agreement 2012-2013				1/17/2013	
7	7	<u>L-5913</u>	School Department	Ward After School Program	Indemnification Agreement 2012-2013				1/17/2013	
8	8	<u>L-5914</u>	School Department	Williams After School Club	Indemnification Agreement 2012-2013				1/17/2013	
9	9	<u>L-5915</u>	School Department	Zervas After School Program, Inc.	Indemnification Agreement 2012-2013				1/17/2013	
10	10	<u>L-3940</u>	School Department	Plowshares Educational Development Center, Inc.	Indemnification Agreement				4/2/2013	
11	11	<u>L-3941</u>	School Department	Countryside Children's Center	Indemnification Agreement				4/2/2013	
12	12	<u>L-3942</u>	School Department	Memorial Spaulding	Indemnification Agreement				4/2/2013	
13	13	<u>L-3943</u>	School Department	Cabot After School, Inc.	Indemnification Agreement				4/2/2013	
14	14	<u>L-5939</u>	School Department	Burr Community Afterschool	Indemnification Agreement				4/2/2013	
15	15	<u>L-5940</u>	School Department	Plowshares Educational Development Center, Inc.	Indemnification Agreement					
16	16	<u>L-5941</u>	School Department	Countryside Children's Center	Indemnification Agreement					
17	17	<u>L-5942</u>	School Department	Memorial Spaulding After School Program	Indemnification Agreement					
18	18	<u>L-5943</u>	School Department	Cabot After School, Inc.	Indemnification Agreement					
19	19	<u>L-6278</u>	School Department	Burr Community Afterschool	Indemnification Agreement				12/12/2016	12/13/2016
20	20	<u>L-6279</u>	School Department	Cabot After School, Inc.	Indemnification Agreement				12/12/2016	
21	21	<u>L-6280</u>	School Department	Underwood After School Program	Indemnification Agreement				12/12/2016	
22	22	<u>L-6281</u>	School Department	Peirce Extended Day Program, Inc.	Indemnification Agreement				12/12/2016	
23	23	<u>L-6282</u>	School Department	Ward After School	Indemnification Agreement				12/12/2016	
24	24	<u>L-6396</u>	School Department	Cabot After School at Carr Elementary	Indemnification Agreement (after school agreement)				1/25/2018	2/1/2018
25	25	<u>L-6392</u>	School Department	Underwood After School	Indemnification Agreement (after school program)				1/25/2018	2/1/2018
26	26	<u>L-6393</u>	School Department	Plowshares	Indemnification Agreement (after school program)				1/25/2018	2/1/2018
27	27	<u>L-6394</u>	School Department	Peirce Extended Day Program, Inc.	Indemnification Agreement (after school program)				1/25/2018	2/1/2018
28	28	<u>L-6395</u>	School Department	Mason-Rice Afterschool Program, Inc.	Indemnification Agreement (after school program)				1/25/2018	2/1/2018
29	29	<u>L-6397</u>	School Department	Angier After School Program	Indemnification Agreement (after school program)				1/25/2018	2/1/2018
30	30	<u>L-6406</u>	School Department	Day After Day After School Care	Indemnification Agreement				2/16/2018	
31	31	<u>L-6400</u>	School Department	Zervas After School Program	Indemnification Agreement - After School Program				2/16/2018	2/21/2018
32	32	<u>L-6401</u>	School Department	Williams After School Club, Inc.	Indemnification Agreement - After School Program				2/16/2018	

"L" CONTRACTS - ISSUED BY THE LAW DEPARTMENT - 2013 THROUGH 2018

4/23/2018 MLL

#153-18

TOTAL CONTRACTS	# of Contracts per Category	Contract Number	Department	Vendor	Description	Released to Vendor	Dept Signed	Comp Signed	Law Signed	Exec Signed
53	15	L-6090	Parks & Recreation	Mason Rice Afterschool Program, Inc.	License for use of the Jeannette Curtiss West Recreation Center (The Hut)				1/15/2015	
54	16	L-6120	Parks & Recreation	Explore and More, Inc.	License for use of Burr Park Community Center				3/20/2015	3/23/2015
55	17	L-6092	Parks & Recreation	JPH, Inc. d/b/a Jennifer Stoner	License for use of Lower Falls Community Center				6/30/2015	
56	18	L-6163	Parks & Recreation	Rec Place After School, Inc.	License for use of the Lower Falls Community Center				10/20/2015	
57	19	L-6159	Parks & Recreation	Countryside After School Program, Inc.	License for use of the Emerson Community Center				10/28/2015	
58	20	L-6162	Parks & Recreation	Mason-Rice Afterschool Program, Inc.	License for use of the Jeannette Curtiss West Recreation Center ("The Hut")				11/16/2015	11/16/2015
59	21	L-6164	Parks & Recreation	JPH, Inc. d/b/a Jennifer Stoner	License for use of the Lower Falls Community Center				12/1/2015	12/2/2015
60	22	L-6158	Parks & Recreation	Upper Falls Children Center, Inc.	License for use of the Emerson Community Center by Upper Falls Children Center, Inc.				1/19/2016	1/21/2016
61	23	L-6204	Parks & Recreation	Newton Garden Buds, Inc. and Angelo Santucci, Inc.	License Agreement relative to Privately Funded Improvements at Forest Avenue Islands				4/29/2016	
62	24	L-6205	Parks & Recreation	Newton Garden Buds, Inc. and Tri-Valley Irrigation, Inc.	License Agreement relative to Privately Funded Improvements at Forest Avenue Islands				4/29/2016	
63	25	L-6270	Parks & Recreation	Horace Mann Elementary PTO	License Agreement - Playground Improvements				10/19/2016	10/20/2016
64	26	L-6257	Parks & Recreation	Countryside After School Program, Inc.	License for Use of the Emerson Community Center				11/21/2016	
65	27	L-6260	Parks & Recreation	JPH, Inc. d/b/a Jennifer Stoner	License for use of the Lower Falls Community Center				1/9/2017	1/10/2017
66	28	L-6371	Parks & Recreation	Newton Technology Park LLC	License Agreement for Public Access				10/31/2017	
67	29	L-6363	Parks & Recreation	Upper Falls Children Center, Inc.	License for use of Emerson Community Center				10/31/2017	
68	30	L-6366	Parks & Recreation	Rec Place Afterschool, Inc.	License for use of the Lower Falls Community Center				11/1/2017	11/1/2017
69	31	L-6364	Parks & Recreation	Countryside After School Program, Inc.	License for use of the Emerson Community Center				11/3/2017	11/6/2017
70	32	L-6368	Parks & Recreation	Mason-Rice Afterschool Program, Inc.	License for use of the Jeannette Curtis West Recreation Center "The Hut"				12/18/2017	12/18/2017
71	33	L-6370	Parks & Recreation	Ward Elementary School PTO	License Agreement regarding Playground Improvements				3/29/2018	
72	34	L-5984	Parks & Recreation	M.E. O'Brien and Son	License Agreement regarding Playground Improvements					
73	35	L-5879	Parks & Recreation	Jeannette Curtiss West Recreation Center	License for use of "The Hut"					
74	36	L-6369	Parks & Recreation	JPH, Inc. d/b/a Jennifer Stoner	License for use of Lower Falls Community Center	10/30/2017				12/1/2017
75	37	L-5965	Public Buildings	Auburndale Community Library, Inc.	License for use of former Auburndale Branch Library		8/19/2013		8/27/2013	9/9/2013

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TOTAL CONTRACTS	# of Contracts per Category	Contract Number	Department	Vendor	Description	Released to Vendor	Dept Signed	Comp Signed	Law Signed	Exec Signed
100	14	L-6117	Planning and Development	Commonwealth of Massachusetts Dept. of Housing & CD	Grant Agreement for Unaccompanied Homeless Youth				2/19/2015	3/3/2015
101	15	L-6390	Planning and Development	Commonwealth of Massachusetts	grant agreement				1/24/2018	1/25/2018
102	16	L-5927	Planning and Development	Executive Office of Housing & Economic Development	Mass Works Infrastructure - Grant Agreement		3/13/2013		3/14/2013	
<b>LEGAL SERVICES</b>										
103	1	L-5906	School Department	Collins, Loughran & Peloquin, PC	Labor counsel services				7/29/2013	8/7/2013
104	2	L-5924	Assessment	David L. Klebanoff, Esq., of the firm Gilman, McLaughlin & Hanrahan	Resolution in matters pertaining to NSTAR & Boston Gas/dba National Grid Dockets F317326 & F317450			4/29/2013	4/29/2013	5/1/2013
105	3	L-5990	Assessment	CBRE, Inc.	Expert witness services		11/25/2013	11/27/2013	12/2/2013	12/2/2013
106	4	L-6018	Assessment	George E. Sansoucy, P.E., LLC	Expert Witness Services				3/14/2014	
107	5	L-6078	School Department	Collins Loughran & Peloquin	Labor counsel services				8/27/2014	9/25/2014
108	6	L-6104	Law	Boston Gas Company d/b/a National Grid	Information Sharing Agreement				12/3/2014	12/5/2014
109	7	L-6125	Law	New Cingular Wireless PCS, LLC	Cupola Lease with AT&T				3/27/2015	4/2/2015
110	8	L-6126	Law	Freedom Logistics, LLC	Energy broker advisor				4/3/2015	
111	9	L-6186	School Department	Morgan, Brown & Joy	Legal services			2/12/2016	2/16/2016	
112	10	L-6187	Law	Epstein and August, LLP	Legal consultant regarding cable & telecommunications issues		2/4/2016	2/10/2016	2/11/2016	2/12/2016
113	11	L-6226	Law	Eastern Educational Resource Collaborative	Consultant services - equitable, anti-bias, multicultural environments				8/30/2016	
114	12	L-6230	Assessment	Attorney General's Office	Consumer Office Grant Agreement				6/23/2016	
115	13	L-6240	Assessment	Hamlet Associates	Agreement to Pay pursuant to 6A Contract				7/12/2016	
116	14	L-6387	Human Resources	Pierce Davis & Perritano LLP	Legal Services				1/18/2018	
117	15	L-6388	Law	Donnalyn B. Lynch Kahn	Legal services re MCAD case	1/17/2018	1/18/2018		1/19/2018	
118	16	L-6231	Law	Bruce Bradford, PLS of Everett M. Brooks Company	Expert Witness - Preparation of Instrument Survey of 330 Langley Road & expert testimony	6/16/2016	6/21/2016		6/24/2016	6/27/2016
119	17	L-6060	Law	Leo V. Sullivan, Jr.	Initial Bid - No Response - Radiofrequency interference source identification & remediation work	7/9/2014	7/22/2014	7/18/2014	7/22/2014	7/28/2014
120	18	L-6248	Law	Leo V. Sullivan, Jr.	Sole Source - RFI Source Identification and Remediation Work	8/9/2016	8/9/2016	8/16/2016	8/16/2016	8/17/2016

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135	15	L-6165	Police	Riverside Community Care	Newton Jail Diversion Program				12/21/2015	
136	16	L-6221	Health and Human Services	Riverside Community Care	Outreach and Mental Health Services				1/5/2017	1/5/2017
137	17	L-6222	Health and Human Services	Riverside Community Care	Mental Health Services for People with Developmental Disabilities				1/5/2017	1/5/2017
138	18	L-6223	Health and Human Services	The Charles River Center	Mental Health Services for People with Developmental Disabilities				7/26/2016	
139	19	L-6224	Health and Human Services	Barry L. Price Rehabilitation Center	Mental Health Services for People with Developmental Disabilities				7/26/2016	
140	20	L-6234	Health and Human Services	UMass Boston College of Nursing and Health Sciences	Supervised program of clinical experience for nursing students	6/16/2016				
141	21	L-6253	School Department	BAYADA Home Health Care, Inc.	On-site nursing care for student			10/18/2016	10/19/2016	10/20/2016
142	22	L-6274	Police	Riverside Community Care	Newton Jail Diversion Program	12/9/2016			1/18/2017	1/20/2017
143	23	L-6337	Health and Human Services	Barry L. Price Rehabilitation Center	Mental Health Services & Services for people with developmental disabilities					9/19/2017
144	24	L-6338	Health and Human Services	The Charles River Center	Mental Health Services				7/28/2017	
145	25	L-6339	Health and Human Services	Riverside Community Care, Inc.	Mental Health Services & Services for people with developmental disabilities				10/24/2017	10/24/2017
146	26	L-6340	Health and Human Services	Riverside Community Care, Inc.	Outreach A& Mental Health Services				10/25/2017	10/24/2017
147	27	L-6344	Police	Riverside Community Care, Inc.	Newton Jail Diversion Program	10/25/2017	10/30/2017			
145	1	L-6155	Health and Human Services	Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions	Supplemental Staffing Services - Sole Source				10/2/2015	
<b>SPED SERVICES</b>										
148	1	L-5930	School Department	Arlmont Transportation Co., Inc.	Provide SPED Transportation			8/14/2013	8/26/2013	9/5/2013
149	2	L-5931	School Department	JSC Transportation Services, Inc.	SPED Transportation				8/21/2013	
150	3	L-5932	School Department	Puritan Distribution, Inc. d/b/a North Shore Shuttle	SPED Transportation				7/30/2013	8/7/2013
151	4	L-5933	School Department	YCN Transportation, Inc.	SPED Transportation				8/5/2013	8/7/2013
152	5	L-6209	School Department	Medical Transportation, Inc.	SPED Transportation				8/31/2016	9/6/2016
153	6	L-6210	School Department	JSC Transportation Service, Inc.	SPED Transportation				9/1/2016	9/6/2016
154	7	L-6211	School Department	Mass Quality Ride, Inc.	SPED Transportation				8/17/2016	8/17/2016
<b>SCHOOL PROMS &amp; MOCK TRIAL PROGRAM</b>										
155	1	L-6004	School Department	Marriott Boston Copley Place	Newton North High School Senior Prom		12/19/2013		12/20/2013	
156	2	L-6005	School Department	HST Lessee Boston LLC d/b/a Sheraton Boston Hotel	Newton South High School Junior Prom		12/3/2013		12/13/2013	
157	3	L-6118	School Department	Hyatt Regency Boston	NNHS - Junior Prom			2/19/2015	2/19/2015	
158	4	L-6119	School Department	Renaissance Hotels	NNHS - Senior Prom			2/19/2015	2/19/2015	



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181	2	L-5920	Public Works	MassDOT	Infrastructure Improvement Project				2/5/2013	2/15/2013
182	3	L-5923	Public Works	Town of Wellesley	Wales Street Bridge Improvements				7/23/2013	7/26/2013
183	4	L-5928	Fire	Commonwealth of Massachusetts Department of Fire Services	10 year DFS Hazardous Material Response Team Grant				3/7/2013	3/22/2013
184	5	L-5929	Executive	MEMA	Performance Grant				3/18/2013	4/2/2013
185	6	L-5948	Health and Human Services	Comm. of Mass. Department of Public Health	Essential School Health					
186	7	L-5962	Library	Minuteman Library Network	Purchase, installation and maintenance of hardware and software at MLN Central Site			7/2/2013	7/3/2013	7/8/2013
187	8	L-5973	Health and Human Services	MA School of Professional Psychology	MSPP Interface Referral Services		7/26/2013	7/26/2013	7/29/2013	8/7/2013
188	9	L-5987	Parks & Recreation	Massachusetts Department of Agricultural Resources	State Grant Agreement				9/17/2013	9/20/2013
189	10	L-6000	Public Works	Department of Energy Resources (Commonwealth of Mass.)	Citywide Streetlight Replacement Project - energy efficiency grant				10/24/2013	10/28/2013
190	11	L-6039	Public Works	MEMA	Hammond Brook culvert repairs - grant for design & construction		5/7/2014			7/29/2014
191	12	L-6065	Planning and Development	Massachusetts Historical Commission (MHC)	Survey & Planning Grant Project, MA-14-020				7/25/2014	8/1/2014
192	13	L-6080	Library	Minuteman Library Network	Purchase, installation & maintenance of equipment for automated network system				9/2/2014	9/5/2014
193	14	L-6139	Library	Minuteman Library Network	Purchase, installation and maintenance of telecommunications equipment			7/1/2015	7/1/2015	7/2/2015
194	15	L-6171	Parks & Recreation	MA Cultural Council	State grant				10/22/2015	
195	16	L-6176	Public Buildings	Commodore Builders	CM at Risk Services for Fire Headquarters and Station #3	12/4/2015		12/14/2015	12/16/2015	6/27/2016
196	17	L-6177	Police	Commonwealth of Massachusetts	FY 2016 Grant				12/1/2015	
197	18	L-6179	Public Works	Massachusetts Water Resources Authority	Memorandum of Agreement				12/17/2015	
198	19	L-6184	Public Works	Town of Needham	Elliot Street - Central Avenue Bridge Improvements					
199	20	L-6189	Fire	Commonwealth of Massachusetts MEMA	State emergency response grant				2/26/2016	
200	21	L-6207	Cultural Affairs	Commonwealth of Massachusetts	Office of Cultural Affairs grant				4/25/2016	
201	22	L-6216	Public Works	Massachusetts Water Resources Authority (MWRA)	Conduct comprehensive leak correlation survey and produce report		5/11/2016	5/12/2016	5/13/2016	
202	23	L-6233	Police	Commonwealth of Massachusetts State 911 Department	Assistance in providing enhanced 911 service				6/28/2016	
203	24	L-6241	Library	Minuteman Library Network	Library Network				7/27/2016	7/22/2016
204	25	L-6255	Public Works	Commonwealth of Massachusetts DEP	Acquisition of electric vehicle battery and charging station				9/26/2016	9/27/2016
205	26	L-6261	School Department	Commonwealth Clinical Services	NPS services			11/4/2016	11/4/2016	11/7/2016

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226	13	<u>L-5832</u>	Parks & Recreation	Sports Identity, Inc.	Public appearance agreement with Patrick Chung					
227	14	<u>L-5834</u>	Parks & Recreation	Sports Identity, Inc.	Public appearance agreement with Shawn Thornton					
228	15	<u>L-5835</u>	Parks & Recreation	Sports Identity, Inc.	Public appearance agreement with Lou Merloni					
229	16	<u>L-6361</u>	Parks & Recreation	Larry Cushing Enterprises, Ltd.	Harvest Fair 2017 - Paid through Newton Pride					
<b>PROCURED THROUGH PUBLIC BID</b>										
229	1	<u>L-5853</u>	Public Buildings	Joslin, Lessers and Associates, Inc.	Management services for Angier Elementary School				7/3/2012	6/16/2016
230	2	<u>L-5898</u>	Public Buildings	DiNisco Design Partnership, Ltd.	Feasibility study and schematic design services for the Angier Elementary School				10/25/2012	6/28/2013
231	3	<u>L-5961</u>	Public Buildings	W.T. Rich Company, Inc.	Construction Manager at Risk Services			6/11/2013	6/11/2013	8/5/2016
232	4	<u>L-6002</u>	Public Buildings	Joslin, Lesser & Associates, Inc.	Zervas Elementary School Project-Project Management Services				11/14/2013	12/5/2013
233	5	<u>L-6015</u>	Public Buildings	Design Partnership of Cambridge, Inc.	Designer services for Zervas Elementary School	12/20/2013	1/21/2014	1/28/2014	2/3/2014	1/22/2015
234	6	<u>L-6027</u>	Public Buildings	Compass Project Management, Inc.	Fire Station #3 and Fire Headquarters Project		3/18/2014	3/19/2014	4/2/2014	
235	7	<u>L-6035</u>	Public Buildings	Knight, Bagge and Anderson, Inc.	On-call architect				5/8/2014	5/12/2014
236	8	<u>L-6036</u>	Public Buildings	DiMarinisi & Wolfe Architects	On-call architect				5/8/2014	5/12/2014
237	9	<u>L-6040</u>	Public Buildings	Russo Barr Associates, Inc.	On-call architect				5/12/2014	5/12/2014
238	10	<u>L-6045</u>	Public Buildings	McGinley Kalsow & Associates, Inc.	On-call architect				6/2/2014	6/6/2014
239	11	<u>L-6046</u>	Public Buildings	c.a. crowley Engineering, Inc.	On-call architect				6/2/2014	6/6/2014
240	12	<u>L-6047</u>	Public Buildings	Raymond Design Architects, Inc.	On-call architect				6/2/2014	6/6/2014
241	13	<u>L-6049</u>	Public Buildings	Garcia, Galuska & DeSousa, Inc.	On-call architect				6/13/2014	6/17/2014
242	14	<u>L-6061</u>	Public Buildings	Schwartz/Silver Architects, Inc.	Design and construction services for Fire Station 3 and Fire Headquarters			7/18/2014	7/18/2014	7/25/2014
243	15	<u>L-6062</u>	Public Buildings	Joslin, Lesser + Associates, Inc.	Cabot School Project		7/16/2014		7/16/2014	7/22/2016
244	16	<u>L-6077</u>	Public Buildings	W.T. Rich Company, Inc.	Zervas School CM at Risk Construction Contract	8/25/2014	9/23/2014		10/7/2014	5/30/2017
245	17	<u>L-6101</u>	Public Buildings	DiNisco Design Partnership, Ltd.	Design services for Cabot Elementary School	10/30/2014	11/10/2014	11/10/2014	11/12/2014	7/22/2016
246	18	<u>L-6156</u>	Public Buildings	W.T. Rich Company	Construction Manager at Risk - Cabot School			9/16/2015	9/17/2015	9/17/2015
247	19	<u>L-6173</u>	Parks & Recreation	Big Belly Solar, Inc.	Installation and maintenance of waste and recycling equipment & software		11/12/2015	11/12/2015	11/13/2015	7/29/2016
248	20	<u>L-6196</u>	Public Works	Environmental Partners Group Inc.	On-call traffic engineering services				3/21/2016	3/22/2016
249	21	<u>L-6214</u>	School Department	Sodexo	Food service management vendor					
250	22	<u>L-6295</u>	Public Buildings	City Point Partners LLC	Project management Services - Crescent Street Housing Project	2/23/2017			2/27/2017	2/27/2017

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275	47	L-6082	Planning and Development	Hancock Survey Associates, Inc.	Topographic land survey for 70 Crescent Street - \$5,925 - three quotes				9/26/2014	9/26/2014
276	48	L-6081	Planning and Development	McMahon Associates	Peer Review Study of the TIA - \$5,200 - three quotes				9/10/2014	9/16/2014
277	49	L-6198	Public Works	PassportParking, Inc.	Implementation of mobile pay for parking program (MPP) - Bid by MAPC				4/1/2016	
<b>MISCELLANEOUS</b>										
268	1	L-5819	Public Works	Zip Car, Inc.	Designation of two parking spaces at Langley Road municipal parking lot				8/25/2014	
269	2	L-6154	Public Works	Goodwill Donation Center	Rumford Avenue Goodwill Trailer				1/27/2016	1/28/2016
270	3	L-6202	Law	Collins Center at University of Massachusetts	Research and support for Charter Commission			5/4/2016	5/3/2016	
271	4	L-6227	Police	David MacDonald	Police Chief Contract 2016				6/15/2016	6/16/2016
272	5	L-6330	Public Works	Newton Community Service Centers, Inc.	Easement over property at 492 Waltham Street	8/21/2017	8/29/2017		8/29/2017	
<b>PURCHASED WITH WAIVER REQUEST</b>										
273		L-6085	Fire	Lua Technologies, Inc.	Mobile devices for emergency management				10/14/2014	10/15/2014
<b>UTILITY/PUBLIC SAFETY CONTRACTS</b>										
274	1	L-5802	Executive	American Medical Response	Public Safety Tower at 150 Waban Hill Road					
275	2	L-5934	Public Works	Boston Water and Sewer Commission	Jurisdiction and control of storm drainage collection system					
276	3	L-6104	Law	Boston Gas Company d/b/a National Grid	Information Sharing Agreement				12/3/2014	12/5/2014
277	4	L-6125	Law	New Cingular Wireless PCS, LLC	Cupola Lease with AT&T				3/27/2015	4/2/2015
278	5	L-6172	Executive	T-Mobile Northeast LLC	New lease of Cupola Space				10/26/2015	10/27/2015
279	6	L-6300	Law	Cataldo Ambulance Service, Inc.	Public Safety Tower License Agreement	3/17/2017	3/24/2017		3/24/2017	3/24/2017
<b>CONTRACTS THAT NEED TO BE RESEARCHED</b>										
280	1	L-6193	Health and Human Services	William James College, Inc.	Interface referral services - Sole Source	3/2/2016			3/10/2016	6/16/2016
281	2	L-6201	Human Resources	Richard W. Cole, Esq.	Consulting services related to civil rights, harassment and discrimination			4/6/2016	4/6/2016	4/7/2016

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304	25	<u>L-5732</u>	Public Works	C.R.T.R., Inc.	Curbside and depot residential collection & recycling				7/12/2011	2/11/2013
305	26	<u>L-6052</u>	Public Works	C.R.T.R., Inc.	Residential collection and disposal of white goods from items, CRTs, electronics, metal items both curbside & depot call center and fee collection svc				10/22/2014	
306	27	<u>L-5885</u>	Public Works	Call2Recycle	Rechargeable Battery Recycling				1/25/2013	
307	28	<u>L-6228</u>	Public Works	Colantonio Inc.	Renovation of Golda Meir House				12/15/2016	
308	29	<u>L-6199</u>	Public Works	Environmental Partners Group, Inc.	Engineering Services - Preparation of the Complete Streets Prioritization Plan				1/11/2017	1/11/2017
309	30	<u>L-6238</u>	Public Works	Environmental Partners Group, Inc.	Engineering Services- Washington Street @ Harvard Street Intersection Improvements				8/10/2016	
310	31	<u>L-6244</u>	Public Works	Environmental Partners Group, Inc.	Dedham-Nahanton-Brookline Streets Intersection Improvements				10/20/2016	11/14/2017
311	32	<u>L-6291</u>	Public Works	HDR Engineering Inc.	West Newton Square final design				3/3/2017	3/6/2017
312	33	<u>L-6203</u>	Public Works	HDR Engineering, Inc.	West Newton Square Conceptual Design Study				6/17/2016	6/22/2016
313	34	<u>L-6095</u>	Public Works	Hidden Acres Compost	Disposal of compost material				10/30/2014	10/31/2014
314	35	<u>L-6143</u>	Public Works	Hidden Acres Compost	Disposal of Compost Material				9/8/2015	9/11/2015
315	36	<u>L-6200</u>	Public Works	Highpoint Engineering, Inc.	Stormwater quality treatment design Crystal Lake watershed				4/13/2016	4/14/2016
316	37	<u>L-5991</u>	Public Works	Iron Horse Preservation Society, Inc.	Performance of a Rails to Trails project		10/22/2013		10/23/2013	10/24/2013
317	38	<u>L-6195</u>	Public Works	Langdon Environmental LLC	Post-Closure Environmental Monitoring @ Rumford Avenue Landfill				3/10/2016	3/11/2016
318	39	<u>L-6169</u>	Public Works	Stacey DePasquale Engineering	Engineering Services - Outfall & Drain Manhole Sampling				10/22/2015	10/26/2015
319	40	<u>L-6322</u>	Public Works	Stacey DePasquale Engineering, Inc.	Outfall & Drain Manhole Sampling				6/26/2017	
320	41	<u>L-5992</u>	Public Works	Stantec Consulting Services, Inc.	Geotechnical Engineering Evaluation Services for the Waban Hill Reservoir Dam Embankment - Continuation of service from MWRA				10/21/2013	10/24/2013
321	42	<u>L-6292</u>	Public Works	Stantec Consulting Services, Inc.	Needham, Oak and Christina Streets Intersection - Stantec had already done design on Needham Street for MassDOT		2/7/2017		2/15/2017	
322	43	<u>L-6197</u>	Public Works	StreetScan, Inc.	Proprietary Pavement Inspection & Management				3/10/2016	3/11/2016
323	44	<u>L-6350</u>	Public Works	Tighe & Bond Inc.	Continuing environmental health and safety services	9/5/2017	9/13/2017		9/21/2017	9/22/2017

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347	7	L-5900	Public Works	Weston & Sampson Engineers, Inc.	Engineering Svcs - Cross Connection Control Program				12/13/2012	6/18/2015
348	8	L-5918	Public Works	Weston and Sampson	Engineering Services - CIP Project 1 Design			1/24/2013	1/25/2013	1/31/2013
349	9	L-5925	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 2 Inspection & Assessment			2/27/2013	2/28/2013	3/7/2013
350	10	L-5959	Engineering	Weston & Sampson	Area B - Phase 1 Post Construction Flow Evaluation			5/20/2013	5/23/2013	5/30/2013
351	11	L-5960	Engineering	Weston & Sampson	Central Avenue Sewer Placement Design			5/20/2013	5/23/2013	
352	12	L-5974	Public Works	Weston & Sampson	CIP Smoke Testing - Project 4, 5, 6 & 7			6/26/2013	6/27/2013	6/28/2013
353	13	L-5981	Public Works	Weston & Sampson	CIP Project 1 Construction & Retest Services			8/5/2013	8/21/2013	9/5/2013
354	14	L-6008	Public Works	Weston & Sampson Engineers, Inc.	Stormwater infrastructure improvement plan			3/3/2014	3/6/2014	
355	15	L-6009	Public Works	Weston & Sampson Engineers, Inc.	Sewer CIP Project 2 design			3/3/2014	3/6/2014	
356	16	L-6010	Public Works	Weston & Sampson Engineers, Inc.	Sewer CIP Project 3 & 4 Inspection & Assessment			3/3/2014	3/6/2014	
357	17	L-6050	Public Works	Weston & Sampson Engineers, Inc.	Engineering services - Hammond Brook Culvert Design				6/30/2014	7/2/2014
358	18	L-6093	Public Works	Weston & Sampson Engineers, Inc.	Dedham Street drainage improvements				9/30/2014	10/2/2014
359	19	L-6093	Public Works	Weston & Sampson Engineers, Inc.	Dedham Street Drainage Improvements				9/30/2014	10/2/2014
360	20	L-6099	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 3 & 4 Design				10/31/2014	
361	21	L-6102	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 2 Construction & Re-Test Services				11/20/2014	
362	22	L-6102#1	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 2 Construction & Re-Test Services - Extend to 12/31/17				7/26/2016	
363	23	L-6107	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 5 - Inspection and Assessment	12/4/2014			1/5/2015	1/6/2015
364	24	L-6137	Public Works	Weston & Sampson Engineers, Inc.	CIP smoke testing				6/24/2015	6/26/2015
365	25	L-6137 #1	Public Works	Weston & Sampson Engineers, Inc.	CIP Smoke Testing Project			2/29/2016	3/1/2016	3/2/2016
366	26	L-6138	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 1 post construction flow evaluation				6/24/2015	6/26/2015
367	27	L-6140	Public Works	Weston & Sampson Engineers, Inc.	Impervious Area Determination				7/10/2015	7/14/2015
368	28	L-6147	Public Works	Weston & Sampson Engineers, Inc.	Cabot & Zervas Culvert Evaluations				8/14/2015	8/17/2015
369	29	L-6147	Public Works	Weston & Sampson Engineers, Inc.	Cabot & Zervas School Culvert Evaluations					9/8/2015
370	30	L-6166	Public Works	Weston & Sampson Engineers, Inc.	CIP Project 5 Design				9/28/2015	9/30/2015
371	31	L-6168	Public Works	Weston & Sampson Engineers, Inc.	Drainage system on-call engineering services					

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<b>ACCELERATED ROADS PROGRAM</b>										
395	1	L-6112	Public Works	Beta Group, Inc.	Engineering Design Services for the Elliot Street Bridge Rehabilitation Project				2/6/2015	2/12/2015
396	2	L-6272	Public Works	Beta Group Inc.	On-call pavement management support engineering services				11/10/2016	11/14/2016
397	3	L-5926	Assessment	BETA Group	Engineering design services for the Elliot Street bridge evaluation and repairs design project			3/11/2013	3/21/2013	4/5/2013
397	3	L-6250	Public Works	BETA Group Inc.	On-call traffic & transportation engineering services				10/3/2016	5/2/2017
398	4	L-6190	Public Works	Beta Group, Inc.	Engineering Svcs - Cheesecake Brook Pedestrian Bridge				2/25/2016	2/29/2016
399	5	L-6347	Public Works	BETA Group	FY18 construction			9/14/2017		9/18/2017
400	6	L-6250#1	Public Works	Beta Group	Traffic and transportation engineering services			4/20/2017	5/1/2017	
401	7	L-6289	Engineering	Beta Group Inc.	Roadway Rehab 2017	1/31/2017	2/7/2017		2/16/2017	
402	8	L-6288	Public Works	Beta Group, Inc.	Engineering Services - Newton Corner Ramps & Sidewalks Rehab				3/16/2017	3/17/2017
403	9	L-6296	Public Works	Beta Group, Inc.	Engineering Services - Roadway Rehabilitation 2017				3/24/2017	3/24/2017
404	10	L-6348	Engineering	BETA Group, Inc.	On-call pavement management support		8/11/2017		8/21/2017	8/21/2017
405	11	L-6354	Engineering	BETA Group, Inc.	On-call traffic & transportation engineering services		8/14/2017		8/21/2017	8/21/2017
<b>CHANGE ORDERS</b>										
406	1	L-5809 #1	Assessment	Structures North Construction Engineers	Consultants			1/16/2013	1/23/2013	
407	2	L-5583 # 3	Assessment	Anthony M. Ambriano, Esq.	Add funds				6/10/2013	6/13/2013
408	3	L-5497 #2	Assessment	Durkee Brown Viveiros Werenfels Architects	Additional work and additional funds		3/3/2014	3/4/2014	3/4/2014	
409	4	L-5924 #1	Assessment	David Klebanoff, Esq.	Amend language and add funds				8/29/2014	9/2/2014
410	5	L-6018 #1	Assessment	George E. Sansoucy, P.E., LLC	Add Funds				11/24/2014	11/25/2014
411	6	L-5583 #4	Assessment	Anthony M. Ambriano	Additional funds	1/8/2015			1/13/2015	
412	7	L-5990 #1	Assessment	CBRE, Inc.	Expert witness services - ATB litigation - 2010 Washington Street			2/17/2015	2/18/2015	2/19/2015
413	8	L-5924 #2	Assessment	David L. Klebanoff, Esq.	Matters pertaining to Boston Gas and NStar				9/17/2015	9/17/2015
414	9	L-6078 #2	Assessment	Collins, Loughran & Peloquin	Contract extension to June 30, 3016				1/19/2016	1/21/2016

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442	37	L-5903 # 1	Parks & Recreation	Newton Highlands Neighborhood Area Council	temporary seasonal skating rink				1/3/2013	
443	38	L-6041 #1	Parks & Recreation	Ray Dunetz Landscape Architecture, Inc.	Additional funds for Phase Two - Emerson Playground				7/22/2014	7/24/2014
444	39	L-6173 # 1	Parks & Recreation	Bigbelly, Inc.	Add funds for additional equipment				7/28/2016	
445	40	L-6236 #1	Parks & Recreation	Ray Dunetz Landscape Architecture, Inc.	Add scope of services, add funds, and revise contract amount to \$15,700				1/18/2018	
446	41	L-5856 # 1	Planning and Development	Will Persampieri	Extend terms of the contract from June 30, 2013 to December 31, 2013				7/3/2013	7/8/2013
447	42	L-6081 #1	Planning and Development	McMahon Associates	Additional funds for additional services				11/19/2014	
448	43	L-6243 #1	Planning and Development	The Newton Cultural Alliance	CPA Funding Agreement for Allen House - no change in funding - substitute language				12/12/2016	
449	44	L-6109 #2	Planning and Development	Commonwealth of Massachusetts Executive Office of Housing &	MassWorks Infrastructure Program contract amendment				2/14/2018	2/16/2018
450	45	L-6243 #2	Planning and Development	Newton Cultural Alliance	Community Preservation Funding Agreement				3/15/2018	
451	46	L-5771 #1	Police	Tody's Service, Inc.	Contract extension for towing services			1/29/2013	1/29/2013	1/31/2013
452	47	L-5771 # 2	Police	Tody's Service, Inc.	contract extension for towing services					
453	48	L-5837 # 1	Public Buildings	Turowski2 Architecture, Inc.	Increase for Basic Services by an additional \$224,100 to a new fixed fee of \$979,000				1/9/2013	
454	49	L-5891 # 1	Public Buildings	World Energy Solutions, Inc.	Extend time of completion to 2/15/13				1/9/2013	
455	50	L-5837 #2	Public Buildings	Turowski2 Architecture, Inc.	Increase contract amount re: new Fixed Design Fee			2/14/2013	2/14/2013	2/26/2013
456	51	L-5898 #3	Public Buildings	DiNisco Design Partnership, Ltd.	Additional funding for additional services		3/1/2013	3/4/2013	3/5/2013	3/13/2013
457	52	L-5898 #4	Public Buildings	DiNisco Design Partnership, Ltd.	Additional services and funds				4/23/2013	5/15/2013
458	53	L-5891 # 2	Public Buildings	World Energy Solutions, Inc.	Extend time of completion to 6/30/13				6/10/2013	6/13/2013
459	54	L-5889 # 1	Public Buildings	Thielsch Engineering, Inc.	Extend through 6/30/13			6/19/2013	6/21/2013	6/25/2013
460	55	L-5898 #5	Public Buildings	DiNisco Design Partnership, Ltd.	Add Funds			6/24/2013	6/24/2013	
461	56	L-5837 #3	Public Buildings	Turowski2 Architecture, Inc.	Amendment to Schedule B				7/11/2013	7/15/2013
462	57	L-5898 #6	Public Buildings	DiNisco Design Partnership, Ltd	Add funds				9/11/2013	9/20/2013
463	58	L-5875 #1	Public Buildings	Trans Global Construction Consultants, LLC	Contract extension to 9/30/13 and additional funds				9/13/2013	9/16/2013
464	59	L-5837 #4	Public Buildings	Turowski2 Architecture, Inc.	Additional funding				10/15/2013	10/17/2013
465	60	L-5853 # 1	Public Buildings	Joslin Lesser & Associates, Inc.	Add Funds			11/8/2013	11/8/2013	12/5/2013
466	61	L-5898 #7	Public Buildings	DiNisco Design Partnership	Add Funds				11/8/2013	
467	62	L-5837 #5	Public Buildings	Turowski2 Architecture, Inc.	Add funds				1/17/2014	
468	63	L-6015 #1	Public Buildings	Design Partnership of Cambridge, Inc.	Add funds				3/5/2014	4/16/2015
469	64	L-5875 # 2	Public Buildings	Trans Global Construction	Additional funds not to exceed \$1,426.50				4/2/2014	

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499	94	L-6027 #3	Public Buildings	Compass Project Management, Inc.	Contract extension and additional funds		7/14/2015	7/15/2015	7/15/2015	7/17/2015
500	95	L-5898 #14	Public Buildings	DiNisco Design Partnership, Ltd.	Additional geotech work and plan preparation			7/1/2015	8/31/2015	9/10/2015
501	96	L-5961 #5	Public Buildings	W.T. Rich Company	Additional services and funds			9/8/2015	9/8/2015	9/10/2015
502	97	L-6101 #2	Public Buildings	DiNisco Design Partnership, Ltd.	Designer services for Cabot Elementary School			9/18/2015	9/18/2015	9/22/2015
503	98	L-6002 #4	Public Buildings	Joslin, Lesser + Associates	Furniture consulting and move coordination services			9/21/2015	9/23/2015	9/23/2015
504	99	L-6015 #9	Public Buildings	Design Partnership of Cambridge, Inc.	Additional funds				9/29/2015	9/30/2015
505	100	L-5961 #6	Public Buildings	W.T. Rich Company	Additional services and funds - Angier Elementary School Project			10/27/2015	11/9/2015	11/12/2015
506	101	L-5961 #7	Public Buildings	W.T. Rich Company	Additional funds		11/30/2015		12/22/2015	
507	102	L-3832A #2	Public Buildings	Lord Associates	Additional services and contract extension to 2/10/17				1/7/2016	1/7/2016
508	103	L-6077 #1	Public Buildings	W.T. Rich Company	Add Funds - Zervas School CM at Risk Construction Contract				1/14/2016	
509	104	L-6101 #3	Public Buildings	DiNisco Design Partnership	Add funds (Feasibility Study)				1/14/2016	
510	105	L-6027 #4	Public Buildings	Compass Project Management, Inc.	Additional services and funds re: Fire Headquarters and Station #3		2/1/2016	2/2/2016	2/3/2016	2/3/2016
511	106	L-6027 #5	Public Buildings	Compass Project Management, Inc.	Additional services re: Fire Station #3 and Headquarters project		2/1/2016	2/2/2016	2/3/2016	2/3/2016
512	107	L-6061 #5	Public Buildings	SchwartzSilver Architects, Inc.	Additional services re: Fire Station #3 and Headquarters project		2/1/2016	2/2/2016	2/3/2016	2/3/2016
513	108	L-6061 #6	Public Buildings	SchwartzSilver Architects, Inc.	Additional services re: Fire Station #3 and Headquarters project		2/1/2016	2/2/2016	2/3/2016	2/3/2016
514	109	L-6061 #7	Public Buildings	SchwartzSilver Architects, Inc.	Additional services re: Fire Station #3 and Headquarters project		2/1/2016	2/2/2016	2/3/2016	2/3/2016
515	110	L-6015 #10	Public Buildings	Design Partnership of Cambridge, Inc.	Additional funds		4/8/2016	4/11/2016	4/11/2016	
516	111	L-6002 #5	Public Buildings	NV5 - Joslin, Lesser + Associates	Additional funds				4/19/2016	
517	112	L-6015 #11	Public Buildings	Perkins Eastman Architects, DPC	Additional funds				4/19/2016	
518	113	L-5961 #10	Public Buildings	W.T. Rich Company	Additional funds - Angier Elementary School Project			12/14/2016	6/7/2016	12/16/2016
519	114	L-5853 #2	Public Buildings	Joslin, Lesser & Associates	Add funds				6/9/2016	
520	115	L-5898 #15	Public Buildings	DiNisco Design Partnership, Ltd.	Additional services and funds				6/14/2016	6/16/2016
521	116	L-6002 #6	Public Buildings	Joslin Lesser d/b/a NV5	Additional funds - Zervas Elementary School Project				6/20/2016	
522	117	L-6002 #6	Public Buildings	NV5 - Joslin, Lesser + Associates	Add funds				6/20/2016	
523	118	L-6176 #1	Public Buildings	Commodore Builders	Additional services and funds				6/24/2016	
524	119	L-6077 #3	Public Buildings	W.T. Rich Company	Additional funds - Zervas Elementary School Project				6/28/2016	
525	120	L-6062 #1	Public Buildings	Joslin, Lesser & Associates	Add funds				7/22/2016	
526	121	L-6101 #4	Public Buildings	DiNisco Design Partnership, Ltd	Additional Funds for Cabot Elementary School Project	7/7/2016	7/18/2016	7/21/2016	7/22/2016	



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557	152	L-6332 #1	Public Buildings	Abacus Architects & Planners	Additional funds				10/27/2017	
558	153	L-6077 #7	Public Buildings	W.T. Rich Company Inc.	Decrease contract amount by \$19,148				11/2/2017	
559	154	L-6176 #7	Public Buildings	Commodore Builders	Add funds				2/2/2018	
560	155	L-6156 #3	Public Buildings	W.T. Rich Company, Inc.	Add Funds				3/27/2018	
561	156	L-6295 #2	Public Buildings	City Point Partners	OPM services for Crescent Street Housing and Reverend Ford Playground	3/29/2018	4/3/2018		4/9/2018	
562	157	L-5898 #13	Public Buildings	DiNisco Design Partnership, Ltd.	Additional work and release of funds			7/1/2015		7/2/2015
563	158	L-6015 #10	Public Buildings	Design Partnership of Cambridge, Inc.	Name of designer has changed to Perkins Eastman Architects, D.P.C.					
564	159	L-6015 #14	Public Buildings	Design Partnership of Cambridge a/k/a Perkins Eastman	Additional services and funds		6/20/2017	6/22/2017		6/23/2017
565	160	L-5611 # 2	Public Works	C.R.T.R., Inc.	Revise language and extend contract				1/23/2013	2/11/2013
566	161	L-5816 #1	Public Works	Vanasee & Associates, Inc.	Increase contract amount - additional construction services			1/22/2013	2/5/2013	2/11/2013
567	162	L-5871 #1	Public Works	Vanasee & Associates, Inc.	Decrease contract amount - reallocate funds from design to services during			1/22/2013	2/5/2013	
568	163	L-5450 #1	Public Works	SAK Environmental	Amendment			2/15/2013	2/21/2013	4/2/2013
569	164	L-5485 #1	Public Works	Waste Management of Massachusetts, Inc.	Inclusion of collection of rigid plastics				7/10/2013	7/15/2013
570	165	L-5809 # 2	Public Works	Structures North Consulting Engineers, Inc.	Extend time to 12/31/13 and add funds				7/16/2013	7/17/2013
571	166	L-5871 #2	Public Works	Vanasse & Associates	Contract extension to 12/31/13				7/24/2013	7/26/2013
572	167	L-5900 #1	Public Works	Weston & Sampson	Contract extension from 7/1/13 - 6/30/14				9/5/2013	9/9/2013
573	168	L-5871 #3	Public Works	Vanasse & Associates	Reallocate funds			8/19/2013	9/19/2013	10/7/2013
574	169	L-5926 # 1	Public Works	BETA Group, Inc.	Additional bridge monitoring & evaluation svcs; and add funds				10/18/2013	
575	170	L-5422 # 1 - Task Order #	Public Works	CDM Smith, Inc.	Amend - services to be completed on or before 6/14/14 subject to completion of				10/31/2013	11/4/2013
576	171	L-5422 # 1 - Task Order #	Public Works	CDM Smith, Inc.	Extend completion date to 6/14/14				10/31/2013	11/4/2013
577	172	L-5597 #1	Public Works	Brown & Caldwell	Extend to 6/30/14				12/3/2013	12/5/2013
578	173	L-5871 # 4	Public Works	Vanasse & Associates	MassWorks engineering services - various changes - net additional cost is \$0				12/3/2013	12/5/2013
579	174	L-5422 # 8	Public Works	CDM Smith, Inc.	Add Funds				12/19/2013	
580	175	L-5944 # 1	Public Works	Fay, Spofford & Thorndike, Inc.	Add Funds				12/20/2013	
581	176	L-5493 # 3	Public Works	Stantec Consulting Services	Extend to 6/30/14				1/24/2014	
582	177	L-5611 # 3	Public Works	C.R.T.R., Inc.	Extend to 6/30/14 and add funds			2/19/2014	2/20/2014	
583	178	L-5871 # 5	Public Works	Vanasse & Associates	Revise completion date to no later than 7/31/14, except in the event of delays beyond reasonable control of Consultant				5/29/2014	6/6/2014
584	179	L-5926 # 2	Public Works	Beta Group, Inc.	Amend time of completion to 12/15/14				6/17/2014	7/2/2014

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614	209	L-6116 #1	Public Works	Waste Management of Massachusetts, Inc.	Add funds and services		6/20/2017	6/22/2017	6/22/2017	6/23/2017
615	210	L-6182 #1	Public Works	Tata & Howard	Add funds				6/30/2017	7/3/2017
616	211	L-6244 #2	Public Works	Environmental Partners Group	Add funds				11/9/2017	
617	212	L-6170 #2	Public Works	Weston & Sampson Engineers, Inc.	Extend to 12/31/18 and add funds				11/13/2017	11/14/2017
618	213	L-6160 #2	Public Works	Tata & Howard	Change project conclusion to 12/31/17 and add funds			11/27/2017	11/29/2017	
619	214	L-6292 #1	Public Works	Stantec Consulting Services, Inc.	Time of completion amended to 11/30/18 and add funds				12/7/2017	12/8/2017
620	215	L-6268 #1	Public Works	Woodard & Curran, Inc.	Extend time of project to 12/31/18				1/2/2018	
621	216	L-6181 #1	Public Works	Weston & Sampson Engineers, Inc.	Extend contract to 12/31/18				1/9/2018	
622	217	L-6183 #1	Public Works	Tata & Howard	Extend contract to 12/31/18				1/9/2018	
623	218	L-6212 #1	Public Works	Tata & Howard	Extend contract to 12/31/18				1/9/2018	
624	219	L-6321 #1	Public Works	Tata & Howard	Change term to 420 calendar days	1/9/2018	1/22/2018		1/24/2018	1/25/2018
625	220	L-6321 #1	Public Works	Tata & Howard, Inc.	Change term to 420 calendar days				1/24/2018	
626	221	L-6249 #1	Public Works	Tata & Howard	Extend to 6/30/18				3/5/2018	3/6/2018
627	222	L-6291 #2	Public Works	HDR Engineering, Inc.	Amend services to be completed within 540 calendar days of Notice to Proceed and add funds				3/12/2018	3/12/2018
628	223	L-6348 #1	Public Works	BETA Group, Inc.	Additional funds				4/6/2018	4/9/2018
629	224	L-6212 #2	Public Works	Tata & Howard, INC.	Additional funds	3/21/2018	4/3/2018		4/11/2018	4/17/2018
630	225	L-6160 #1	Public Works	Tata & Howard, Inc.	Extend project conclusion and add funds					
631	226	L-6200 #1	Public Works	Highpoint Engineering, Inc.	Extend through 12/31/17					9/15/2017
632	227	L-5918 # 1	School Department	Weston & Sampson Engineers, Inc.	Extend time to 6/30/14				10/1/2013	
633	228	L-6027 # 1 - Revision 1	School Department	Compass Project Management, Inc.	Add funds				8/25/2014	
634	229	L-6078 #1	School Department	Collins, Loughran & Peloquin	Contract extension through 12/31/15				9/29/2015	9/30/2015
635	230	L-6253 #1	School Department	BAYADA Home Health Care, Inc.	Contract extension from 10/1/17 to 9/30/18				10/27/2017	
636	231	L-6186 #1	School Department	Morgan, Brown & Joy	Legal services				3/22/2018	

City of Newton



**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**  
OFFICE OF THE CITY ENGINEER  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Ruthanne Fuller  
Mayor

To: City of Newton Finance Committee  
From: Louis M. Taverna, P.E., City Engineer  
Subject: Procurement of Engineering Services  
Date: April 20, 2018

Procurement Methods:

The procurement of engineering design services (including landscape/streetscape architecture design services) is exempt from MGL Chapter 30B bidding requirements. MGL Chapter 30B establishes procedures to award supply, construction and service contracts. Section 1 of that chapter indicates that “this chapter (30B) shall not apply to... contracts with architects, engineers and related professionals”. This is reinforced in the State’s “The Chapter 30B Manual: Procuring Supplies, Services and Real Property” that indicates that Chapter 30B “does not apply to... contracts with architects, engineers and related professionals”; “contracts with architects, engineers or related professionals are exempt from Chapter 30B”.

In Massachusetts, municipalities including Newton procure engineering services based on the qualifications, personnel and experience of the engineering firm best suited to perform the work. This procurement is done in two ways:

- A sole source award to the best qualified engineering firm. In this case, DPW personnel select the best qualified engineering firm capable of performing the work, and we solicit a level of effort man-hour estimate, based on an agreed to scope of services, with man-hour rates, to develop a “not to exceed” cost of the engineering services contract. The selection is based on our many years of experience working with local engineering firms in the greater Boston area, and knowing their capabilities and shortfalls. The cost proposal is reviewed and negotiated, based on the agreed scope of work. A not to exceed cost limit is established.
- The request for qualifications/proposal (RFQ/P) process. In this case, DPW personnel prepare a detailed scope of work for the intended engineering services. Requests for qualifications/proposals are sent to a number of engineering firms who are capable of performing the work in the discipline required (such as roadway design, water mains, sewers). The engineering firms submit 2 packages for review. Package 1 includes the detailed qualifications, experience and personnel that will be assigned to the project. Package 2 includes the level of effort man-hour estimate, based on the detailed scope of services, with man-hour rates, to develop a “not to exceed” cost of the engineering services contract. A selection team is chosen to review the qualifications package. The qualifications, experience and personnel are ranked for each firm, and a short list is developed from the three top ranked firms. Package 2, cost, is then opened, reviewed and ranked. Cost is then included in the rankings. Each short-listed firm is then interviewed. Once interviews are completed, the selection team re-ranks the firms based on the

interviews and selects the best qualified firm to do the work. The cost proposal of the selected firm is again reviewed and negotiated, based on the agreed to scope of work. A not to exceed cost limit is established.

In each case, an “L” contract is awarded to the engineering firm. These contracts are issued by the Law Department, not the Purchasing Department. These contracts are based on man-hours and expenses with a “not-to-exceed” limit, for the scope of services. They are not “lump sum” contracts. The engineering firm invoices the city on a monthly basis, for man-hours and expenses, as charges accrue. The not-to exceed limit cannot be exceeded without an agreed to contract amendment.

#### Selection of Engineering Consultants based on Sole Source:

Over the years, the Department of Public Works has worked with numerous engineering firms in the greater Boston area on a multitude of projects across the spectrum of public works. Some firms have been retained and some have been replaced based upon the merits of their performance. The department already has qualifications packages and billing rates for the pool of engineering firms that we currently work with, and we continuously strive to make the most appropriate selection for each project or assignment based on the demonstrated skills and experience of those firms. In fact, many already have on-call engineering contracts with the City. Our experience is that the man-hour rates provided by our on-call engineering firms are consistent with each other and with industry standards.

The concept of issuing RFQ/P's for individual engineering projects would significantly limit DPW's ability to be responsive to the needs of the city. Such a policy would require the city to investigate and prepare detailed scopes of work for each project, without input from the engineering firms, which is very time-consuming and imposes significant delays in initiating the many projects that we undertake each year. This approach also has additional built-in delays in the review, ranking, interview and selection steps that must be factored into the schedule. The cumulative effect of this process over the many projects we undertake would paralyze our ability to deliver projects in a timely manner.

With our current policy, our consultants have gained important and useful knowledge of the City and our department's work processes and preferences. In turn, we have gained critical insights into their strengths and skills, as well as their willingness to work with us as partners. This allows us to negotiate scopes of work and fair and reasonable fees in a timely fashion to get projects underway. This also ensures that the engineers have adequate scope and fees to perform the work to our high standards, and to reduce the possibility of contract amendments for additional scope and fees. Public Works personnel perform a thorough review of the proposed man-hour level of effort, based on the scope of work proposed. This mutual understanding and efficiency benefits the community in the short and long run.

In the RFQ/P process, engineering firms tend to submit competitive fees that may not be adequate for the substantial level of coordination and public outreach expected by the City. They do this by proposing junior level engineering staff to perform the work, while we as clients expect and demand more senior level staff performing the work. The resulting contract amendments and changes in fee, to get the correct personnel on the project, make city budgeting a challenge.

Designated staff and design budgets submitted in the RFQ/P process are subject to fluctuate as projects advance. Consultant staffing listed in RFQ/P's are not always the individuals intimately involved in the projects and there have been instances when vendor staff are physically located out of state and have never witnessed the conditions for which they are designing.

When necessary, DPW will issue a request for qualifications/proposals for projects where engineering firm talents are unknown to the DPW. Recent examples of this situation included engineering design for security services at the covered water reservoir, the synthetic/natural turf fields at Newton South High

School, the preparation of the storm water infrastructure improvement plan, on-call transportation engineering design services, and preparation of the Street Design Guide.

For the City's routine engineering design projects, DPW chooses the most qualified engineering firms for the required tasks through the sole source system previously described. These firms are well qualified, and are well known to DPW, and we have been using them for many years. Recent examples of this include:

- BETA Group is used for pavement management services, because they are the most qualified. They have been performing engineering services for Newton's road maintenance for over 5 years. BETA Group was selected based on their experience with using the data provided by Street Scan, for the city's pavement management program. BETA Group developed the roadway maintenance capital improvement program.
- Tata & Howard is used for water works projects, because they are the most qualified. They have been performing engineering services for Newton's water system for over 15 years. Tata & Howard operates and maintains Newton's water hydraulic model on our behalf. Tata & Howard developed the water main capital improvement program.
- Weston & Sampson is used for sewer and drainage projects, because they are the most qualified. They have been performing engineering services for Newton's sewer and drain system for over 25 years. Weston & Sampson developed both the sewer and drain capital improvement programs.

Three examples of Weston & Sampson contracts, mentioned at the Finance Committee meeting, are as follows:

**7/12/17 Contract #L-6303 Cross Connection Control Plan:**

Prior to July 2005, the Cross Connection Control Program (CCCP) was managed by the water/sewer business manager. Upon her departure, DPW was without a manager for this program for over a year, until it was given to Ted Jerdee to manage. In the course of obtaining his CCCP license from MassDEP, it was brought to Ted's attention by John Bocchino (of Weston & Sampson) who taught DEP's license class, that the City of Newton's CCCP was going to be audited. The city was about to receive an Administrative Consent Order (ACO) from DEP, therefore Ted convinced the Commissioner of Public Works that it would be in the city's best interest to seek engineering services from Weston & Sampson prior to the audit in order to show DEP that the city was serious about meeting DEP's requirements for the mandated CCCP. DPW did not solicit an RFQ/P for this contract.

**7/19/17 Contract #L-6335 Project Area 5 Construction & Re-test Services:**

Weston & Sampson has been the city's waste water consultant since 1992, and prior to that Coffin & Richardson was the city's waste water consultant dating back to 1983 when they developed the Waste Water Facilities Report. Coffin & Richardson went out of business in 1991 and a number of their personnel who developed the report went to work with Weston & Sampson. Weston & Sampson has the Newton-specific knowledge and experience, and professional staffing to provide waste water consultant services for DPW at industry-normal billing rates.

**7/19/17 Contract #L-6343 Cabot Culvert Replacement:**

This contract is part of the Storm Water Infrastructure Improvement Plan (SIIP) which did go out as an RFQ/P between Weston & Sampson, Camp Dresser & McGee, and Brown & Caldwell in 2014, and is coordinated with the renovation of Cabot School. Weston & Sampson was selected by the RFQ/P process as the most qualified firm.

For roadway design projects, a few firms have been used in the past, some with success, but others with shortcomings. We are now currently using BETA Group, Environmental Partners and HDR to provide the City with appropriate and high quality services.

For the West Newton Square rehabilitation project, the engineering firm HDR was selected based on known qualifications of the firm, immediate past experience, and qualified personnel. HDR had just completed similar rehabilitation projects in the city of Cambridge, including Harvard Square, Concord Street, Brattle Street, and Blanchard Rd.

For the Auburndale Square rehabilitation project, it is obvious that the wrong engineering firm was selected. Both this engineering firm, and the DPW project manager, no longer work for the city.

For the proposed Washington Street corridor roadway improvement project, including traffic engineering and roadway improvements, public works intends to issue an RFQ/P for engineering design services, based on the numerous engineering disciplines required to perform this project.

The rationale described above form the basis for why Public Works solicits engineering firms using both the sole source and RFQ/P process in compliance with state procurement laws. Proposals to change the current process and reduce or eliminate the City's ability to procure high quality consultants through the sole source process would have very serious implications for DPW's programs going forward.

Sincerely,

Louis M. Taverna, P.E.  
City Engineer

cc: Amy Hamel, DPW Chief of Staff  
Jason Sobel, Interim Director of Transportation Operations  
Theodore Jerdee, Director of Utilities

CITY OF NEWTON

IN CITY COUNCIL

2018

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the sum of three hundred fifty thousand dollars (\$350,000) be and is hereby appropriated from Free Cash to the Rainy Day Stabilization.

FROM: Free Cash  
(01-3497)..... \$350,000

TO: Rainy Day Stabilization Fund  
(22A-497001) ..... \$350,000

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date \_\_\_\_\_

CITY OF NEWTON

IN CITY COUNCIL

2018

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Leonard J. Gentile, the rescission of the bond authorization for the sum of seventy-five thousand dollars (\$75,000) voted under Council Order #178-17A for the for the purpose of funding library renovations

And

the transfer of seventy-five thousand (\$75,000) from the Library Full-time Salaries Account to the Library Consultants Account be and is hereby approved as follows:

FROM:	Library Full-time Salaries (0160103-511001).....	\$75,000
TO:	Library Consultants (C6011004-5301) .....	75,000

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date: \_\_\_\_\_



CITY OF NEWTON

IN CITY COUNCIL

2018

ORDERED:

That in accordance with the recommendation of the President of the City Council and with the confirmation of the City Council, be it known that JAMES P. MNOOKIN is hereby re-appointed as a member of the INVESTMENT ADVISORY COMMITTEE for a term to expire April 1, 2020.

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk

CITY OF NEWTON

IN CITY COUNCIL

2018

ORDERED:

That in accordance with the recommendation of the President of the City Council and with the confirmation of the City Council, be it known that COUNCILOR CHRISTOPHER MARKWIECZ is hereby appointed as a trustee of the Twombly House Fund for a term to expire December 31, 2019.

Under Suspension of Rules  
Readings Waived and Approved

(SGD) DAVID A. OLSON  
City Clerk