

Finance Committee Agenda

City of Newton In City Council

Monday, April 24, 2023

The Finance Committee will hold this meeting as a virtual meeting on Monday, April 24, 2023, at 7:00 pm. To view this meeting using Zoom use this link: <u>https://newtonma-gov.zoom.us/j/86703648780</u> or call 1-646-558-8656 and use the following Meeting ID: 867 0364 8780

Items scheduled for discussion:

#137-23 Submittal of the ACFR, and external audit reports <u>COMPTROLLER</u> transmitting the Annual Comprehensive Financial Report and external audit reports for fiscal year ending June 30, 2022 for City Council review/acceptance.

Referred to Public Facilities and Finance Committees

#126-23 Appropriate \$1.15 million for Franklin Elementary School

<u>HER HONOR THE MAYOR</u> requesting authorization to appropriate and expend one million one hundred and fifteen thousand dollars (\$1,150,000) and authorize a general obligation borrowing of an equal amount for the feasibility study at the Franklin Elementary School and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.
Public Facilities Approved 5-0 (Councilor Norton not voting) on 04/12/23

#139-23 Acceptance of equipment through the MassDOT Safe Routes to School program <u>HER HONOR THE MAYOR</u> requesting authorization to accept two Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies, awarded through the MassDOT Safe Routes to School (SRTS) program

#140-23Authorization to enter into a 5-year contractHER HONOR THE MAYOR requesting approval to enter into a five-year (5) contract with a
Parking Enforcement Services Vendor

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: <u>ifairley@newtonma.gov</u> or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Finance Committee Agenda Monday, April 24, 2023 Page 2

#138-23 Authorization to enter into a 5-year contract

<u>HER HONOR THE MAYOR</u> requesting the authorization to execute a contract for investment management services for the John C. Chaffin fund with an initial contract term of five (5) years and option to renew for additional three year terms.

Referred to Programs & Services and Finance Committees

#110-23 Request to transfer \$150,000 from Law Department Full Time Salaries <u>HER HONOR THE MAYOR</u> requesting authorization to transfer the sum of one hundred fifty thousand (\$150,000) from Account #0110851-511001 Law Department Full Time Salaries to Account #0110851-530900 Law Department Legal Services to retain outside

counsel to continue the work of Deputy City Solicitor Jeffrey Honig.

Programs & Services Approved 8-0 on 04/12/23

Respectfully submitted,

Rebecca Walker Grossman, Chair



City of Newton, Massachusetts

Office of the Mayor

Telephone (617) 796-1100 Fax

#126-23

(617) 796-1113 TDD/TTY (617) 796-1089 Email rfuller@newtonma.gov

March 28, 2023

Ruthanne Fuller Mayor

> Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

Honorable City Councilors:

I respectfully submit this docket item to the Honorable Council requesting bond authorization of \$1.15 million for the important next step for the Franklin Elementary School, the feasibility study. With the voter's approval of the debt exclusion for the Franklin project on March 14, these funds are now needed to allow the Public Buildings Department and the Franklin community to proceed with the next stage of the project.

Thank you for your consideration of this matter.

Sincerely,

Fuller

Mayor Ruthanne Fuller

RECEIVED

Feasibility Funding Request Scope Narrative

To better understand the feasibility funding request, this document provides a summary of the professional services these resources will help provide. The funding amount and services provided are not unique to a specific project, nor are they unique to Newton. You will see very similar requests and near identical scope in any community starting the feasibility phase of any large capital building project.

Owners Project Manager, OPM:

- Reviewing and assessing the documentation of existing conditions at the Franklin Elementary School and the corresponding educational programs;
- Ensuring that the educational programs are fully understood, updated as necessary, and incorporated into the process;
- Reviewing and assessing the alternative conceptual designs, their constructability, and developing cost estimates for each of the design solutions;
- Identifying community concerns that may impact study options;
- Identifying land takings, if any, that would be required for any or all design options;
- Collaborating with the Designer to develop a detailed comprehensive Project Schedule that incorporates the City of Newton's approval process, to achieve specified start and completion milestones. The Project Schedule anticipates a construction start in 2025.
- Developing a design that is of high quality, efficient, cost effective, and conforms to the educational programs and the Massachusetts High Performance Green Schools Guidelines (MA-CHPS Guidelines) and LEED for Schools at a minimum, and complies with all applicable regulatory requirements including the Massachusetts Stretch Code which has been adopted by the City of Newton. In addition, design teams are directed to the City of Newton – Building Design and Construction Sustainability Guidelines Attachment G for additional requirements.
- Evaluating creative energy efficiency solutions and innovative alternative sustainable design solutions, including but not limited to active/passive solar, geothermal, etc., and identifying alternate funding sources, first costs and paybacks.
- Developing accurate and complete cost estimates, including life cycle cost analysis of operating the School as it relates to future operational budgets.
- Assisting the Owner in determining appropriateness of CM-at-Risk Delivery Method for the Project.
- Assisting the Owner in evaluating Iterative Whole Building Energy modeling at the inception and completion of each phase.
- Engaging with all stakeholders from project outset and ensure a collaborative approach is maintained throughout the design process, including involvement from multiple Owner entities

- Permitting and Approvals Assistance assist the Owner and coordinate with the Designer in identifying other approvals required by any governing agency and coordinating submittal materials for such approvals.
- Information Management assistance in communicating Project details with the public; and development and maintenance of Project Web Site.
- LEED AP Services assist the Owner and coordinate with the Designer as required for submittals, documentation and LEED On-Line for certification of the Project.
- Structural Peer Review coordinate the structural peer review in accordance with the requirements of the Massachusetts State Building Code.
- Construction Phase Testing coordinate materials testing in accordance with the requirements of the Massachusetts State Building Code; and other materials and systems tests as may be identified or required by the Owner.
- Assist the Owner with procuring the services of a Hazardous Materials Consultant, Traffic Engineer, Geotechnical Engineering, Commissioning Agent, Surveyor and any other consultant or consulting services as may be required for this project.
- Act on behalf of the Owner in all matters of program and Project management, designer selection, design review, construction manager or contractor procurement, construction phase and Project closeout services.

Designer, commonly referred to as architect or architectural firm:

The designer is the architect or record, and they provide the professional design services including but not limited to:

- Civil Engineering
- Landscape Architecture
- Structural Engineering
- Fire Protection Engineering
- Plumbing Engineering
- HVAC Engineering
- Electrical Engineering
- Data/Communications
- Environmental Permitting
- Geotechnical Engineering
- Hazardous Materials
- Cost Estimating
- Geo-environmental
- Specification Services
- Acoustical Engineering
- Sustainable Design, Green Design, Renewable Energy Services
- Code Consultant
- Accessibility Services

- Traffic, Transportation, and Parking Services
- FF&E Services
- Site Survey Services
- Security Services

Environmental and Site Testing:

The environmental and site testing funds are used to perform the hazardous material tests and inspection throughout the building and site. This includes but is not limited to testing and/or documenting asbestos and lead containing materials. This also includes the oil tank removal process and associate soil testing, and/or general soil testing across the site. It is important to fully understand the scope and scale of these elements early in the design process, as it impacts project cost and the scope of work. These resources will also provide the funds needed to perform borings and test pits throughout the site to understand the subsurface conditions, as well as a geothermal analysis.

Other:

The "Other" portion of the feasibility funds provides the resources needed to help support the various elements of the feasibility phase mentioned above. This can be anything from obtaining contractual services to open up building walls to test for hazardous materials, to additional professional services not carried with the scope of work assumed for the OPM or Designer but that are critical to advancing the project design through the feasibility phase.

FEASIBILITY STUDY BUDGET

OPM	\$311,000	24.88%
Designer	\$650,000	52.00%
Environmental / Site Testing	\$225,000	18.00%
Other	\$64,000	5.12%
TOTAL	\$1,250,000	100.00%
Less Approved ARPA Funding	(\$100,000)	
TOTAL DOCKET REQUEST	\$1,150,000	



RUTHANNE FULLER MAYOR City of Newton, Massachusetts Office of the Mayor 139-23

Telephone (617) 796-1100

Telefax (617) 796-1113

TDD (617) 796-1089

E-mail rfuller@newtonma.gov

April 11, 2023

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to accept two (2) Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies, awarded through the MassDOT Safe Routes to School (SRTS) program.

This grant from MassDOT SRTS would supply, at no cost to the City, all equipment and foundations for the Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies. They would be installed in the existing School Zone on Lexington Street, behind the Burr Elementary School. The City would be responsible for the installation costs, which we anticipate to be approximately \$5,000, and would be paid for from the DPW Transportation Division operating budget.

Thank you for your consideration of this matter.

Sincerely,

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Ruthanne Fuller Mayor

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City of Newton Ruthanne Fuller Mayor

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER 1000 Commonwealth Avenue Newton Centre, MA 02459-1449

March 31, 2023

To: Jonathan Yeo, Chief Operating Officer

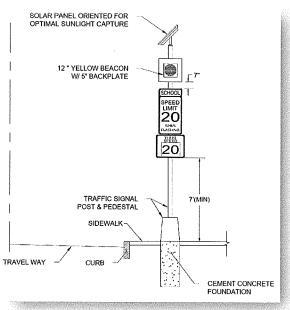
From: James McGonagle, Commissioner

Subject: Request for Docket Item for Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies

We request approval to accept two (2) Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies. We were recently notified by the MassDOT Safe Routes to School (SRTS) program

that Newton was selected in a competitive grant process to receive two Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies. In the grant application, DPW staff worked collaboratively with Newton Public School staff, Newton's local Safe Routes to School group, the Complete Streets Working Group, and the School Transportation Steering Group to identify a specific location for this grant opportunity. Based on those discussions, the grant application for the Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies was submitted for the existing School Zone on Lexington Street, behind the Burr Elementary School. This grant from MassDOT SRTS would supply, at no cost to the City, all equipment and foundations for the Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies. The City would be responsible for the installation costs, which we anticipate to be approximately \$5,000 and would be paid for from the DPW Transportation Division operating budget.

Typical Schematic Drawing of a Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assembly



Sincerely,

James McGonagle Commissioner Public Works

cc: Shawna Sullivan, DPW Deputy Commissioner Jason Sobel, P.E., PTOE, Director of Transportation Operations

Jason Sobel

Subject:

Award of the Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies (Delivery Phase 2 for Municipal Roads)

From: Terlizzi, James V. (DOT) < James.V.Terlizzi@dot.state.ma.us>

Sent: Friday, March 17, 2023 4:34:48 PM

To: Terlizzi, James V. (DOT) <james.v.terlizzi@state.ma.us>

Cc: Polin, Bonnie S. (DOT) <<u>bonnie.polin@state.ma.us</u>; Danila, James (DOT) <<u>james.danila@state.ma.us</u>; DelSignore, Dakota D. (DOT) <<u>dakota.d.delsignore@state.ma.us</u>; Schwartz, Stacey (DOT) <<u>stacey.schwartz@state.ma.us</u>; Gascon, Cassandra (DOT) <<u>cassandra.gascon@state.ma.us</u>; Krevat, Derek (DOT) <<u>derek.krevat@state.ma.us</u>; Briseno, Miranda E. (DOT) <<u>miranda.e.briseno@state.ma.us</u>; MassDOT CommunityGrants <<u>massdotcommunitygrants@state.ma.us</u>} Subject: Award of the Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies (Delivery Phase 2 for Municipal Roads)

Good Afternoon,

Congratulations. This email is being sent to inform you that MassDOT has reviewed and scored your application for the *Combination Dynamic Speed Feedback and School Zone Speed Limit Sign Assemblies*. I'm pleased to inform you that your municipality will be awarded these units under the conditions outlined in the attached Memorandum of Agreement (MOA). The municipality must agree to the terms of the MOA by returning it to MassDOT filled out where indicated and signed by an authorized municipal official. The municipality must also have a school zone established on the section of roadway where these sign assemblies are to be placed or have an expected date in the near-term when the school zone will be established.

MassDOT expects to provide delivery of the sign assemblies via our vendor to your municipality in late spring or early summer and are hopeful that they can be installed prior to the beginning of the 2023/2024 school year. Therefore, it is imperative that your municipality take the necessary steps to have the school zone codified by then if one does not already exist. MassDOT is providing the sign assemblies and delivery of the units at no cost to your municipality. The municipality, or your contractor, will be responsible for installation of the units. Please be reminded that, once installed, a clear line of sight must be maintained between vehicle drivers and the signs and likewise between the assemblies' radars and vehicles, preferably along tangent sections of the roadways. Also, since these units are solar powered, they must be placed away from tree shade or, should that not be possible, near a tree with its branches cleared so that the units' solar panels may gather the necessary solar energy to maintain a charge of the batteries.

Soon, we will be providing you dates and times in late April for virtual training, hosted by our vendor, on how to install the units. Additionally, after the sign assemblies are installed, we will be requiring your municipality to provide a download of speed data gathered by the dynamic speed feedback signs and to provide delivery of that data to MassDOT. Instruction on how to do this will also be covered in a training.

We ask that you provide us information, such as delivery location for the assemblies and points of contact within your municipality, using the survey form at the following link: <u>https://arcg.is/1eCbai0</u>. We request that you also upload a copy of your signed MOA to this survey form. Please fill out this form and submit it to us with the signed MOA attached by the close of business on Friday, March 24, 2023. Do note that this notice is being sent to your municipality's grant applicant and the municipal contact that was given, so please coordinate with one another and your public works official to return only one filled out survey form with the MOA.

We look forward to working with you and, should you have any questions or concerns, please feel free to reach out to us by email or call me at (978) 771-1125.

Regards, Jim Terlizzi



James Terlizzi, P.E. | Highway Safety Engineer MassDOT | Highway Division | Traffic Safety Section 10 Park Plaza Suite 7520 | Boston, MA 02116 Email: James.V.Terlizzi@dot.state.ma.us Follow us on Twitter @MassDOTSafety



RUTHANNE FULLER

MAYOR

City of Newton, Massachusetts Office of the Mayor (617) 796-T100 Telefax (617) 796-1113 TDD (617) 796-1089 E-mail rfuller@newtonma.gov

April 11, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to enter into a five-year contract with a Parking Enforcement Services vendor.

This vendor will provide services to three City Departments, and also will provide the City with parking enforcement hardware, parking payment collection services, and a parking ticket adjudication portal for appealed parking tickets. The vendor will also interface with the Massachusetts Registry of Motor Vehicles (RMV) on behalf of the City.

These services were last bid out in 2014, with a five-year initial contract (which has been extended since that time). We plan to go out to bid for these services this spring.

The reason for a five-year authorization is because changing vendors for these Parking Violation Process and Collection Services, should we choose to make a change through the bid process, requires a significant amount time and effort from the previous vendor, the new vendor, and City staff, over many months to ensure a smooth transition. Five-year contracts are what the City has traditionally done for these services.

Per MGL, Chapter 30B, §12, a majority vote of the City Council is required to enter into any contract, greater than three years.

Thank you for your consideration of this matter.

Sincerely,

Richanne Fuller

Ruthanne Fuller Mayor

SSS VER IT EN #: 03 RECEINED City of Newton Ruthanne Fuller Mayor

DEPARTMENT OF PUBLIC WORKS OFFICE OF THE COMMISSIONER 1000 Commonwealth Avenue Newton Centre, MA 02459-1449

March 31, 2023

To: Jonathan Yeo, Chief Operating Officer Maureen Lemieux, Chief Financial Officer

From: James McGonagle, Commissioner

Subject: Request for Docket Item for 5-year contract duration for Parking Enforcement Services

The Department of Public Works (DPW), in conjunction with Newton Police Department and the City's Treasury Department, like to request approval to enter into a 5-year contract with a vendor for Parking Violation Process and Collection Services. This vendor will provide services to three City Departments, and provides the City with parking enforcement hardware, the parking payment collection services, interfaces with the Massachusetts Registry of Motor Vehicles (RMV) on behalf of the City, and provides a parking ticket adjudication portal for appealed parking tickets. These services were last bid out in 2014, with a five-year initial contract (which has been extended since that time).

Any change vendor for these Parking Violation Process and Collection Services requires a significant amount time and effort, from the previous vendor, the new vendor, and City staff, over many months to ensure a smooth transition.

Sincerely,

James McGonagle Commissioner Public Works

cc: Shawna Sullivan, DPW Deputy Commissioner Jason Sobel, P.E., PTOE, Director of Transportation Operations Capt. Damien Doucette, NPD Ron Mendes, City Treasurer



RUTHANNE FULLER

MAYOR

City of Newton, Massachusetts Office of the Mayor (617) 798-1100 Telefax (617) 796-1113 TDD (617) 796-1089 E-mail rfuller@newtonma.gov

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April 12, 2023

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

Dear Councilors:

I write to request that your Honorable Council docket for consideration a request to approve a solicitation that seeks to award a contract for a term more than three (3) years pursuant to the provisions of G.L. c.30B, §12.

The City Treasurer, in collaboration with the Trustees of the John C. Chaffin Education Fund, and the Chief Procurement Officer request authorization to execute a contract for investment management services for the John C. Chaffin fund with an initial contract term of five (5) years and an option to renew for two additional three-year terms.

The current fund manager's prior contract has expired, and we are required to solicit a new investment management contract for this trust fund. The long-term investment strategy that this trust fund uses makes hiring an investment firm for a longer term than the traditional three (3) year term allotted for the typical municipal contract more beneficial.

Thank you for your consideration of this matter.

Sincerely,

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Ruthanne Fuller Mayor



CITY OF NEWTON, MASSACHUSETTS TREASURY DEPARTMENT

Ruthanne Fuller, Mayor M. Ronald Mendes, Esq. CMMT, CMMC City Treasurer/Collector Office: (617) 796-1336 Cell: (617) 680-0629 Email: rmendes@newtonma.gov

April 11, 2023

Hon. Ruthanne Fuller, Mayor Newton City Hall 1000 Commonwealth Ave. Newton Centre, MA 02549

Dear Mayor Fuller:

In collaboration with the Trustees of the John C. Chaffin Education Fund, the Chief Procurement Officer and I have prepared a request for proposals for investment management services for the assets of the John C. Chaffin Education Fund with an initial contract term of five (5) years, and an option to renew for two (2) additional three (3) year terms. The contract will provide the City with the option of terminating the fund manager at any time.

It is my understanding that the City Council must vote to approve a solicitation that seeks to award a contract for a term more than three (3) years pursuant to the provisions of G.L. c. 30B, §12.

Accordingly, I respectfully request that you docket an item with the Board to seek approval to issue a request for proposals for fund management services for the John C. Chaffin fund with an initial contract term of five (5) years and an option to renew for two additional three-year terms.

In 2013 the, then, Board of Aldermen, approved a contract with a three (3) year term and an option to renew for two additional three (3) year terms. That contract was subsequently awarded to Brown Brothers Harriman. Since we have exhausted the final option to renew under the previous contract, we must complete the process of soliciting a new investment management contract.

The Chaffin Trustees and I believe that the long-term investment strategy that has served this trust fund necessitates hiring an investment management firm for a longer term than the traditional three (3) year term allotted for the typical municipal contract. This contract includes language that allows the Chaffin Trustees and myself to terminate the contact at any time.

Very truly yours,

M. Ronald Mendes, Esq. CMMT, CMMC City Treasurer/Collector

cc:

Nick Read, Chief Procurement Officer Elizabeth Smith, Chair, Chaffin Fund Board of Trustees



RUTHANNE FULLER MAYOR City of Newton, Massachusetts

Office of the Mayor

2023 MAR 13 PM 4: 42

CITY CLERK NEWTON MA. 02459

#110-23

Telephone (617) 796-1100

Telefax (617) 796-1113 TDD (617) 796-1089 E-mail rfuller@newtonma.gov

March 13, 2023

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$150,000 from Account # 0110851-511001 Law Department Full Time Salaries to Account # 0110851-530900 Law Department Legal Services.

As you know, our Deputy City Solicitor, Jeffrey Honig, passed away tragically and suddenly on October 16, 2022. Having served the City for more than twelve years, Jeff was an integral part of the Law Department. His passing has required us to hire outside counsel to continue much of the work that he was doing.

I thank you for your consideration of this matter.

Sincerely,

Fuller

Ruthanne Fuller Mayor

LAW DEPARTMENT



CITY SOLICITOR ALISSA O. GIULIANI

DEPUTY CITY SOLICITOR JONAH M. TEMPLE ASSISTANT CITY SOLICITORS ALAN D. MANDL JACLYN R. ZAWADA ANDREW S. LEE CAROLYN A. WEISMAN JENNIFER M. WILSON KRISNA M. BASU JENNIFER S. KELLY CITY OF NEWTON, MASSACHUSETTS CITY HALL 1000 COMMONWEALTH AVENUE NEWTON CENTRE, MA 02459

TELEPHONE (617) 796-1240 FACSIMILE (617) 796-1254

March 13, 2023

Ruthanne Fuller, Mayor City of Newton 1000 Commonwealth Avenue Newton Centre, MA 02459

RE: Outside Counsel for Labor Matters

Dear Mayor:

As you know, the sudden passing of our dear colleague Jeff Honig on October 16, 2022 left a void in managing our labor relation matters with City unions for the time being. Other staff in the office are busy handling a number of grievances, arbitrations and negotiations, but I find it necessary at this time to enlist the temporary assistance of outside counsel to handle contract negotiations with the city unions as we begin those bargaining sessions to reach successor agreements.

I have engaged labor counsel at Murphy, Hesse, Toomey and Lehane, LLP (MHTL) to assist us in this work. I am confident that their expertise will be a benefit to the City in these negotiations. MHTL has agreed to continue to support the City of Newton until the Law Department is able to hire labor counsel to pick up the work that Jeff handled for the City.

In order to cover these unexpected legal costs, I request additional funding be added to the Law Department's budget for legal services.

Very truly yours,

Alisia Chilan

Alissa Giuliani

cc: Maureen Lemieux, CFO

CITY OF NEWTON

IN CITY COUNCIL

DRAFT

ORDERED:

That, in accordance with the recommendation of the Finance Committee through its Chair Rebecca Walker Grossman and the Programs & Services Committee through its Chair Joshua Krintzman, authorization to transfer the sum of one hundred fifty thousand dollars (\$150,000) from Acct #0110851-511001 (Law Department – Full Time Salaries) to Acct # 0110851-530900 (Law Department- Legal Services) be and is hereby approved as follows:

FROM:	Law Department – Full Time Salaries (0110851-511001)	\$150,000
TO:	Law Department – Legal Services (0110851-530900)	\$150,000

Under Suspension of Rules Readings Waived and Approved DRAFT

(SGD) CAROL MOORE City Clerk (SGD) RUTHANNE FULLER Mayor

Date: _____