



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



MINUTES

MassDOT BOARD MEETING OF OCTOBER 21, 2015

At the call of the Chair, a Meeting of the Board of Directors of the Massachusetts Department of Transportation was held at the State Transportation Building, MassDOT Boardroom, Suite 3830, Boston, MA.

Those present were: Misses Bonsignore, Secretary Pollack - Chair, Taylor, Tibbits-Nutt, Calise and Messrs. Blue, Gittlen, Mazzarella, Moylan, Sullivan and Poftak being a quorum of the Board of Directors of the Massachusetts Department of Transportation.

Also present were Messrs. Frank DePaola, General Manager, Tom Tinlin, Highway Administrator, Erin Devaney, Registrar of Motor Vehicles, Jeffrey DeCarlo, Aeronautics Administrator, John Englander, MassDOT/MBTA General Counsel, Owen Kane, Senior Counsel to the Board, Joe Pesaturo, Michael Verseckes and Christine Ciampa.

The Chair, Secretary Pollack, presided.

Chair Pollack called the Open Meeting to Order and presented the order of business.

Chair Pollack opened up public comment period.

The first speaker was Louise Baxter from the TRU who asked the Board not to privatize any services.

Next was approval of the minutes of the September 9, 2015 Board minutes.

On motion duly made and seconded, it was;

VOTED: to approve the minutes of the September 9, 2015 meeting.

Director Blue abstained from voting.

Next the Chair gave her Secretary's Report. She updated the Board on the status of federal legislation, the Reauthorization Transportation Bill. She also invited Board members to the 'Moving Together Conference' that would be taking place at the Park Plaza Hotel on November 4, 2015. Secretary Pollack next updated the board on a project staff was working on which involved putting ground-mounted solar arrays on excess land owned by the Highway Department which, when completed, will generate 5.5 megawatts of power. The program will also generate revenue for MassDOT and the cities and towns in which they are located at no cost to MassDOT. The company MassDOT is partnering with, Ameresco Solar, will pay all of the up-front capital costs. Lastly, the Secretary updated the board on an event called 'Open for Business' that took place on October 19, 2015. Over 300 companies came to the State Transportation Building and were available to talk to folks about ideas for how to lease and use MassDOT's land and increase self-generated revenue in partnership with the business community. Staff from MassDOT, MBTA and DCAM participated.

Next the Secretary gave a presentation on the MassDOT/MBTA 5-year Capital investment Plan. She also announced a series of public meetings called

'Capital Conversations', an intensive public outreach in October and early November, focused on public ideas and recommendations for capital investments.

Director Sullivan commended the Secretary on the well thought-out plan and inquired whether or not there was an amount on what the state would be getting from the federal authorization and from the statewide capital plan? The Secretary said the options will unfold in early 2016 as to what the state allocations will be.

Next the Secretary identified a speaker that was signed up to speak. Kyle Dexter, a field representative from Teamsters Local 25 spoke on behalf of over 500 members that are employed by TheRIDE.

Next Aeronautics Administrator gave a presentation on the Aeronautics Division, the state regulatory agency which oversees the 36 public-use general aviation airports throughout the Commonwealth.

Next Highway Administrator Tom Tinlin updated the board on the tunnel light system which is inspected ever six months. On September 15th, as part of routine inspection activity, MassDOT's inspection contractor found a cracked nut on a single light fixture in the Ted Williams Tunnel. At that point inspection activity was ordered to focus on these fixtures. As of September 29th, the inspection contractor identified a series of 41 additional cracked nuts and, after verifying that these cracked nuts did not pose a safety risk, meetings were held to review the initial inspection findings and develop a plan to conduct the

complete inspection of every light fixture in the Ted Williams Tunnel, I-90 Connector, and I-93 tunnels in order to flag these fixtures for corrective maintenance and address the issue promptly. Although the fixtures will require corrective maintenance, **they are not in danger of falling**. Each fixture is held up by a unistrut system consisting of a total of six nuts and bolts; the number of cracked nuts per fixture is sporadic. The interlocking wire way system also provides a redundant system that holds the fixtures into place.

As of the most recent inspection, MassDOT inspectors have examined over 43,000 linear feet of lighting, representing approximately 22% of the total number of linear feet of lighting in the tunnels. A total of 664 nuts have been identified with cracks and have been flagged. For comparison, District 6 estimates that there are approximately 150,000 total bolts in these tunnel systems.

Director Sullivan asked what the cost would be and Mr. Tinlin said the nuts are part of the inventory and he does not know at this time. Directors Moylan and Poftak also had questions relating to tunnel maintenance and water leaks in the tunnels.

Next Registrar Erin Deveney presented Agenda Item number 6 “War on Wait Times,” a presentation on ways the Registry is improving customer experience and increasing use of alternative service options.

Next, Dave Anderson, Deputy Chief Engineer for Design, presented Agenda Item number 7, a request to award and authorization to execute the contract entitled “West Boylston–Worcester –Highway Construction and related work including resurfacing, barrier replacement and bridge deck and joint repairs of nine bridges along a section of Interstate 1-190”, with SPS New England Inc. in the amount of \$21,717,445.93. On motion duly made and seconded, it was:

VOTED:

That the Secretary/CEO be, and hereby is, authorized to execute, in the name and on behalf of the Department, and in a form approved by General Counsel, a certain Highway Division Contract No. 86883 entitled, “West Boylston Worcester – Highway Construction and Related Work (including Resurfacing, Barrier Replacement and Bridge Deck and Joint Repairs of 9 Bridges along a Section of Interstate I-190”) with SPS New England Inc. in the amount of \$21,717,445.93 based upon a schedule of unit prices, said contractor being the lowest responsible and eligible bidder in response to requests for sealed proposals.

Next, Bill Tuttle, Director of Projects in the Office of Real Estate and Asset Development presented Item number 8, the authorization to negotiate and execute agreements for the Parcel 13-Hynes Station, with the Peoples Corporation.

Director Mazarella commended the progress of this project and said this will have a huge impact on the surrounding areas. He said cost overruns can get excessive and that the nearby neighbors who benefit and own real estate in that area should step up and help with any cost overruns, they should be shared with MassDOT. The Secretary said the vote today was on the air rights only, that

the only thing at risk was the \$5 million to design the station, and the Board did not have to commit to funding the cost of the station at this time. Director Taylor said the vote as written today stated “the development” and would like the vote to be amended by inserting the word “air rights” so that it would be clearer and not be construed the Board was voting on the “the development.”

Director Sullivan asked if the BRA was on board with this project, and Mr. Tuttle said the BRA was very enthusiastic and will have a role with this project. Director Gittlen asked if there was a timeline on permitting, and Mr. Tuttle said it would take three years to do all of the permitting which would go through a public process.

On motion duly made as amended and seconded, it was:

VOTED:

The MassDOT Board of Directors hereby authorizes the Secretary & CEO in the name of and on behalf of MassDOT and in a form approved by the General Counsel, to negotiate and execute a development agreement, a lease, and any and all other instruments and agreements necessary or convenient to effectuate the transactions with TPC Boston Parcel 13 Holdings, LLC or an affiliated single purpose entity for the development of the Air Rights Parcel 13 site, such development agreement to include the terms upon which MassDOT may enter into a lease or leases for the development (which terms may include a form of lease), all consistent with the Term Sheet between MassDOT and TPC Boston Parcel 13 Holdings, LLC dated as of October 1, 2015 (the “Term Sheet”).

Said development agreement and lease and any other necessary instruments and documents shall contain such terms and conditions as determined to be necessary and/or advisable by the General Counsel to document the terms and conditions set forth in the Term Sheet.

Next, at the advice of Board Counsel Owen Kane, Vice Chairman Steve Poftak called to order the Fiscal Management Control Board so the meeting could be jointly held with the MassDOT Board. Secretary Pollack next updated both boards with a presentation on the Green Line Extension.

Director Bonsignore was comfortable with the approach the Secretary was taking, and asked if there was a way for staff to reach out to industry in a timely fashion to gauge whether there is the right environment to do something different with this project going forward. Secretary Pollack said the idea has come up and the consultant, Nossman, has done this before by holding an 'industry day' and the idea is on the table. Director Mazzarella asked that Secretary what was the ultimate goal with the ongoing analysis? The Secretary said the goal is to bring the cost down and come back to the boards and the Governor with recommendations. Director Mazzarella said staff should look into value sharing because the communities will be benefitting from this extension, and the Secretary agreed and said staff is engaged in these conversations.

Next, Vice Chair Steven Poftak updated the MassDOT Board with a report from the Fiscal Management Control Board. On motion duly made and seconded, it was:

VOTED: To adjourn at 3:45pm.

Documents used for this reports

Minutes for September 9, 2015

Aeronautics Division PP presentation

RMV Customer Service Improvement Update PP presentation

Tunnel Maintenance PP Presentation

West Boylston-Worcester Highway Construction Staff Summary

Parcel 13/Hynes Station Staff Summary

GLX PP presentation