

HOUSE No. 4432

The Commonwealth of Massachusetts

PRESENTED BY:
Steven M. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:
**AN ACT AUTHORIZING AN ALTERNATIVE MODE OF DESIGN AND CONSTRUCTION
FOR THE RELOCATION AND REPLACEMENT OF A WATER LINE UNDER THE
SAUGUS RIVER .**

PETITION OF:

NAME: Steven M. Walsh	DISTRICT/ADDRESS: 11th Essex
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The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AUTHORIZING AN ALTERNATIVE MODE OF DESIGN AND CONSTRUCTION FOR THE RELOCATION AND REPLACEMENT OF A WATER LINE UNDER THE SAUGUS RIVER .

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make
Whereas, the deferred operation of this act would tend to defeat its purpose, which is to authorize
forthwith an alternative method of design and construction for the relocation and replacement of an active
water line of the Massachusetts water resources authority so that its replacement may be coordinated with
the scheduled construction of related bridge and roadway improvements which require the removal of the
existing water line by the Massachusetts department of transportation, therefore it is hereby declared to be
an emergency law, necessary for the preservation of the public convenience., therefore it is hereby
declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of sections 38A 1/2 to 38O, inclusive, of chapter 7 of the General Laws, the provisions of sections 44A through 44M, inclusive, of chapter 149 of the General Laws, the provisions of section 39M of chapter 30 of the General Laws, the provisions of section 14 of chapter 149A, or any other general or special law or regulation providing for, or relating to the planning, design, construction or improvements to real property, the Massachusetts water resources authority is hereby authorized to utilize such alternative means of procurement for the design and construction, as the authority determines to be reasonable and prudent in the circumstances, of a project involving the relocation and replacement of an authority water line within the city of Lynn and the town of Saugus crossing under the Saugus River, together with such appurtenances as it deems necessary, given that a replacement line is made necessary by and must be coordinated with the removal of the existing line so as to allow for both continuity of water service and for construction of planned bridge and roadway facilities and improvements along state route 107 within said city now under design by the Massachusetts department of transportation, but shall publicly advertise any form of solicitation within the COMPASS system and in the central register not less than 2 weeks before statements of qualifications, bids or proposals are due. The authority shall either retain the services of an owner's representative, using the authority's existing procurement methods for professional services, or establish a staff position for an owner's representative, who shall advise the authority during the development of design and construction standards and provide other appropriate advice for the project. Design and construction contractors for the above project shall be required to pay the prevailing wage rates in accordance with the provisions of sections 26 to 27H inclusive of chapter 149 of the General Laws that would be applicable as if the contracts were to be awarded under the aforesaid provisions of the General

Laws and shall further be required to certify that it is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the project.