

# HOUSE . . . . . No. 04193

By [SPONSOR PREFIX] NONE of North Andover, a petition (accompanied by bill, House, No. 4193) of [PETITIONERS LIST] [BACKING TEXT]. Senate Bonding, Capital Expenditures and State Assets .

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand Twelve  
\_\_\_\_\_

### AN ACT FINANCING IMPROVEMENTS TO THE COMMONWEALTH'S TRANSPORTATION SYSTEM.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to finance improvements to the commonwealth's transportation system, 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:*

- 1 SECTION 1. To provide for a program of transportation development and improvements, the
- 2 sums set forth in sections 2 to 2D, inclusive, for the several purposes and subject to the
- 3 conditions specified in this act, are hereby made available, subject to the laws regulating the
- 4 disbursement of public funds. The sums appropriated in this act shall be in addition to any
- 5 amounts previously appropriated and made available for these purposes.

6 SECTION 2.

7 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

8 Highway Division

9 6121-1215 For projects on the interstate federal aid highway system; provided, that funds may be  
10 expended for the costs of these projects including, but not limited to, the nonparticipating  
11 portions of these projects and the costs of engineering and other services essential to these  
12 projects, rendered by Massachusetts Department of Transportation employees or by consultants;  
13 provided, further, that amounts expended for department employees may include the salary and  
14 salary-related expenses of these employees to the extent that they work on or in support of these  
15 projects; provided, further, that notwithstanding this act or any other general or special law to the  
16 contrary, the department shall not enter into any obligations for projects which are eligible to  
17 receive federal funds under this act unless state matching funds exist which have been  
18 specifically authorized and are sufficient to fully fund the corresponding state portion of the  
19 federal commitment to fund these obligations; and provided, further, that the department shall  
20 only enter into obligations for projects under this act based upon a prior or anticipated future  
21 commitment of federal funds and the availability of corresponding state funding authorized and  
22 appropriated for this use by the general court for the class and category of project for which this  
23 obligation applies.....\$225,000,000

24 6121-1216 For federal aid projects on the non-interstate federal highway system; provided, that  
25 funds may be expended for the costs of these projects including, but not limited to, the  
26 nonparticipating portions of these projects and the costs of engineering and other services  
27 essential to these projects rendered by Massachusetts Department of Transportation employees

28 or by consultants; provided, further, that amounts expended for department employees may  
29 include the salary and salary-related expenses of these employees to the extent that they work on  
30 or in support of these projects; provided, further, that notwithstanding this act or any other  
31 general or special law to the contrary, the department shall not enter into any obligations for  
32 projects which are eligible to receive federal funds under this act unless state matching funds  
33 exist which have been specifically authorized and are sufficient to fully fund the corresponding  
34 state portion of the federal commitment to fund these obligations; and provided, further, that the  
35 department shall only enter into obligations for projects under this act based upon a prior or  
36 anticipated future commitment of federal funds and the availability of corresponding state  
37 funding authorized and appropriated for this use by the general court for the class and category  
38 of project for which this obligation applies; that not less than \$450,000 shall be expended for the  
39 remaining design plan for the Summer St.-Improvement Project located in the cities of  
40 Fitchburg, Leominster and Lunenburg.....\$525,000,000

41 SECTION 2A

42 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

43 Highway Division

44 6121-1217 For the design, construction and repair of, or improvements to, non-federally-aided  
45 roadway and bridge projects and for the nonparticipating portion of federally-aided projects;  
46 provided, that the costs of professional personnel directly and exclusively involved in the  
47 construction, planning, engineering and design of the projects funded herein may be charged to  
48 this item, and any other associated costs; provided, further, that those costs shall not be classified  
49 as administrative costs; and provided, further, that the amounts specified in this item or for a

50 particular project may be adjusted in order to facilitate projects relating to the design,  
51 construction, repair or improvement to nonfederally-aided roadway projects; provided further,  
52 that \$200,000 shall be expended for the design of the Bruce Freeman Rail Trail Construction  
53 (Phase 2B) in the towns of Acton and Concord; provided further; that \$250,000 shall be  
54 expended for a rail trail in the towns of Needham, Dover and Medfield; provided further, that  
55 \$1,500,000 shall be expended for the completion of work at the Blossom St. Extension and for a  
56 one time purchase of a commuter water shuttle for the operation of the Lynn-Boston commuter  
57 ferry line in the city of Lynn; provided further, that \$250,000 shall be expended for the study and  
58 design of a new bridge spanning the Merrimack River in the town of Tyngsborough; provided  
59 further, that \$500,000 shall be expended for the design of a train with rail in the Grand Junction  
60 corridor so that future improvements of rail tracks can be coordinated with the design in the city  
61 of Cambridge; provided further, that \$1,000,000 shall be expended for the design and  
62 construction of the Inlet Bridge at North Point in the city of Cambridge; provided further, that  
63 \$1,000,000 shall be expended for the reconstruction and widening of route 114 between the city  
64 of Lawrence and the town of North Andover; provided further, that \$800,000 shall be expended  
65 for the reconstruction and widening of route 110 in the city of Methuen; provided further, that  
66 \$300,000 be expended for the construction of a new parking deck in the downtown core, known  
67 as the Gaslight District, in the city of Westfield; provided further, that \$250,000 shall be  
68 expended for improvement designs to the intersection at Williams Street and the Owen Gorden  
69 River Parkway in the city of Taunton; provided further, that \$500,000 shall be expended for the  
70 Access to State-owned Land program, pursuant to subsection (n) of section 3 of chapter 811 of  
71 the Acts of 1985; provided further, that \$250,000 shall be expended for the resurfacing of Clark  
72 Street, from Park Street to the Templeton town line, in the city of Gardner; provided further, that

73 \$1,000,000 shall be expended for the design of the Rapid Transit Handicap Accessibility project  
74 for the Auburndale commuter rail in the city of Newton; provided further, that \$100,000 shall be  
75 expended for a study on the feasibility of constructing sidewalks on Bearses Way intersecting  
76 with Route 28 and Walton Avenue intersecting with Route 28 in the town of Hyannis; provided  
77 further, that that \$250,000 be expended for planning, engineering and construction of a traffic  
78 signal at the intersection of Middlesex Avenue and Main Street in the town of Wilmington;  
79 provided further, that not less than \$250,000 shall be expended for overpass restoration and  
80 improvements on Route 149 where it crosses over Route 6 in the town of Barnstable; provided  
81 further, that not less than \$1,035,000 shall be expended for the design and reconstruction of the  
82 intersection of Sewall, Center, State and East Streets in the Town of Ludlow; provided further,  
83 that \$500,000 shall be expended for safety improvements and signalization at Elm street at  
84 Westfield street in the city of West Springfield; provided further that not less than \$300,000 be  
85 expended for design and construction of Rt. 140 between Mile Hill Road and Gatehouse Road in  
86 Westminster; provided, that \$250,000 shall be expended for the construction of sidewalks in the  
87 South street bridge area and along the section of Manley street from West Center street to West  
88 street, all in the town of West Bridgewater; provided further, that no less than \$250,000 shall be  
89 expended for private ways, curbing, and sidewalk improvements for the city of Springfield;  
90 provided further, that not less than \$500,000.00 shall be expended for the design and  
91 construction of the Padanaram Bridge Rehabilitation Project in Dartmouth; provided further the  
92 the Alden Road from the Bridge Street Intersection to Main Street (to the Acushnet Town Line)  
93 be reconstructed with upgrades of ADA accessibility ramps/sidewalks; and provided further, that  
94 not less than \$3,000,000 shall be expended for the construction of a bridge over the MBTA  
95 railroad right of way on Main Street at the intersection of Boardman Street in Norfolk on the

96 condition that the town of Norfolk agrees to pay to the general fund of the Commonwealth the  
97 sum of \$2,000,000, in equal payments each year for 20 years commencing in fiscal year 2018, to  
98 reimburse the cost of the bridge construction; provided further that not less than \$300,000 shall  
99 be expended for the design and reconstruction of the intersection at Pomeroy Meadow Road,  
100 Loudville Road, Glendale Street and West Street in the City of Easthampton; provided further,  
101 that not less than \$400,000 shall be expended for the design, reconstruction and improvement of  
102 Route 47, Bay Road, Knightly Road, Bristol Lane, North Maple Street and Rocky Hill Road in  
103 the Town of Hadley; provided further, that not less than \$600,000 shall be expended for the  
104 design and reconstruction and improvement of the Maple Street intersection and the Falls area in  
105 the Town of South Hadley; provided further, that \$750,000 shall be expended for the planning,  
106 design and construction of the lower, double barrel culverts of the Quequechan River under the  
107 MBTA railroad right of way at Battleship Cove in the City of Fall River; provided further, that  
108 \$350,000 shall be expended for improved traffic signalization at the entrance to Caritas Holy  
109 Family Hospital on East Street in the City of Methuen; provided further, that not more than  
110 \$1,900,000 shall be expended for the repair and reconstruction of the Oyster Harbor Bridge that  
111 carries Bridge Street over the channel connecting West Bay and North Bay in the Village of  
112 Osterville in the Town of Barnstable; provided further, that not less than \$200,000 shall be  
113 expended for a project to increase access to the Mansfield Train Station commuter parking lots in  
114 the town of Mansfield; provided further, that \$100,000 shall be expended for the purpose of  
115 completion of construction of the Sea street bridge between Marshfield and Scituate; provided  
116 further, that not less than \$200,000 shall be expended for the design and reconstruction of the  
117 Vernon Street Roadway Improvements in Wakefield; provided further, that not less than  
118 \$300,000 shall be expended for the Highlands Infrastructure Improvements in Melrose; provided

119 further, that \$4,575,000 shall be expended for the Winthrop street corridor project in the town of  
120 Winthrop; provided further, that \$475,000 shall be expended for the Walk Winthrop initiative in  
121 the town of Winthrop; provided, further, that not less than \$150,000 shall be expended for  
122 design, planning, and improvements of High street in the town of Bridgewater; provided further,  
123 that not less than \$150,000 shall be expended for the rehabilitation of the South street east bridge  
124 in the town of Raynham; provided further, that not less than \$250,000 shall be expended for  
125 design of comprehensive improvements to the John Fitch highway in the city of Fitchburg, per  
126 study by the Urban Land Institute and ongoing Master Plan; provided further, that not less than  
127 \$5,100,000 shall be expended for the purposes of reconstruction of roads, sidewalks, drainage,  
128 and paving in the town of Plymouth; provided further, that not less than \$250,000 shall be  
129 expended for the erection of a vehicular traffic-control signal on Route 37 in the town of  
130 Braintree; provided further, that \$100,000 shall be expended for the study, design, planning and  
131 construction of intersection improvements at the intersection of route 27 and Concord street in  
132 the town of Maynard; provided, that not less than \$345,000 shall be expended for the design of  
133 the Cox Street bridge replacement over the Assabet River in the tow of Hudson; provided  
134 further, that not less than 150,000 shall be expended for traffic flow improvements on  
135 Washington Street in the town of Braintree; provided further, that not less than \$100,000 shall be  
136 expended for improvements to the Disabled American Veterans Memorial Highway in the town  
137 of Braintree; provided further, that not less than \$3,000,000 shall be expended to improve the  
138 John F. Kennedy memorial highway south of Elm street in New Bedford and intersecting streets,  
139 which shall include improvements to car and pedestrian access across the highway to the  
140 waterfront; provided further, that not less than \$2,500,000 shall be expended to improve access  
141 to the south terminal in New Bedford; provided further that \$150,000 shall be expended for

142 planning, design and construction related to the Hopping Brook cross culvert beneath Route 16  
143 in the Town of Holliston; provided further that not less than \$100,000 shall be expended for  
144 planning, design and construction to provide limited public access from Massachusetts Turnpike  
145 service plaza road in Hopkinton to the Massachusetts Turnpike via the Westborough Service  
146 Plaza; provided further that not less than \$1,000,000 shall be expended for improvements to the  
147 Massachusetts Central Rail Trail along the corridor extending through the Towns of Wayland  
148 and Weston; provided that not less than \$200,000 shall be expended for sidewalk repairs along  
149 Route 3A Northbound in East Chelmsford, near the Lowell line, including installation of a raised  
150 curb and sidewalk repaving; provided further that no less than \$5,000 shall be expended for the  
151 Department of Transportation to erect three signs providing directions to the Iwo Jima World  
152 War II Memorial located at Bicentennial Park in Fall River; provided further that no less than  
153 \$300,000 shall be expended for the Town of Berkley for permitting, engineering, total  
154 replacement; and for the prevention of future deterioration and total collapse due to chronic  
155 flooding of the Bayview road and culvert at Bayview Road and Shore Road, in the Town of  
156 Berkley; \$800,000 for Design, Construction, Right-of-Way Assembly, and related project costs  
157 for transportation improvements to support the Tanner Street Redevelopment Plan in the City of  
158 Lowell; provided further, that not less than \$600,000 shall be expended for replacement of  
159 culverts and the repair of Sword Street in Town of Auburn; provided further, that \$500,000 shall  
160 be expended for the upgrade of traffic signals at the intersection of route 28/Main street and  
161 North street in the town of Stoneham; provided, further, that \$1,750,000 shall be expended for  
162 the design and reconstruction of route 99 in the city of Malden; provided further, that \$150,000  
163 shall be expended for the upgrade of traffic signals at the intersection of Main street, Skillings  
164 road and Lake street in the town of Winchester; provided further, that \$100,000 shall be



165 expended for the upgrade of traffic signals at the intersection of Marble street and Park street, in  
166 the town of Stoneham; provided further, that \$100,000 shall be expended for the planning and  
167 installation of a traffic signal at the intersection of state highway route 16 and Hartford Avenue  
168 in the town of Mendon; provided further, that no more than \$300,000 shall be expended to  
169 reconstruct North Avenue in Mendon and provide signalization at the intersection of North  
170 Avenue and Hastings; provided further, that no more than \$100,000 shall be expended for the  
171 design, permitting, construction and right-of-way acquisition for Phase I of the Veterans  
172 Memorial Drive/Alternate Route project in Milford; provided further, that not less than  
173 \$2,100,000 shall be expended for the planning, design, construction, and any other associated  
174 costs for transportation improvements at the intersection of Route 30 (South Avenue) and  
175 Wellesley Street in the town of Weston; provided further, that not less than \$2,500,000 shall be  
176 expended for the planning, design, construction, and any other associated costs for drainage  
177 improvements along Route 9 adjacent to Boulder Brook and Morses Pond in the Town of  
178 Wellesley; provided further, that the Department of Transportation shall expend not more than  
179 \$250,000 on a Street Scape Project to re-work and energize Goeres Square (Rt. 28) in the town  
180 of Avon; provided further, that the Department of Transportation shall expend not more than  
181 \$500,000 for road improvements to the Avon Industrial Park in the town of Avon; provided  
182 further, that not less than \$500,000 be expended for signalization improvements at the  
183 intersection of Ethyl Way, Erin Road, and Central Street in the Town of Stoughton, including,  
184 but not limited to, installation of a traffic light and improvements to the roadway and sidewalks;  
185 provided further, that not less than \$500,000 be expended for signalization improvements at East  
186 Spring Street, East Main Street (Route 28), and West Spring Street in Avon. These lights shall  
187 be coordinated with the lights at the intersection of Harrison Boulevard and East Main Street

188 (Route 28) in Avon; provided further, that not less than \$250,000 shall be expended for the  
189 reconstruction of the Tiffany Street intersection in the city of Attleboro; provided further, that  
190 \$1,000,000 shall be expended to remove the center bascules of the Brightman Street Bridge  
191 spanning the Taunton River between the Town of Somerset and the City of Fall River; provided  
192 further, that \$3,000,000 may be expended to raze the Brightman Street Bridge spanning the  
193 Taunton River between the Town of Somerset and the City of Fall River; provided that not less  
194 than \$800,000 shall be expended for construction for a bicycle path with lighting and related  
195 streetscape amenities for the Slade's Ferry Landing Redevelopment Project located within the  
196 town of Somerset; provided further, that \$1,000,000 shall be expended for the Main street  
197 improvement project in the city of Malden; provided further, that not less than \$1,000,000 shall  
198 be expended for a parking control system in the downtown area of the city of Medford; provided  
199 further, that \$1,000,000 shall be expended for the Medford square roadway project in the city of  
200 Medford; provided further, that \$30,000 shall be expended for countdown pedestrian signals at  
201 various intersections in the city of Malden; provided further, that not less than \$930,000 shall be  
202 expended for design and reconstruction of the intersection of Exchange street, Curve street and  
203 Plain street in the town of Millis; provided further, that not less than \$200,000 shall be expended  
204 for the reconstruction, renovation and improvement of the tourist information center and sanitary  
205 facility at the Swansea Visitor's Center on Interstate 195 in the town of Swansea including but  
206 not limited to, new building construction, light and safety projects, installation of water lines,  
207 landscaping, fencing, and sign installation; provided further, that when the department upgrades  
208 sanitary facilities, it does so in such a way to enhance the environment by utilizing zero pollution  
209 discharge technologies including recycling greywater systems; provided further, that not less  
210 than \$50,000 shall be expended for design of opticon traffic lights at the Seekonk Public Safety

211 Complex on Route 44 and opticon traffic lights at the intersection of Route 44 and Arcade  
212 Avenue in the town of Seekonk; provided further, that \$100,000 shall be expended for design  
213 and improvements along Gray street in the town of Arlington; provided further, that not less than  
214 \$160,000 shall be expended to make safety improvements for a walk to school crossing on South  
215 Main street in the town of Natick; provided further, that not less than \$1,000,000 shall be  
216 expended for the construction of the Pine Hill access road in the town of Sherborn; provided that  
217 not less than \$500,000 shall be made available for the extension of the Ashuwillticook Rail Trail  
218 extension project from the town of Lanesborough to Crane Avenue in Pittsfield; provided that  
219 not less than \$70,000 shall be made available for a Preliminary Structure Report for the Schell  
220 Bridge in Northfield; provided further, that not less than \$250,000 shall be expended for a road  
221 construction project on Central Street, from the intersections of North Street to Spruce Street, in  
222 the town of North Reading; provided further, that not less than \$350,000 shall be expended for a  
223 road construction project on Tower Hill Road in the town of North Reading; provided further,  
224 that not less than \$100,000 shall be expended for a pedestrian actuated signal at the intersection  
225 of Salem Street and Bay State road in the town of Reading; provided further, that not less than  
226 \$4,000,000 shall be expended for the full depth reconstruction of West Street from the Woburn  
227 City line to the intersection of Longwood Road and West Street, including roadway work along  
228 the various side streets within that expanse, and for the installation of new granite curbing, ADA  
229 accessible sidewalks, improvements to the drainage system, installation of new pavement  
230 markings and signs, and fully actuated traffic signals along this stretch in the town of Reading;  
231 provided, that \$150,000 be expended for the construction of the Yankee Doodle Bike Path from  
232 Billerica Memorial High School to the town line of the town of Bedford, all in the town of  
233 Billerica; provided further, that not less than \$2,500,000 be expended for the South Sharon

234 Infrastructure Project at the intersection of Old Post Road at South Main Street and Interstate  
235 Highway 95; provided further, that not less than \$1,000,000 be expended for signalization  
236 improvements at the intersection of North Main Street and Hixson Farm Road in the Town of  
237 Sharon, including, but not limited to, installation of a traffic light and improvements to the  
238 roadway and sidewalks; provided further, that not less than \$100,000 shall be expended for a  
239 study of possible traffic improvements in the Town of Stoughton, focusing on Routes 138 and 27  
240 and the intersection of said roads in the downtown area; provided further, that \$1,000,000 shall  
241 be expended for infrastructure improvements to the Maurice J. Tobin Memorial bridge in the city  
242 of Chelsea and the Charlestown section of the city of Boston, including but not limited to  
243 guardrail and lighting repairs; provided further that \$10,000,000 shall be expended for the  
244 redesign and reconfiguration of Rutherford Avenue and Sullivan Square in the Charlestown  
245 section of the City of Boston; provided further that the department, while authorized to expend  
246 up to \$300,000, shall retain an independent, third-party, nationally recognized consultant in  
247 hazmat transportation routing risk analysis to conduct a regional hazardous materials routing  
248 analysis which: (a) addresses the safe and efficient transportation of hazardous materials through  
249 and around the greater metropolitan Boston area; (b) addresses the public safety capabilities,  
250 environmental considerations and infrastructure capacity of impacted communities; and (c)  
251 makes recommendations for improving the transportation of hazardous materials while  
252 safeguarding impacted communities; provided further that not less than \$500,000 will be used  
253 for the planning, engineering, design, or construction of intersection and signalization  
254 improvements and the integration of pedestrian and bicycle safety upgrades conforming to the  
255 “complete streets” concepts following the newly completed reconstruction of underground  
256 utilities to Route 126 in the Town of Framingham; provided further, that not less than \$500,000

257 shall be expended for the planning, engineering, design, or construction of projects to mitigate  
258 the impact of the at-grade rail crossing on the delivery of emergency municipal services,  
259 including police and fire services, in the town of Ashland; provided further that no less than  
260 \$100,000 be allocated to the Town of Boylston for the purpose of economic business  
261 development along Route 140; provided that not less than \$200,000 shall be expended for repairs  
262 and re-pavement of the entirety of Green-Street located in the Town of Boylston; provided that  
263 no less than \$500,000 be allocated for the reimbursement to municipalities for expenditures  
264 directly related to the design and planning of Transportation Improvement Projects (TIP);  
265 provided, further, that \$100,000 shall be expended for the replacement of guardrails on Main  
266 Street, Maple Street and Pantry Road in the town of Hatfield; provided, further, that \$300,000  
267 shall be expended for the replacement of the Old Mill Bridge on Prospect Court in the town of  
268 Hatfield; provided, further, that \$300,000 shall be expended for the reconstruction of sidewalks  
269 along Main Street in the town of Hatfield; provided, further, that \$500,000 shall be expended for  
270 emergency repairs to the Powder Mill Brook Bridge on Main Road in the town of Montgomery;  
271 provided that \$1,000,000 shall be expended for the design and construction of a pedestrian  
272 footbridge over the Massachusetts Turnpike with an entry and exit point for the north side of  
273 the footbridge on Lincoln Street between Antwerp Street and South Waverly Street in the City of  
274 Boston and an entry and exit point on the south side of the footbridge at the proposed New  
275 Brighton Landing commuter rail stop, provided that funds shall be expended for the design and  
276 construction of three pedestrian underpasses adjacent to the Boston-side of the Charles River at  
277 the River Street, Western Avenue, and Anderson bridges; provided further, that these  
278 underpasses shall be constructed by tunnel through the western wing walls of said bridges;  
279 provided further that the pathway leading to these underpasses shall not extend laterally toward

280 the center of the Charles River further than the new underpass finished tunnel bores; provided  
281 further, that the pathway leading to these underpasses shall not extend over the watersheet of the  
282 Charles River any further than the minimum distance required to achieve the required slope and  
283 grade specifications for the pathways to comply with the Americans with Disabilities Act; and  
284 provided further, that the pathway structures and tunnels shall not alter the existing arches of said  
285 River Street or Western Avenue bridges or hinder or impede any navigable waterway through the  
286 existing arches of said bridges; provided that \$500,000 shall be expended for a study to design  
287 and construct a pedestrian footbridge with an entry and exit point between Brooks Street and  
288 Parsons Street in the City of Boston over the existing roadways to an entry and exit point on the  
289 Dr. Paul Dudley White Bike Path; provided, further, that \$200,000 shall be expended for  
290 pedestrian and vehicle safety improvements, at the intersection of Ryan and Florence Roads in  
291 the city of Northampton; provided, further, that \$50,000 shall be expended for a feasibility study  
292 for the construction of sidewalks on Glendale Road, West Farms Road and upper Ryan Road in  
293 the city of Northampton; provided, further, that \$300,000 shall be expended for the engineering  
294 costs for the emergency repair of the East Street Bridge in the town of Southamton; provided,  
295 further, that \$500,000 shall be expended for the reconstruction of Fomer Road, from Route 10 to  
296 Crooked Ledge Road in the town of Southamton; and provided further, that up to \$400,000  
297 shall be expended for a planning study of current and proposed Massachusetts Turnpike entrance  
298 and exit ramps in the Back Bay and Fenway sections of Boston, which study shall include an  
299 evaluation of changes to or demolition of some or all of the Bowker Overpass; further, provided  
300 that no less than \$500,000 shall be expended for the design, construction, repair and  
301 improvements of the so-called Brimbal Avenue Interchange Improvement Project located at or  
302 near Exit 19 in Beverly and identified as MassHighway Project file no. 604369; provided further,

303 that not less than \$750,000 shall be expended for the signalization of the intersections of Route  
304 140 (Commercial Boulevard) and the northern end of Central Street in the town of Foxborough;  
305 provided further, that not less than \$700,000 shall be expended for drainage improvements,  
306 roadway restoration, reconstruction of sidewalks and intersection reconstruction at the  
307 intersections of Chestnut and Elm Streets as well as Chestnut Street and Route 1 in the town of  
308 North Attleborough; provided further, that not less than \$6.5 million shall be expended for the  
309 design and reconstruction of route 143 in the town of Worthington; and provided further that not  
310 less than \$6.3 million shall be expended for the design and reconstruction of route 143 in the  
311 town of Chesterfield; provided further that no less than \$250,000 shall be expended for the City  
312 of Marlborough for the design and right-of-way costs for roadway and sidewalk reconstruction  
313 of Maple Street (Rt 85) from the Southborough town line to John Street, in the City of  
314 Marlborough; that 7,000,000 shall be expended for the reconstruction of Canal Street in the city  
315 of Salem; provided, further, that \$300,000 shall be expended for the reconstruction of the bridge  
316 on South Road in the town of Westhampton; provided further, that \$1,000,000 shall be expended  
317 for roadwork construction and streetscape improvements in the lower millyard of Amesbury;  
318 provided further, that not less than \$450,000 shall be expended for improvements to the  
319 roadway, pedestrian crossings, sidewalks, and park entrances on Charles River Road in the town  
320 of Watertown, conditioned on matching commitment of no less than \$750,000 of additional  
321 funding from other public and/or private sources for improvement of the adjoining parklands;  
322 provided further, that not less than \$150,000 shall be expended for the study, design, planning  
323 and replacement of structurally deficient bridges in the Town of New Marlborough; provided  
324 further, that not less than \$200,000 shall be expended for the study, design, planning and  
325 replacement of structurally deficient bridges in the Town of Lee; and provided further, that not

326 less than \$100,000 shall be expended for resurfacing and storm drainage improvements to the  
327 Tyringham Road in the Town of Lee; provided further, that \$2,600,000 shall be expended for the  
328 design and construction of the Essex coastal scenic byway connecting certain municipalities  
329 including, but not limited to, Lynn, Swampscott, Marblehead, Salem, Beverly, Manchester-by-  
330 the-Sea, Gloucester, Rockport, Essex, Ipswich, Rowley, Newbury, and Newburyport; provided  
331 further, that \$500,000 shall be expended for the acquisition of a rail line for the construction of a  
332 rail trail in the town of Southampton; provided further that \$500,000 shall be expended on street  
333 resurfacing of Washington St (Route 53) in Weymouth at the intersection of Commercial St and  
334 Front St extending to the intersection of Broad St, and furthermore for street resurfacing and  
335 sidewalk improvements from the intersection of Broad St and Washington St to the intersection  
336 of Route 18 and Route 53; provided further that not less than \$1,000,000 shall be expended on  
337 the Route 3A Project in Weymouth at the base of the Fore River Bridge extending southward to  
338 the intersection of Green St Bridge St, and Neck St for the grading and paving of roadways as  
339 well as construction and repair of sidewalks as to conform to ADA standards, placement of light  
340 fixtures and ground mounted electronic signs to indicate bridge openings and current traffic  
341 conditions, and for the installation of below grade utilities, and the planting of trees and  
342 landscaping along the roadway; provided, that not less than \$250,000 shall be expended on the  
343 Weymouth Washington St. (Route 53) at Middle St. and Winter St. Project for the repair or  
344 replacement and upgrade of the Winter St. concrete barrier and chain-link fencing with picket  
345 post cap fencing; provided further, that \$400,000 shall be expended for improvements in the  
346 municipal parking facilities in the town of Arlington; provided further, that \$1 million shall be  
347 expended for the design and reconstruction of sidewalks along route 1 (Lafayette Road) from  
348 Salisbury square to the New Hampshire border; provided further, that \$1 million shall be



349 expended for streetscape and safety improvements to the route 113 gateway (Storey Avenue) in  
350 Newburyport; provided further, that \$1 million shall be expended for the Newburyport  
351 intermodal transportation center; provided further, that \$900,000 shall be expended for the  
352 acquisition and construction of a rail trail from Rabbit Road in Salisbury to Elm Street in  
353 Amesbury; provided further, that no less than \$10,000,000 shall be provided for the design,  
354 reconstruction and safety improvements to Riverside Road, Plainfield Street, Fisk Avenue and  
355 West Street in the City of Springfield; provided further, that \$12,000,000 shall be expended for  
356 improvement and repair work to infrastructure along the Merrimack River, including but not  
357 limited to boardwalk and marina access improvements, seawall repair, and boardwalk  
358 development, in the City of Haverhill; provided that \$3,500,000 In the City of Boston, in the  
359 neighborhood of Dorchester, funds shall be expended for the reconstruction of sidewalks from  
360 the intersection of Granite Avenue and Gallivan Boulevard, along Gallivan and Morrissey  
361 Boulevards to 100 Morrissey Boulevard at the University of Massachusetts at Boston; provided  
362 further, that \$10,000,000 shall be expended for the lower north shore highway improvement  
363 project, including but not limited to improvements to route 1 in the cities of Revere and Malden  
364 and the town of Saugus, improvements at Mahoney circle, improvements at Brown circle,  
365 improvements at Copeland circle, improvements at the intersection of Revere street and route 60  
366 and improvements at the intersection of route 145 and route 16; provided further that up to  
367 \$10,000,000 for traffic and streetscape improvements on lower Revere and Ocean Avenue in the  
368 city of Revere; provided further, that not less than \$400,000 shall be expended for the site work,  
369 construction, and implementation of a traffic light and subsequent road work to state highway Rt.  
370 53 and Pleasant St. in the Town of Pembroke; provided further, that \$250,000 shall be expended  
371 for the augmentation of the work being done with PWED Grant money from Hall Street to

372 Eugenia Street in the town of Randolph; provided further, that \$20,000 shall be expended shall  
373 be expended for the installation of crosswalks along Route 28 in the town of Milton and along  
374 that portion of Reedsdale Road extending from the intersection of Route 28 and Canton Avenue  
375 to the intersection of Route 28 and Randolph Avenue and provided further that said crosswalks  
376 shall be placed at appropriate intervals to effect the safe and convenient pedestrian crossing of  
377 the roadway; provided further, that \$230,000 shall be expended shall be expended for the irepair  
378 of sidewalks along Granite Avenue in the town of Milton and along that portion of Granite  
379 Avenue extending from the intersection of Granite Avenue and Squantum Street to the  
380 intersection of Granite Avenue and the on ramp to Interstate 93N; provided further, that  
381 \$10,000,000 shall be expended for improvement and repair work to the Downtown area,  
382 including but not limited to parking garage repair and improvements, street-scaping, traffic  
383 improvements, design and construction costs for sites with transportation purposes,  
384 improvements of river access, in the City of Haverhill; provided further, that not less than  
385 \$130,000 shall be expended for resurfacing infrastructure improvement to Forge Pond park in the  
386 Town of Hanover; provided further, that not less than \$600,000 shall be expended for the  
387 resurfacing and/or reconstruction, including minor drainage improvements of Route 123 in the  
388 Town of Norwell; provided further, that \$350,000 shall be expended for the planning and  
389 construction of two physically separate and segregated bicycle and pedestrian pathways along  
390 Memorial drive and the Cambridge parkway from the Eliot bridge to the Craigie Dam bridge and  
391 the Craigie drawbridge in the city of Cambridge; provided further, that \$450,000 shall be  
392 expended for design and planning of Massachusetts avenue from Beech street to the Arlington  
393 town line in the city of Cambridge; provided further, that \$250,000 shall be expended for the  
394 construction of the Northern Strand Community Trail (Bike to the Sea Trail) in the city of

395 Malden; provided further, that \$250,000 shall be expended for the design and construction of  
396 traffic signals at the intersections of Harvard street with Main street and Willis avenue in the city  
397 of Medford; provided further, that \$75,000 shall be expended for pedestrian safety improvements  
398 on route 16 in the vicinity of Dilboy stadium in the city of Somerville; provided further, that  
399 \$250,000 shall be expended for design and improvements at the intersections of Boston avenue  
400 with route 16 in the city of Somerville, Boston avenue and Winthrop street in the city of  
401 Medford, and pedestrian safety improvements on Winthrop street between Boston avenue and  
402 route 16 in the city of Medford .....\$325,000,000

403 SECTION 2B.

404 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

405 Highway Division

406 6122-1223 For the construction and reconstruction of town and county ways as described in  
407 clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws, the “chapter  
408 90 program”; provided that a city or town shall comply with the procedures established by the  
409 Massachusetts Department of Transportation; provided, further, that any city or town may  
410 appropriate for these projects amounts not in excess of the amount provided to the city or town  
411 under this item, preliminary notice of which shall be provided by the department to the city or  
412 town not later than April 1 of each year; provided, further, that the appropriation shall be  
413 considered as an available fund upon approval of the commissioner of revenue under section 23  
414 of chapter 59 of the General Laws; and provided, further, that the commonwealth shall reimburse  
415 a city or town under this item, subject to the availability of funds as provided in section 9B of  
416 chapter 29 of the General Laws, within 30 days after receipt by the department of a request for

417 reimbursement from the city or town, which request shall include certification by the city or  
418 town that actual expenses have been incurred on projects eligible for reimbursement under this  
419 item, and that the work has been completed to the satisfaction of the city or town according to  
420 the specifications of the project and in compliance with applicable laws and procedures  
421 established by the department.....\$200,000,000

422 SECTION 2C.

423 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

424 Rail and Transit Division

425 6622-1205 For the purposes of chapter 161B of the General Laws, including the purchase and  
426 rehabilitation of rolling stock, related assets and support equipment necessary to safely serve  
427 transit passengers, construction and rehabilitation of regional transit authority operations and  
428 passenger facilities, and purchase of related appurtenances and tools; provided further, that not  
429 less than \$175,000 shall be expended on a matching grant to the town of Stoughton or the  
430 Stoughton Redevelopment Authority for the purpose of purchasing and/or refurbishing the  
431 Stoughton Railroad Station at 45 Wyman Street in the town of  
432 Stoughton.....\$11,000,000

433 SECTION 2D.

434 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

435 Rail and Transit Division

436 6622-1280 For the purpose of implementing rail improvements under chapter 161C of the  
437 General Laws; provided, that funds may also be used for transportation planning, design,

438 permitting, acquisition of interests in land, and engineering for heavy rail, light rail, bus and  
439 other transit projects, including the industrial rail access program; provided, however, the  
440 department shall adopt regulations within 180 days of the effective date of this act implementing  
441 the industrial rail access program, which shall increase access to rail freight service and preserve  
442 or stimulate economic development through the generation of new or expanded rail service;  
443 provided that, the secretary of transportation shall have the responsibility for evaluating and  
444 selecting eligible projects, in consultation with the secretary of housing and economic  
445 development, where the public benefit will be gained through improved use of the rail  
446 transportation network or that will facilitate economic growth through access to the rail assets  
447 within the commonwealth; provided further that not less than \$50,000 shall be expended for the  
448 City of Newton's conversion of the abandoned, MBTA-controlled rail line parallel to Needham  
449 Street in Newton to a linear park, with potential future conversion to a green-line extension;  
450 provided that the program shall be available to any political subdivision, railroad or shipper  
451 operating within the commonwealth; provided further, that \$500,000 may be expended for the  
452 design, siting and initial permitting for a commuter rail station at Wonderland Park in the city of  
453 Revere; and, provided, further, that the amounts specified in this item or for a particular project  
454 may be adjusted in order to facilitate other needs of the department or other projects; provided  
455 further that \$6,000,000 shall be expended for planning, design, relocation, construction and  
456 enhancement of the inbound and outbound station platforms of the Massachusetts Bay  
457 Transportation Authority Green Line B branch stations at the intersection of Wallingford road  
458 and Commonwealth avenue and the Washington street platform at the intersection of  
459 Washington street and Commonwealth avenue in the city of Boston, and planning, design,  
460 relocation, construction and enhancement of a center, side platform station of the Green Line B

461 branch station located the intersection of Lake street and Commonwealth avenue; provided  
462 further that not less than \$1,500,000 will be used for the planning, engineering, design, or  
463 construction of a facility for the operations, maintenance and demand respond dispatch of the  
464 MetroWest Regional Transit Authority; provided further, that not less than \$500,000 be  
465 expended to improve pedestrian access and safety at the Canton Junction commuter rail station;  
466 provided further, that not less than \$300,000 be expended for capital improvements to the Canton  
467 Center commuter rail station; provided , further, that \$350,000 shall be expended for engineering  
468 and planning for an intermodal transportation center adjacent to the existing north-south rail line  
469 in the city of Northampton that is part of the planned high speed “Vermont” rail service  
470 expansion.....\$300,000,000

471 SECTION 3. Section 2 of chapter 6C of the General Laws, as appearing in the 2010 Official  
472 Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the  
473 following subsection:-

474 (b) The department shall be governed and its corporate powers exercised by a board of directors.  
475 The board shall consist of 7 members appointed by the governor for a term of 4 years, 3 of whom  
476 shall be experienced in the field of public or private finance and management; 1 of whom shall  
477 have experience in public policy, 1 of whom shall have experience in transportation planning and  
478 policy; 1 of whom shall be the secretary of transportation, who shall serve ex officio; and 1 of  
479 whom shall be a registered civil engineer with at least 10 years experience. One of the members  
480 shall be designated by the governor to serve as chairperson of the board. Not more than 4 of the  
481 directors, except the ex-officio director, shall be members of the same political party. Each  
482 director shall serve without compensation but may be reimbursed for actual and necessary  
483 expenses reasonably incurred in the performance of their duties, including reimbursement for

484 reasonable travel; provided, however, that such reimbursement shall not exceed \$3000 annually.  
485 Any person appointed to fill a vacancy in the office of a member of the board shall be appointed  
486 in a like manner and shall serve for only the unexpired term of such former member. Any  
487 director shall be eligible for reappointment. Any director may be removed from his appointment  
488 by the governor for cause. The board shall annually elect 1 of its members to serve as vice-  
489 chairperson.

490 SECTION 4. Said section 2 of said chapter 6C, as so appearing, is hereby further amended by  
491 striking out, in line 30, the word "Four" and inserting in place thereof the following words:- A  
492 majority of.

493 SECTION 5. Said section 2 of said chapter 6C, as so appearing, is hereby further amended by  
494 striking out, in lines 67 to 68, the words "and the treasurer, as elected by the board pursuant to  
495 subsection (f)" and inserting in place thereof the following words:- of the department.

496 SECTION 6. Subsection (f) of said section 2 of said chapter 6C, as so appearing, is hereby  
497 amended by adding the following sentence:- The secretary of the board is authorized to delegate  
498 in writing any of their powers and duties required pursuant to this section.

499 SECTION 7. Chapter 161A of the General Laws is hereby amended by striking out section 7, as  
500 so appearing, and inserting in place thereof the following section:-

501 Section 7. The authority shall be governed and its corporate powers exercised by the board of  
502 directors of the Massachusetts Department of Transportation established pursuant to chapter 6C.

503 SECTION 7A. Section 8 of chapter 306 of the acts of 2008 is hereby amended by striking out the  
504 second paragraph and inserting in place thereof the following paragraph:-

505 The board of directors shall consist of 21 persons who shall be voting members. The by-laws  
506 shall contain provisions ensuring that as a director's term expires, the board of directors fill each  
507 vacant position, provided that: (i) 1 such director shall be voted from nominees selected by the  
508 state representative representing the third suffolk district for a term of 5 years and 1 such director  
509 shall be voted from nominees selected by the state senator representing the first suffolk and first  
510 middlesex district for a term of 5 years; (iii) 2 directors shall be selected by the board from a list  
511 of names provided by the governor; (iv) 2 director shall be selected by the board from a list of  
512 names provided by the mayor of the city of Boston; (v) 1 director shall be selected by the board  
513 from a list of names provided by the Secretary of the Department on Transportation; (vi) 1  
514 director shall be selected from a list of names provided by the Secretary of the Department of  
515 Energy and Environmental Affairs; (vi) 1 director shall be selected from a list of names provided  
516 by the North End/Waterfront Neighborhood Council; (vii) 1 director shall be selected from a list  
517 of names provided by the Wharf District Council; (viii) 1 director shall be selected from a list of  
518 names provided by the Chinatown Neighborhood Council; (ix) 1 director shall be selected from a  
519 list of names provided by the Leather District Neighborhood Association; (x) the remaining  
520 directors shall be selected for 3 year terms by a majority vote of said board then serving,  
521 notwithstanding the two term limited Board appointments from May of 2009. Those  
522 appointments shall expire and they shall revert to the North End/Waterfront Residents  
523 Association and the Chinatown Residents Association who shall each respectively submit a list  
524 of names for the board to select 1 director from each organization.

525 All directors and committee members shall serve without compensation. No director or  
526 committee member shall be deemed a public employee or a state, special state, municipal or  
527 special municipal employee or a civil officer by virtue of his position as a director or committee



528 member. Other provisions relative to tenure, removal, resignation, quorum, meetings, notices,  
529 and the like shall be contained in the by-laws, which may be amended, revised and adopted by  
530 the conservancy as it deems appropriate and in a manner not inconsistent with this act or the  
531 agreement.

532 SECTION 7B. Said chapter 306 is hereby further amended by adding the following sections:-

533 Section 8A. Except when meeting (i) in executive session, as permitted by section 21(a) of  
534 chapter 30A of the General Laws, or (ii) to discuss fundraising and non-governmental revenue  
535 issues and opportunities, including but not limited to fundraising prospects, fundraising or grant  
536 agreements, or fundraising strategy, the board shall comply with sections 18 to 25, inclusive, of  
537 said chapter 30A. Any lease between the department of transportation and the Conservancy  
538 described in Section 10 shall provide that any material failure of the board to comply with the  
539 provisions of sections 18 to 25, inclusive, of chapter 30A that is not cured in accordance with the  
540 terms of the lease or as ordered by the Attorney General shall be considered a default under said  
541 lease, and shall be subject to such remedies for default set forth in said lease.

542 Section 8B. The Board shall comply with the requirements of clause 26 of section 7 of chapter 4  
543 and section 10 of chapter 66 of the General Laws; provided further, that any donations received  
544 by the Conservancy from a private individual, corporation or any other private source shall be  
545 exempted from the provisions of this section. Any lease between the department of  
546 transportation and the Conservancy described in Section 10 shall provide that any material  
547 failure of the board to comply with the requirements of clause 26 of section 7 of said chapter 4 or  
548 section 10 of said chapter 66 that is not cured in accordance with the terms of the lease, shall be

549 considered a default under said lease, and shall be subject to such remedies for default set forth  
550 in said lease.

551 SECTION 7C. Section 9 of said chapter 306 is hereby repealed.

552 SECTION 8. To meet the expenditures necessary in carrying out section 2, the state treasurer  
553 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to  
554 be specified by the governor from time to time but not exceeding, in the aggregate,  
555 \$750,000,000. All bonds issued by the commonwealth shall be designated on their face,  
556 Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of  
557 years, not exceeding 30 years, as the governor may recommend to the general court under  
558 section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not  
559 later than June 30, 2047. All interest and payments on account of principal on these obligations  
560 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other  
561 provisions of this act, bonds and interest thereon issued under this section shall be general  
562 obligations of the commonwealth.

563 SECTION 9. To meet the expenditures necessary in carrying out section 2A, the state treasurer  
564 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to  
565 be specified by the governor from time to time but not exceeding, in the aggregate,  
566 \$325,000,000. All bonds issued by the commonwealth shall be designated on their face,  
567 Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of  
568 years, not exceeding 30 years, as the governor may recommend to the general court under  
569 section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not  
570 later than June 30, 2047. All interest and payments on account of principal on these obligations

571 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other  
572 provisions of this act, bonds and interest thereon issued under this section shall be general  
573 obligations of the commonwealth.

574 SECTION 10. To meet the expenditures necessary in carrying out section 2B, the state treasurer  
575 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to  
576 be specified by the governor from time to time but not exceeding, in the aggregate, the sum of  
577 \$200,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their  
578 face, Town and County Ways and Economic Development Loan, Act of 2012, and shall be  
579 issued for a maximum terms of years, not exceeding 30 years, as the governor may recommend  
580 to the general court under Section 3 of Article LXII of the Amendments to the Constitution of  
581 the Commonwealth. All bonds shall be payable not later than June 30, 2047. All interest and  
582 payments on account of principal of these obligations shall be payable from the General Fund.  
583 Notwithstanding any other general or special law to the contrary, bonds and interest thereon  
584 issued under this section shall be general obligations of the commonwealth.

585 SECTION 11. To meet the expenditures necessary in carrying out section 2C, the state treasurer  
586 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to  
587 be specified by the governor from time to time but not exceeding, in the aggregate, \$11,000,000  
588 which shall be in addition to those bonds previously authorized for projects and programs which  
589 are eligible to receive federal funding and which authorizations remain uncommitted or  
590 unobligated on the effective date of this act. All bonds issued by the commonwealth as aforesaid  
591 shall be designated on their face, Transportation Improvement Loan Act of 2012, and shall be  
592 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
593 the general court under section 3 of Article LXII of the Amendments to the Constitution;

594 provided, however, that all these bonds shall be payable not later than June 30, 2047. All interest  
595 and payments on account of principal on these obligations shall be payable from the  
596 Commonwealth Transportation Fund. Bonds and interest thereon issued under this section shall  
597 be general obligations of the commonwealth.

598 SECTION 12. To meet the expenditures necessary in carrying out section 2D, the state treasurer  
599 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to  
600 be specified by the governor from time to time but not exceeding, in the aggregate, \$300,000,000  
601 which shall be in addition to those bonds previously authorized for projects and programs which  
602 are eligible to receive federal funding and which authorizations remain uncommitted or  
603 unobligated on the effective date of this act. All bonds issued by the commonwealth as aforesaid  
604 shall be designated on their face, Transportation Improvement Loan Act of 2012, and shall be  
605 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
606 the general court under section 3 of Article LXII of the Amendments to the Constitution;  
607 provided, however, that all these bonds shall be payable not later than June 30, 2047. All interest  
608 and payments on account of principal on these obligations shall be payable from the  
609 Commonwealth Transportation Fund. Bonds and interest thereon issued under this section shall  
610 be general obligations of the commonwealth.

611 SECTION 13. Notwithstanding any general or special law to the contrary, in carrying out  
612 sections 2 to 2D, inclusive, and all other provisions of this act, the Massachusetts Department of  
613 Transportation may enter into contracts, agreements, or transactions that may be appropriate with  
614 other federal, state, local or regional public agencies or authorities. The contracts, agreements, or  
615 transactions may relate to such matters as the department shall determine including, without  
616 limitation, the research, design, layout, construction, reconstruction or management of

617 construction of all or a portion of these projects. The Massachusetts department of transportation  
618 may enter into an agreement with the bureau of environmental health within the department of  
619 public health to conduct the study mandated in Section 154 of Chapter 25 of the Acts of 2009,  
620 and shall provide that the bureau shall report its findings together with suggested legislation, if  
621 any, to the house and senate committees on ways and means no later than June 30, 2013. In  
622 relation to any such contracts, agreements, or transactions the department may advance monies  
623 to these agencies or authorities, without prior expenditure by the agencies or authorities, and the  
624 agencies and authorities may accept monies necessary to carry out these agreements; provided,  
625 however, that the department shall certify to the comptroller the amounts so advanced; provided  
626 further, that these agreements shall contain provisions satisfactory to the department for the  
627 accounting of monies expended by any other agency or authority; and provided, further, that all  
628 monies not expended under any such agreement shall be credited to the account of the  
629 department from which they were advanced. The department shall report to the house and senate  
630 committees on ways and means on any transfers completed under this section.

631 SECTION 14. (a) Notwithstanding any other general or special law to the contrary, the  
632 Massachusetts Department of Transportation shall expend the sums authorized in sections 2A  
633 and 2B for the following purposes: projects for the laying out, construction, reconstruction,  
634 resurfacing, relocation or necessary or beneficial improvement of highways, bridges, bicycle  
635 paths or facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking  
636 facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of  
637 other crossings, traffic safety devices on state highways and on roads constructed under clause  
638 (b) of the second paragraph of section 4 of chapter 6C of the General Laws, highway or mass  
639 transportation studies, including, but not limited to, traffic, environmental, health impact, or

640 parking studies, or the study mandated in Section 154 of Chapter 25 of the Acts of 2009, the  
641 establishment of school zones in accordance with section 2 of chapter 85 of the General Laws,  
642 improvements on routes not designated as state highways without assumption of maintenance  
643 responsibilities and, notwithstanding any general or special law to the contrary, projects to  
644 alleviate contamination of public and private water supplies caused by the department's storage  
645 and use of snow removal chemicals which are necessary for the purposes of highway safety and  
646 for the relocation of persons or businesses or for the replacement of dwellings or structures  
647 including, but not limited to, providing last resort housing under federal law and such functional  
648 replacement of structures in public ownership as may be necessary for the foregoing purposes  
649 and for relocation benefits to the extent necessary to satisfy the requirements of the Uniform  
650 Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et  
651 seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any structure the title to which has been  
652 acquired for highway purposes. When dwellings or other structures are removed in furtherance  
653 of any of the foregoing projects, the excavations or cellar holes remaining shall be filled in and  
654 brought to grade within 1 month after the removal. In planning projects funded by said sections  
655 2A and 2B, consideration shall be made, to the extent feasible, to accommodate and incorporate  
656 provisions to facilitate the use of bicycles and walking as a means of transportation; provided,  
657 however, that nothing in this section shall be construed to give rise to enforceable legal rights in  
658 any party or a cause of action or an enforceable entitlement as to the projects described in this  
659 section.

660 (b) Funds authorized in sections 2A and 2B shall, except as otherwise specifically provided in  
661 this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the  
662 acts of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may

663 be used for the purposes stated in this act in conjunction with funds of cities, towns and political  
664 subdivisions.

665 (c) In addition to the foregoing, the Massachusetts Department of Transportation may expend  
666 funds made available by this act to acquire from a person by lease, purchase, eminent domain  
667 under chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities  
668 adjacent to a public way to be operated by the department or under contract with an individual;  
669 expend funds made available by this act for the acquisition of van-type vehicles used for multi-  
670 passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to,  
671 water shuttles and water taxis; and, in accordance with all applicable state and federal laws and  
672 regulations, exercise all powers and do all things necessary and convenient to carry out the  
673 purposes of this act.

674 (d) In carrying out this section, the Massachusetts Department of Transportation may enter into  
675 contracts or agreements with cities to mitigate the effects of projects undertaken under this act  
676 and to undertake additional transportation measures within the city and may enter into contracts,  
677 agreements, or transactions with other federal, state, local or regional public agencies,  
678 authorities, nonprofit organizations or political subdivisions that may be necessary to implement  
679 these contracts or agreements with cities. Cities and other state, local or regional public agencies,  
680 authorities, nonprofit organizations or political subdivisions may enter into these contracts,  
681 agreements, or transactions with the department. In relation to these agreements, the department  
682 may advance to these agencies, organizations or authorities, without prior expenditure by the  
683 agencies, organizations or authorities, monies necessary to carry out these agreements; provided,  
684 however, that the department shall certify to the comptroller the amount so advanced; provided  
685 further, that all monies not expended under these agreements shall be credited to the account of

686 the department from which they were advanced. The department shall report to the house and  
687 senate committees on ways and means on any transfers completed under this subsection.

688 (e) In addition to the foregoing, the department may expend funds made available by this act for  
689 matching funds to obtain federal funds for costs associated with the design, acquisition,  
690 renovation, construction, reconstruction and other improvements for transit projects.

691 SECTION 15. Notwithstanding any other general or special law to the contrary, the  
692 Massachusetts Department of Transportation shall take all necessary actions to secure federal  
693 highway or transportation assistance which is or may become available to the department  
694 including, but not limited to, actions authorized under or in compliance with Title 23 of the  
695 United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal  
696 Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act  
697 for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient Transportation  
698 Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing Recommendations of the 9/11  
699 Commission Act of 2007, Pub. Law 110-53 and any successor acts or reauthorizations of those  
700 acts, and actions such as filing applications for federal assistance, supervising the expenditure of  
701 funds under federal grants or other assistance agreements and making any determinations and  
702 certifications necessary or appropriate to the foregoing. If a federal law, administrative regulation  
703 or practice requires an action relating to federal assistance to be taken by a department, agency or  
704 other instrumentality of the commonwealth other than the Massachusetts Department of  
705 Transportation, the other department, agency or instrumentality shall take such action.

706 SECTION 16. Notwithstanding any other general or special law to the contrary, all construction  
707 contracts funded in whole or in part by the funds authorized by this act shall include a price



708 adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt, concrete and  
709 steel. A base price for each material shall be set by the awarding authority or agency and  
710 included in the bid documents at the time a project is advertised. The awarding authority or  
711 agency shall also identify in the bid documents the price index to be used for each material or  
712 supply. The adjustment clause shall provide for a contract adjustment to be made on a monthly  
713 basis when the monthly cost change exceeds plus or minus 5 per cent.

714 SECTION 17. Notwithstanding any other general or special law to the contrary, section 61 and  
715 sections 62A to 62I, inclusive, of chapter 30, chapter 91 and section 40 of chapter 131 of the  
716 General Laws shall not apply to bridge projects of the Massachusetts Department of  
717 Transportation and the Massachusetts Bay Transportation Authority for the repair,  
718 reconstruction, replacement or demolition of existing state highway, authority and municipally-  
719 owned bridges, including the immediate approaches necessary to connect the bridges to the  
720 existing adjacent highway and rail system, in which the design is substantially the functional  
721 equivalent of, and in similar alignment to, the structure to be reconstructed or replaced; provided,  
722 however, that said section 61 and said sections 62A to 62I, inclusive, of said chapter 30 shall  
723 apply to the repair, reconstruction, replacement or demolition project where the project requires a  
724 mandatory environmental impact report under 301 CMR 11.00; provided further, that all such  
725 work shall be subject to the requirements of the then current edition of the Massachusetts  
726 Department of Transportation's Stormwater Handbook as approved by the department of  
727 environmental protection in accordance with applicable law, that notice shall be published in the  
728 Environmental Monitor of any application to the department of environmental protection for a  
729 water quality certification, and that the work shall be subject to performance standards prescribed  
730 by the department of environmental protection under section 401 of the Federal Clean Water Act

731 if applicable to the project; provided further, that notwithstanding the foregoing, said section 61  
732 and said sections 62A to 62I, inclusive, of said chapter 30, said chapter 91, and said section 40 of  
733 said chapter 131 shall apply to any portions of the bridge and roadway approaches to the crossing  
734 of the Charles river for the Central Artery/Tunnel Project. If any state highway, authority, or  
735 municipal bridge crosses over a railroad right-of-way or railroad tracks, the department or  
736 authority, as applicable, shall seek the opinion of a railroad company, railway company or its  
737 assigns operating on the track of a necessary clearance between the track and the bridge, but the  
738 department and the authority and their agents or contractors may enter upon any right-of-way,  
739 land or premises of a railroad company or railway company or its assigns for purposes that the  
740 department or authority may consider necessary or convenient to carry out this section. If a  
741 flagman is needed to carry out this section, the railroad company, railway company or its assigns  
742 shall provide the flagman. For the purposes of this section, "bridge" shall include any structure  
743 spanning and providing passage over water, railroad right-of-way, public or private way, other  
744 vehicular facility or other area. Any project exempted from any provision of law under this  
745 section shall be subject to the public consultation process required by the then current version of  
746 the Massachusetts Department of Transportation's project development and design guidebook.

747 SECTION 18. Notwithstanding any general or special law to the contrary, the unexpended  
748 balances of all capital accounts which otherwise would revert on June 30, 2012, but which are  
749 necessary to fund obligations during fiscal year 2013, are hereby re-authorized.

750 SECTION 19. The MBTA train station at Whitman on the Kingston/Plymouth Line is hereby  
751 renamed the 'Edward "Ned" P. Kirby Train Station, Whitman'. There shall be a one-time  
752 disbursement of funds to be used for the creation of the signs at the station itself, which will  
753 continue to be abbreviated as the 'Whitman', station on all DOT materials.

754 SECTION 20. The Massachusetts Department of Transportation shall commission a study to  
755 determine the status of the redesign and reconfiguration projects in the Sullivan square and  
756 Rutherford avenue area in the Charlestown neighborhood of the city of Boston. Said Department  
757 shall report on the findings of said study, including remaining obstacles to completion, to the  
758 chairs of the house and senate committees on ways and means and the joint committee on  
759 transportation no later than December 31, 2012.

760 SECTION 21. The Department of Transportation shall establish a telephone hotline for citizens  
761 to have the ability to report trash, graffiti and signage obstructions along the Commonwealth's  
762 roadways.

763 SECTION 22. Section 38P of chapter 7 of the General Laws, as appearing in the 2010 Official  
764 Edition, is hereby amended by inserting after the word "location," in line 81, the following  
765 words:- economic impact and potential job growth in the region of the public works project.

766 SECTION 23. Chapter 85 of the Massachusetts General Laws, as appearing in the 2010 Official  
767 Edition, is hereby amended by inserting the following new section at the end thereof:-

768 Section X. (a) Notwithstanding any other provision of law, any provision, clause, covenant or  
769 agreement contained in a motor carrier transportation contract that purports to indemnify, defend  
770 or hold harmless, or has the effect of indemnifying, defending or holding harmless, an  
771 indemnitee from or against any liability for loss or damage resulting from such indemnitee's  
772 negligence or intentional acts or omissions shall be void and unenforceable. For the purposes of  
773 this section, 'motor carrier transportation contract' means a contract, agreement or understanding  
774 entered into, renewed, modified or extended on or after July 1, 2012, concerning (1) the  
775 transportation of property for compensation or hire, (2) the entry on public or private property for

776 the purpose of loading, unloading or transporting property for compensation or hire, or (3) a  
777 service incidental to the activities set forth in subdivisions (1) and (2) of this subsection.

778 “Motor carrier transportation contract” shall not include the Uniform Intermodal Interchange and  
779 Facilities Access Agreement administered by the Intermodal Association of North America or  
780 other agreements providing for the interchange, use or possession of intermodal chassis or  
781 containers or other intermodal equipment.

782 SECTION 24. Section 2 of Chapter 103 of the General Laws, as appearing in the 2010 Official  
783 Edition, is hereby amended by striking said section in its entirety and inserting in place there of  
784 the following section:-

785 Section 2. There shall be two commissioners of pilots for district one and one commissioner of  
786 pilots for each of the other three districts. Commissioner shall be appointed by the governor for a  
787 term of three years. Commissioners appointed after January 1, 2013 shall serve for no more than  
788 two terms. Commissioners appointed prior to January 1, 2013 shall be eligible to serve for no  
789 more than two additional terms upon expiration of their current term. A commissioner of pilots  
790 shall be a resident of the district in which he is appointed. Commissioners shall have experience  
791 in maritime and nautical affairs.

792 Section 2. There shall be two commissioners of pilots for district one and one deputy  
793 commissioner of pilots for each of the other three districts. On or before December first in any  
794 year when their terms of office expire, their successors shall be appointed by the governor, with  
795 the advice and consent of the council, for terms of three years. A deputy commissioner of pilots  
796 for any district shall be a resident of a town having a landing place accessible to vessels from the  
797 sea situated within that district. In this chapter, the word “commissioners” shall be held to mean,

798 as to district one, the commissioners of pilots for said district and, as to each other district  
799 mentioned in section one, the deputy commissioner of pilots for such district. They shall have  
800 experience in maritime and nautical affairs. Appointments of commissioners for district one shall  
801 be made upon the recommendation of the trustees of the Boston Marine Society provided such  
802 recommendation is made. Appointments of commissioners for districts other than district one  
803 may be made upon the recommendation of said trustees. No commissioner for any district shall  
804 be such a trustee.

805 SECTION 25. Chapter 192 of the Acts of 2006 is hereby amended by striking out Section 12 and  
806 adding the following:-

807 Item 7004-0097 of section 2E of chapter 122 of the acts of 2006 is hereby amended by adding the  
808 following: 'provided further, that not less than \$2,000,000 shall be appropriated to the  
809 Massachusetts Bay Transportation Authority for a demonstration project to increase groundwater  
810 levels in a section of the City of Boston adjacent to the Southwest Corridor, with all phases of  
811 the design and implementation of the project to be conducted in consultation with the Executive  
812 Office of Energy and Environmental Affairs, the City of Boston, and the Boston Groundwater  
813 Trust. Such funds can only be expended following the execution of a memorandum of  
814 understanding between the Massachusetts Bay Transportation Authority, the Executive Office of  
815 Energy and Environmental Affairs, the City of Boston, and the Boston Groundwater Trust that  
816 details the design and review process of the demonstration project, the project management  
817 process, and the consultation process amongst the parties.

818 SECTION 26. Notwithstanding any general or special law to the contrary, the Massachusetts bay  
819 transportation authority shall provide written notice to the clerks of the house of representatives

820 and senate no less than 90 days prior to the extension of any commuter line service, including the  
821 extension of a current line or increasing use of a current line, through the town of Walpole.

822 SECTION 27. Chapter 85 of the General Laws is hereby amended by inserting after section 34  
823 the following section:-

824 Section 34A. If the governing body in the municipality where a bridge, which carries a public  
825 way, which has, within the previous 10 year period, been used for the purpose of promoting  
826 public safety, is located in whole or in part, are of the opinion that such bridge is in need of  
827 maintenance or repair, they may apply to the Massachusetts Department of Transportation,  
828 which shall, after public notice, hear all persons interested, and, if it decides that the work of  
829 maintenance or repair is necessary, shall prescribe the manner in and the limits within which it  
830 shall be done, and shall forthwith certify its decision to the parties, at which point any and all  
831 maintenance or repairs prescribed by the department's decision shall be satisfied at the owner's  
832 expense.

833 SECTION 28. Notwithstanding any general or special law to the contrary, upon a vote of the  
834 appropriate governing body of the City of Lowell, no action shall be maintained for personal  
835 injuries or property damage from defective ways, by a person the combined weight of whose  
836 carriage or vehicle and load exceeds that of the heaviest public safety vehicle employed by the  
837 municipality where the bridge is located in whole or in part.