

**SENATE . . . . . No. 1966**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*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 adoption of the accompanying bill:

An Act relative to life cycle costs for long term pavement solutions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>1/26/2017</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>1/26/2017</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/26/2017</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/26/2017</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/26/2017</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>1/26/2017</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>	<i>1/26/2017</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>1/26/2017</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>1/26/2017</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>1/31/2017</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/31/2017</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2017</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>2/1/2017</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/1/2017</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/1/2017</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>2/2/2017</i>

<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/2/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/2/2017</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/2/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/2/2017</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>	<i>2/2/2017</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/2/2017</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/2/2017</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>	<i>2/3/2017</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/3/2017</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/3/2017</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>2/3/2017</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/3/2017</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>2/3/2017</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>2/3/2017</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>2/3/2017</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>2/3/2017</i>

**SENATE . . . . . No. 1966**

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1966) of Michael O. Moore, Jonathan D. Zlotnik, RoseLee Vincent, Tackey Chan and other members of the General Court for legislation relative to life cycle costs for long term pavement solutions. Transportation.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to life cycle costs for long term pavement solutions.

*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. Chapter 6C of the General Laws, as appearing in the 2014 Official Edition, is  
2 hereby amended by adding at the end thereof the following new sections:-

3 Section 77. (a) the following definitions shall apply for the purposes of this section:

4 “life-cycle cost,” the total cost of the initial project plus all anticipated costs for  
5 subsequent maintenance, repair, or resurfacing over the life of the pavement,

6 “plain joined cementitious concrete,” cement concrete pavement with no reinforcement  
7 and proper joint placement

8 (b) the department shall develop and implement a life-cycle cost analysis for each project  
9 for which the estimated total pavement costs exceed \$1,000,000.00, funded in whole, or in part,  
10 with state funds. The department shall design each project in both “Hot Mix Asphalt” (HMA)

11 and “Plain Jointed Cementitious Concrete” (PJCC), and award paving projects utilizing the  
12 material having the lowest Life Cycle Cost

13 (c) Except as otherwise provided in this section, life-cycle cost shall compare equivalent  
14 designs, and shall be based upon Massachusetts actual historic project maintenance, repair, and  
15 resurfacing schedules and costs as recorded by the Department pavement management system,  
16 and shall include estimates of user costs throughout the entire pavement life.

17 For pavement projects for which there are no relevant Massachusetts actual historic  
18 project maintenance, repair, and resurfacing schedules and costs as recorded by the  
19 pavement

20 management system, the Department may use Either of the following as a substitute for  
21 the requirements listed in subsection (a)

22 1. actual historical and comparable data for reasonably equivalent designs from states  
23 geographic locations with similar climates, soil structures, or vehicle traffic

24 2. the department may determine appropriate estimated maintenance, repair, and  
25 resurfacing shcedules for a project by using preliminary results from a demonstration project  
26 described in section that is underway at the time of the project. The schedules described in this  
27 subdivision shall be determined using the appropriate engineering analysis techniques and shall  
28 be approved by the chief engineer of the department. The temporary schedules described in this  
29 subsection shall be superseded by actual performance data as it is developed

30 Section 78. (a) notwithstanding section 77, the department shall design and construct a  
31 minimum of 4 PJCC Demonstration Projects per year for a minimum of 10 years, for the purpose

32 of generating historical information that can be utilized in the life cycle cost analysis, with at  
33 least one of these projects annually using thin concrete overlay, which may require synthetic  
34 fiber reinforcement to extend the life and performance of the pavement

35 (b) demonstration projects shall be selected by the department in consultation with  
36 representatives of the Massachusetts Concrete and Aggregate Producers Association, and shall  
37 meet at least one of the following criteria

38 1. Pavement designs intended to increase pavement life-expectancy in a manner that  
39 results in lower life cycle costs

40 2. Pavement designs intended to improve performance, including but not limited to,  
41 friction, surface stress, reduction of noise, and improvement of ride quality

42 3. Pavement designs intended to compare the performance of various types of pavement

43 (c) each demonstration project shall include measurable goals and objectives for  
44 determining the success of that project, and the department shall measure the interim success of  
45 each project and prepare an annual report that compares the cost effectiveness and performance  
46 of the materials and designs to the departments standard selection process. The report shall be  
47 provided to the department, the Speaker of the House of Representatives, and the President of the  
48 Senate