

HOUSE No. 4667

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Jonathan Hecht

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 Providing for the Leasing and Construction of Improvements to The North Branch Library and East Branch Library Buildings in the Town of Watertown.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jonathan Hecht	29th Middlesex
Peter J. Koutoujian	10th Middlesex
Steven A. Tolman	Second Suffolk and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act Providing for the Leasing and Construction of Improvements to The North Branch Library and East Branch Library Buildings in the Town of Watertown.

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.** Notwithstanding any general or special law to the contrary, the city known as the
2 town of Watertown may enter into 1 or more leases of all or a portion of the properties known as
3 the North Branch Library and East Branch Library, contingent upon town council authorization,
4 provided, however, that any such lease shall be awarded pursuant to section 16 of chapter 30B of
5 the General Laws and shall be made on such terms and conditions, including the length of the
6 term thereof, as shall be determined by the town manager to be in the best interests of the town.

7 **SECTION 2.** A lessee selected pursuant to this act shall be solely responsible for the cost of any
8 and all construction, reconstruction, alteration, remodeling, repair, and maintenance of the North
9 Branch Library and East Branch Library buildings and grounds, collectively referred to herein as
10 improvements, including the cost of any design services relative thereto. The design and
11 construction of any such improvements shall be subject to the prior approval of the town of
12 Watertown, and shall be exempt from General Laws related to the construction, reconstruction,
13 alteration, remodeling, repair and maintenance of improvements to public property, including
14 chapter 30B, section 38A1/2 to 38O, inclusive, of chapter 7, sections 44A to 44H, inclusive of
15 chapter 149, and section 39M of chapter 30 of the General laws. The provisions of section 26
16 through 27H, inclusive, of said chapter 149 shall apply to any contracts entered into by the lessee
17 for the construction of such improvements.

18 **SECTION 3.** Prior to the construction of any improvements pursuant to this act, the lessee shall
19 provide the town of Watertown with a performance and labor and materials payment bond in the
20 amount of 100 per cent of the value of the improvements to be constructed, and with certificates
21 of insurance indicating the existence of such coverage as the town manager shall determine to be
22 in the best interests of the town.

23 **SECTION 4.** All improvements constructed pursuant to this act shall become and shall remain
24 the property of the town of Watertown upon the termination of the lease or leases awarded
25 pursuant to this act.

26 **SECTION 5.** This act shall take effect upon its passage.