

SENATE No. 2376

Senate, July 24, 2012 -- Text of the Senate amendment, printed as amended as a new text for the House bill financing improvements to the commonwealth's transportation system (House, No. 4193)

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

1 SECTION 1. To provide for a program of transportation development and improvements,
2 the sums set forth in sections 2 to 2C, 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
10 may be 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, however, that the secretary of transportation shall maximize efforts to utilize

16 all available means to minimize use of capital funds to pay for salaries of department employees;
17 provided further, that notwithstanding this act or any other general or special law to the contrary,
18 the department shall not enter into any obligations for projects which are eligible to receive
19 federal funds under this act unless state matching funds exist which have been specifically
20 authorized and are sufficient to fully fund the corresponding state portion of the federal
21 commitment to fund these obligations; and provided further, that the department shall only enter
22 into obligations for projects under this act based upon a prior or anticipated future commitment
23 of federal funds and the availability of corresponding state funding authorized and appropriated
24 for this use by the general court for the class and category of project for which this obligation
25 applies.....\$225,000,000

26 6121-1216 For federal aid projects on the non-interstate federal highway system;
27 provided, that funds may be expended for the costs of these projects including, but not limited to,
28 the nonparticipating portions of these projects and the costs of engineering and other services
29 essential to these projects rendered by Massachusetts Department of Transportation employees
30 or by consultants; provided further, that amounts expended for department employees may
31 include the salary and salary-related expenses of these employees to the extent that they work on
32 or in support of these projects; provided, however, that the secretary of transportation shall
33 maximize efforts to utilize all available means to minimize use of capital funds to pay for salaries
34 of department employees; provided further, that notwithstanding this act or any other general or
35 special law to the contrary, the department shall not enter into any obligations for projects which
36 are eligible to receive federal funds under this act unless state matching funds exist which have
37 been specifically authorized and are sufficient to fully fund the corresponding state portion of the
38 federal commitment to fund these obligations; and provided further, that the department shall

39 only enter into obligations for projects under this act based upon a prior or anticipated future
40 commitment of federal funds and the availability of corresponding state funding authorized and
41 appropriated for this use by the general court for the class and category of project for which this
42 obligation applies.....\$525,000,000

43 SECTION 2A.

44 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

45 Highway Division

46 6121-1217 For the design, construction and repair of, or improvements to, non-federally-
47 aided roadway and bridge projects and for the nonparticipating portion of federally-aided
48 projects; provided, that the costs of professional personnel directly and exclusively involved in
49 the construction, planning, engineering and design of the projects funded herein may be charged
50 to this item, and any other associated costs; provided further, that those costs shall not be
51 classified as administrative costs; provided further, that not less than \$200,000 shall be expended
52 for a project to increase access to the Mansfield railroad station commuter parking lots in the
53 town of Mansfield; provided further, that not less than \$1,000,000 shall be expended for the
54 planning, engineering, design or construction of projects to mitigate the impact of the at-grade
55 rail crossing including the impact on the delivery of emergency municipal services, including,
56 police and fire services, in the town of Ashland; provided further, that \$500,000 shall be
57 expended for the right of way acquisition, planning, design or construction of the Assabet River
58 rail trail; provided further, that not less than \$1,600,000 shall be expended for the replacement of
59 culverts and the repair of Sword street in the town of Auburn; provided further, that \$500,000
60 shall be expended for signalization improvements at East Spring street, East Main street (route

61 28), and West Spring street in the town of Avon; provided further, that said signalization
62 improvements shall be coordinated with the lights at the intersection of Harrison boulevard and
63 East Main street (route 28) in the town of Avon; provided further, that not less than \$3,500,000
64 shall be expended for the design, engineering and construction of the reconfiguration of the
65 Belmont rotary in the town of Bourne; provided further, that not less than \$1,600,000 shall be
66 expended for the reconstruction of Black Brook road in the town of Savoy; provided further, that
67 not less than \$2,700,000 shall be expended to complete phase 2 of the Blue Hills parkway project
68 in the town of Milton; provided further, that not less than \$750,000 shall be expended for the
69 resurfacing of Bolyston street in the town of Shrewsbury; provided further, that \$500,000 shall
70 be expended for design and improvements at the intersections of Boston avenue with route 16 in
71 the city of Somerville, Boston avenue and Winthrop street in the city of Medford, and pedestrian
72 safety improvements on Winthrop street between Boston avenue and route 16 in the city of
73 Medford; provided further, that \$1,500,000 shall be expended for the design, construction, repair
74 and improvements of the so-called Brimbal avenue interchange improvement project located at
75 or near exit 19 in the city of Beverly and identified as MassHighway Project file no. 604369;
76 provided further, that \$1,500,000 shall be expended for the design and resurfacing of Brimfield
77 road from the Brimfield/Holland town line to the intersection of Stafford street in the town of
78 Holland; provided further, that \$200,000 shall be expended for the design of the Bruce Freeman
79 rail trail construction, phase 2B, in the towns of Acton and Concord; provided further, that not
80 more than \$1,000,000 shall be expended for a study of traffic issues and alternatives in the Canal
81 area in the town of Bourne; provided further, that not less than \$450,000 shall be expended for
82 improvements to the roadway, pedestrian crossings, sidewalks and park entrances on Charles
83 River road in the town of Watertown, conditioned on matching commitments of not less than

84 \$750,000 of additional funding from other public or private sources for improvement of the
85 adjoining parklands; provided further, that not less than \$900,000 shall be expended for drainage
86 improvements, roadway restoration, reconstruction of sidewalks and intersection reconstruction
87 at the intersections of Chestnut and Elm streets, as well as, Chestnut street and route 1 in the
88 town of North Attleborough; provided further, that no less than \$250,000 shall be expended for
89 the town of Northborough for the permitting, engineering and replacement of the stone box
90 culvert under Church street at Cold Harbor brook; provided further, that not less than \$75,000
91 shall be expended for repairs to the Civil War Memorial bridge in the town of Abington;
92 provided further, that not less than \$950,000 shall be provided for planning, design and
93 construction of signalization upgrades at the intersection of Morton street and Gallivan boulevard
94 in the Mattapan section of the city of Boston; provided further, that not less than \$2,300,000
95 shall be expended for construction on Route 140 between the Sterling town line and East
96 Princeton Village; provided further, that no less than \$1,500,000 shall be expended for pavement
97 reconstruction, curbing and a new sidewalk from Laurel street to Dwight street in the town of
98 Longmeadow; provided further, that not less than \$1,000,000 shall be expended for maintenance
99 and improvements to the intersection of route 1, route 109, the VFW parkway and Spring street
100 in the West Roxbury section of the city of Boston and the town of Dedham; provided further,
101 that not less than \$400,000 shall be expended for the reconstruction and signalization design
102 cost of the intersection of Washington street, Prospect street and Fulton street in the town of
103 Norwood; provided further, that \$75,000 shall be expended for pedestrian safety improvements
104 on route 16 in the vicinity of Dilboy Stadium in the city of Somerville; provided further, that not
105 less than \$1,000,000 shall be expended for the replacement or repair of the Rawson street bridge
106 in the town of Leicester; provided further, that not less than \$3,000,000 shall be expended for the

107 construction of a parking deck in the city of Westfield; provided further, that funds shall be
108 expended for the design and reconstruction of route 106 from Whitman street to the Halifax town
109 line; provided further, that not more than \$500,000 shall be expended to improve safety with
110 signalization, new geometry and related work on Elm street at Westfield street in town of West
111 Springfield; provided further, that not less than \$950,000 shall be expended for design and
112 construction of reconfigured Jamaica way off-ramp at Pond avenue, and reconstruction of a
113 portion of River road in the town of Brookline; provided further, that \$2,200,000 shall be
114 expended for the design and construction of the Essex coastal scenic byway connecting certain
115 municipalities including, but not limited to, Lynn, Swampscott, Marblehead, Salem, Beverly,
116 Manchester-by-the-Sea, Gloucester, Rockport, Essex, Ipswich, Rowley, Newbury and
117 Newburyport; provided further, that funds shall be expended for surface and utility
118 enhancements in the Everett avenue urban renewal district in the city of Chelsea; provided
119 further, that funds shall be expended for the design and reconstruction of Ferry and Elm streets in
120 the city of Everett and shall include sidewalks and upgraded crosswalks; provided further, that
121 not less than \$1,000,000 shall be used for the planning, engineering, design, or construction of
122 projects to mitigate the impact of the at-grade rail crossing at the intersection of route 126 and
123 route 135 in the town of Framingham; provided further, that \$475,000 shall be expended for the
124 Highlands infrastructure improvements in the city of Melrose; provided further, that \$2,287,500
125 shall be expended for the Winthrop street corridor project in the town of Winthrop; provided
126 further, that \$475,000 shall be expended for the Walk Winthrop initiative in the town of
127 Winthrop; provided further, that \$775,000 shall be expended for the construction of a municipal
128 parking lot on Front street in the town of Winchendon; provided further, that \$150,000 shall be
129 expended for the design and installation of a panelized bridge on Glen Valley road in the town of

130 Petersham; provided further, that \$100,000 shall be expended on design and improvements
131 along Gray street in the town of Arlington; provided further, that \$100,000 shall be expended for
132 the planning and installation of a traffic signal at the intersection of state highway route 16 and
133 Hartford avenue in the town of Mendon; provided further, that \$1,000,000 shall be expended for
134 the design and reconstruction of Haynes Hill road and Paige Hill road in the town of Brimfield;
135 provided further, that the department, while authorized to expend up to \$300,000, shall retain an
136 independent, third-party, nationally recognized consultant in hazmat transportation routing risk
137 analysis to conduct a regional hazardous materials routing analysis which: (i) addresses the safe
138 and efficient transportation of hazardous materials through and around the greater metropolitan
139 Boston area; (ii) addresses the public safety capabilities, environmental considerations and
140 infrastructure capacity of impacted communities ; and (iii) makes recommendations for
141 improving the transportation of hazardous materials while safeguarding impacted communities;
142 provided further, that not less than \$150,000 shall be expended for design, planning and
143 improvements of High street in the town of Bridgewater; provided further, that \$3,500,000 shall
144 be expended for the reconstruction of Humphrey street and Salem street in the town of
145 Swampscott; provided further, that not less than \$1,000,000 shall be expended for design,
146 construction and engineering cost of a bike and pedestrian path along the hurricane barrier in the
147 city of New Bedford; provided further, that not less than \$500,000 shall be expended for the
148 design, engineering and construction of a bike and pedestrian access way, including, but not
149 limited to, any necessary bridge, to Palmer Island in the city of New Bedford; provided further,
150 not less than \$3,000,000 shall be expended for storm water and drainage improvements in the
151 Meadows area along the interstate 91 corridor to the Northampton Airport in the city of
152 Northampton; provided further, that not less than \$1,000,000 shall be expended to lengthen the

153 acceleration and deceleration lanes at route 6, exits 3 and 4, both eastbound and westbound, in
154 the town of Sandwich; provided further, that \$2,000,000 shall be expended for environmental
155 reviews for the interstate highway route 93 interchange project in the towns of Andover,
156 Tewksbury and Wilmington; provided further, that not less than \$4,000,000 shall be expended to
157 improve the John F. Kennedy memorial highway in the city of New Bedford and intersecting
158 streets, including car and pedestrian access between the New Bedford waterfront and the
159 Downtown Historic Arts and Cultural District; provided further, that \$70,000 shall be expended
160 for the reconstruction of sidewalks on Main street in the town of Charlton; provided further, that
161 \$675,000 shall be expended to complete the construction of the Northern Strand community trail,
162 bike to the sea trail, located; in the city of Malden; provided further, that not less than \$1,000,000
163 shall be expended for improvements to the Massachusetts Central rail trail along the corridor
164 extending through the towns of Wayland and Weston; provided further, that not less than
165 \$3,000,000 shall be expended for the construction of a bridge over the Massachusetts Bay
166 Transportation Authority railroad right of way on Main street at the intersection of Boardman
167 street in the town of Norfolk on the condition that the town of Norfolk agrees to pay \$2,000,000,
168 to be deposited into the General Fund, in equal payments each year for 20 years commencing in
169 fiscal year 2018, to reimburse the cost of the bridge construction; provided further, that
170 \$1,500,000 shall be expended for the replacement of the water main on Mechanic street in the
171 town of Barre; provided further, that not less than \$3,500,000 shall be expended for the redesign
172 and construction of Melnea Cass boulevard in the city of Boston; provided further, that not less
173 than \$653,750 shall be expended for improvements for Granby road to Dale street in the town of
174 Chicopee; provided further, that \$400,000 shall be expended for improvements in the municipal
175 parking facilities in the town of Arlington; provided further, that \$2,000,000 shall be expended

176 for the reconstruction and signalization improvements of Nashua road from Forest avenue to Oak
177 terrace in the town of Dracut; provided further, that \$300,000 shall be expended to reconstruct
178 North avenue in the town of Mendon and provide signalization at the intersection of North
179 avenue and Hastings street; provided further, that \$528,000 shall be expended for the
180 replacement of sewer and drainage lines and for the reconstruction of North Vine street in the
181 town of Winchendon; provided further, that the department of transportation may expend not
182 more than \$5,000,000 on the installation of sound barriers on interstate 93 adjacent to the
183 Nunnery Grounds neighborhood, so called, located between Cross street. and Mt. Vernon street
184 in the city of Somerville; provided further, that not less than \$1,000,000 shall be expended for
185 drainage system repairs, slope stabilization and Norwottuck rail trail abutment stabilization at
186 Old Water street in the city of Northampton; provided further, that not more than \$1,900,000
187 shall be expended for the repair and reconstruction of the Oyster Harbor bridge that carries
188 Bridge street over the channel connecting West Bay and North Bay in the village of Osterville in
189 the town of Barnstable; provided further, that not less than \$500,000 shall be expended for the
190 planning, design and construction of parallel parking along Columbia Road from I street to
191 Preble circle in the South Boston section of the city of Boston; provided further, that not less
192 than \$3,000,000 shall be expended for the implementation of the wayfinder system in the city of
193 Worcester; provided further, that not less than \$2,000,000 shall be expended for water, sewer,
194 roadway and sidewalk improvements on Pine street and sidewalk improvements along North
195 Pleasant street in the town of Amherst; provided further, that not less than \$5,100,000 shall be
196 expended for the reconstruction of roads, sidewalks, drainage and paving of Taylor avenue in the
197 town of Plymouth; provided further, that not less than \$50,000 shall be expended for the design
198 of opticom traffic lights at the Seekonk public safety complex on route 44 and opticon traffic

199 lights at the intersection of route 44 and Arcade avenue in the town of Seekonk; provided further,
200 that not less than \$1,000,000 shall be expended for site work, construction and implementation
201 of a traffic light and subsequent road work to state highway route 53 and Pleasant street in the
202 town of Pembroke; provided further, that \$750,000 shall be expended for the planning, design
203 and construction of the lower, double barrel culverts of the Quequechan River under the
204 Massachusetts Bay Transportation Authority railroad right of way at Battleship Cove in the city
205 of Fall River; provided further, that \$2,200,000 shall be expended for the design and
206 reconstruction of Ravine and Hardwick roads in the town of New Braintree; provided further,
207 that \$4,000,000 shall be expended for the full depth reconstruction of West street from the
208 Woburn city line to the intersection of Longwood road and West street, including roadway work
209 along the various side streets within that expanse, and for the installation of new granite curbing,
210 ADA accessible sidewalks, improvements to the drainage system, installation of new pavement
211 markings and signs, and fully actuated traffic signals along this stretch in the town of Reading;
212 provided further, that not less than \$250,000 shall be expended for the city of Marlborough for
213 the design and right-of-way costs for roadway and sidewalk reconstruction of Maple street (route
214 85) from the Southborough town line to John street, in the city of Marlborough; provided further,
215 that not less than \$3,850,000 shall be expended for the design and reconstruction of the
216 intersection of Crescent street, route 27, Quincy street and Massasoit boulevard in the city of
217 Brockton; provided further, that funds shall be expended for resurfacing associated with the
218 Main Street/Davis Straits water main replacement project in the town of Falmouth; provided
219 further, that not less than \$1,500,000 shall be expended for the reconstruction of the Tiffany
220 street intersection in the city of Attleboro; provided further, that not less than \$300,000 shall be
221 expended for the town of Berkley for permitting, engineering, total replacement and for the

222 prevention of future deterioration and total collapse due to chronic flooding of the Bayview road
223 and culvert at Bayview avenue and Shore road, in the town of Berkley; provided further, that not
224 less than \$2,000,000 shall be expended for roadway, curbing and sidewalk improvements on
225 Main street from route 130 to route 6A and on Jarves street from Main street to route 6A in the
226 town of Sandwich; provided further, that not less than \$1,500,000 shall be expended for the
227 resurfacing of route 3A in the town of Kingston; provided further, that not less than \$800,000
228 shall be expended for the resurfacing or reconstruction, including minor drainage improvements
229 of route 123 in the town of Norwell; provided further, that not less than \$2,700,000 shall be
230 expended for the reconstruction of the route 147 bridge over the Westfield river and associated
231 intersection improvements in the town of Agawam; provided further, that not less than \$25,000
232 shall be expended for route 28 safety improvements in the town of Barnstable; provided further,
233 that \$2,500,000 shall be expended for the reconstruction and improvement of Main street/route
234 38 from Old Boston road to Livingston street in the town of Tewksbury; provided further, that
235 not less than \$5,000,000 shall be expended on the route 3A project in the city known as the town
236 of Weymouth at the base of the Fore River bridge extending southward to the intersection of
237 Green street, Bridge street, and Neck street for the grading and paving of roadways, as well as,
238 construction and repair of sidewalks as to conform to ADA standards, placement of light fixtures
239 and ground mounted electronic signs to indicate bridge openings and current traffic conditions,
240 and for the installation of below grade utilities, and the planting of trees and landscaping along
241 the roadway; provided further, that not less than \$600,000 be expended for design and
242 construction of route 140 between Mile Hill road and Gatehouse road in the town of
243 Westminster; provided further, that not less than \$4,025,000 shall be expended for the planning,
244 design, construction and any other associated costs for drainage improvements along route 9

245 adjacent to Boulder brook and Morses pond in the town of Wellesley; provided further, that not
246 less than \$2,000,000 shall be expended for the planning, design, construction and rehabilitation
247 of sidewalks on route 127 and route 133 in the city of Gloucester, and for sidewalk
248 improvements around the city's elementary schools and on Railroad avenue leading to and from
249 the train station in the city of Gloucester; provided further, that not less than \$820,000 shall be
250 expended for safety improvements by installing geometric improvements and full traffic
251 signalization at the intersection of Glen road, Wildwood street and Middlesex avenue (route 62)
252 in the town of Wilmington; provided further, that not less than \$500,000 shall be expended for a
253 multi-use path or sidewalk along Sandy Neck road from route 6A to the existing sidewalk at the
254 town line in the town of Sandwich; provided further, that not less than \$200,000 shall be
255 expended for the purpose of completing work undertaken by the Mass Department of
256 Transportation in constructing the Sea street bridge between the towns of Marshfield and
257 Scituate; provided further, that not less than \$200,000 shall be expended for sidewalk repairs
258 along route 3A Northbound in the town of East Chelmsford, near the city of Lowell line,
259 including installation of a raised curb and sidewalk repaving; provided further, that not less than
260 \$3,500,000 shall be expended for the reconstruction of sidewalks from intersection of Granite
261 avenue and Gallivan boulevard, along Gallivan and Morrissey boulevards to 100 Morrissey
262 boulevard at the University of Massachusetts at Boston in the Dorchester section of the city of
263 Boston including sidewalk erosion remediation along Morrissey boulevard boatramp beach;
264 provided further, that not less than \$1,000,000 shall be expended for multi-use path or sidewalk
265 from canal access road off Freezer road, where Marina path will end, to Main street in the town
266 of Sandwich; provided further, that not less than \$800,000 shall be expended for construction for
267 a bicycle path with lighting and related streetscape amenities for the Slade's Ferry Landing

268 redevelopment project located in the town of Somerset; provided further, that not less than
269 \$7,000,000 shall be provided for the design, reconstruction and safety improvements to
270 Riverside road, Plainfield street, Fisk avenue, Birnie avenue and West street in the city of
271 Springfield; provided further, that up to \$400,000 shall be expended for a planning study of
272 current and proposed Massachusetts Turnpike entrance and exit ramps in the Back Bay and
273 Fenway sections of in the city of Boston, which study shall include an evaluation of changes to
274 or demolition of some or all of the Bowker Overpass; provided further, that funds shall be
275 expended for the redesign and reconfiguration of Rutherford avenue and Sullivan Square in the
276 Charlestown section of the city of Boston; provided further, that not less than \$450,000 shall be
277 expended for the remaining design plan for the Summer street improvement project located in
278 the cities of Fitchburg, Leominster and Lunenburg; provided further, that funds shall be
279 expended for the reconstruction, renovation and improvement of the tourist information center
280 and sanitary facility at the Swansea visitor's center on interstate 195 in the town of Swansea
281 including, but not limited to, new building construction, light and safety projects, installation of
282 water lines, landscaping, fencing and sign installation; provided further, that when the
283 department upgrades sanitary facilities, it does so in such a way as to enhance the environment
284 by utilizing zero pollution discharge technologies including recycling greywater systems;
285 provided further, that \$800,000 shall be expended for design, construction, right-of-way
286 assembly and related project costs for transportation improvements to support the Tanner street
287 redevelopment plan in the city of Lowell; provided further, that notwithstanding chapter 82 of
288 the Acts of 1997, or any other general law or special law to the contrary, the town of Milton may
289 make improvements, alterations or renovations to a certain parcel of land in the town of Milton,
290 consisting of the overpass spanning interstate 93 in East Milton Square; provided, however, that

291 no such improvements, alterations or renovations shall result in less than 40 per cent of said
292 parcel remaining recreational, open or green space; provided further, that not less than
293 \$1,000,000 shall be expended to reimburse the town of Milton for planning, design and
294 construction costs associated with such improvements, alterations or renovations to the parcel;
295 provided further, that not less than \$2,100,000 shall be expended for the planning, design,
296 construction and any other associated costs for transportation improvements at the intersection of
297 route 30, South avenue and Wellesley street in the town of Weston; provided further, that
298 \$408,000 shall be expended for the stabilization and reconstruction of the retaining walls and
299 revetments at the water-sheet and subsequent milling and repaving of the landside area at Tudor
300 Wharf in the town of Nahant; provided further, that \$250,000 shall be expended for the study
301 and design of a new bridge spanning the Merrimack River in the town of Tyngsborough;
302 provided further, that not more than \$100,000 shall be expended for the design, permitting,
303 construction and right-of-way acquisition for phase I of the Veterans Memorial drive alternate
304 route project in the town of Milford; provided further, that \$1,600,000 shall be expended for the
305 design and construction of the Ware River Valley rail trail from the Ware River to the
306 Gilbertville covered bridge in the town of Ware; provided further, that not less than \$750,000
307 shall be expended for the reconstruction of Washington Mountain road in the towns of Dalton,
308 Becket and Washington; provided further, that not less than \$2,000,000 shall be expended for the
309 design and reconstruction of the West street bridge in the town of Ludlow; provided further, that
310 not less than \$400,000 shall be expended for traffic signals on route 109 in the town Westwood;
311 provided further, that \$250,000 shall be expended for improvement designs to the intersection at
312 Williams street and the Gordon Owen Riverway in the city of Taunton; provided further, that not
313 less than \$2,000,000 shall be expended for the demolition and replacement of the Woodlawn

314 avenue railroad bridge in the city of Pittsfield so that the project is completed before the end of
315 calendar year 2013; provided further, that funds may be expended for road, sidewalk and lighting
316 improvements and plantings along the Truman parkway in the town of Milton; provided further,
317 that not less than \$2,000,000 shall be expended for the state share of the final design, land
318 acquisition and construction of phases 2, 3, 4 and 5 of the Blackstone River Greenway bikeway;
319 and provided further, that not less than \$2,000,000 shall be expended for the construction of a
320 new parking garage owned and operated by the Plymouth growth and development corporation
321 in the town of Plymouth; provided further, that funds shall be expended on the design and
322 reconstruction of the route 53, Howard street, East Howard street intersection in the city of
323 Quincy; provided further, that funds shall be expended on the design, removal and replacement
324 of the Studley Pond Dam along route 123 in the town of Rockland ; provided further, that not
325 less than \$400,000 shall be expended for the construction of a sidewalk starting 500 feet south of
326 Winneberg Road on the east side of route 114 and proceeding in a northerly direction for a total
327 of 2,000 feet in the town of Middleton; and provided, further, that the amounts specified in this
328 item or for a particular project may be adjusted in order to facilitate other projects relating to the
329 design, construction, repair of or improvement to, non-federally-aided roadway and bridge
330 projects.....\$325,000,000

331 SECTION 2B.

332 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

333 Rail and Transit Division

334 6622-1205 For the purposes of chapter 161B of the General Laws, including the purchase
335 and rehabilitation of rolling stock, related assets and support equipment necessary to safely serve

336 transit passengers, construction and rehabilitation of regional transit authority operations and
337 passenger facilities, and purchase of related appurtenances and tools.....\$11,000,000

338 SECTION 2C.

339 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

340 Rail and Transit Division

341 6622-1280 For the purpose of implementing rail improvements under chapter 161C of the
342 General Laws; provided, that funds may also be used for transportation planning, design,
343 permitting, acquisition of interests in land and engineering for heavy rail, light rail, bus and other
344 transit projects, including the industrial rail access program; provided, however, the department
345 shall adopt regulations within 180 days of the effective date of this act implementing the
346 industrial rail access program, which shall increase access to rail freight service and preserve or
347 stimulate economic development through the generation of new or expanded rail service;
348 provided further, that the secretary of transportation shall have the responsibility for evaluating
349 and selecting eligible projects, in consultation with the secretary of housing and economic
350 development, where the public benefit will be gained through improved use of the rail
351 transportation network or that will facilitate economic growth through access to the rail assets
352 within the commonwealth; provided further, that the program shall be available to any political
353 subdivision, railroad or shipper operating within the commonwealth; provided further, that
354 \$1,500,000 shall be expended for the completion of work at the Blossom street extension and for
355 a 1 time purchase of a commuter water shuttle for operation of the Lynn-Boston commuter ferry
356 line in the city of Lynn; provided further, that \$6,000,000 shall be expended for planning, design,
357 relocation, construction and enhancement of the inbound and outbound station platforms of the

358 Massachusetts Bay Transportation Authority Green Line B branch stations at the intersection of
359 Wallingford road and Commonwealth avenue and the Washington street platform at the
360 intersection of Washington street and Commonwealth avenue in the city of Boston, and
361 planning, design, relocation, construction and enhancement of a center, side platform station of
362 the Green Line B branch station located at the intersection of Lake street and Commonwealth
363 avenue in the city of Boston; provided further, that not less than \$2,000,000 shall be expended
364 for the construction of a passenger rail platform, for the knowledge corridor passenger rail
365 project, in the city of Holyoke; provided further, that not less than \$1,500,000 shall be used for
366 the planning, engineering, design or construction of a facility for the operations, maintenance and
367 demand respond dispatch of the MetroWest Regional Transit Authority; provided further, that no
368 less than \$50,000 shall be expended for the city of Newton's conversion of the abandoned,
369 Massachusetts Bay Transportation Authority controlled rail line parallel to Needham street in the
370 city of Newton to a linear park, with potential future conversion to a green-line extension;
371 provided further, that nothing contained in the foregoing shall be interpreted to prohibit the
372 Massachusetts Bay Transportation Authority from retaining an easement to operate and maintain
373 any aspect of the station right-of-way, platforms and the bike racks and public waiting area under
374 the roof overhangs, nor shall the town of Stoughton or any subsequent purchaser or lessee be
375 relieved of any historical covenants on the property; provided further, that not less than \$25,000
376 be expended to study improved pedestrian and bike access at and around the Wachusett
377 commuter rail station; provided further, that not more than \$4,000,000 shall be provided for the
378 design and construction of the Springfield union intermodal station project, so-called, in the city
379 of Springfield; and provided further, that \$2,000,000 shall be expended for the South Terminal
380 Rail Extension in the city of New Bedford; and provided further, that the amounts specified in

381 this item or for a particular project may be adjusted in order to facilitate other projects
382 implementing rail improvements under chapter 161C of the General Laws.....\$300,000,000

383 SECTION 3. Section 2 of chapter 6C of the General Laws, as appearing in the 2010
384 Official Edition, is hereby amended by adding the following subsection:-

385 (k) The board shall adopt a written policy providing for the delegation in writing of any
386 of its powers and duties under this section and section 3; provided, however, that the policy shall
387 include a requirement that the board shall only review contracts valued at \$15,000,000 or more.

388 SECTION 3A. Chapter 6C of the General Laws is hereby amended by adding the
389 following section:-

390 Section 74. Notwithstanding any general or special law to the contrary, the department
391 shall not enter into, renew or renegotiate any contract providing for fuel services on service
392 stations on the turnpike without the contract requiring the fuel provider to provide for the
393 consumption of alternative fuel, as defined in section 1 of chapter 90.

394 SECTION 3B. Chapter 85 of the General Laws is hereby amended by adding the
395 following section:-

396 Section 37. Notwithstanding any general or special law to the contrary, any provision,
397 clause, covenant or agreement contained in a motor carrier transportation contract that purports
398 to indemnify, defend or hold harmless, or has the effect of indemnifying, defending or holding
399 harmless, an indemnitee from or against any liability for loss or damage resulting from such
400 indemnitee's negligence or intentional acts or omissions shall be void and unenforceable. For the
401 purposes of this section, "motor carrier transportation contract" shall mean a contract, agreement

402 or understanding entered into, renewed, modified or extended on or after July 1, 2012,
403 concerning (i) the transportation of property for compensation or hire; (ii) the entry on public or
404 private property for the purpose of loading, unloading or transporting property for compensation
405 or hire; or (iii) a service incidental to the activities under clauses (i) and (ii); provided further,
406 that “motor carrier transportation contract” shall not include the Uniform Intermodal Interchange
407 and Facilities Access Agreement administered by the Intermodal Association of North America
408 or other agreements providing for the interchange, use or possession of intermodal chassis or
409 containers or other intermodal equipment.

410 SECTION 3C. Chapter 161A of the General Laws is hereby amended by striking out
411 section 7, as appearing in the 2010 Official Edition, and inserting in place thereof the following
412 section:-

413 Section 7. The authority shall be governed and its corporate powers exercised by the
414 board of directors of the Massachusetts Department of Transportation established under chapter
415 6C.

416 SECTION 3D. Item 7004-0097 of section 2E of chapter 122 of the acts of 2006 is hereby
417 amended by striking out the words “provided further, that not less than \$2,000,000 is to be
418 appropriated to the City of Boston for a demonstration project to attempt to increase groundwater
419 levels in a section of the City adjacent to the Southwest Corridor, with all phases of the design
420 and implementation of the project to be overseen by the Boston Groundwater Trust; provided
421 further, that such funds are to be expended with the advance agreement of the Boston
422 Groundwater Trust and in consultation with, among others, the Massachusetts Bay
423 Transportation Authority; provided further, that in undertaking management of the

424 demonstration project, neither the City of Boston nor the Boston Groundwater Trust assume any
425 liability for the cause of the low groundwater levels in this area, and nor does the success or
426 failure of the project change any potentially responsible party's accountability for the creation of
427 the low groundwater problem", inserted by section 12 of chapter 192 of the acts of 2006, and
428 inserting in place thereof the following words:- provided further, that not less than \$2,000,000
429 shall be appropriated to the Massachusetts Bay Transportation Authority for a demonstration
430 project to increase groundwater levels in a section of the city of Boston adjacent to the Southwest
431 Corridor, with all phases of the design and implementation of the project to be conducted in
432 consultation with the executive office energy and environmental affairs, the city of Boston and
433 the Boston Groundwater Trust; provided further, that such funds shall only be expended
434 following the execution of a memorandum of understanding between the Massachusetts Bay
435 Transportation Authority, the executive office energy and environmental affairs, the city of
436 Boston and the Boston Groundwater Trust that details the design and review process of the
437 demonstration project, the project management process and the consultation process amongst the
438 parties;

439 SECTION 3E. Section 8 of chapter 306 of the acts of 2008 is hereby amended by
440 striking out the second paragraph and inserting in place thereof the following 2 paragraphs:-

441 The board of directors shall consist of 21 persons who shall be voting members. The by-
442 laws shall contain provisions ensuring that as a director's term expires, the board of directors fill
443 each vacant position, provided that: (i) 1 such director shall be voted from nominees selected by
444 the state representative representing the third suffolk district for a term of 5 years and 1 such
445 director shall be voted from nominees selected by the state senator representing the first suffolk
446 and first middlesex district for a term of 5 years; (iii) 2 directors shall be selected by the board

447 from a list of names provided by the governor; (iv) 2 director shall be selected by the board from
448 a list of names provided by the mayor of the city of Boston; (v) 1 director shall be selected by the
449 board from a list of names provided by the secretary of transportation; (vi) 1 director shall be
450 selected from a list of names provided by the secretary of energy and environmental affairs; (vi)
451 1 director shall be selected from a list of names provided by the North End/Waterfront
452 Neighborhood Council; (vii) 1 director shall be selected from a list of names provided by the
453 Wharf District Council; (viii) 1 director shall be selected from a list of names provided by the
454 Chinatown Neighborhood Council; (ix) 1 director shall be selected from a list of names provided
455 by the Leather District Neighborhood Association; (x) the remaining directors shall be selected
456 for 3 year terms by a majority vote of said board then serving, notwithstanding the 2 term limited
457 board appointments from May of 2009. Those appointments shall expire and they shall revert to
458 the North End/Waterfront Residents Association and the Chinatown Residents Association who
459 shall each respectively submit a list of names for the board to select 1 director from each
460 organization.

461 All directors and committee members shall serve without compensation. No director or
462 committee member shall be deemed a public employee or a state, special state, municipal or
463 special municipal employee or a civil officer by virtue of such position as a director or
464 committee member. Other provisions relative to tenure, removal, resignation, quorum, meetings,
465 notices and the like shall be contained in the by-laws, which may be amended, revised and
466 adopted by the conservancy as it deems appropriate and in a manner not inconsistent with this act
467 or the agreement.

468 SECTION 3F. Said chapter 306, as amended by chapter 163 of the acts of 2009, is
469 hereby further amended by inserting, after section 8, the following section:-

470 Section 8A. The board shall make a monthly report to the clerks of the house of
471 representatives and the senate on the public contributions that the conservancy has received,
472 expenditures the conservancy has made and the progress of all projects being undertaken by the
473 conservancy.

474 The board shall annually cause an independent audit to be performed of the public
475 contributions received by the conservancy and the use of those funds, in accordance with
476 generally accepted auditing standards. The final audit report shall be filed with the clerks of the
477 house of representatives and the senate. The board shall also make the final audit report
478 available publicly on its website.

479 SECTION 3G. Said chapter 306 is hereby further amended by striking out section 9.

480 SECTION 4. Item 2840-7014 of section 2A of chapter 312 of the acts of 2008 is hereby
481 amended by striking out the words “provided further, that not less than \$5,659,000 shall be
482 expended for construction of a permanent ice skating rink in Jamaica Plain;” and inserting in
483 place thereof the following words:- provided further, that not less than \$5,659,000 shall be
484 expended for construction of a permanent ice skating rink and recreation center in the Jackson
485 Square section of Roxbury and Jamaica Plain in the city of Boston; provided further that these
486 funds shall be provided to the developer designated by the city of Boston through the selection
487 process initiated in July 2004 and following approval of the project through the city of Boston’s
488 Article 80 process, which approval was granted on June 16, 2011 and documented in the
489 approved memorandum to the Boston Redevelopment Authority of the same date;

490 SECTION 5. To meet the expenditures necessary in carrying out section 2, the state
491 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an

492 amount to be specified by the governor from time to time but not exceeding, in the
493 aggregate,\$171,750,000. All bonds issued by the commonwealth shall be designated on their
494 face, Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of
495 years, not exceeding 30 years, as the governor may recommend to the general court under
496 section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not
497 later than June 30, 2047. All interest and payments on account of principal on these obligations
498 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other
499 provisions of this act, bonds and interest thereon issued under this section shall be general
500 obligations of the commonwealth.

501 SECTION 6. To meet the expenditures necessary in carrying out section 2A, the state
502 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
503 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
504 \$325,000,000. All bonds issued by the commonwealth shall be designated on their face,
505 Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of
506 years, not exceeding 30 years, as the governor may recommend to the general court under
507 section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not
508 later than June 30, 2047. All interest and payments on account of principal on these obligations
509 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other
510 provisions of this act, bonds and interest thereon issued under this section shall be general
511 obligations of the commonwealth.

512 SECTION 7. To meet the expenditures necessary in carrying out section 2B, the state
513 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
514 amount to be specified by the governor from time to time but not exceeding, in the aggregate,

515 \$11,000,000 which shall be in addition to those bonds previously authorized for projects and
516 programs which are eligible to receive federal funding and which authorizations remain
517 uncommitted or unobligated on the effective date of this act. All bonds issued by the
518 commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan
519 Act of 2012, and shall be issued for a maximum term of years, not exceeding 30 years, as the
520 governor may recommend to the general court under section 3 of Article LXII of the
521 Amendments to the Constitution. All these bonds shall be payable not later than June 30, 2047.
522 All interest and payments on account of principal on these obligations shall be payable from the
523 Commonwealth Transportation Fund. Notwithstanding any other provisions of this act, bonds
524 and interest thereon issued under this section shall be general obligations of the commonwealth.

525 SECTION 8. To meet the expenditures necessary in carrying out section 2C, the state
526 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
527 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
528 \$177,500,000 which shall be in addition to those bonds previously authorized for projects and
529 programs which are eligible to receive federal funding and which authorizations remain
530 uncommitted or unobligated on the effective date of this act. All bonds issued by the
531 commonwealth as aforesaid shall be designated on their face, Transportation Improvement Loan
532 Act of 2012, and shall be issued for a maximum term of years, not exceeding 30 years, as the
533 governor may recommend to the general court under section 3 of Article LXII of the
534 Amendments to the Constitution. All these bonds shall be payable not later than June 30, 2047.
535 All interest and payments on account of principal on these obligations shall be payable from the
536 Commonwealth Transportation Fund. Notwithstanding any other provision of this act, bonds and
537 interest thereon issued under this section shall be general obligations of the commonwealth.

538 SECTION 9. Notwithstanding any general or special law to the contrary, in carrying out
539 sections 2 to 2C, inclusive, and all other sections of this act, the Massachusetts Department of
540 Transportation may enter into contracts, agreements or transactions that may be appropriate with
541 other federal, state, local or regional public agencies or authorities. The contracts, agreements or
542 transactions may relate to such matters as the department shall determine including, but not
543 limited to, the research, design, layout, construction, reconstruction or management of
544 construction of all or a portion of these projects. In relation to any such contracts, agreements or
545 transactions the department may advance monies to these agencies or authorities, without prior
546 expenditure by the agencies or authorities, and the agencies and authorities may accept monies
547 necessary to carry out these agreements; provided, however, that the department shall certify to
548 the comptroller the amounts so advanced; provided further, that these agreements shall contain
549 provisions satisfactory to the department for the accounting of monies expended by any other
550 agency or authority; and provided, further, that all monies not expended under any such
551 agreement shall be credited to the account of the department from which they were advanced.
552 The department shall report to the house and senate committees on ways and means on any
553 transfers completed under this section.

554 SECTION 10. (a) Notwithstanding any other general or special law to the contrary, the
555 Massachusetts Department of Transportation shall expend the sums authorized in section 2A for
556 the following purposes: projects for the laying out, construction, reconstruction, resurfacing,
557 relocation or necessary or beneficial improvement of highways, bridges, bicycle paths or
558 facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking facilities,
559 auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other
560 crossings, traffic safety devices on state highways and on roads constructed under clause (b) of

561 the second paragraph of section 4 of chapter 6C of the General Laws, highway or mass
562 transportation studies, including, but not limited to, traffic, environmental or parking studies, the
563 establishment of school zones under section 2 of chapter 85 of the General Laws, improvements
564 on routes not designated as state highways without assumption of maintenance responsibilities
565 and projects to alleviate contamination of public and private water supplies caused by the
566 department's storage and use of snow removal chemicals which are necessary for the purposes of
567 highway safety and for the relocation of persons or businesses or for the replacement of
568 dwellings or structures including, but not limited to, providing last resort housing under federal
569 law and such functional replacement of structures in public ownership as may be necessary for
570 the foregoing purposes and for relocation benefits to the extent necessary to satisfy the
571 requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act
572 of 1970, 42 U.S.C. 4601 et seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any structure
573 the title to which has been acquired for highway purposes; provided, however, that
574 environmental studies conducted under this subsection may include an assessment of both
575 existing and proposed highway rest stop facilities to determine the cost-effectiveness of sanitary
576 facilities that utilize zero pollution discharge technologies, including recycling greywater
577 systems. When dwellings or other structures are removed in furtherance of any of the foregoing
578 projects, the excavations or cellar holes remaining shall be filled in and brought to grade within 1
579 month after the removal. In planning projects funded by said section 2A, consideration shall be
580 made, to the extent feasible, to accommodate and incorporate provisions to facilitate the use of
581 bicycles and walking as a means of transportation; provided, however, that nothing in this
582 section shall be construed to give rise to enforceable legal rights in any party or a cause of action
583 or an enforceable entitlement as to the projects described in this section.

584 (b) Funds authorized in section 2A shall, except as otherwise specifically provided in this
585 act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the acts
586 of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may be
587 used for the purposes stated in this act in conjunction with funds of cities, towns and political
588 subdivisions.

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

598 (d) In carrying out this section, the Massachusetts Department of Transportation may
599 enter into contracts or agreements with cities to mitigate the effects of projects undertaken under
600 this act and to undertake additional transportation measures within the city and may enter into
601 contracts, agreements or transactions with other federal, state, local or regional public agencies,
602 authorities, nonprofit organizations or political subdivisions that may be necessary to implement
603 these contracts or agreements with cities. Cities and other state, local or regional public agencies,
604 authorities, nonprofit organizations or political subdivisions may enter into these contracts,
605 agreements or transactions with the department. In relation to these agreements, the department
606 may advance to these agencies, organizations or authorities, without prior expenditure by the

607 agencies, organizations or authorities, monies necessary to carry out these agreements; provided,
608 however, that the department shall certify to the comptroller the amount so advanced; provided
609 further, that all monies not expended under these agreements shall be credited to the account of
610 the department from which they were advanced. The department shall report to the house and
611 senate committees on ways and means on any transfers completed under this subsection.

612 SECTION 11. Notwithstanding any other general or special law to the contrary, the
613 Massachusetts Department of Transportation shall take all necessary actions to secure federal
614 highway or transportation assistance which is or may become available to the department
615 including, but not limited to, actions authorized under or in compliance with Title 23 of the
616 United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal
617 Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act
618 for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient Transportation
619 Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing Recommendations of the 9/11
620 Commission Act of 2007, Pub. Law 110-53 and any successor acts or reauthorizations of those
621 acts, and actions such as filing applications for federal assistance, supervising the expenditure of
622 funds under federal grants or other assistance agreements and making any determinations and
623 certifications necessary or appropriate to the foregoing. If a federal law, administrative regulation
624 or practice requires an action relating to federal assistance to be taken by a department, agency or
625 other instrumentality of the commonwealth other than the Massachusetts Department of
626 Transportation, the other department, agency or instrumentality shall take such action.

627 SECTION 12. Notwithstanding any other general or special law to the contrary, all
628 construction contracts funded in whole or in part by the funds authorized by this act shall include
629 a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt,

630 concrete and steel. A base price for each material shall be set by the awarding authority or
631 agency and included in the bid documents at the time a project is advertised. The awarding
632 authority or agency shall also identify in the bid documents the price index to be used for each
633 material or supply. The adjustment clause shall provide for a contract adjustment to be made on a
634 monthly basis when the monthly cost change exceeds +/- 5 per cent.

635 SECTION 13. Notwithstanding any other general or special law to the contrary, section
636 61 and sections 62A to 62I, inclusive, of chapter 30 of the General Laws, chapter 91 of the
637 General Laws and section 40 of chapter 131 of the General Laws shall not apply to bridge
638 projects of the Massachusetts Department of Transportation and the Massachusetts Bay
639 Transportation Authority for the repair, reconstruction, replacement or demolition of existing
640 state highway, authority and municipally-owned bridges, including the immediate approaches
641 necessary to connect the bridges to the existing adjacent highway and rail system, in which the
642 design is substantially the functional equivalent of, and in similar alignment to, the structure to
643 be reconstructed or replaced; provided, however, that said section 61 and said sections 62A to
644 62I, inclusive, of said chapter 30 shall apply to the repair, reconstruction, replacement or
645 demolition project where the project requires a mandatory environmental impact report under
646 301 CMR 11.00; provided further, that all such work shall be subject to the requirements of the
647 then current edition of the Massachusetts Department of Transportation's Stormwater Handbook
648 as approved by the department of environmental protection under applicable law, that notice
649 shall be published in the Environmental Monitor of any application to the department of
650 environmental protection for a water quality certification, and that the work shall be subject to
651 performance standards prescribed by the department of environmental protection under section
652 401 of the Federal Clean Water Act if applicable to the project; provided further, that

653 notwithstanding the foregoing, said section 61 and said sections 62A to 62I, inclusive, of said
654 chapter 30, said chapter 91 and said section 40 of said chapter 131 shall apply to any portions of
655 the bridge and roadway approaches to the crossing of the Charles river for the Central
656 Artery/Tunnel Project. If any state highway, authority or municipal bridge crosses over a railroad
657 right-of-way or railroad tracks, the department or authority, as applicable, shall seek the opinion
658 of a railroad company, railway company or its assigns operating on the track of a necessary
659 clearance between the track and the bridge, but the department and the authority and their agents
660 or contractors may enter upon any right-of-way, land or premises of a railroad company or
661 railway company or its assigns for purposes that the department or authority may consider
662 necessary or convenient to carry out this section. If a flagman is needed to carry out the section,
663 the railroad company, railway company or its assigns shall provide the flagman, the cost which
664 shall be borne by the bridge project except in the case of a bridge transferred under chapter 634
665 of the acts of 1971. For the purposes of this section, “bridge” shall include any structure
666 spanning and providing passage over water, railroad right-of-way, public or private way, other
667 vehicular facility or other area. Any project exempted from any law under this section shall be
668 subject to the public consultation process required by the then current version of the
669 Massachusetts Department of Transportation’s Project Development and Design Guidebook.

670 SECTION 14. Notwithstanding any general or special law to the contrary, the
671 unexpended balances of all capital accounts which otherwise would revert on June 30, 2012, but
672 which are necessary to fund obligations during fiscal year 2013, are hereby re-authorized.

673 SECTION 15. Notwithstanding any general law or special law, or rule or regulation to
674 the contrary, the Massachusetts Department of Transportation shall commission a study to
675 determine the impact on the public safety of transporting ethanol by train through the cities of

676 Boston, Revere, Everett, Cambridge and Chelsea. Public safety issues to be studied shall
677 include, but not be limited to, the proximity to residences, elderly housing complexes, schools,
678 hospitals, health care facilities and other population and demographic characteristics and
679 emergency response capabilities. The report shall be completed not later than 6 months after the
680 effective date of this act, and copies of the report shall be provided to the house and senate
681 committees on ways and means, the executive office of public safety and security and the
682 department of environmental protection. The department of environmental protection shall not
683 issue a license under chapter 91 of the General Laws for the transportation of ethanol through the
684 cities of Boston, Revere, Everett, Cambridge and Chelsea until it has received the report.

685 SECTION 16. Notwithstanding any general or special law or regulation to the contrary,
686 the Massachusetts Department of Transportation shall commission a study to determine the
687 feasibility of constructing sound barriers along route 1 to coincide with future construction of
688 route 1 or Copeland circle in the town of Revere.

689 SECTION 17. Notwithstanding any general law or special law to the contrary, the
690 Massachusetts Department of Transportation shall determine if some or all of the state highway
691 yard land located at Granite avenue in the town of Milton is no longer necessary for department
692 needs, and if so, may transfer that portion deemed unnecessary to the town of Milton.

693 SECTION 18. Notwithstanding and general or special law to the contrary, the
694 Massachusetts Department of Transportation shall develop standards for reviewing the state of
695 repair of any bridges that span a public way. At the request of the governing body of a
696 municipality in which such bridge is located, the department may, based upon such standards,
697 make maintenance and repair recommendations for any such bridge that has, within the previous

698 10 year period, been used for the purpose of public safety. The standards shall be finalized not
699 later than January 1, 2013.

700 SECTION 19. The Massachusetts Bay Transportation Authority shall not sell station
701 naming rights under any corporate partnership program or otherwise in which the name of the
702 entity being awarded naming rights comes before the station name. This section shall apply to
703 the following 11 stations: Airport, Back Bay, Boylston Street, Copley, Downtown Crossing,
704 Harvard Square, Kendall/MIT, North Station, Park Street, South Station and State.

705 SECTION 20. Notwithstanding any general or special law to the contrary, no funds shall
706 be disbursed to the Massachusetts Bay Transportation Authority under section 35T of chapter 10
707 of the General Laws for the extension of services, including, but not limited to, for the addition
708 of new line service through the creation of a new line, extension of a current line or increasing
709 the service area of a current line until the authority submits a plan on how the authority will pay
710 for the proposed expansion and certifies that such expansion shall not adversely affect existing
711 services. The plan shall be submitted to the clerks of the senate and house of representatives, the
712 joint committee on transportation and the chairs of the senate and house committees on ways and
713 means.

714 SECTION 21. Notwithstanding any general or special law to the contrary, the
715 Massachusetts Bay Transportation Authority train station in Hanson on the Kingston/Plymouth
716 Line shall be designated as the Lt. David C. Hall Train Station, Hanson. There shall be a 1-time
717 disbursement of funds to be used by the Massachusetts Bay Transportation Authority for the
718 erection of suitable signs at the station itself; provided however, that the station shall continue to

719 be abbreviated as the Hanson station on all Massachusetts Department of Transportation
720 materials.

721 SECTION 22. A special commission is hereby established to consider the circumstances
722 under which project labor agreements should be utilized in the construction, repair and
723 improvements to road, bridge and rail in the commonwealth, including, but not limited to,
724 consideration of their appropriateness and function, the impact of the agreements on the cost of
725 such road, bridges and rail projects for which they are utilized, and the size, complexity and
726 duration of the road, bridges and rail projects for which they should be utilized. Said commission
727 shall consist of 5 members: 1 of whom shall be the secretary of administration and finance or a
728 designee; 1 of whom shall be the secretary of transportation or a designee; 1 of whom shall be
729 the secretary of labor and workforce development or a designee; 1 of whom shall be the attorney
730 general or designee; and 1 of whom shall be the auditor or a designee. The commission shall
731 hold not less than 1 public hearing. Said commission shall report its findings, together with drafts
732 of any legislation it recommends, to the joint committee on labor and workforce development
733 and joint committee on transportation not later than July 1, 2013.

734 SECTION 23. Notwithstanding any general or special law to the contrary, the
735 Massachusetts Bay Transportation Authority shall convey to the town of Stoughton the
736 Stoughton Depot Building and underlying land consisting of approximately 6,100 square feet
737 located at 45 Wyman street in the town of Stoughton, on the Providence/Stoughton commuter
738 rail line and permanent easements which shall provide the right of access and use of 30 adjacent
739 parking spaces divided between the area immediately adjacent to the Stoughton Depot Building
740 on the northwest side and in an area to the northeast of the Stoughton Depot Building, such
741 parcels more specifically described in the document entitled "Massachusetts Bay Transportation

742 Authority Through Transit Realty Associates, LLC, MBTA 12470, Invitation to Bid, Sale of
743 Stoughton Depot Building” dated May 23, 2012; provided, that the conveyance shall be subject
744 to encumbrances duly recorded.

745 The consideration for the conveyance described herein shall be: (i) the amount invested
746 by the town of Stoughton and its residents in 1988; and (ii) a commitment by the town of
747 Stoughton that it shall redevelop the parcel within 18 months of the date of transfer; provided
748 that such redevelopment may include a sale or lease of the property. If the property described
749 herein is conveyed to the town of Stoughton and the town fails to redevelop the parcel within 18
750 months of the date of transfer, the parcel shall revert to the care, custody, management and
751 control of the Massachusetts Bay Transportation Authority.