

Clear All

Print Form

Massachusetts Department of Transportation - Highway Division Agreement Amendment Amount Range:

Originating Office: Chief Engineer **Agreement #:** 119972
Agreement Type: Other: **Project ID:** _____

Federal Aid Number: n/a

Project/Location: Amesbury - Shared Streets Agreement

Original Max. Obligation: \$200,000.00 **NTP Date:** 8/29/2022

Vendor/Party Name: Town of Amesbury

Vendor/Party Address: 39 South Hunt Road
Amesbury, MA 01913

	<u>Original:</u>	<u>Current:</u>	<u>Amendment</u>	<u>Amended Date/ Dollar:</u>
Completion Date:	<u>12/31/23</u>	<u>12/31/23</u>	<u>12/31/23</u>	<u>No Change</u>
Contract				
Encumbrance Amount:	<u>\$200,000.00</u>	<u>\$200,000.00</u>	<u>No Change</u>	<u>\$200,000.00</u>

Description:

Enclosed is a proposed Amendment to Agreement Number 119972 with the Town of Amesbury regarding a request for a scope change. The current scope includes the implementation of a bike lane from Whittier Bridge to Merrimac Street. The proposed change is for an RRFB installation at Heritage Towers to assist seniors crossing the street to access several assets across the street including Pattons Pond, Provident Bank, churches, and a few businesses on Main Street along with the installation of 1,200 feet of new sidewalk on Evans Place from Main Street to Rt. 95 overpass where there is currently no pedestrian access.

cc: Cassandra Gascon, Amber Vaillancourt - Community Grants Group
Kostandin THEODHORI 03/03/2023

Submitted By:		Approved By:	
<i>Cassandra Gascon</i>	<u>3/2/23</u>	<i>Carrie Lavallee</i>	<u>3/14/23</u>
Community Grants Program Administrator	Date	Deputy Administrator & Chief Engineer	Date
	Date	<i>Owen P. Kane</i>	<u>3/15/23</u>
	Date	General Counsel	Date
<i>Jenny Gu</i>	<u>3.2.23</u>	N/R	
Budget/C.E.P.O.	Date	Highway Administrator	Date
<i>Anna Dolata</i>	<u>3/15/2023</u>	N/R	
Director of Contracts & Records	Date	Secretary/CEO	Date

DOT AMENDMENT 03-25-2010

Item Number: 7

Date: _____

3/15/2023

AD



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Fiandaca, Secretary & CEO



AGREEMENT AMENDMENT

March 16, 2023

Town of Amesbury
39 South Hunt Road
Amesbury, MA 01913

Agreement Number: 119972
Action Item #: 7
Action Item Date: March 15, 2023

Dear Rob Demarais:

Enclosed is a signed copy of your agreement amendment with the Massachusetts Department of Transportation.

This agreement amendment is regarding the scope change for an RRFB installation at Heritage Towers to assist seniors crossing the street in accessing Pattons Pond, Provident Bank, churches, and businesses along Main Street. And the installation of 1,200 feet of new sidewalk on Evans Place from Main Street to the Rte. 95 overpass, relative to the Shared Streets and Spaces Program in Amesbury.

Please insert this amendment into the original agreement.

Thank you,

Miguel A. Sanchez

Miguel A. Sanchez
Supervisor, Contracts & Records

MS/lr

cc: Fiscal
Contracts & Records

E-Mail: C. Gascon
A. Vaillancourt

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions and Contractor Certifications](#), the [Commonwealth Terms and Conditions for Human and Social Services](#) or the [Commonwealth IT Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: TOWN OF AMESBURY (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: MMARS Department Code: DOT	
Legal Address: (W-9, W-4): 39 South Hunt Road, Amesbury, MA, 01913		Business Mailing Address: 10 Park Plaza, Boston MA 02116	
Contract Manager: Rob Demarais	Phone: 978-388-8116	Billing Address (if different):	
E-Mail: desmaraisr@amesburyma.gov	Fax:	Contract Manager: Cassandra Gascon	Phone: (857) 368-4636
Contractor Vendor Code: VC6000191694		E-Mail: Cassandra.Gascon@dot.state.ma.us	Fax: n/a
Vendor Code Address ID (e.g. "AD001"): AD		MMARS Doc ID(s): INTF00X02023P0119972	
(Note: The Address ID must be set up for EFT payments.)		FRF/Procurement or Other ID Number: 119972	
<p style="text-align: center;"><u> </u> NEW CONTRACT</p> <p>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</p> <p><input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)</p> <p><input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)</p> <p><input type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)</p> <p><input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)</p> <p><input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget)</p> <p><input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)</p>		<p style="text-align: center;"><input checked="" type="checkbox"/> CONTRACT AMENDMENT</p> <p>Enter Current Contract End Date <u>Prior</u> to Amendment: <u>12/31, 2023</u>.</p> <p>Enter Amendment Amount: \$ <u>no change</u> (or "no change")</p> <p>AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.)</p> <p><input checked="" type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget)</p> <p><input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)</p> <p><input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)</p> <p><input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)</p>	
<p>The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services <input type="checkbox"/> Commonwealth IT Terms and Conditions</p>			
<p>COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.</p> <p><input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)</p> <p><input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or <i>new</i> total if Contract is being amended). <u>\$200,000.00</u>.</p>			
<p>PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days <u> </u> % PPD; Payment issued within 15 days <u> </u> % PPD; Payment issued within 20 days <u> </u> % PPD; Payment issued within 30 days <u> </u> % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)</p>			
<p>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.)</p> <p>This agreement is for a change of scope request due to the original scope no longer being feasible for the town of Amesbury.</p>			
<p>ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:</p> <p><input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date.</p> <p><input type="checkbox"/> 2. may be incurred as of <u> </u>, 20<u> </u>, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date.</p> <p><input type="checkbox"/> 3. were incurred as of <u> </u>, 20<u> </u>, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.</p>			
<p>CONTRACT END DATE: Contract performance shall terminate as of <u>December 31, 2023</u>, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.</p>			
<p>CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.</p>			
<p>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</p> <p>X: <u><i>Kassandra Gore</i></u> . Date: <u>2/24/23</u></p> <p>(Signature and Date Must Be Captured At Time of Signature)</p> <p>Print Name: <u>Kassandra Gore</u></p> <p>Print Title: <u>Mayor</u></p>		<p>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</p> <p>X: <u><i>Carrie Lavallee</i></u> . Date: <u>3/14/23</u></p> <p>(Signature and Date Must Be Captured At Time of Signature)</p> <p>Print Name: <u>Carrie Lavallee, P.E.</u></p> <p>Print Title: <u>Chief Engineer</u></p>	



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Fiandaca, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



TO: Anna Dolata, Contracts & Records

FROM: Cassandra Gascon, Community Grants Program Administrator *CG*

DATE: March 2, 2023

SUBJECT: Amesbury - Contract #119972 – Shared Streets and Spaces – Scope Amendment

Amesbury was awarded \$200,000.00 in Fiscal Year 2023 by MassDOT through the Shared Streets and Spaces Grant Program for bicycle and pedestrian infrastructure. Amesbury requested MassDOT approval to alter the original scope due to changing needs within the town. I approve of this scope change and recommend the contract be amended to include the new projects, which are detailed on the following page in a letter from the town. This request requires no change in contract expiration or value.

Scope change for FY23 Shared Streets Award – CT 119972

Ms. Vaillancourt,

Here is Amesbury's proposed change in scope for the grant. Attached are two PDFs illustrating the areas.

New Scope:

Install a Rapid Flashing Beacon (RFB) at Heritage Towers, 180 Main Street:

180 Main Street (Heritage Towers) is a senior housing facility. The RFB would assist seniors crossing the street to access several assets across the street including Pattons Pond, Provident Bank, churches, and a few businesses on Main Street. The approximate cost is \$30,000.

New Pedestrian Corridor on Evans Place:

Install approximately 1200 lf of new sidewalk on Evans Place from Main Street to Rt 95 overpass. Currently, there is no pedestrian access in this location. This will complete a pedestrian route from the Main Street, Rocky Hill Road, and Clarks Road neighborhoods to the Amesbury Welcome Center, Garrison Trail, and Deer Island recreational areas. The approximate cost is \$170,000.

There will be some additional engineering costs that the city will pay with Chapter 90 funds.

Robert Desmarais

Director, Public Works

T (978) 388-8116

Municipal Development Center
39 South Hunt Road | Amesbury, MA 01913
www.amesburyma.gov





Merrimack River

Newburyport

Salisbury

Evans Place

Point Shore Drive

Main Street

Merrill Street

Old Merrill Street

95

352.59 ft

276.89 ft

513.60 ft

Total: 635.73 ft

Total: 517.76 ft

90-19 90-32 90-31 90-33 90-34 90-35 90-37 91-23 91-22 91-18J 91-18I 91-18H 91-18G 91-18F 91-18E 91-18D 91-18C 91-18B 91-18A 91-18 91-17 91-16 91-15 91-14 91-13 91-12 91-11 91-10 91-9 91-8 91-7 91-6 91-5 91-4 91-3 91-2 91-1

90-18 90-17 90-16 90-15 90-14 90-13 90-12 90-11 90-10 90-9 90-8 90-7

90-36 90-39 90-40 90-41 90-42 90-43 90-44 90-45 90-46 90-47 90-48 90-49 90-50 90-51

91-20 91-18L 91-18W 91-18V 91-18Y 91-18Z 91-12A 91-12B 91-12C 91-12D 91-12E 91-12F 91-12G 91-12H 91-12I 91-12J 91-12K 91-12L 91-12M 91-12N 91-12O 91-12P 91-12Q 91-12R 91-12S 91-12T 91-12U 91-12V 91-12W 91-12X 91-12Y 91-12Z 91-9A 91-10 91-11 101-1

65-1

Osgood place

53-195

New Rapid Flashing Beacon

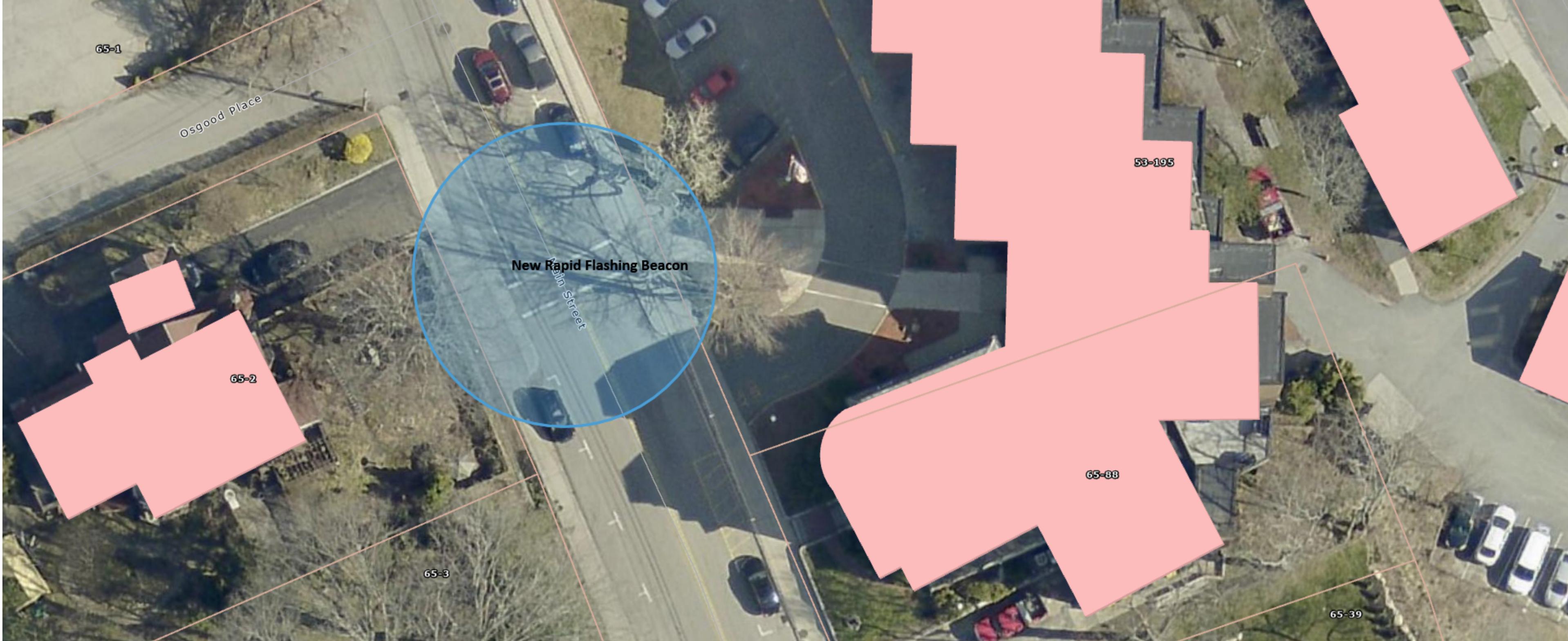
Main Street

65-2

65-88

65-3

65-39





COMMONWEALTH OF MASSACHUSETTS CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME : *Town of Amesbury*
CONTRACTOR VENDOR/CUSTOMER CODE: *VC6000191694*

INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
<i>Kassandra Grove</i>	<i>Mayor</i>
<i>Robert Desmarais</i>	<i>Department of Public Works Director</i>

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Kassandra Grove

Signature

Date: *June 2, 2022*

Title: *Mayor*

Telephone: *978-388-8121*

Fax:

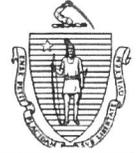
Email: *govek@amesburyma.gov*

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME : Town of Amesbury
CONTRACTOR VENDOR/CUSTOMER CODE: VC6000191694

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): Kassandra Gove

Title: Mayor

X Kassandra Gove

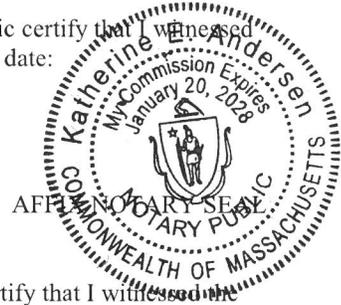
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, [Signature] (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

July 8, 20 22.

My commission expires on: 1/20/28



I, _____ (CORPORATE CLERK) certify that I witnessed
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL