

PERSONAL & CONFIDENTIAL

February 3, 1975

Mr. Thaddeus R. Beal, Chairman
Cambridge Redevelopment Authority
336 Main Street
Cambridge, Massachusetts 02142

Dear Mr. Beal:

You have requested my opinion whether there is a conflict of interest in light of your association with the law firm of Herrick, Smith, Donald, Farley and Ketchum, their general representation of the engineering firm of Metcalf and Eddy and a proposed contract between Metcalf and Eddy and the Cambridge Redevelopment Authority.

I has also been pointed out that your law firm is not representing Metcalf & Eddy in this matter in any way.

In light of the course of action which you propose to take, in any event, which includes no participation in any vote or other decision relating to Metcalf & Eddy, I would prefer not to answer your request in the abstract. Your planned course of action prevents even the appearance of a possible conflict of interest and removes any conceivable legal obstacle to a contract between the Authority and Metcalf & Eddy.

I trust this answers your request.

Very truly yours,

Edward D. McCarthy
City Solicitor

EDMcC: jm

cc: Mr. Paul E. Healy
Mr. James L. Sullivan

January 29, 1975

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Massachusetts 02139

Dear Jim:

I enclose herewith Bob Rowland's response to your recent letter inquiring about progress on the proposed Environmental Impact Study for the Kendall Square Urban Renewal Project. I believe his letter accurately reports the status of our EIS work.

As I informed you in our telephone conversation earlier this week, some question has been raised with respect to the proposed undertaking of the study by Metcalf and Eddy in view of the fact that the law firm of Herrick, Smith, Donald, Farley and Ketchum, in which I am a partner, has served as general counsel to that organization for a number of years. As I also advised you in that conversation, I have not acted as attorney for this corporation nor has my law firm been consulted by or acted as attorneys for the corporation in connection with its proposal to the Authority or the proposed contract or any other matter relating to the Authority. Moreover, I was not present and did not participate at the meeting of the Authority at which the Authority made a tentative determination to negotiate with that corporation for an acceptable form of work program and contract. While I am satisfied that there has been no impropriety to date and I shall not participate in any future action of the Authority involving this corporation, or indeed in any matter, which would involve an improper conflict, I am sending a copy of this letter to the City Solicitor with the request for his opinion. I shall also inform the other members of the Authority.

I appreciated the opportunity to discuss this matter with you and your helpfulness and continuing support, and look forward to the development of a program for the project which will be of maximum benefit to our City.

Sincerely yours,

Thaddeus R. Beal
Chairman

Edward D. McCarthy, Esq.
cc: Herbert L. Berman, Esq.
Robert F. Rowland

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An opinion from Edward D. McCarthy, City
Solicitor to Thaddeus R. Beal, Chairman
of the Cambridge Redevelopment Authority
over a "conflict of interest"

February 10, 1975