



The Commonwealth of Massachusetts
Executive Office of Transportation and Construction
Department of Public Works
Ten Park Plaza, Boston 02116

May 28, 1985

Agreement No. 4829
Cambridge

Paul E. Healy, City Clerk,
City Hall,
Cambridge MA. 02138

Dear Mr. Healy:

Enclosed for your files is a Traffic Control Agreement
for the proposed Federal Aid Project No. BRM-9303 (138)
involving the City of Cambridge and the Commonwealth.

Very truly yours

Marilyn P. Corrado

Marilyn P. Corrado, Secretary
Public Works Commission

MPC/dh

cc: Traffic Control
Cert Mail
Files

AGREEMENT
BETWEEN
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
AND
METROPOLITAN DISTRICT COMMISSION

FEDERAL AID PROJECT NO. BRM-9303(138)

AGREEMENT, made this 22ND day of May 1985 by and between the COMMONWEALTH OF MASSACHUSETTS, through the DEPARTMENT OF PUBLIC WORKS, hereinafter called the DEPARTMENT and the Metropolitan District Commission hereinafter called the MDC and pursuant to the provisions of TITLE 23, Sections 109 (d) and 116 of the United States Code and in accordance with the Official Standards of the DEPARTMENT which have been adopted in conformity with the provisions and recommendations of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation, Federal Highway Administration, herein called STANDARDS.

WHEREAS, the DEPARTMENT and the MDC have agreed that Commercial Avenue, and Cambridge Parkway, in whole or in part, all being Metropolitan District Commission Streets in the City of Cambridge, in the County of Middlesex, or in the City of Boston, in the County of Suffolk, have qualified to participate in a Federal-Aid program with the work financed in part by funds provided by the Federal Government, and

WHEREAS, the United States Government through its Department of Transportation, Federal Highway Administration, requires that the project area upon completion will be operated and maintained in an adequate manner and,

WHEREAS, the MDC approves the proposed program of improvements for the Federal-Aid Project.

WHEREAS, the improvements shall include roadway reconstruction, signing, and other work as shown on plans entitled "East Cambridge Roadway Improvement Project" Contract II Federal Aid No. BRM-9303(138), and

NOW THEREFORE, in consideration thereof, the MDC and the Department hereby agrees, to conform to the following provisions:

1. GENERAL PROVISIONS

a) All information, regulatory or warning signs, all traffic control signals, flashing beacons, traffic islands, or other traffic devices; all pavement or other markings shall be designed, located and operated in accordance with the Standards of the DEPARTMENT for such devices.

b) The Police Department of the MDC is the enforcement agency for traffic regulations established in accordance with this agreement and the traffic devices installed in connection therewith.

II. SPECIFIC PROVISIONS

A. PARKING PROHIBITED - TOW AWAY ZONE

- Commercial Avenue - Both sides, from Msgr. O'Brien Highway approximately 95 feet south of Msgr. O'Brien Hwy. and again from Cambridge Parkway southerly for approximately 270 feet.
- Cambridge Parkway - East side, from Commercial Avenue to 160 feet east of Commercial Avenue
- West side, from Commercial Avenue to 40 feet east of Commercial Avenue

B. PARKING RESTRICTIONS

- Cambridge Parkway - West side, from a point 40 feet east of Commercial Avenue to a point 270 feet east of Commercial Avenue

C. LEFT LANE MUST TURN LEFT

- Commercial Avenue - Northbound traffic, left turn onto Msgr. O'Brien Highway is a mandatory movement for traffic in the left lane

III. ACCESS AND EGRESS

Within the limits of the Federal-Aid Project neither additional driveways (residential or commercial) nor relocation or alteration of existing driveways shall be permitted unless they are in conformance with the DEPARTMENT's Manual on Uniform Traffic Control Devices, and receive prior written approval of the DEPARTMENT.

IV. TRAFFIC ISLANDS

Traffic Islands or Median Islands and traffic devices thereon are not to be installed, altered or removed without the prior written approval of the DEPARTMENT. Parking is prohibited on and adjacent to all traffic islands and median islands within the Federal-Aid Project.

V. MISCELLANEOUS

Traffic Controls or Regulations instituted either by the DEPARTMENT or the MDC on ways or parts thereof within the Federal-Aid Project are to remain in force and effect until proposed future changes have been approved in writing by the DEPARTMENT.

The DEPARTMENT will not approve any future proposed traffic control changes within the Project which will, in the opinion of the DEPARTMENT, lessen to any degree the efficient utilization of the highway for traffic purposes.

VI. MAINTENANCE

The Metropolitan District Commission in accordance with the provisions of Sections 109 (d) and 116 of TITLE 23 of the United States Code will properly maintain the way and all traffic control devices including signs, signals, and pavement markings under the control of the MDC within the project area.

VII. PENALTY

Failure on the part of the Metropolitan District Commission to fulfill its responsibility in the proper maintenance, and operation and the enforcement of the traffic regulations of the completed facility will disqualify the Metropolitan District Commission from future Federal Aid participation on projects in which the MDC has maintenance responsibility, as provided in TITLE 23, U.S.C., Federal Highway Administration, U.S. Department of Transportation.

Such failure shall also result in withholding or withdrawing of the unexpended balance of any funds assigned to the Metropolitan District Commission under the provisions of Chapter 90, Section 34 of the General Laws as amended by Chapter 603 of the Legislative Acts of 1962.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

METROPOLITAN DISTRICT COMMISSION

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

William J. Geary Commissioner
Dwight M. Scandrett
Jovita Fontanez
William J. Jones Associate Commissioner

James F. Harvey Commissioner
Frederic S. Grompino Associate Commissioner
Martha R. Randon Associate Commissioner

LEGAL CERTIFICATION

This will certify that the Metropolitan District Commission has complied with all applicable State Laws and its By-Laws and Ordinances and that this Agreement is a valid, binding agreement of the Metropolitan District Commission.

5/3/85 Date
John W. Wright GENERAL COUNSEL

CERTIFICATE OF SIGNATORY

This will certify that the below named individual(s) is/are duly authorized and empowered to execute and deliver this Agreement on behalf of the Metropolitan District Commission.

NAME <u>William J. Geary</u>	TITLE <u>Commissioner</u>
<u>Dwight M. Scandrett</u>	<u>Associate Commissioner</u>
<u>William J. Jones</u>	<u>Associate Commissioner</u>
<u>Jovita Fontanez</u>	<u>Associate Commissioner</u>

DATE May 2, 1985 ATTEST: William F. Chisholm (signature)
Secretary of the Commission (title)
William F. Chisholm
(name)

S-436

Comm. from Marilyn P. Corrado, Secretary, Mass.
Public Works Commission transmitting a copy of
a Traffic Control Agreement for the proposed
Federal Aid Project No. BRM-9303 (138) in the
Commercial Ave. & Cambridge Parkway area.

*Copy sent to Joan Pastore, City Engineer
6/5/85 mch*

In City Council,

June 3, 1985

6/3/85

*Placed on File
Copy to the
City Engineer*