Consent Agenda #43

IN CITY COUNCIL
CITY OF CAMBRIDGE
July 29, 1996

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

AN ORDER CONCERNING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JULY 1, 1996

ORDERED: That the following transfer be made in the General Fund to the Public Investment Fund of the City of Cambridge:

FROM	AMOUNT	TO	AMOUNT
Public Works Salary & Wages Account	$2,352.29	Public Works Other Ordinary Maintenance	$2,352.29

REASON (S) prior year bill.

In City Council September 9, 1996.
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

Charter right #43

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D. Margaret Drury
City Clerk

CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Legal Counsel

Birge Albright
Gail S. Gabriel
Arthur J. Goldberg
Linda A. Stamper
Deborah R. Cautela
Nancy E. Glowa

July 23, 1996

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Payment of prior year's bill/Fallon-Williams, Inc.

Dear Mr. Healy:

Enclosed as you requested is language upon which the City Council may vote to authorize the payment of the bill of Fallon-Williams, Inc. from 1991 for $2,352.29. Pursuant to G.L.c.44, s.64, a two-thirds vote is required for passage. The required certificate from the department (Department of Public Works) ordering and receiving the services is attached.

For a number of years, Fallon-Williams had contracts with the DPW to provide preventive maintenance and emergency service for HVAC systems. Several outstanding invoices totalling $2,352.29 for services rendered remain unpaid. They were billed on a time and materials basis in 1991. The City acknowledges that the services were rendered pursuant to valid contracts. The money to pay the contracts apparently was available in purchase orders several fiscal years ago, but the money was returned to the general fund.

Generally, the City is not required to pay bills from prior years for which no funds have been carried over. However, G.L.c.44, s.64, the so-called "moral obligations" law, is a legislative recognition that there are circumstances, such as these, that warrant allowing a City to pay past obligations for which funds are not currently appropriated.

Very truly yours,

Russell B. Higley

Russell B. Higley

CCM-101

City of Cambridge

Agenda Item No. 43
IN CITY COUNCIL

July 29, 1996

WHEREAS: Fallon-Williams, Inc. performed maintenance and emergency services for City heating and air conditioning systems in 1991 for which it was not paid; and

WHEREAS: The Public Works Commissioner has certified to the City Auditor that such work was performed satisfactorily; and

WHEREAS: The City would like to pay Fallon-Williams, Inc. for the work it performed for the City; now therefore be it

ORDERED: That pursuant to General Laws Chapter 44, Section 64, the City Council hereby appropriates by a two-thirds vote the sum of $2,352.29 to pay Fallon-Williams, Inc. for services rendered in a prior fiscal year.

CAMBRIDGE DEPARTMENT OF PUBLIC
THE WORKS

Ralph E. Dunphy
Commissioner

147 Hampshire Street
Cambridge, MA 02139
617-349-4800
TDD 617-349-4805

May 28, 1996

James Lindstrom
City Auditor
City Hall
Cambridge, MA 02139

Dear Mr. Lindstrom,

I hereby certify, under the pains and penalties of perjury, that the goods and services noted on the enclosed Fallon-Williams, Inc. Open Invoice Report were genuinely ordered by the appropriate City official. In addition, I certify that the goods and services were received to the City's satisfaction.

I recommend approval of payment in the amount of $2,352.29 to Fallon-Williams, Inc. for said goods and services. If you have any questions or need any further information, please contact me at 349-4806.

Sincerely,

Ralph E. Dunphy
Commissioner

cc: Robert W. Healy, City Manager
Arthur Goldberg, Law Dept.

309 FALLON-WILLIAMS INC. — ACCOUNTS RECEIVABLE AGEING DETAIL BY JOB — OPEN INVOICE REPORT — AR204 DATE 11/16/92 PAGE 1 — AR09 TIME 12.07 PM MARION W4

CUSTOMER: 12511 CAMBRIDGE D.P.W. 490-9051 DATE OF LAST PAYMENT-11/09/92

JOB: CS1391 CAMBRIDGE TRAFFIC DEPT.

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
126	02026	7/25/89	600.00				600.00	
	JOB TOTALS		600.00				600.00	

JOB: JS2319 CAMBRIDGE DPW

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
127	05120	8/24/90	611.50				611.50	
	JOB TOTALS		611.50				611.50	

JOB: JS4160 CITY OF CAMBRIDGE

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
127	06236	12/23/91	336.35				336.35	
	JOB TOTALS		336.35				336.35	

JOB: PM109210A CAMBRIDGE DPW

Credit JP

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
125	07501	9/01/91	16.38				16.38	
	JOB TOTALS		16.38				16.38	

JOB: PM109210JX CAMBRIDGE DPW

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
127	07075	5/01/91	456.44				456.44	
127	07079	6/20/91	218.00				218.00	
	JOB TOTALS		674.44				674.44	

JOB: PM109210B CAMBRIDGE DPW

Credit JP

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
127	[illegible]	[illegible]	60.00				60.00	
	JOB TOTALS		60.00				60.00	

JOB: PM1092101 CAMBRIDGE D P W

G/L#	INVOICE	INVOICE DATE	AMOUNT	CURRENT	30 - 60	61- 90	OVER 90	RETAINAGE
127	06036	5/15/91	130.00				130.00	
	JOB TOTALS		130.00				130.00	
	CUSTOMER TOTALS		2,428.67				2,428.67	
	COMPANY TOTALS		2,428.67				2,428.67	

76.38

2353.29

43.

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

July 29, 1996

To The Honorable, The City Council:

Attached please find a request for a transfer from the Public Works Salary & Wages Account to the Public Works Other Ordinary Maintenance Account for $2,352.29. See attached memo for detailed information.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment

Consent Agenda #43 F-135

Relative to a request for a transfer
from the Public Works Salary & Wages
Account to the Public Works Other
Ordinary Maintenance Account for
$2,352.29.

In City Council July 29, 1996
Charter right was
exercised by Councillor
Toomey 9-9-96

ORDER ADOPTED
9-0-0