CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date November 10, 1981

From Paul E. Healy, City Clerk

Reference

Subject Enclosed

Dear Mr. Healy:

Enclosed you will find a copy of a resolution adopted by the Cambridge City Council at its meeting of November 9, 1981 authorizing the filing of an application with the Commonwealth of Massachusetts, relative to the grant application for Water Filtration Plant improvements in the Cambridge Water Department; under Chapter 805 of the Acts of 1979.

Enclosed also you will find a certified copy of the roll call authorizing the filing of the application with the Commonwealth of Massachusetts.

PEH/mh

cc: Water Department, Community Development Dept.

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council November 9, 1981

VOTE OF THE CAMBRIDGE CITY COUNCIL AUTHORIZING THE FILING OF A GRANT APPLICATION UNDER CHAPTER 805 OF THE ACTS OF 1979 FOR WATER FILTRATION PLANT IMPROVEMENTS.

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy	✓			
Ms. Saundra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay			✓	
	8	0	1	

DATE: NOV 9 1981

A TRUE COPY ATTEST:

Paul E. Healy

CITY CLERK

RESOLUTION OF GOVERNING BODY OF APPLICANT

WHEREAS, THE COMMONWEALTH OF MASSACHUSETTS, UNDER CHAPTER 805, OF THE ACTS OF 1979, AS AMENDED, AUTHORIZES THE MAKING OF GRANTS TO AID ELIGIBLE UNITS OF GOVERNMENT IN FINANCING THE COST OF

WHEREAS, THE CITY OF CAMBRIDGE HAS NEED FOR AND INTENDS TO

WHEREAS, THE CITY OF CAMBRIDGE INTENDS TO REQUEST STATE GRANT ASSISTANCE FOR THE PROJECT,

NOW THEREFORE BE IT RESOLVED, BY THE CITY MANAGER OF THE CITY OF CAMBRIDGE :

THAT THE CITY OF CAMBRIDGE WILL ARRANGE FINANCING FOR ALL REMAINING COSTS OF THE PROJECT, IF APPROVED FOR A STATE GRANT AWARD.

THAT THE CITY OF CAMBRIDGE WILL ADOPT AND PLACE INTO EFFECT ON OR BEFORE COMPLETION OF THE PROJECT A SCHEDULE OF FEES AND CHARGES WHICH WILL PROVIDE ADEQUATE FUNDS FOR PROPER OPERATION, MAINTENANCE AND ADMINISTRATION OF THE SYSTEM.

THAT THE WATER SUPERINTENDENT WILL PROVIDE FOR EFFICIENT OPERATION, CONSTRUCTION AND MAINTENANCE OF THE PROJECT UPON COMPLETION OF CONSTRUCTION.

THAT THE WATER SUPERINTENDENT AND SUCCESSORS SO TITLED IS HEREBY AUTHORIZED TO EXECUTE AND FILE AN APPLICATION ON BEHALF OF THE CITY OF CAMBRIDGE WITH THE COMMONWEALTH OF MASSACHUSETTS FOR A GRANT TO AID IN THE CONSTRUCTION OF PROJECT DESCRIBED ABOVE.

THAT THE CITY OF CAMBRIDGE HAS SUBSTANTIALLY COMPLIED OR WILL SUBSTANTIALLY COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS, RULES, REGULATIONS, AND ORDINANCES APPLICABLE TO THE PROJECT AND TO FEDERAL AND STATE GRANTS AND LOANS PERTAINING THERETO, AND HEREBY AUTHORIZED THE ABOVE DESIGNATED REPRESENTATIVE TO EXECUTE AN AFFIDAVIT.

THAT THE WATER SUPERINTENDENT , AND SUCCESSORS SO TITLED, IS HEREBY AUTHORIZED AND DIRECTED TO FURNISH SUCH INFORMATION AS MAKE WHATEVER ASSURANCES AND EXECUTE WHATEVER AGREEMENTS WITH THE COMMONWEALTH, OR OTHER DOCUMENTS MAY BE REQUIRED, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING ASSURANCES:

1. THE APPLICANT IS A UNIT OF GOVERNMENT AS DEFINED IN THE REGULATIONS.

2. THE APPLICANT TOTALLY OWNS THE WATER SYSTEM AS DEFINED IN THE REGULATIONS, UPON WHICH THE PROJECT IS TO BE PERFORMED.

RESOLUTION - CONTINUED

3. THE APPLICANT HAS COMPLIED AND WILL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL STATUTES, RULES, REGULATIONS , BY-LAWS AND ORDINANCES.

4. THE APPLICANT HAS OR WILL HAVE THE FINANCIAL RESOURCES TO PROVIDE ITS SHARE OF THE PROJECT COSTS, AND TO THE EXTENT THAT BORROWED FUNDS WILL BE USED TO FINANCE THE PROJECT, THE APPLICANT WILL SUBMIT EVIDENCE THAT IT HAS CLEAR AUTHORITY TO BORROW FOR THE TOTAL ESTIMATED COST OF THE APPLICANTS SHARE OF THE COST.

5. A FINANCIAL MANAGEMENT SYSTEM, IS OR WILL BE ESTABLISHED WHICH PROVIDES FOR EFFECTIVE CONTROL OVER AND ACCOUNTABILITY FOR ALL PROJECT FUNDS, PROPERTY AND OTHER ASSETS. GRANTEES SHALL SAFEGUARD ALL SUCH ASSETS AND ENSURE THAT THEY WERE AND ARE SOLELY FOR THE PROJECT.

6. AUDITS WILL BE MADE AT REASONABLE FREQUENCIES BUT NO LESS FREQUENTLY THAN ANNUALLY TO DETERMINE THE FISCAL INTEGRITY OF FINANCIAL TRANSACTIONS AND REPORTS.

7. THE APPLICANT WILL MAINTAIN BOOKS, RECORDS, DOCUMENTS AND SUPPORTING EVIDENCE WHICH FULLY EXPLAINS THE SOURCE, AMOUNT, AND DISPOSITION OF ALL FUNDS USED FOR THE PROJECT.

8. THE APPLICANT WILL REQUIRE ITS CONTRACTORS, INCLUDING CONTRACTORS FOR PROFESSIONAL SERVICES, TO ALSO MAINTAIN BOOKS, DOCUMENTS, PAPERS AND RECORDS WHICH ARE PERTINENT TO THE PROJECT.

9. THE APPLICANT AND CONTRACTORS OF THE APPLICANT WILL RETAIN ALL RECORDS FOR A PERIOD OF ATLEAST THREE YEARS FROM THE DATE OF FINAL GRANT PAYMENT.

10. THE APPLICANT AND ITS CONTRACTORS SHALL MAKE RECORDS AVAILABLE TO THE DEPARTMENT AT ALL REASONABLE TIMES FOR INSPECTION, COPYING, AND AUDITING.

11. THE APPLICANT AND ITS CONTRACTORS WILL RETAIN ALL RECORDS RELATING TO DISPUTES UNTIL ALL APPEALS, LITIGATION, CLAIMS OR EXCEPTIONS HAVE BEEN FINALLY RESOLVED.

12. THE DEPARTMENT MAY, AT REASONABLE TIMES, INSPECT PROJECTS FOR WHICH GRANT FUNDS ARE AWARDED.

13. THE AWARD AND ADMINISTRATION OF THESE GRANTS, AND OF SUB-AGREEMENTS AWARDED BY THE APPLICANT UNDER THIS GRANT, SHALL BE ACOMPLISHED FREE FROM BRIBERY, GRAFT, KICKBACKS AND OTHER CORRUPT PRACTICES. THE APPLICANT BEARS THE PRIMARY RESPONSIBILITY FOR THE PREVENTION, DETECTION AND COOPERATION IN THE PROSECUTION OF ANY SUCH CONDUCT; STATE ADMINISTRATIVE OR OTHER LEGALLY AVAILABLE REMEDIES WILL BE PERSUED, HOWEVER, TO THE EXTENT APPROPRIATE.

RESOLUTION - CONTINUED

14. THE APPLICANT MUST EFFECTIVELY PERSUE AVAILABLE STATE OR LOCAL LEGAL AND ADMINISTRATIVE REMEDIES, AND TAKE APPROPRIATE REMEDIAL ACTION, WITH RESPECT TO ANY ALLEGATIONS OR EVIDENCE OR SUCH ILLEGALITY OR CORRUPT PRACTICES WHICH ARE BROUGHT TO ITS ATTENTION. THE APPLICANT SHALL ADVISE THE DEPARTMENT IMMEDIATELY WHEN SUCH ALLEGATION OR EVIDENCE COMES TO ITS ATTENTION, AND MUST PERIODICALLY ADVISE THE DEPARTMENT OF THE STATUS AND ULTIMATE DISPOSITION OF ANY MATTER, INCLUDING THOSE REFERRED PURSUANT TO ASSURANCE NO: 13.

15. THE DEPARTMENT MAY SUSPEND A LEAK DETECTION OR REHABILIATION GRANT WHENEVER THE DEPARTMENT BECOMES AWARE OF ANY ALLEGATIONS, EVIDENCE OR EVEN APPEARANCE OF ILLEGALITY, CORRUPTION OR FRAUD ASSOCIATED WITH THE AWARD OF THE GRANT, COMPLIANCE OR NON-COMPLIANCE WITH THESE REGULATIONS OR THE OFFER/ACCEPTANCE AGREEMENT, OR EXPENDITURE OF FUNDS FOR THE PROJECT.

16. THE DEPARTMENT MAY REVOKE LEAK DETECTION OR REHABILIATION GRANT WHENEVER THE DEPARTMENT DETERMINES THAT THERE IS SUBSTANTIAL EVIDENCE OR ILLEGALITY, CORRUPTION OR FRAUD ASSOCIATED WITH THE AWARD OF THE GRANT, COMPLIANCE, OR NON-COMPLIANCE WITH THESE REGULATIONS OR THE OFFER/ACCEPTANCE AGREEMENT, OR EXPENDITURE OF FUNDS FOR THE PROJECT. WHENEVER A GRANT IS REVOKED, THE APPLICANT SHALL BE RESPONSIBLE FOR RETURNING TO THE COMMONWEALTH ALL FUNDS RECIEVED BY THE GRANTEE PURSUANT TO THE GRANT.

17. NOT LATER THAN THIRTY DAYS AFTER RECEIPT OF FEDERAL FUNDS FOR THIS PROJECT, THE APPLICANT SHALL NOTIFY THE DEPARTMENT IN WRITING OF THE RECEIPT OF SUCH FUNDS.

18. LEAK DETECTION OR REHABILITATION GRANTS SHALL BE MADE BY THE DEPARTMENT TO ELIGIBLE PROJECTS WHICH STARTED AFTER JANUARY 1, 1980.

19. THE APPLICANT HAS INIATED OR WILL INIATE WHATEVER ACTION IS NECESSARY TO ASSURE THAT THE CONSTRUCTION OF THE PROJECT IS IN COMPLIANCE WITH THE AFFIRMATIVE ACTION REGULATIONS OF THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

20. THE APPLICANT HAS INIATED OR WILL INIATE WHATEVER ACTION IS NECESSARY TO ASSURE THAT CONSTRUCTION OF THIS PROJECT IS IN COMPLIANCE WITH THE M.E.P.A. REGULATIONS OF THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

21. THE APPLICANT HAS OR IS IN THE PROCESS OF ADOPTING A COMPREHENSIVE WATER RESOURCES MANAGEMENT PLAN PURSUANT TO THE REGULATIONS.

22. THE APPLICANT MUST SHOW THAT THEIR SHARE OF THE PROJECT WILL BE FINANCED BY A COMBINATION OF FEDERAL AND/OR LOCAL FUNDS NOT TO EXCEED AMOUNTS STIPULATED IN THE LAW AND REGULATIONS.

23. APPLICATIONS FOR LEAK DETECTION OR REHABILITATION FUNDING SUBMITTED ONLY DURING THE THIRTY DAY APPLICATION PERIOD WILL BE PRIORITIZED.

RESOLUTION - CONTINUED

ADOPTED THIS THE AT ,MASSACHUSETTS.

ATTESTED

SEAL

Robert W. Healy, City Manager

CERTIFICATE OF RECORDING OFFICER

THE UNDERSIGNED DULY QUALIFIED AND ACTING City Clerk OF THE City of Cambridge DOES HEREBY CERTIFY:

THAT THE ATTACHED RESOLUTION IS A TRUE AND CORRECT COPY OF THE RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE COMMONWEALTH OF MASSACHUSETTS, AS REGULARLY ADOPTED AT A LEGALLY CONVENED MEETING OF THE CITY COUNCIL OF CAMBRIDGE DULY HELD ON THE NINTH DAY OF NOVEMBER, 1981, AND FURTHUR, THAT SUCH RESOLUTION HAS BEEN FULLY RECORDED IN THE JOURNAL AND RECORDS IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS tenth DAY OF NOVEMBER, 1981.

Paul E. Healy

SIGNATURE OF RECORDING OFFICER

November 10, 1981
DATE

Paul E. Healy, City Clerk
NAME & TITLE OF RECORDING OFFICER

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council Nov. 9, 1981

#9 Agenda

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy	✓			
Ms. Saundra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay			✓	
	8	0	1	

11/9/81

Resolution Adopted

C. Vellucci Requests Better Pic

No Change in Fees

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

November 9, 1981

To the Honorable, the City Council:

Enclosed please find copy of a proposed resolution which is needed to accompany grant application for water filtration plant improvements.

Passage of this resolution is recommended.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item Number 9 F-365

Re: proposed resolution re: grant application for water filtration plant improvements.

In City Council,

November 9, 1981

11/9/81

Resolution

Approved

8-0-1

Copies of resolution + roll call sent to City Manager's Office, Water Dept. + Comm. Dev. Dept. 11/10/81 mh