

17

**CITY OF DANBURY  
DEPARTMENT OF PUBLIC WORKS**



**155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810  
(203) 797-4537 FAX (203) 796-1586**

**MAYOR  
Honorable Mark D. Boughton**

**PUBLIC WORKS DIRECTOR  
Antonio Iadarola, P.E.**

March 26, 2013

Honorable Mark D. Boughton, Mayor  
City Council  
City of Danbury  
155 Deer Hill Ave.  
Danbury, CT 06810

Dear Mayor Boughton and City Council Members:

Re: Master Municipal Agreement for Construction Projects

I have reviewed the contract from the State of Connecticut and found nothing out of the ordinary. The manner in which we would be doing business with the State will greatly improve the process for municipal construction projects involving the State Department of Transportation.

Please adopt the attached resolution.

Sincerely,

Antonio Iadarola, P.E.  
Director of Public Works



# RESOLUTION

17-1

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A.D. 2013

**RESOLVED** BY THE CITY COUNCIL OF THE CITY OF DANBURY

**WHEREAS**, the State of Connecticut Department of Transportation (“CTDOT”) has proposed, and strongly urges adoption of a Master Municipal Agreement for Construction Projects (“MMAC”) to improve and streamline public projects as funded through the State of Connecticut; and

**WHEREAS**, the term of a MMAC is proposed for a period of ten (10) years, with each individual and subsequent State-City project being authorized through the use of Project Authorization Letters (“PAL”); and

**WHEREAS**, the use of the MMAC has been proposed to many municipalities across Connecticut.

**NOW, THEREFORE BE IT RESOLVED THAT** the Honorable Mayor Mark D. Boughton is hereby authorized to sign the Agreement entitled “Master Municipal Agreement for Construction Projects”, and to take such other action as maybe required to further the purposes thereof.



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

17-2



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

February 25, 2013

The Honorable Mark D. Boughton  
Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810



Dear Mayor Boughton:

Subject: Master Municipal Agreement for Construction Projects

The Connecticut Department of Transportation (Department) is pleased to introduce a new way of doing business with the municipalities of Connecticut. The enclosed Master Municipal Agreement for Construction Projects (MMAC) is the first in a series of agreements that will fundamentally improve how the Department conducts business with its municipal partners by dramatically streamlining the agreement process.

It is anticipated that once an MMAC is executed with your municipality, project specific information and monetary terms will be set forth in a Project Authorization Letter (PAL) issued by the Department to the municipality for individual construction projects. PALs are expected to take only days to execute, as opposed to the numerous months currently required executing individual project agreements.

This ten-year term MMAC covers both municipally advertised construction projects, as well as projects advertised by the Department on behalf of municipalities. Since the requirements differ, depending on who advertises and awards the construction contract, this MMAC is designed to address both scenarios. The MMAC includes standard terms, conditions and contracting "boiler plate" language that should govern all municipal construction projects involving the Department which are undertaken throughout the ten-year term.

Although the Department may not have a construction project in your municipality at this time, execution of this agreement will streamline future project specific business with the Department.

It is my great hope that you will sign the enclosed agreement and join the Department in this new and innovative way of doing business that will improve delivery of Department services to its customers.

RECEIVED  
FEB 28 2013  
CORPORATION COUNSEL

17-3

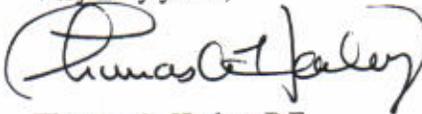
Mayor Mark D. Boughton

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February 25, 2013

Please process the MMAC in accordance with the enclosed instructions and return the agreement, along with your authority to sign, to Mr. Hugh Hayward, Highway Design – Local Roads, at the letterhead address. If you have any questions, please contact Mr. Hugh Hayward at (860) 594-3219.

Very truly yours,



Thomas A. Harley, P.E.

Chief Engineer

Bureau of Engineering and Construction

Enclosure

17-4

**MASTER MUNICIPAL AGREEMENT  
FOR CONSTRUCTION PROJECTS**

THIS MASTER MUNICIPAL AGREEMENT FOR CONSTRUCTION PROJECTS ("Master Agreement") is entered into by and between the STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, (the "DOT"), and the CITY OF DANBURY, 155 Deer Hill Avenue, Danbury, Connecticut 06810 (the "Municipality"). The DOT or the Municipality may each be referred to individually as the "Party" and collectively may be referred to as the "Parties."

WHEREAS, the Municipality undertakes, and may financially participate in, municipal projects to construct improvements to locally-maintained roadways, structures and transportation enhancement facilities that are eligible for government financial assistance from the DOT, the federal government, or both;

WHEREAS, the DOT is the authorized entity responsible for distributing the state and federal government financial assistance with respect to these municipal projects; and

WHEREAS, on a project-by-project basis either the DOT or the Municipality takes on the responsibility of administering the construction phase of a particular municipal project, and the parties wish for this Master Agreement to address both DOT-administered and Municipality-administered projects;

WHEREAS, the Commissioner is authorized to enter into this Agreement and distribute state and federal financial assistance to the Municipality for these projects pursuant to § 13a-98i and § 13a-165 of the Connecticut General Statutes; and

WHEREAS, the DOT and the Municipality wish to set forth their respective duties, rights, and obligations with respect to these projects that are undertaken pursuant to this Master Agreement.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE THAT:

**Article 1. Definitions.** For the purposes of this Master Agreement, the following definitions apply:

1.1 "Accumulative Costs" means the total, collective expenditure by the Municipality and the DOT to complete the Construction Project (defined in section 1.8).

1.2 "Administer," "Administering" or "Administration" of the Construction Project means conducting and managing operations required to perform and complete the Construction Project, including performing the construction work by either the Municipality or the DOT, as applicable to the particular Construction Project, in whole or in part, advertising and awarding any contract(s) for performance of the work by contractor(s) in whole or in part, or any combination thereof, and undertaking all of the administrative-duties related to and required for the completion of the Construction Project.