MINUTES

Meeting of the Massachusetts Department of Transportation Public-Private Partnership ("P3") Oversight Commission

July 8, 2026 at 9:00 A.M.

MassDOT District 3 Office, 499 Plantation Parkway
Worcester, MA 01605

This meeting was held both in-person and virtually.

P3 OVERSIGHT COMMISSION MEMBERS PARTICIPATING:	*Chair Kevin Sullivan, Commission Member Joseph Bonfiglio, Commission Member Jospeh Dorant, Commission Member Eric Goodwine, Commission Member James Errickson, Commission Member John Payne*
OTHERS PARTICIPATING:	*Interim Secretary of Transportation Phillip Eng, Undersecretary and Highway Administrator Jonathan Gulliver, Chief Operating Officer Meghan Haggerty, Director of Strategic Initiatives Andrew Paul, Deputy General Counsel Susan Snyder, Deputy General Counsel Owen Kane, Senior Lead Counsel Chrisopher Smith, and Assistant General Counsel Julie Ciollo (Virtual)*

OTHERS PRESENT: *Amelia Aubourg (MassDOT), Anna Baker (MassDOT), Briette Brightman (MassDOT), Craig Cashman (MassDOT), Andrew Cirelli (MassDOT), Susan Cobb (MBTA), Pam Liaperdos (MassDOT), Allison McMordie (MassDOT), Vandna Mehta (MassDOT), Janelle Ortiz (MassDOT), Talia Payne (MassDOT), Stephanie Santana (MassDOT)*

Chair Sullivan called to order the meeting of the MassDOT Public-Private Partnership Oversight Commission at 9 A.M. Sullivan called the roll of the members participating, being a quorum of the Commission:

Chair Sullivan	**Present**
Commission Member Bonfiglio	**Present**
Commission Member Dorant	**Present**
Commission Member Goodwine	**Present**
Commission Member Errickson	**Present**
Commission Member Payne	**Present**

Notice of Recording

The audience was given notification of recording.

WELCOME AND INTRODUCTIONS

Project Introductions

Kevin Sullivan opened the meeting by thanking the Commission for sharing their time and expertise.

Phillip Eng, Interim Secretary and MBTA General Manager, thanked the Commission members, expressed the importance of the project, and acknowledged the role of the Commission and the MassDOT team to develop and approve a competitive procurement that attracts competition. Praise

was given to the MassDOT team for their work in preparing the P3 Commission and setting a precedent for future P3 Commissions.

Johnathan Gulliver (JG), MassDOT Undersecretary and Highway Administrator, shared his excitement for the Commission and bringing best practices from different project types to create the best procurement. He acknowledged the roles of Meghan Haggerty and Andrew Paul.

Meghan Haggerty (MH), Chief Operating Officer and Program Manager, shared that the project team is prepared to work with the Commission over the coming months to review the procurement and answer questions. She then acknowledged the team members in the room and their roles in supporting the Commission.

Commission Introductions

Joseph Bonfiglio (JB) serves as the Business Manager of the Laborers' International Union for Massachusetts and Northern New England. He has also previously served on the MassDOT Board.

Joseph Dorant (JD) is on the Board of the Massachusetts Organization of State Engineers and Scientists, and served as President from 2006 to 2020. He worked as an environmental engineer at the Department of Environmental

Protection for over thirty years. He was a Commission Member on the first Public Partnership Oversight Commission that was active from 2013 to 2019.

James (Jamie) Errickson (JE) is the Town Manager of Natick, a position he's held for five years. Over the past twenty years, James has worked in planning and development for various cities and agencies within the Commonwealth.

Eric Goodwine (EG) is the Vice President of North Easton Savings Bank and serves on the MBTA Board of Directors. He has worked in finance for fifteen years.

John Payne (JP) serves as Legal Counsel for Congressman Richard Neal and is a member of the Judicial Nominating Commission. He worked as an attorney over the past twenty years in several capacities, including City Solicitor for Springfield and Judge in the District Court. He was the First Justice of the Eastern Hampshire Court, Holyoke District Court, and Springfield District Court.

Kevin Sullivan (KS), Commission Chair, is currently Vice President of Strategic Corporate Relations and Engagement at Babson College. He was previously the Mayor of Lawrence from 1986 to 1993, joined the Weld

administration in 1993, and was the Commonwealth's Associate Commissioner of Highways, Secretary of Transportation, and Secretary of Administration and Finance.

SERVICE PLAZAS PROCUREMENT OVERVIEW

Project Background

Purpose and Need

The Kick-Off Meeting serves to introduce the Commission to the procurement, roles, and laws, and provide a project overview. *Andrew Paul (AP), Director of Strategic Initiatives & Highway Design, Project Manager*, shared his background and excitement about the project. He will also serve as a point of contact for Commission members regarding technical information. *Susan Snyder (SS), MassDOT Deputy General Counsel Operations and Policy,* and *Owen Kane (OK), MassDOT Legal Counsel*, will be the point of contact for legal information.

A primer was provided on the differences between Rest Areas, Service Plazas and Park and Rides. Service Plazas have a tenant and commercial activity with gas, convenience stores, and/or restaurants.

A new lease agreement is intended with prospective concessionaires. There is a time restriction; a new concessionaire is needed within the next eleven months and twenty-two days – July 1, 2027. The goal is to develop a new RFP that attracts new highly qualified bidders to get the best value for the Commonwealth.

Service Plaza Locations

The Service Plazas have been grouped into Western, Central, and Eastern bundles. Each segment is differentiated by roadway characteristics and geography. The Massachusetts Turnpike (I-90) within the Western group is two lanes in each direction with exits spaced far apart. I-90 within the Central group has three lanes in each direction with closer exits, and the non-turnpike roadways within the Eastern group has exits every mile that connect to various routes.

Procurement Goals and Objectives

MassDOT's partnership with the P3 Commission aims to create a transparent process to create a strong, competitive RFP. The meetings will communicate information with the Commission and the public about the process, how it was developed, and where it is going.

The lease will have elements of MassDOT's Design-Build delivery process including a Base Technical Concept (BTC) developed across all eighteen plazas to incorporate into the RFP and lease terms and conditions. The BTC will create a baseline deliverable to compare each proposal against. Each plaza will aim to offer a high-quality experience for the public through safe, efficient, and reliable Service Plazas.

MassDOT has already begun conducting outreach with both the public and industry stakeholders. A public survey released by MassDOT about the public's goals for the new plazas has received 21,000 responses. The spring Industry Day resulted in 200 event attendees and 38 subsequent one-on-one meetings.

P3 COMMISSION LEGAL AND ETHICAL REQUIREMENTS

Legal Overview

Legal intends to cover the statutory requirements, immunities, indemnification, ethical responsibilities, operation under the open meeting law, and public records.

Communication with the legal team is critical. The Commission was directed to contact Legal with any concerns.

OK presented his background and involvement with developing MassDOT's current Board Structure in 2009. He is the deputy general counsel for Intergovernmental Affairs, Major Projects and Board Oversight. He has served as counsel to the MassDOT Board for over 15 years. He also serves as MassDOT's counsel to the Prequalification Committee, Claims Committee, Cost Recovery Committee, and others. Additionally, Kane has served as counsel to the MBTA Board, MBTA Fiscal and Management Control Board, and the predecessor P3 Commission.

OK assured the Commission that the legal team will assist them through any issues that may arise.

P3 Commission Enabling Statute

AP gave an overview of the Commission members' roles as outlined in the statue. Although the Commission is facilitated by MassDOT, Commission members can dictate how the Commission is run and what it does. MassDOT's role is to support Commission members fulfill their duties.

Commission members are fiduciaries, and their three major duties are due care, loyalty, and good faith. Due care refers to making informed decisions given circumstances and potential impacts. Loyalty refers to the members' allegiance to the Commission and MassDOT over the individual. To act in good faith is to make a reasonable effort to discharge responsibilities.

Commission members are likely immune if they act in good faith. Legal insurance for Commission members is provided by MassDOT while they are an active member of the Commission.

State Ethics and Responsibilities

Pursuant to Chapter 268A, Commission members are classified as special state employees. Ethics training will be required for all Commission members.

The provided binders include a Conflict Disclosure Statement. Conflicts can be clearly defined but also can be complicated and layered. There are two categories under which all conflicts fall – actual conflicts and the appearance of conflicts. All potential conflicts must be disclosed by Commission members. Kane stressed that several conflicts can be remediated or mitigated.

Communications and Serial Deliberation

All Commission members will be assigned MassDOT email addresses, phones, and laptops. All communications regarding the Commission should be sent through MassDOT-issued channels.

Commission members may not accept gifts valued greater than $50 over 365 days. Kane recommends not accepting anything that could potentially be interpreted as a gift. For example, if a Commission member is invited to a Red Sox game, they should buy their own ticket at market price or decline the offer.

If a Commission member or a member of their family has financial interest in a matter, this must be shared with Legal as soon as possible to determine the best course of action.

Open Meeting Law

All P3 Commission meetings are public, with few exceptions such as a site visit. All congregations that meet quorum (four or more Commission members) may be subject to Open Meeting Law. There cannot be serial deliberation under Open Meeting Laws.

Public Records Law

Christopher Smith (CS), MassDOT Senior Lead Counsel, Corporate and Ethics, discussed the Public Records Law. He said that ethics questions can be shared with the Ethics Commission for confidential legal advice.

Public Record Request (PRR) Process

Any member of the public may submit a PRR. Requests are handled by Corporate and Regulatory Practice in the Office of General Counsel. There are two Records Access Officers (RAOs) – a statutory position required for stewards of the law to facilitate access to public records.

In 2025, there were over 4,000 requests between MassDOT and the MBTA with a below 2% appeal rate. The requests often involve more than a single document or have follow up requests.

All Public Records Requests are managed through GovQA and released in an encrypted format.

Julie Ciollo is the MBTA RAO and Bill Doyle is the MassDOT RAO.

PRR Process Overview

When a request is received, it is passed along to the appropriate RAO. The RAO then communicates with the requestor to understand the context,

discusses with internal departments, determines if there is sensitive information, searches for exemptions, and makes redactions if needed.

The RAO has ten business days from the request date to share the records or provide a response.

Other Request Types

There are several types of records that MassDOT typically encounters, including subpoenas, search warrants, Registry of Motor Vehicles "Drivers Privacy Protection Act Permissible" Requests, Personnel File, Office of the Inspector General, Office of the State Auditor, and Office of the Secretary of the Commonwealth / Requests.

Public Records

A public record broadly includes anything that the agency or public entity creates or receives, whether they're in possession, custody, or control. Records may be files, paper documents, emails, text messages, Teams messages, etc. Private texting about substantive matters is not only discouraged because of possible deliberation; it is also prohibited because it complicates records requests. Commission members should aim to keep all substantive communication to email because it is easiest for record requests.

MassDOT is not obligated to comply with record creation requests. However, if record creation is appropriate, this will be overseen by MassDOT's Corporate and Regulatory Practice department.

Communication is key to ensure troubleshooting before issues arise.

There is a statewide retention schedule. If records fall outside the schedule then we still must treat it as a public record.

Types of Requestors

The types of requestors vary and can include curious interested parties, attorneys with claims, property owners abutting public land, contract bidders during procurements or negotiations, and the media.

Fulfilling requests requires communication between Corporate and Regulatory Practice and the individuals relevant to the records.

All requestors are treated the same and the law applies equally.

Exemptions

The process assumes that everything is public unless otherwise noted.

Exemptions exist such as statutes for certain records, private information within a record, policy deliberations, ongoing legal or policy

developments pertaining to affected agencies, active investigations, safety or security risks, and attorney-client privilege.

To classify as an attorney-client privilege exemption, records must include communication with an attorney, seek legal advice, and maintain privilege. Commission members should not forward communications with attorneys to third parties because it breaks the privilege and prevents use of this exemption. Commission members should check with Legal before forwarding correspondence that include attorneys.

There must be justification for the application of an exemption. This requires communication between MassDOT's Corporate and Regulatory Practice department and relevant individuals.

The ten-day PRR window includes time for relevant parties to communicate and the RAO to gather information about the record.

Responses

If it has been determined that all records are exempt, the record request can be denied.

If a request calls for speculation, is unclear, or is too broad, then clarification can be sought. This often requires modifying the request, which is facilitated by the RAO and the requestor.

The law allows MassDOT to issue a fee if search and completion or redaction time exceeds four hours. Permission to issue fees is required and must be sought formally. The first four hours completing the record request is at no cost.

Responses may be extended by five business days. For extensions beyond five business days, Corporate and Regulatory Practice can ask the requestor if warranted or petition the Secretary of State.

Requestor Remedies

If a requestor is not happy or a deadline is not met, they can notify the Supervisor of Records. The Supervisor of Records has ten business days to issue a response. Corporate and Regulatory Practice Group must comply with that response.

A requestor can also decide to go directly to Superior Court. This brings the risk of attorney fees and is generally avoided.

Resources

MassDOT has provided Commission members with resources about Public Record Law.

Discussion

Question (JD): What is the opinion on personal notes taken during P3 meetings?

Answer: Personal notes have a specific exemption. If notes are written for your personal use, the existence must be disclosed, but they can be held under personal exemption. Once they are shared or memorialized in a memo, it is difficult to assert the exemption.

Question (JD): If someone has a question, do you recommend a call?

Answer: Yes, a major takeaway is pick up the phone. Situations can be frustrating, call someone rather than emailing them because those records are public. Write emails like they will be published.

Question (JD): Is there a list of numbers to contact?

Answer: If you have a question specifically about public record requests, you can reach out to OK or Bill Doyle (BD). If you get an actual request, reach out to BD. If you're not sure what to put in writing, reach out to SS.

Comment (KS): There may be some spontaneous questions that may be policies and not legal. A lot of people know each other and may know people who press interests since this is a big project. It would be anticipated that people will approach members so there may be questions that may or may not be legal. Most people here have dealt with this.

Question (KS): How many Commission members meet quorum?

Answer: There must be four Commission members present to meet quorum.

Question (KS): If members are present via Zoom, does that count towards meeting quorum?

A: If there is a quorum in the room, the other Commission members can attend via Zoom. There's also the option of having meetings entirely virtual instead of hybrid where quorum is determined virtually.

Comment: The project team will review meeting locations and may potentially change locations or make meetings entirely virtual. The public will have access to all meetings.

Comment: There is no requirement for unanimous votes. Commission members can disagree with one another.

Question (KS): So, the Commission's role is to approve the RFP, there is a limited timeframe in which commission members must provide initial thoughts on the RFP. Will MassDOT assist in writing those thoughts?

Answer: That is a perfect shift to the next part of the presentation which will be answered after break.

P3 COMISSION RESPONSIBILITIES

Susan Snyder said that M.G.L. laws chapter 6, sections 62-73 governs the P3 process. The statute also outlines the Commission members' specific roles and requires MassDOT to support the Commission and guide them through the process. The Commission is charged with three main objectives.

The first objective is to review and approve the RFP. In essence, the RFP is a document that will provide instructions to proposers about submitting bids. The RFP will contain descriptions of the program, the procurement, and the bidding package, as well as a list of rules and requirements for submitting a proposal. It is the job of the Commission, along with the guidance of MassDOT, to ensure that MassDOT has drafted an RFP that meets all of the specified criteria laid out in the statute.

The second objective of the Commission is to review and approve contract documents that will be attached to the RFP. The contracts include the Lease and Concessionaires' Agreements, which will be valid for length of the lease (currently proposed at 35 years). There's also a Transition Agreement that covers the approximately four-month period between when the new concessionaires are selected and when the new leases begin on July 1, 2027.

The third objective of the Commission is to write a report on the process within 30 days of the RFP being issued. This report will be issued to the Secretary of Administration and Finance, the House and Senate Committee on Ways and Means, and the House and Senate Chairs of the Joint Committees on Transportation.

Andrew Paul said that the RFP documents under the P3 statute must delineate specific criteria to be met. The Commission's responsibility will be to review the RFP documents to ensure that they meet those criteria.

Some of those criteria could be to include design requirements, in which case, MassDOT will direct the Commission's attention to sections or appendices that include those design requirements in future meetings.

MassDOT is required to have a solicitation process that is open and transparent for the proposal development documents. This involves providing public notice of the RFP and an opportunity for public comments. Evaluation criteria are needed for the RFP as well. This includes, for example, compliance with design requirements, offer qualifications, and financial capacity. MassDOT will have tables and directions to show the commission where the project team feels that each one of these criteria have been met and have a discussion with the Commission if there are any clarifications needed.

The P3 statute also specifies the elements that need to be in the contract document. This specifies the process for making amendments to the lease, the process by which MassDOT reviews and approves the concessionaire's plans for development and operations, liability for non-performance, accounting and auditing standards, operator's plan to obtain labor, material payment bond, operator's plan for labor harmony for the entire term of the agreement and adequate remedies for failure to maintain labor harmony. All that information is going to be in the contract documents separate from the RFP but included in the overall package that the Commission will be reviewing. Each grouping will have its own contract

documents. A lot of information is identical across the groupings, but MassDOT can highlight what the differences are between the documents to help expedite the review process.

SS said that the final written report comes 30 days after the RFP has been approved. The topic areas are specified in the statute, but among those specified topic areas are the advantages of entering into the lease and concessionaire's agreement, the lease terms and termination clauses, issues of public concern, and any additional responsibilities that the private operator in the Commonwealth have during the term of the lease.

Discussion

Question (KS): The written report that the Commission is bound to put forward, how binding is it? Is it an advisory document or does it alter the RFP?

> Answer: there will be a review process for the RFP and the contract document. The initial report happens fifteen days after the commission gets the official response, which happens fifteen days after they receive the package of documents to be reviewed. The written report is to be issued after the RFP has already been approved and will not directly alter the RFP.

Question (KS): So, are there three documents, as opposed to one, and they are around one thousand pages?

Answer: Yes, there is the lease, transition agreement, attachments to the lease such as design requirements, the RFP, and other documents laying out the evaluation process.

Comment: We should talk about the subjective language versus legal terminology that needs to be included.

Response: MassDOT will provide the commission with a P3 Manual that will have checklists of all the requirements listed in the statute and cross-references to where in the documents MassDOT believes that requirement has been satisfied. She added that MassDOT intends to keep today's discussion high-level, because once the Commission is given the RFP and the Contract documents, the initial 15-day countdown starts.

Question (JP): What are the main differences between the RFP from several months ago and the RFP MassDOT is working on now?

Answer: the previous RFP was more of a blank slate process. There was not a design for them to react to. In this procurement process, MassDOT

will be able to compare the proposals to their Base Technical Concept (BTC)

Question (KS): Is there the same selection committee?

Answer: No, the selection committee is entirely different. There is no overlap whatsoever.

Comment: whether we like it or not, the members of the commission are wed to the outcome even though our involvement is limited to the RFP.

Response: MassDOT will walk the commission through the evaluation criteria and sub-criteria which are much more robust than they were in the prior procurement. There will be an evaluation team that will complete a separate evaluation of the financial proposal. And there will be no direct communication between those two committees.

Question (KS): Will there be mandatory documents like a non-collusion agreement that vendors will sign?

Answer: There are collusion forms that will have to be signed by major participants that are identified in the RFP and other conflict disclosure forms.

Question (JE): It was previously mentioned that there will be three lease documents. Does that mean that there will be three separate leases, or that the lease will be made up of three documents?

Answer: There will be three separate leases. There is one RFP, and the three leases are under one umbrella. There are three bundles that will be bid on. These could go to three separate contractors, or one contract could win all three bids.

Answer: The language in the leases is 99.5% identical across all three, and the only changes are the differences from one location to the next. For example, the Plymouth plaza does not have gasoline, so there would be language in the lease for the Eastern bundle that relates to that.

Question (JE): The role of the Commission is to review the RFP. Is it the role of the commission to help define the criteria for the RFP, or is that criteria already set? What else is the commission supposed to provide MassDOT with other than ensuring that the RFP process is fair, equitable, and transparent?

Answer: The requirement of the Commission as set by the statute is to confirm that the criteria set by the statute is fulfilled by the RFP. The MassDOT project team has been debating the evaluation criteria and

the design criteria, and any feedback and input from the Commission is welcome.

Answer: MassDOT is more than open to answering question about how certain criteria is determined over other potential criteria.

Question (JE): Does the Commission have the authority to change these criteria?

Answer SS: The Commission's authority is either to approve or reject the RFP, so if the Commission had reservations about criteria that were very significant, they can choose not to approve the RFP. In the initial response that is due within 15 days of receiving the RFP documents, the Commission will raise any questions and concerns that they have about the criteria in the RFP. According to the statute, MassDOT does not need to adopt those comments to the RFP, but they do need to acknowledge those comments and provide an explanation for why changes were or weren't made. Any suggested changes would be put to a vote.

Comment (KS): The selection committee, unlike the P3 Commission, is made up of career public servants who are not named during this process. There is

concern for Commission members who feel as though their names are wed to the outcome of this RFP, so it is desired among the Commission that they have significant input into this process, to end up in a better position than the last procurement process.

Response: MassDOT will be able to receive feedback from the Commission through the Chair of the Commission, or correspondence in real time during future meetings. The project team will continue to attend these meetings either in-person or virtually, and address the board's concerns in real time.

Response: MassDOT asks that any questions that the Commission has for them outside of these meeting be directed to Owen Kane, who will then share it with the project team.

Question (KS): For the written report that is due 30 days after the RFP is approved, on top of writing about the process for this procurement, will the Commission also be given the opportunity to make recommendations for future procurement processes based on the experiences from this process?

Answer: The statute only mentions what is required for the report; there is no restriction on additional comments for the report. If the report

addresses what is specified by the statute, then the commission is able to make suggestions about the procurement process.

Answer: There may be another opportunity for the Commission to write an additional letter or memo more specifically about their recommendations for future procurement.

Questions (KS): What are the conditions of the underground storage tanks at the plazas as they exist today? Is the industry aware of these conditions?

Answer: That is part of the BTC that Andy developed.

Answer: MassDOT will have reference information in a document portal that will include historical information, inspection reports of the buildings, and any tests that were done at the sites and this will be available to all the bidders. The BTC is a strategy that MassDOT is putting forth for addressing underground storage tanks and how the mitigation would be handled. Bidders will respond to the BTC with their proposal with their own alternatives.

Comment: I would anticipate that the technical aspect of this RFP will get the attention of some of the Commission members. Specifically, the subjectivity vs the price.

Response: Weeks from now, this Commission will reconvene to go over the RFP, the instructions for proposers, the evaluation criteria, and how it will be submitted to MassDOT as part of the discussion.

MEETING CADENCE AND NEXT STEPS

AP said MassDOT did their Industry Day 101 meetings back in March of 2026. There were pop-up tables at service plazas and over 20,000 survey responses were received.

This is the first P3 Commission meeting, and going forward, MassDOT intends to issue the RFP and have a proposal due date, after which MassDOT will conduct interviews. From there, it will enter into the selection process.

MH said there are a couple of items that drive the schedule going forward. The biggest thing is the statute and the requirements therein. Additionally, the availability of Commission members and members of the MassDOT project team. The goal is to get the RFP issued by September 1, 2026 so that the proposal process and selection process can be wrapped up before July 1, 2027.

In the month of July, the bulk of the focus will be review work for the RFP. MassDOT intends to give the documents to the Commission by July 22. Once the Commission gets access to the documents, via SharePoint, the 15-day window for initial response starts. MassDOT can provide the Commission with printed copies of the documents if needed. The bulk of the review for those documents will be in meetings on July 28, 29, and 30. MassDOT will provide a PowerPoint presentation to ensure that the Commission understands the review requirements.

Discussion

Question (KS): Those three meetings in July are set for us to go over the RFP section by section?

Answer: Yes, there will be a dialog where the Commission can ask questions to MassDOT who will answer them to the best of their ability. MassDOT has a plan for how to script those three meetings. Most of the meeting on July 28 will be about the technical aspects of the RFP. The leases are the biggest parts of the documents, so there will be two days dedicated to that.

Answer: There is a meeting scheduled for Monday, August 3 just in case the discussions from the previous week spill over. On August 6, 2026, initial comments will be due back to Kevin Sullivan. MassDOT will support Kevin Sullivan with the collection of the comments by providing a comment form. When that date gets closer, MassDOT will spell out the procedure for comment collection.

Question (KS): So by August 24, the documents will either be approved or not approved by the Commission?

Answer: Correct. Additionally, while the P3 Commission is reviewing the RFP, the Massachusetts Attorney General's Office and the Office of the Inspector General will also be reviewing and hopefully approving the RFP in the same time frame.

Question (KS): Will the Commission be privy to the AG and OIG's comments?

Answer: Yes, those comments will be directed towards the P3 Commission.

So, if the OIG or AG have any issues with the procurement materials, they will notify the Commission and MassDOT. After that, it hinges on the Commission's vote of approval on August 24.

Question: Do we need to build time into the schedule to resolve objections?

Answer: If there is something that comes out of the AG and OIG's comments on August 21 that raises serious concerns for the Commission, then there will be a need for further discussion and the dates can be adjusted.

Question (KS): So the AG and OIG would not involve the first?

Answer: No, because we didn't do the 6C statute.

Question (KS): Were they included prior to the 6C statute?

Answer: No, because the 6C statute triggers the involvement.

Response: MassDOT is being proactive about addressing the OIG's report and incorporating their recommendations so that when it gets to the OIG, they aren't questioning why we didn't consider the recommendations they provided in January.

Comment (KS): My concern is to make sure that we have a public face even though we are not involved in the procurement process. I want you to be cautious. When a commission member has a suggestion, it should be taken seriously.

Response: Yes, we agree. The project team is viewing this as a team effort.

Will the submission to the Commission discuss what is being done differently for this procurement process compared to the original procurement process (EW)?

Answer MH: Yes, the project team will point out those differences as we work through the documents. At a high level, the key factor that is different, aside from the selection process, is the BTC. There is no basis for how much the process has improved, but the BTC has both engineering and financial implications.

Question (KS): How does the intent of this Commission improve the process? I think that is a key feature to include. Are the selection committees two separate committees for price and technical areas?

Answer: There is a baseline condition to assess the engineering proposals as well as a baseline price that the selection teams will use to evaluate the cost of the proposals.

Question (KS): Other than the people watching this now, does the industry know that this is broken up into three leases?

Answer: Yes, it was broken into three leases when it was presented on Industry Day.

Comment (MH): There will be a little bit of work to do in September. The RFP will be initiated by September 3 if all goes well, and the Commission's final written report will be issued on September 30.

Comment (KS): When the Commission's work is done, we may be getting calls from people interested in the RFP even though our work is done.

Response: The nice thing about how the statute sets this Commission is the Commission's scope is limited. Now the Commission may be married to the result of the RFP in a way, but the Commission only has to look at a piece of the process and approve it. It is the responsibility of MassDOT to make sure that they give the Commission sufficient information so that they can comfortably make that decision and recommend something to MassDOT.

Comment (KS): This is the largest procurement process I have ever seen. I see this as an add on resource for MassDOT. I love the fact that the leases are broken into three different packages. I anticipate Labor bodies getting behind it because it guarantees a lot of work for many years to come.

MH gave one last reminder to keep communications limited to MassDOT issued devices, which will be issued after the meeting.

Chair Sullivan asked for a motion to adjourn.

On a motion duly made and seconded, it was by roll call,

VOTED: to adjourn at 12:10 P.M.

Chair Sullivan	**Yes**
Commission Member Bonfiglio	**Yes**
Commission Member Dorant	**Yes**
Commission Member Goodwine	**Yes**
Commission Member Errickson	**Yes**
Commission Member Payne	**Yes**