



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO



MINUTES

Meeting of the Massachusetts Department of Transportation Board of Directors

January 8, 2025 AT 12:00 P.M.

10 Park Plaza, 2nd Floor Board Room, Suite 2890
Boston, MA 02116

Public participation and comment was available via written communication, voice message and in-person public comment.

This meeting was broadcast live online.

MASSDOT BOARD MEMBERS PARTICIPATING IN-PERSON:

Chair Monica Tibbits-Nutt, Director Joseph Beggan,
Director Ilyas Bhatti, Director Timothy King, Director
Dean Mazzarella, Director Thomas McGee

BOARD MEMBERS PARTICIPATING REMOTELY:

Director Eric Batista, Director Richard Dimino, Director
Lisa Iezzoni, Director Thomas Koch

OTHERS PARTICIPATING FOR VARIOUS PORTIONS OF THE MEETING:

Deputy Chief Safety Officer Mike Cairo, Executive
Director of the Office of Megaproject Delivery Luisa
Paiewonsky, Executive Director of Planning David
Mohler, Deputy Administrator and Chief Engineer
Carrie Lavallee

OTHERS PRESENT:

General Counsel Douglas M. McGarrah, First Deputy
General Counsel Susan Cobb, Counsel- Corporate
Governance Noah Potash

Chair Tibbits-Nutt called to order the meeting of the MassDOT Board at
12:03 p.m. Noah Potash called the roll of the members participating, being a
quorum of the MassDOT Board of Directors:

**Chair Tibbits-Nutt
Director Batista
Director Beggan
Director Bhatti**

**Present
Present
Present
Present**

Director Dimino
Director Iezzoni
Director King
Director Koch
Director McGee

Present
Present
Present
Present
Present

Deputy Chief Safety Officer Mike Cairo presented Item 1, the Safety Briefing, beginning with a review of the emergency exit route and CPR certified individuals. Mr. Cairo also discussed the need to exercise caution and preparation for winter driving.

Public Comment

There were no comments from the public.

Note: Director Mazzarella arrived at 12:09 p.m.

MassDOT Standing Reports

Secretary Tibbits-Nutt presented her report for Item 2, explaining that the Administrator Reports had been provided to the Board members in written form. The Secretary began with a funding update, noting that the Regional Transit Authorities had received \$10 million, and Aeronautics had received \$1 million. She said that Massachusetts had been ranked second in the nation in a recent Bicycle Safety Ranking. The Secretary recapped the 24th annual Fill-a-Bus drive and announced the winners of the Name a Snowplow contest. Secretary Tibbits-Nutt reviewed recent events addressing holiday travel concerns, Beyond Mobility, and a bus route 104 ride along. She discussed the release of the Northern Tier Passenger Rail Study and announced the recent appointment of Luisa Paiewonsky as Executive Director of the Office of Megaproject Delivery. The Secretary concluded her report by thanking members of the Transportation Funding Task Force and staff for their hard work and

dedication, stating that the final report would be provided to the Governor soon.

Presentations and Actions

For Item 7, Executive Director of the Office of Megaproject Delivery Luisa Paiewonsky provided an overview of a Major Utility Reimbursement Agreement related to the Cape Cod Bridges Program, explaining that gas lines belonging to Algonquin Gas Transmission, LLC. had to be relocated to accommodate the replacement of the Cape Cod Bridges. She said that the presentation would address timing issues, MassDOT's obligation to reimburse the utility, security considerations, and protections for the Commonwealth. Ms. Paiewonsky noted that the costs have been reviewed by MassDOT's utility engineers and outside consultants. Executive Director of Planning David Mohler discussed the project, noting that it is fully funded as part of the \$2.4 billion budget for the Sagamore Bridge replacement. He said that there are schedule implications because the metering stations are in the way of the new bridge location. Mr. Mohler explained that the gas lines would be relocated from their current position hanging from the bridges to traveling under the canal. He noted that there is little to no float in the schedule and that the agreements include specific expenditure deadlines.

Mr. Mohler reviewed the project location in Bourne and discussed the scope of work, which will include construction of three segments of gas lines, four new metering and regulating stations, and removal of existing gas infrastructure. He addressed the schedule, which will include final design by September 2026 and construction from January 2027 to September 2029. Mr. Mohler said that under MassDOT's utility reimbursement policy, MassDOT will cover 100% of utility relocation costs when relocation is required because of a MassDOT project. He noted that this allows

MassDOT to control the relocation schedule. Mr. Mohler said that the Army Corps of Engineers does not reimburse for utility relocations.

Turning to the budget, Mr. Mohler said that the \$301 million cost is included in the Sagamore Bridge project budget and is programmed in the CIP. He explained that the agreement would reimburse Algonquin for 100% of actual, reasonable cost and includes provisions allowing MassDOT to terminate for convenience and requiring Algonquin to obtain a notice to proceed for construction. He noted that the project is funded by non-federal aid. Reviewing the contract, Mr. Mohler said that the settlement agreement would resolve all outstanding issues and that the reimbursement agreement lays out the responsibilities of the parties and the schedule.

Director Bhatti said that it was a critical project and asked about the involvement of MassDOT in inspections. Mr. Mohler said that MassDOT would carry out inspections as the work progresses to ensure that the project is on schedule and that it is only carrying out the contracted work. Director Bhatti asked about the inspection funds listed in the project budget and Mr. Mohler clarified that those funds are for Algonquin's own inspections and that MassDOT's would be funded out of the larger project budget. He added that MassDOT will also track the design and permitting process. Director Koch asked about an update on funding for the Bourne Bridge replacement and Mr. Mohler said that the Board could expect an update in the next few months pending a grant approval. Director Beggan asked if the Board could receive regular updates on the process and Mr. Mohler said that Ms. Paiewonsky would regularly brief the board. Director Beggan said that he was interested in hearing about the staffing up of Ms. Paiewonsky's office and the Secretary said that the budget was being wrapped up and

the Board would have an opportunity to address the topic. Director McGee asked about the safety impact of removing the gas lines from the bridges and Mr. Mohler said that it would be a safety improvement to have the lines underground, as hanging gas lines from a bridge would not be allowed on new construction. Ms. Paiewonsky noted that both bridges have been deemed critical infrastructure by the Department of Homeland Security. Director Dimino asked about the provisions allowing MassDOT to suspend or terminate the agreement if the bridge is delayed and Mr. Mohler said that while staff do not expect to lose federal aid, there are safeguards in place that would allow MassDOT to stop the work at any time for any reason, only paying for completed work, and that the notice to proceed provision provides an additional layer of protection. Director King asked whether the completed gas lines would be Algonquin's property and responsibility, and Mr. Mohler said that they would be. Director King asked whether this was the first time that gas lines were being built under the canal. Mr. Mohler said he was not aware of others, but Deputy Administrator and Chief Engineer Carrie Lavalley clarified that there is already a gas line under the canal. Director Bhatti asked about preparation for possible change orders and Mr. Mohler said that MassDOT is only responsible for the \$301 million budget, which includes contingencies. Director Mazzearella asked whether anything in the costs will be beneficial to Algonquin. Mr. Mohler said that while the work would be beneficial, it would not constitute an expansion or a change in the function of the gas line. Ms. Paiewonsky noted that while the construction will certainly be to Algonquin's benefit, it will not be a betterment. She said that as MassDOT is the cause of the relocation, MassDOT is responsible for the costs.

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

VOTED: To approve the Relocation and Reimbursement Agreement with Enbridge/Algonquin Gas Transmission, LLC., dated December 17, 2024, for a total amount not to exceed \$301,667,466.00.

FURTHER VOTED: To approve the Settlement Agreement with Enbridge/Algonquin Gas Transmission, LLC., dated December 17, 2024.

FURTHER VOTED: To authorize the Secretary of the Massachusetts Department of Transportation, or their designee, to execute the aforementioned agreements and to execute any necessary or ancillary documents in the name and on behalf of the Massachusetts Department of Transportation to effectuate these agreements.

Chair Tibbits-Nutt	Yes
Director Batista	Yes
Director Beggan	Yes
Director Bhatti	Yes
Director Dimino	Yes
Director Iezzoni	Yes
Director King	Yes
Director Koch	Yes
Director Mazzearella	Yes
Director McGee	Yes

Chair Tibbits-Nutt asked for a motion to adjourn.

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

VOTED: To adjourn at 12:44 p.m.

Chair Tibbits-Nutt	Yes
Director Batista	Yes
Director Beggan	Yes
Director Bhatti	Yes
Director Dimino	Yes
Director Iezzoni	Yes
Director King	Yes
Director Koch	Yes
Director Mazzearella	Yes
Director McGee	Yes

Documents relied upon for this meeting:

- January 8, 2025 MassDOT Agenda
- MassDOT Board Safety Briefing - January 2025

- Secretary's Report – January 2025
- RMV Report - January 2025
- Aeronautics Report - January 2025
- Highway Report - January 2025
- Rail and Transit Report - January 2025
- Cape Cod Bridges Program – Major Utility Relocation Reimbursement Agreement – Final
- CCBP_MassDOT_Board_Staff_Summary_AGT12112024 (1) - THH 12.30.24
Comments - 4924-9619-4827 1 v1