



JOSEPH A. CURTATONE  
MAYOR



# **CITY OF SOMERVILLE, MASSACHUSETTS COMMUNITY PRESERVATION COMMITTEE FY21 FUNDING CYCLE APPLICATION PACKET APPLICATION INSTRUCTIONS**

**JUNE 22, 2020**

Welcome to the FY20 Community Preservation Act application process for the historic resources and open space/recreational land categories. We are looking forward to hearing your ideas for CPA projects and working with you along the way. Should you have any questions during the application process, including if you need language support, please contact Judith Tumusiime, the Community Preservation Act Manager. She can be reached at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov) or 617.625.6600 x2111. You can also access additional resources and videos of application workshops at: [www.somervillema.gov/cpa](http://www.somervillema.gov/cpa) under the *Apply for CPA Funding* tab.

The City of Somerville will award Community Preservation Act (CPA) funding for the seventh time in fiscal year 2021 (FY21). This packet contains instructions for how to complete the application process for the historic resources and open space/recreational land categories. The Somerville Affordable Housing Trust manages a separate application process for affordable housing funds, as the housing arm of the Community Preservation Committee. You can learn more on their website at: <https://www.somervillema.gov/departments/affordable-housing-trust-fund>.

There is a separate packet that includes all of the forms that need to be completed and submitted along with your application. The instructions provided include:

1. An explanation of the funding application and review process (p. 3-7)
2. Instructions for submitting a full application for FY21 funding (p. 8-10)
3. Narrative prompts (p. 11-12)
4. Information for historic resources projects (p. 13-15)
5. Information for projects proposed on City property (p. 16)
6. Information on accessibility requirements (p.17)
7. Standard CPA grant agreement general conditions (p. 18-21)
8. CPA funds disbursement guidelines (p. 22-23)
9. Certificate of Good Standing instructions (p. 24)
10. City of Somerville Campaign Contribution information sheet (p. 25-26)
11. Ordinance to Safeguard Vulnerable Road Users information sheet (p. 27-28)

## **MEMBERS**

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## **STAFF**

Judith Tumusiime



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Application Process Checklist:	
	<b>May 25:</b> Submit pre-applications (only for community proposed projects on City land and feasibility studies) by 4:30 pm.
	<b>July 2 at 6:30pm or July 3 at 1:00pm:</b> Attend virtual application workshops on GoToMeeting <a href="https://global.gotomeeting.com/join/792438397">https://global.gotomeeting.com/join/792438397</a> . You can also dial in using your phone. United States: <a href="tel:+16467493122">+1 (646) 749-3122</a> . Access Code: 792-438-397. New to GoToMeeting? Get the app now and be ready when your first meeting starts.
	<b>July 17:</b> Submit eligibility determination form to <a href="mailto:jtumusiime@somervillema.gov">jtumusiime@somervillema.gov</a> by 4:30pm
	<b>September 3:</b> Attend CPA Manager office hours by appointment.
	<b>September 16:</b> Submit funding applications to City Hall (93 Highland Ave) by 12:00 noon
	<b>October 28:</b> Present application to CPC (dates tentative)



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## **CITY OF SOMERVILLE, MASSACHUSETTS COMMUNITY PRESERVATION COMMITTEE FY21 FUNDING CYCLE APPLICATION & REVIEW PROCESS**

In this next section you will find instructions on how to complete the CPA application packet. If you have questions or would like to see examples of past applications, you can visit [www.somervillema.gov/cpa](http://www.somervillema.gov/cpa) or contact the CPA Manager, Judith Tumusiime, at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov) or at 617.625.6600 x2111.

### **Eligibility to Receive Funds**

In order to receive CPA funds, at least one of the applicants for each project must fall in one of three categories:

1. City of Somerville department or division
2. Organization legally registered in Massachusetts (such as a 501c3)
3. Individual proposing a CPA eligible project on property they own themselves

If you are interested in applying for CPA funding but do not fall into one of these categories, you will need to apply with a co-applicant that fits into one of these categories who will be able to manage the project finances.

The Community Preservation Committee has established two separate application processes: one for community housing projects and one for historic resources, open space, and recreational land projects.

### **Community Housing Projects**

The [Affordable Housing Trust Fund](http://www.somervillema.gov/departments/affordable-housing-trust-fund) (Trust) serves as the housing arm of the CPC in Somerville. As such, applicants with community housing project proposals should apply directly to the Trust. You can learn more on their website at: <https://www.somervillema.gov/departments/affordable-housing-trust-fund>. Please contact the CPA Manager with questions.

The CPC encourages projects that combine two or more of the CPA focus areas (blended projects). Applicants with blended projects that include a community housing component must apply to the Trust for funding for the community housing component and use the process outlined below to apply for funding for the historic/open space portion of their project.

### **Historic Resources, Open Space, and Recreational Land Projects**

The City of Somerville will award Community Preservation Act funding for historic resources, open space, and recreational land projects on an annual basis according to the process outlined below:

FY21 Funding Application & Review Process for Historic Resources, Open Space, and Recreational Land Projects		
Step		Timeline/Deadline
1	Applicants proposing a project on City land or a feasibility study attend CPA Pre-Application Workshop <b>(strongly recommended)</b>	April 22, 2020 at 6:30pm
2	Applicants submit pre-applications (only for community proposed projects on City land and feasibility studies)	May 25, 2020 by 4:30 noon
3	Applicants attend CPA Application Workshop <b>(strongly recommended)</b>	July 2 at 6:30pm or July 3 at 1:00pm, Attend virtual application workshops on GoToMeeting <a href="https://global.gotomeeting.com/join/792438397">https://global.gotomeeting.com/join/792438397</a> . You can also dial in using your phone. United States: <a href="tel:+17493122">+1 (646) 749-3122</a> . Access Code: 792-438-397. New to GoToMeeting? Get the app now and be ready when your first meeting starts.
2	Applicants submit eligibility determination forms	July 17, 2020 by 4:30pm
3	CPA Manager office hours	September 3, 2020 (by appointment)
4	Applicants submit funding applications	September 16, 2019 at 12:00 noon at City Hall
5	CPC evaluates applications & gathers public input	October - December 2020 <b>(subject to change)</b>
6	Applicants present projects at community meeting	October 28, 2020 <b>(subject to change)</b>
7	CPC submits recommendations to Mayor for submittal to City Council; Council votes on CPC recommendations	December 2020 - January 2021 <b>(subject to change)</b>
8	Grant agreements executed	Late winter/early spring 2021 <b>(subject to change)</b>

## Pre-Applications

The Community Preservation Committee (CPC) requires all community members proposing a project on public land have the property owner signed on as a co-applicant. To help facilitate this process for projects being proposed on City of Somerville land, these applicants must submit a pre-application to the Community Preservation Act (CPA) Manager. Through this project, the relevant City department will review your application and will opt to sign on as a co-applicant, work with you to develop the idea further for a future funding round, connect you with an existing effort on the property, or decline to sign on as a co-applicant. The FY21 pre-application deadline has passed and now only applications for which the City has signed on as a co-applicant can proceed to project eligibility determination phase.

## Step 1: Determine Project Eligibility

The Community Preservation Committee (CPC) requires all applicants to submit a project eligibility form as the first formal step in the CPC's application process. Applicants must submit an electronic copy of

the form (fillable PDF [available online](#)) to Judith Tumusiime at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov) no later than **4:30pm on Wednesday, July 17, 2020**.

**Note:** Be sure to download the fillable PDF file and save it before you start typing, otherwise your changes will not save.

The CPC will review project eligibility forms at its July meeting (scheduled for July 22) and will inform applicants as to whether their proposed project is eligible for CPA funding in the week following that meeting.

The CPC reserves the right to notify applicants as to their proposal's eligibility for CPA funding after the deadlines established above in the event it requires a legal opinion to definitively determine eligibility.

To help applicants prepare their eligibility forms, two CPA virtual application workshops are being offered.

**Please join the workshop from your computer, tablet or smartphone:** <https://global.gotomeeting.com/join/792438397>

**You can also dial in using your phone:** United States: [+1 \(646\) 749-3122](tel:+16467493122). **Access Code:** 792-438-397.

**New to GoToMeeting?** Get the app now and be ready when the workshop starts. Applicants are **strongly** encouraged to attend one of the following sessions:

- Thursday, July 2 at 6:30pm
- Friday, July 3 at 1:00pm

## **Step 2: Submit Funding Application**

Applicants whose projects are deemed eligible for CPA funding will be invited to submit a full proposal.

The completed funding application is due no later than **12 noon on Tuesday, September 16, 2020**.

Applicants must submit an electronic copy of the application and 11 paper copies to:

Judith Tumusiime  
c/o Office of Strategic Planning and Community Development  
93 Highland Ave.  
Somerville, MA 02114  
[jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov)

If you need language support as you are developing your application, contact Judith Tumusiime at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov) or 617-625-6600 x2111.

## **Off-Cycle Applications**

Under highly extraordinary circumstances, the CPC may vote to accept applications that, because of market opportunities or other deadlines, require consideration outside of the normal funding cycle. Applicants who believe their circumstances call for such unusual action should email Judith Tumusiime, the Community Preservation Act Manager, with a description of their proposed project and why it

merits emergency funding. This will be shared with the CPC Chair who will determine if the project will be invited to apply for off-cycle funding.

### Step 3: CPC Evaluation of Applications & Public Comment

1. **Application review.** The CPC will review all project applications and evaluate them against the priorities established in its [Community Preservation Plan](#). The CPC may request additional information from the applicant during this process and may request that the applicant attend a CPC meeting in addition to the public comment session to respond to questions in person.
2. **Public comment session.** The CPC will also hold at least one session to gather public feedback on proposed projects. Applicants will be informed of the details of the meeting in advance and will be required to give a brief presentation to the public on their proposed project and to respond to questions from the CPC. The meeting is tentatively scheduled for October 28.
3. **Notification.** The CPC will notify applicants once it has decided which projects to recommend to the City Council for funding. The CPC will strive to do so by the end of December, but the timeline will depend on the number and complexity of project proposals received.
4. **Recommendation.** The CPC will submit its final recommendations for funding to the Mayor, who must submit them to the City Council for approval. The CPC may recommend:
  - a. A project as proposed by the applicant
  - b. A modified version of the project
  - c. Partial funding or funding for only a portion or phase of the proposed project.

The CPC reserves the right to attach conditions, such as conservation or preservation restrictions, to its recommendations and to include any specifications the CPC deems appropriate to ensure CPA compliance and project performance. Please note it is the practice of the CPC to require all applicants who receive funding for the historical preservation or rehabilitation of a building to place a perpetual preservation restriction on the building as a condition of receiving CPA funding. The CPC also has the practice of requiring a public access agreement where relevant. Applicants who request funding for internal improvements to historic buildings should plan on public access being included in the perpetual preservation restriction. All property acquired with CPA funds must be perpetually preserved for the purpose for which it was acquired.

### Step 4: Grantee Review of Recommended Funding and Conditions

The CPA Manager will share the funding recommendation of the CPC with the applicant before it goes before the City Council to ensure that the conditions are acceptable to the applicant. Any substantial changes requested to the funding recommendation will need to be approved by the CPC.

### Step 5: Mayoral Submission and City Council Vote

The Mayor will submit the CPC's recommendations to the City Council. Projects must receive approval from the City Council to receive funding from Somerville's Community Preservation Act Fund. The Council has the authority to approve a CPC-recommended project, approve the project at a reduced funding level, or reject the project. Should the Council vote to reduce funding for or reject a recommended project, the CPC will have an opportunity to respond and/or to adjust the scope or terms

of the project prior to a final decision by the Council, as established in the Somerville [Community Preservation Committee Ordinance](#).

## **Step 6: Grant Agreement, Disbursement and Monitoring of Funds**

### **Non-City Organizations**

The CPC, acting through the City, will execute a grant agreement with each non-City organization that is awarded CPA funds ("Grantee"). The grant agreement will govern the use and disbursement of the funds. It will be tailored to each project but will include the Standard CPA Grant Agreement General Conditions included at the end of this application packet. The applicant will need to submit an up to date Certificate of Good Standing, 501(c)(3) certification, proof of insurance, and other documents as applicable as attachments to the grant agreement. The City's CPA Manager will monitor project progress and compliance and will coordinate disbursement of CPA Funds according to the CPA Funds Disbursement Guidelines, also included at the end of this application packet. The City can establish a phased disbursement system with the Grantee to forward fund project phases with the exception of the final 10% of the project funds, which will be released upon completion of the project.

### **City Departments**

The CPC will execute a Memorandum of Agreement (MOA) with each City department that is awarded CPA funds. The MOA will govern Departments' use of the funds.



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# CITY OF SOMERVILLE, MASSACHUSETTS

## COMMUNITY PRESERVATION COMMITTEE

### FY21 FUNDING CYCLE

### APPLICATION INSTRUCTIONS

1. Read the entire FY21 Application Instruction Packet and the FY21 [Community Preservation Plan](#) and review relevant City planning documents like [SomervilleVision](#). All forms referenced in this document are available in the FY21 Application Forms Packet available at [www.somervillema.gov/cpa](http://www.somervillema.gov/cpa).
2. Visit the City's Community Preservation Act website to learn more about the CPA and the CPC and download application materials: [www.somervillema.gov/CPA](http://www.somervillema.gov/CPA). Review of the CPA legislation is recommended.
3. Submission
  - a. Applications are due no later than **12 noon on Tuesday, September 16** to:  
Judith Tumusiime  
c/o Office of Strategic Planning and Community Development  
93 Highland Ave.  
Somerville, MA 02143  
[jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov)
  - b. Use the Submission Requirements Checklist to ensure all required materials are included in your application. Incomplete applications may be delayed or rejected. The checklist is in the forms packet.
  - c. Applicants must use digital versions of the Application Cover Page, Submission Requirements Checklist, and Budget Summary contained in the CPA Application Forms Packet. Digital versions will be distributed to applicants along with notification of project eligibility. Instruction sheets should be removed in the final submission to the CPC.
  - d. Applicants must submit 11 double-sided copies and one digital copy (on a flash drive or by email) of all application materials.
    - i. The digital submission must include: 1) a single PDF file with all items included in the application and 2) high-resolution copies of all pictures.
4. Additional information
  - a. If the proposal involves City-owned land or structures, either the applicant or the co-applicant must be a City department. Community organizations need to have submitted the pre-application form that was due May 20 to establish a co-applicant relationship with the relevant City department for their project.
  - b. If submitting multiple applications, the application should indicate a priority ranking of the projects.
  - c. If CPA funds are used to acquire any real property interest or if historic resources funds are received to preserve, rehabilitate, or restore a building, a permanent restriction must be secured and approved by the appropriate state agency and filed at the Registry of Deeds. Historic resources projects requesting funding for interior work should plan for public access



being required as part of the perpetual preservation restriction. For more information, review the [Community Preservation Coalition's article on permanent restrictions](#). Please contact the CPA Manager with any questions.

- d. The state's procurement laws may apply to your project, so it is important to review the [Community Preservation Coalition's article on procurement and CPA projects](#). Please contact the CPA Manager with any questions.
- e. All application materials will be posted on the City's CPA website for public review. Applicants must notify the CPA Manager if any information included in their submission is confidential and should be redacted.

Community Preservation Act Funding Allowable Uses				
	Open Space	Recreational Land	Historic Resources	Community Housing
	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field.  Does not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.	Building, structure, vessel, real property, document or artifact listed on the state register of historic places or determined by the Somerville Historic Preservation Commission to be significant in the history, archeology, architecture or culture of the city or town.	Housing for low and moderate income individuals and families, including low or moderate income seniors.  Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income.
<b>Acquisition</b> Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L. c. 44B.	Yes	Yes	Yes	Yes
<b>Creation</b> To bring into being or cause to exist. Seideman v. City of Newton, 452 Mass. 472 (2008).	Yes	Yes	No	Yes
<b>Preservation</b> Protect personal or real property from injury, harm or destruction.	Yes	Yes	Yes	Yes
<b>Support</b> Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to entity that owns, operates or manages such housing, for the purpose of making housing affordable.	No	No	No	Yes, includes funding for Affordable Housing Trust Fund
<b>Rehabilitation and Restoration</b> Make capital improvements, or extraordinary repairs to make assets functional for intended use, including improvements to comply with federal, state or local building or access codes or federal standards for rehabilitation of historic properties.	Yes, if acquired or created with CPA funds	Yes	Yes	Yes, if acquired or created with CPA funds



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## CITY OF SOMERVILLE, MASSACHUSETTS COMMUNITY PRESERVATION COMMITTEE FY21 FUNDING CYCLE NARRATIVE PROMPTS

*Please include in your submission concise narratives that respond to all prompts in the order they appear below, using the headers provided below.*

### Project Description

1. Describe the project, including the project location and the property involved
2. Why is this project needed? How does it preserve and enhance the character of Somerville? How does the project benefit the public? What population(s) will it serve?
3. How does the project meet the general and category-specific priorities outlined in the Community Preservation Plan, including how the project incorporates sustainable practices and design?

### Measuring Success

1. What are the goals of this project?
2. How will the success of this project be measured? (There should be at least one measure of success for every stated goal.)

### Financial

1. Describe all successful and unsuccessful attempts to secure funding and/or in-kind contributions, donations, or volunteer labor for the project. Describe any cost-saving measures to be implemented.
2. How was the total CPA funding request determined?
3. Will the project require funding over multiple years? If so, please provide annual funding requirements. (The CPC does not commit to funding projects over multiple years. If multiple years of funding is necessary, the applicant will need to submit a new application for funding each year).
4. How will the project be affected if it does not receive CPA funds or does not receive the full amount requested?

### Project Management

1. Describe the applicant. Are they public, private non-profit, private for-profit, an individual, a partnership, or another type of entity? What is their history and background? Provide any additional relevant information.
2. If a community organization is applying with a government entity as a co-applicant, describe how the two organizations will work together, how finances will be managed, and how the work will be continued after the conclusion of CPA funding.
3. Demonstrate that the applicant has successfully completed projects of similar type and scale or has the ability to complete the project as proposed.
4. Identify and describe the roles of all known participants, including the project manager.

5. Describe the feasibility of the project and how it can be implemented within the timeline and budget included in this application.
6. Describe any known or potential barriers to the successful on-time commencement and completion of the project, including any permits or inspections required.
7. Describe any ongoing maintenance and programming required and who will be responsible for it.
8. Describe any permits, approvals, [Massachusetts Architectural Access Board](#) (MAAB) variance requests, or restrictions that are required for the project to go forward and the status for each.
9. Note if the applicant has previously received CPA funds and if so, a concise summary of the impact of the previous CPA project.

### **Historic Resources Rehabilitation Projects**

1. Describe how the proposed project complies with the [U.S. Secretary of the Interior's Standards for Rehabilitation](#), as required by the CPA legislation under the definition of rehabilitation.
2. Describe how the applicant will ensure compliance with these standards as the project is ongoing, including an identification of who will make historic preservation determinations.

### **Accessibility Requirements**

1. Describe how the proposed project complies with all [Americans with Disabilities Act](#)/MAAB Regulations.



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## **CITY OF SOMERVILLE, MASSACHUSETTS COMMUNITY PRESERVATION COMMITTEE FY21 FUNDING CYCLE INFORMATION FOR HISTORIC RESOURCES PROJECTS**

### **Project Eligibility Requirements**

The Community Preservation Act defines a historic resource as “a building, structure, vessel, real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.” If you are unsure whether your property is on the State Register of Historic Places, please see the [Massachusetts Cultural Resource Information System](#); note that properties in Local Historic Districts are automatically added to the State Register. If your proposed project is for a historic resource that is not listed on the State Register of Historic Places, you must submit the project proposal to the Somerville Historic Preservation Commission (HPC) for a determination of significance.

Private homes that are in Local Historic Districts should apply for funding to the City of Somerville Office of Strategic Planning and Community Development, Planning Division’s Local Historic District Property Owner’s small grants fund. This fund is in the process of being established.

To receive a determination of significance from the HPC, complete all sections of the FY21 [Eligibility Determination Form](#) and submit to the CPA Manager at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov). She will review the form for completeness and forward it to the City’s historic preservation staff. You do not need to receive a determination of significance prior to CPC review of your Eligibility Determination Form.

If your building is not already a designated historic site or has never been surveyed, you will likely be asked by the Historic Preservation Commission to submit “explanation of significance.” See following page for more information. If you need to identify a preservation professional to assist you, you can find contact information for experts at [www.preservationmass.org/preservation-directory](http://www.preservationmass.org/preservation-directory).

### **HPC Guidelines for Determining Historic Significance**

At the request of the Community Preservation Committee, the Historic Preservation Commission created a document explaining the guidelines it uses to determine historic significance; please see pages 11-12.

### **Compliance with the U.S. Secretary of the Interiors Standards for Rehabilitation**

The CPA legislation requires that all CPA historic resources projects comply with the [U.S. Secretary of the Interior’s Standards for Rehabilitation](#). Contractors proposed for historic resource projects should have experience completing preservation projects using these standards. This experience should be detailed in the narrative section of your application.

# **Guidelines for a Determination of Historic Significance**

For Historic Resource Projects Funded through the Community Preservation Act

**Adopted August 19, 2014**

*To be determined eligible for Community Preservation Act (CPA) funding, a historic resource must either be listed on the state register of historic places or be determined “significant in the history, archaeology, architecture or culture” of Somerville by the Historic Preservation Commission (HPC). The CPA defines a historic resource as a building, structure, vessel, real property, document or artifact. The HPC has established two processes and sets of guidelines for making significance determinations: one for buildings and structures, which have traditionally been under the purview of the HPC, and one for vessels, real property, documents, and artifacts.*

## **Buildings and Structures**

**Process:** Staff will recommend a significance determination to the HPC using the guidelines below, and the HPC will vote on a final determination.

**Guidelines:** The HPC will determine the significance for buildings and structures based on: 1) construction date; 2) cultural or historic association; 3) architectural/design quality; and 4) integrity.

### **1. Date of Construction**

The historic resource must be at least 50 years old.

### **2. Cultural or Historic Association**

The historic resource must either:

- a. Be the site of an important historic event;
- b. Be identified with a person or group of persons who have impacted the community; or
- c. Exemplify the cultural, economic, industrial, social, or political heritage of the City. This type of association is often related to historic integrity; refer to item 4.

### **3. Architectural/Design Quality**

The historic resource must either:

- a. Embody distinctive characteristics of a type, period, or method of construction;
- b. Represent the work of a master craftsman, architect, or builder;
- c. Possess high artistic values;
- d. Represent a distinguishable entity whose components may lack individual distinction; or
- e. Represent an established or familiar visible feature of the neighborhood or City due to its singular characteristics or landscape.

### **4. Integrity**

The National Park Service defines historic integrity as the ability for a historic resource to convey significance. A historic resource should possess sufficient integrity to convey, represent, or contain the values and qualities for which it is judged significant.

## **Vessels\*, Real property\*\*, Documents, and Artifacts**

*\*The Community Preservation Coalition has stated that, in the context of the CPA, a vessel refers to a ship or large boat.*

*\*\*The CPA legislation defines real property as “land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.”*

**Process:** The HPC recommends that applicants submit an “*Explanation of Significance*” written by a professional in the field associated with the resource type and a brief statement of the professional’s credentials and/or expertise.

Staff will review this explanation, and the extent to which it satisfies the guidelines below, and recommend a significance determination to the HPC. The HPC will then vote on a final determination.

**Guidelines:** The HPC recommends the explanation of significance address: 1) level of completeness; 2) the historic scope that is conveyed through the object or record; and 3) integrity.

**1. Level of Completeness**

Typically, this pertains to completeness of records, but can also apply to other resources if they are composed of multiple pieces or materials.

**2. Historic Scope**

The resource must convey the scope of history with which it is associated. The scope of history represented may be identified by the cultural association or design quality. The resource may:

- a. Illustrate the site of an important historic event;
- b. Identify a person or group of persons who have impacted the community;
- c. Exemplify the cultural, economic, industrial, social, or political heritage of the City;
- d. Embody distinctive characteristics of a type, period, or method of creation;
- e. Represent the work of a master craftsman, artist, etc.
- f. Possess high artistic values; or
- g. Be used to inform an area of scholarship.

**3. Integrity**

The National Park Service defines historic integrity as the ability for a historic resource to convey significance. A historic resource should possess sufficient integrity to convey, represent, or contain the values and qualities for which it is judged significant.

For records, the Society of American Archivists defines integrity as the principle that a body of records resulting from the same activity must be preserved as a group, without division, separation, or addition, to protect the evidential and informational value that can be discerned from its context.



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**CITY OF SOMERVILLE, MASSACHUSETTS  
COMMUNITY PRESERVATION COMMITTEE  
FY21 FUNDING CYCLE  
INFORMATION FOR PROJECTS PROPOSED ON PUBLIC  
PROPERTY**

**Proposing Community Projects on Public Property**

**The Community Preservation Committee requires that the City of Somerville is a co-applicant on all projects proposed on City property**, including schoolyards and City leased property such as the Community Path. A representative from the relevant City department must sign onto the project's Eligibility Determination Form to confirm the City is a co-applicant.

It is up to the discretion of the relevant City department to agree to be a co-applicant on the proposed project. City departments will make the determination of their participation on the project based on the alignment of the project with City priorities and planning documents such as SomerVision and the Open Space and Recreation Plan, connections with already planned work, funding availability, and staff availability to serve as project partners. Please contact the relevant department as early in your idea generation process as possible. At a minimum, proposers must submit a pre-application form. For FY21, these forms were due May 25 at 4:30 p.m. Sign up for CPA News at [www.somervillema.gov/cpa](http://www.somervillema.gov/cpa) to receive updates on the FY22 deadlines.

The Community Preservation Committee also requires the relevant state institution sign on as an applicant for any projects on state land. If you are considering proposing a project on state owned land, please contact the relevant authority. A letter from the relevant governmental body confirming they are a co-applicant on the project must be submitted along with the Eligibility Determination Form. If you have a question about who owns the land or need assistance in contacting the relevant state officials, please contact the CPA Manager at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov) or 617-625-6600 x2111.

**Procurement Requirements for All Projects on Public Property**

The Community Preservation Act requires that all projects implemented on public property, whether implemented by the City or a community group, follow state procurement and prevailing wage laws. Community groups proposing to manage a project on City property must have the capacity to follow these laws. More information is available in an [article on the CPA and procurement laws](#) from the Community Preservation Coalition and [summary charts](#) prepared by the Office of the Inspector General.





JOSEPH A. CURTATONE  
MAYOR



**CITY OF SOMERVILLE, MASSACHUSETTS  
COMMUNITY PRESERVATION COMMITTEE  
FY21 FUNDING CYCLE  
ENSURING ACCESSIBILITY FOR ALL RESIDENTS**

**City of Somerville General Accessibility Requirements for All Projects  
Intended for Public Use**

Under the Americans with Disabilities Act (ADA), the City is required to operate all of its activities, services and programs so that, “when viewed in their entirety, they are readily accessible to and usable by qualified individuals with disabilities.”

Any project intended for the public’s use that is built on City property, any project built with City funds, or any project where the City is a co-applicant must comply with state and federal building codes regulating access for individuals with disabilities including the 2010 ADA Standards for Accessible Designs (28 CFR §35) by the United States Department of Justice, and the Massachusetts Architectural Access Board (MAAB) Regulations (See 521 C.M.R.), or the latest promulgated state and/or federal regulations. The resulting construction must meet all ADA/MAAB requirements and must provide equal access to individuals with disabilities.

Any construction, reconstruction, remodeling, alteration, or change of use of a building or facility that is open to the public will likely trigger this compliance obligation. Further, all new construction must fully comply. The City and the State’s building inspectors must and will enforce the MAAB regulations which are outlined in a “specialized” section of the Massachusetts Building Code (see 780 C.M.R.).

Application of the ADA Standards is not required where it would be “technically infeasible.” Technical infeasibility is defined as having “little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member which is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.” If compliance is technically infeasible, the alteration must provide accessibility to the maximum extent feasible.

Please confer with your design professional or architect on whether to seek a variance from the MAAB for technical reasons. There is no procedure for seeking variances under the ADA. However, ADA Title II has some exemptions for inaccessible buildings constructed before the law went into effect (ie for historic resource projects). For questions or additional information, please contact the CPA Manager at [jtumusiime@somervillema.gov](mailto:jtumusiime@somervillema.gov).



JOSEPH A. CURTATONE  
MAYOR



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**COMMUNITY PRESERVATION ACT**  
**STANDARD CPA GRANT AGREEMENT GENERAL CONDITIONS**  
**AMENDED MAY 7, 2018**

1. Requirements for Release of Funds. The Grantee hereby acknowledges and expressly agrees that all disbursements of grant funds to the Grantee shall comply with the CPA Funds Disbursement Guidelines, a copy of which is attached hereto and incorporated herein.
2. Public Records Law. All documents, including but not limited to photographs, videos, etc. submitted to the CPC shall become the property of the City of Somerville and shall be available for use by the City and available to the public under the Massachusetts Public Records Law.
3. Image Release. The Grantee must obtain prior permission, with a signed photo/video release, for images of individuals shared with the City of Somerville, stating that the image can be shared with the City of Somerville and are aware that it can be used for publicity purposes at the sole discretion of the City of Somerville. Parents or legal guardians must sign a release form for minors who appear in photographs. The Grantee must provide the City with a copy of the release upon request.
4. Project Liaison. The CPA Manager will serve as Project Liaison for the Project. The Grantee shall cooperate with the Project Liaison, including providing access to the project site at reasonable times and with reasonable notice. The Project Liaison shall serve as the agent of the Community Preservation Committee ("CPC") for the purpose of monitoring project compliance with the terms of this Grant Agreement and shall periodically report to the CPC regarding the progress of the Project and the compliance of the Grantee with the terms of this Grant Agreement.
5. Records and Monitoring. The Grantee agrees to maintain such records with respect to utilization of the grant funds and income derived therefrom as are kept in the normal course of business and such additional records as may be required by the City. The City may periodically evaluate the performance of the Grantee and may make a determination as to whether the Grantee has conformed to this Agreement and has a continuing capacity to carry out the funded activities in the manner required pursuant to this Agreement.

Said records shall be available for inspection by the City during normal business hours and as often as the City may deem necessary. The Grantee shall make available all such records and documents as requested by said parties for audit and/or monitoring. The City shall be entitled to examine and make copies of such records and may audit all contracts, procurement records, invoices, materials, payrolls,

personnel records, conditions of employment, and all documents relating to all matters covered by this Agreement, provided said record does not contain proprietary information of the Grantee.

6. Deed Restrictions. Pursuant to Massachusetts General Law Chapter 44B, Section 12 every project that involves the acquisition of any interest in real property with CPA funds shall be bound by a permanent deed restriction that meets the requirements of M.G.L. c. 184, limiting the use of the interest to the purpose for which it was acquired. The CPC may also require, as a condition of a CPA funding grant, that real property which is benefited by grant funding be bound by a permanent deed restriction. Where applicable, the Grantee agrees to the imposition of such deed restriction in a form acceptable to the CPC.
7. Community Preservation Committee Conditions. The Grantee shall comply with all additional conditions placed on the grant offer by the CPC.
8. Compliance with Laws and Agreement. The Grantee understands and agrees that projects funded through this Grant Agreement are made pursuant to and must comply with the requirements of the Community Preservation Act, M.G.L. c. 44B. The Grantee also agrees to comply with all requirements of this Grant Agreement. The Grantee shall comply with all applicable federal and state laws and city ordinances and regulations, including but not limited to the Americans with Disabilities Act and Massachusetts Architectural Access Board regulations, which in any manner may affect the performance of this Grant Agreement.
9. Permits and Licenses. It is the obligation of the Grantee to obtain all permits and licenses necessary for implementation of the Project. No local permit or license is waived by awarding this grant.
10. No Liability of City. By making this grant, the City does not accept any liability whatsoever for any acts, omissions or errors associated with the Project. Nothing in this Grant Agreement shall be construed to render any elected or appointed official or employee of the City, or their successors in office, personally liable for any obligation under this Grant Agreement.

The Grantee shall indemnify, defend (with counsel acceptable to the City, whose acceptance shall not be unreasonably withheld), and hold harmless the City of Somerville, its officers, agents, employees, and representatives from and against any and all claims, suits, actions, liabilities, losses, damages, costs and expenses (including attorney's fees and expert's fees) of any nature arising from or in connection with any act or omission resulting in any way from the performance of Grantee, its agents, officers, employees, contractors, or subcontractors under this Agreement.

The extent of this indemnification shall not be limited by any obligation or any term or condition of any insurance policy. The obligations set forth in this paragraph shall survive the expiration or termination of this Agreement.

11. Insurance Requirements. Unless exempted, the Grantee shall provide the City with a Certificate of Insurance in the amount of \$1,000,000 or greater covering General Liability including Bodily Injury,

Property Damage, and Personal Injury. The City shall be named as an additional insured on this certificate.

12. Community Preservation Act Awareness. Upon commencement of the Project, and when required by the CPC or its Project Liaison, the Grantee agrees to post a sign stating that the Project was funded through the City of Somerville's Community Preservation Act program. A temporary sign may be used during construction, but a permanent sign, plaque, or similar marker is ultimately required upon completion of construction. Payment, design, and location of the sign will be agreed upon by the Grantee and the Project Liaison. The Grantee shall also identify that the Project was funded through the City of Somerville's Community Preservation Act program in its written materials about the Project, including press releases, brochures, etc.
13. No Assignment. This Grant Agreement may not be assigned by the Grantee without prior written agreement by the City of Somerville.
14. Default and Termination. In the event of any dispute, claim, question or disagreement arising from or relating to this Grant Agreement or the breach thereof, the parties shall use their best efforts to settle the dispute, claim, question or disagreement. To this effect, they shall consult and negotiate with each other in good faith, and recognizing their mutual interests, attempt to reach an equitable solution satisfactory to both parties. If the parties are unable to reach such a solution and the CPC alleges that the Grantee has failed to fulfill its material obligations set forth under the terms of this Grant Agreement and is in breach, the CPC shall deliver written notice to the Grantee indicating such breach. Upon the Grantee's receipt of said notice, the Grantee shall immediately cease to incur any additional expenses in connection with this Grant Agreement, and the Grantee shall have ninety days, or a reasonable time as agreed by the parties, to cure the breach. In the event the Grantee requires further time to correct the breach and demonstrates a good faith effort to do so, the Grantee and the CPC may extend the time to correct in writing by mutual agreement. If the Grantee fails to correct the breach, the CPC shall have the right, in its sole discretion, to terminate this Grant Agreement upon reasonable written notice to the Grantee. Notwithstanding the foregoing, upon immediate notification to the CPC, the Grantee shall not be deemed to be in breach for failure or delay in performance due to Acts of God or other causes factually beyond its control and without its fault or negligence.
15. Return of Funds.
  - a. Upon completion of the Project, any funds granted to the Grantee under this Grant Agreement and not yet expended shall be returned forthwith to the City without further expenditure thereof.
  - b. If the City determines that funds have been spent on purposes not included in the Grantee's application for CPA funds or otherwise not authorized by the CPC or under the CPA, the Grantee shall be liable to repay these funds to the City.
  - c. In the event this Grant Agreement is terminated pursuant to the provisions of Section 14 hereof, any funds granted to the Grantee under this Grant Agreement and not yet expended

shall be returned forthwith to the City without further expenditure thereof.

- d. If this Grant Agreement is terminated as a result of negligent or intentional acts or omissions of the Grantee, the Grantee shall be liable to repay to the City the entire amount of funding provided under this Agreement, and the City shall take such steps as are necessary, including legal action, to recover said funds.
  - e. In the event the City is required to take legal action under this Grant Agreement, the Grantee shall be liable for all of the City's costs expended for the enforcement of this Grant Agreement, including but not limited to reasonable attorney's fees and court costs.
  - f. All returned funds shall be deposited into the CPA Fund and shall be made available for future grants to other recipients.
16. Notice. Any and all notices, or other communications required or permitted under this Grant Agreement, shall be in writing and delivered in hand or mailed by certified mail, return receipt requested, or by other reputable delivery service to the parties hereto at the following address:
- |                    |   |
|--------------------|---|
| If to the Grantee: | Contact information specified on the face of this Grant Agreement               |
| If to the CPC:     | CPA Manager<br>Somerville City Hall<br>93 Highland Ave.<br>Somerville, MA 02143 |
17. Severability. If any term or condition of this Grant Agreement or any application thereof shall to any extent be held invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Grant Agreement shall not be deemed affected thereby.
18. Governing Law. This Agreement constitutes the entire agreement between the parties hereto and may be amended only in writing executed by both the City of Somerville and the Grantee. Signatory below acknowledges and avers that he/she has the authority to execute this Agreement on behalf of the Grantee.



JOSEPH A. CURTATONE  
MAYOR



## CITY OF SOMERVILLE, MASSACHUSETTS COMMUNITY PRESERVATION COMMITTEE FY21 FUNDING CYCLE CPA FUNDS DISBURSEMENT GUIDELINES

The CPC, acting through the City, will disburse CPA funds to non-City organizations (“Grantees”) according to the guidelines below. The CPC reserves the right to change these disbursement guidelines prior to grant agreement execution and will notify all interested persons should it do so.

### Requirements for Disbursement

The City requires the following for disbursement of CPA funds:

1. **Appointment of Grantee Contact.** Grantees must appoint a single point of contact to be responsible for the CPA grant and to interact with the City.
2. **An executed grant agreement.** Grantees will receive CPA funds in the form of a grant from the City of Somerville, which will be governed by a grant agreement with the City. The grant agreement is a contractual document that will be signed by the following individuals: the Grantee’s authorized representative, the CPA Manager (on behalf of the CPC), the Purchasing Director, the City Solicitor, the City Auditor, and the Mayor.
3. **A disbursement schedule.** The disbursement schedule will identify project phases and a disbursement amount for each project phase and will be included in the grant agreement. The City will reserve 10% of each grant as the final disbursement for every project.
  - a. Unless otherwise agreed to by the CPA Manager and Grantee, the default phase length will be three months, with disbursements released quarterly.
4. **Project-specific deliverables or milestones.** The CPA Manager and the Grantee will also identify a set of deliverables or milestones tied to each project phase, and disbursement will be tied to the completion of them (see below). These phase-specific deliverables/milestones will be agreed upon ideally prior to the execution of the Grant Agreement and at the latest prior to the commencement of each phase.
5. **An invoice and grant report for each project phase.** Grantees must submit an invoice for each disbursement of CPA funds and append to this invoice a grant report, using the CPA Grant Report Form provided by the CPA Manager. The invoice shall include the following information: Grantee name, Grantee remit address, invoice date, invoice number, purchase order number, and grant disbursement amount. The City will not release a disbursement unless the CPA Manager has approved and signed the corresponding invoice and Grant Report Form.
6. **Photos.** Grantees must submit at least three high-resolution photos of their project with each invoice and grant report. Grantees must submit photos of the project before work commences with their first invoice and grant report and photos of the completed project with their final

invoice and grant report. All photos must be submitted to the Somerville CPA flickr page: <https://www.flickr.com/groups/2845933@N21/>.

7. **Periodic on-site meetings.** The CPA Manager will visit the project site on a periodic basis to meet with the Grantee Contact and other relevant project staff to discuss and monitor progress.

## Disbursement System

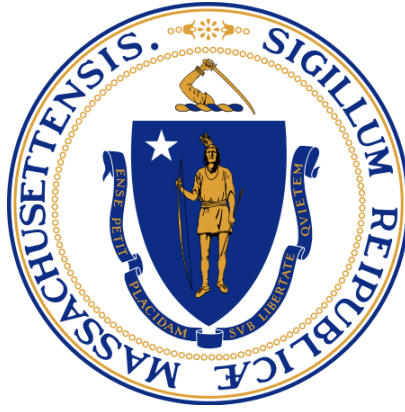
The City will disburse funds to Grantees using either a phased disbursement system or a reimbursement system. Each Grantee will select its preferred system.

1. **Phased disbursement system.** Under a phased disbursement system, the City will forward fund each phase of the project. The City will only release disbursements for Phases 2 and beyond after all deliverables and milestones for the previous phase have been successfully completed (i.e., once the previous phase's deliverables/milestones have been reconciled). The following chart summarizes this system using an illustrative example:

Phased Disbursement System Example				
Phase #	Phase Time Period	Invoice/ Report Date	Grant Report Content	Disbursement Released (assuming 2 week processing time)
1	1/1 – 3/31	1/1	Discusses anticipated Phase 1 work	1/15
2	4/1 – 6/30	4/1	Reconciles Phase 1 & discusses anticipated Phase 2 work	4/15 <b>IF</b> Phase 1 is reconciled
3	7/1 – 9/30	7/1	Reconciles Phase 2 & discusses anticipated Phase 3 work	7/15 <b>IF</b> Phase 2 is reconciled
10% reserve	n/a	As early as 10/1	Reconciles all Project deliverables, including Phase 3 deliverables	10/15 <b>IF</b> all Project requirements are complete

2. **Reimbursement system.** Under a reimbursement system, the City will reimburse Grantees for expenses incurred. The City will only release the disbursement for each phase once the deliverables/milestones for that phase have been successfully completed, or reconciled. The following chart summarizes this system using an illustrative example:

Reimbursement System Example				
Phase #	Phase Time Period	Invoice/ Report Date	Grant Report Content	Disbursement Released (assuming 2 week processing time)
1	1/1 – 3/31	4/1	Reconciles Phase 1 & discusses anticipated Phase 2 work	4/15 <b>IF</b> Phase 1 is reconciled
2	4/1 – 6/30	7/1	Reconciles Phase 2 & discusses anticipated Phase 3 work	7/15 <b>IF</b> Phase 2 is reconciled
3	7/1 – 9/30	10/1	Reconciles Phase 3	10/15 <b>IF</b> Phase 3 is reconciled
10% reserve	n/a	As early as 10/1	Reconciles all Project deliverables	10/15 <b>IF</b> all Project requirements are complete



## SECRETARY OF THE COMMONWEALTH'S

### CERTIFICATE OF GOOD STANDING

#### **CERTIFICATE OF GOOD STANDING as provided by the Secretary of the Commonwealth**

The **Awarded Vendor** must comply with our request for a **CURRENT "Certificate of Good Standing" provided by the Secretary of the Commonwealth's Office**

NOTE: A Certificate of Good Standing provided by the Department of Revenue will NOT be accepted. The Certificate *must* be provided by the Secretary of the Commonwealth's Office.

If you require information on how to obtain the "Certificate of Good Standing" or Certificate of Registration (Foreign Corporations) from the Commonwealth of Massachusetts, please call the

Secretary of The Commonwealth's Office at (617) 727-2850 (Press #1) located at One (1) Ashburton Place, 17 Floor, Boston, MA 02133 or you may access their web site at:  
<http://corp.sec.state.ma.us/CorpWeb/Certificates/CertificateOrderForm.aspx>

If your company is incorporated outside of Massachusetts and therefore is a "foreign corporation", but is registered to do business in Massachusetts, please comply with our request for the Certificate of Registration from the Commonwealth of Massachusetts. If your company is a foreign corporation, but is not registered to do business in Massachusetts, please provide the Certificate of Good Standing from your state of incorporation.

Please note that without the above certificate (s), the City of Somerville cannot execute your contract.

#### **IMPORTANT NOTICE**

Requests for Certificates of Good Standing by mail may take a substantial amount of time. A certificate may be obtained immediately in person at the Secretary's Office at the address above. Also, at this time, the Secretary of State's Office may not have your current annual report recorded. If this is the case, and you are therefore unable to obtain the Certificate of Good Standing, please forward a copy of your annual report filing fee check with your signed contracts. Please forward your original Certificate of Good Standing to the Purchasing Department upon receipt.



# SOMERVILLE CODE OF ORDINANCES – SEC 15-71 TO 15-76

## CAMPAIGN CONTRIBUTION ORDINANCE INFORMATION

This page provides informational guidance on the requirements of the Somerville “Pay to Play and Campaign Contribution Ordinance”. This is not intended as legal advice. Please always refer to the ordinance for all requirements and definitions.

### MANDATORY DISCLOSURE FORM FOR APPLICANTS

APPLICANTS must complete a disclosure and certification form. You are an APPLICANT under this Ordinance if you are an individual, corporation, limited liability company, partnership, association, joint venture, or any other legal entity, who is applying for any of the following items from the City of Somerville, all departments of the city, as well as any authorities and quasi-public corporations that receive appropriations from the city, such as the Somerville Redevelopment Authority:

<b><u>ITEM TYPE</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>HOW TO FILE FORM</u></b>
<i>CONTRACTS</i>	A signed written contract <u>in excess of \$25,000.00</u> for goods or services to which the city or a city-related agency is a party, except where the agreement is required by law to be awarded pursuant to a competitive bidding process under applicable law, or where the agreement constitutes a sole source procurement under Massachusetts General Laws Chapter 30B, Section 7.	File with the contracting entity, before the city may enter into any contract.
<i>ZONING RELIEF</i>	A special permit with site plan review or approval of a planned unit development, as defined in the Somerville Zoning Ordinance, with respect to new construction or renovation <u>in excess of 15,000 square feet</u> .	File with the board hearing the application at the time that an applicant seeks approval.
<i>REAL ESTATE</i>	Acquisition of real estate owned by, or disposition of real estate to, the city or a city-related agency.	File with city agency seeking to dispose / acquire property at the time that an applicant submits a bid or response to a RFP. If not a bid or proposal process, file prior to obtaining title.
<i>FINANCIAL ASSISTANCE</i>	<i>Financial assistance</i> means any grant, loan, tax incentive, bond financing proceeds used to purchase land or fund expenses for improvements made to land or real estate, or other form of assistance that is realized by or provided to a person in the amount of <u>\$50,000.00 or more</u> through the authority or approval of the city or a city-related agency, including, but not limited to, tax increment financing aid, district improvement financing aid, industrial development bonds, or community development block grant aid.	File with the city agency that would provide financial assistance at the time of application.

### ELIGIBILITY RESTRICTIONS FOR APPLICANTS

No applicant shall be entitled to obtain the award of any of the items applied for “if such applicant, including those who would be attributed to the applicant under section 15-73 above or any subcontractor used on a contract, has made a total contribution of more than \$500.00 to any individual

candidate for elected office of the City of Somerville or incumbent in either the calendar year of the application or the calendar year preceding the application, provided, however, that the restriction of eligibility with regard to contributions made prior to the year preceding the application shall not apply to any contributions made in the calendar year preceding the adoption of this article and shall only go forward beginning with the year of adoption of the article. No contribution made prior to the effective date of this article shall be deemed to give rise to a violation or penalty under this article.”

No contract may be renewed, extended, or materially amended, unless the resulting renewal, extension, or amendment, would be allowable under the provisions of this article if it were an initial contract.

### **OBTAINING THE ITEM AND CERTIFICATION ON CONTRIBUTIONS**

If you obtain the item applied for, the ordinance contains requirements on certain contributions. The ordinance requires the applicant to certify that the “applicant and anyone attributed to the applicant or any subcontractor used on the contract shall not make any contribution in any calendar year in an amount in excess of \$500.00 to any individual incumbent or to any individual candidate for elective office of the City of Somerville for the next four calendar years following the award of the item, or for the duration of the term of any contract, whichever is longer.” Elected office of the City of Somerville shall mean the mayor, board of aldermen, and school committee of the city.

### **ATTRIBUTION RULES**

The ordinance specifies certain attribution rules in Section 15-73, which are also referenced in sections relating to mandatory disclosure, certification, and eligibility. Section 15-73 provides that where the Applicant is:

<i>An Individual</i>	Any contributions made by the individual, any spouse of the individual, and any children of the individual.
<i>Not an individual but a corporation, partnership or limited liability corporation</i>	Any contributions made by any of its chief executive officer, president, chief financial officer, treasurer, chief operating officer, chief procurement officer, directors, members, managers, principals, or persons performing similar functions, or shareholders in excess of ten percent, and their spouses and children.

### **CURING A CONTRIBUTION IN VIOLATION OF THE ORDINANCE**

An applicant may cure a contribution which violates this ordinance as follows:

Within “30 days after the date on which an applicable office of campaign and political finance report is required to be filed which contains a contribution in violation of this article, the applicant requests a refund in writing from the candidate or incumbent who received the contribution,” AND Within “30 days of the request, the applicant receives a refund of a contribution from the incumbent or any candidate for elective office in the City of Somerville, or political committee for such incumbent or candidate.”

Notwithstanding the above, if there is a contribution in violation of this article, the candidate or incumbent shall refund the contribution within 30 days of receipt of a request for refund, provided that funds are otherwise available in the campaign account of the candidate or incumbent. This article shall be interpreted and applied consistent with all applicable federal and state laws and regulations.

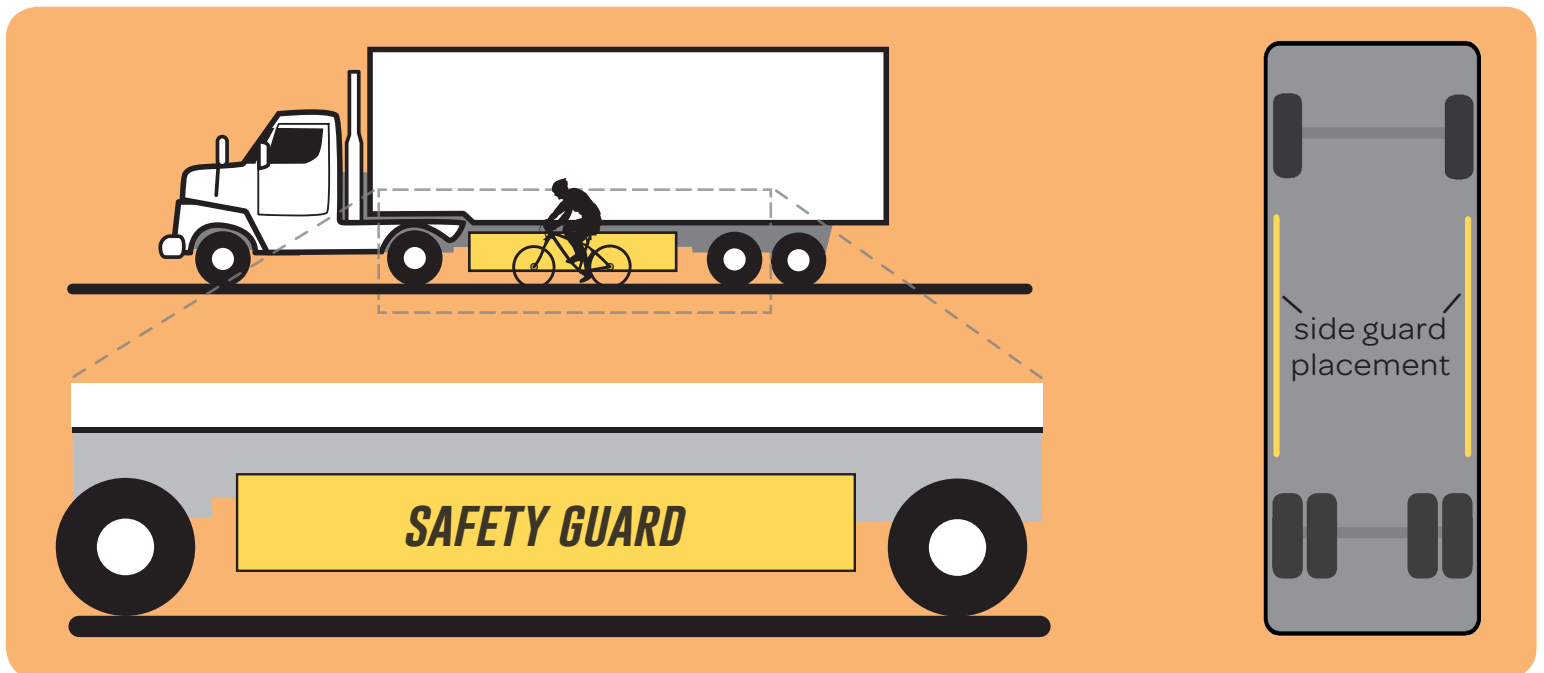


**CITY OF SOMERVILLE**

# **TRUCK SIDE GUARD ORDINANCE**

Collisions with large vehicles are disproportionately likely to result in cyclist and pedestrian fatalities. The City of Somerville's Ordinance to Safeguard Vulnerable Road Users aims to prevent cyclists and pedestrians from the risk of being struck by a large vehicle because of limited driver visibility and lack of side-visible turn signals, as well as falling under the sides of large vehicles and being caught under the wheels.

The ordinance applies to large motor vehicles that are Class 3 or above with a gross vehicle weight rating (GVWR) exceeding 10,000 pounds, except for an ambulance, fire apparatus, low-speed vehicle with a maximum speed under 15 mph, or an agricultural tractor.



## **Questions about inspections?**

Please contact the Fleet Superintendent, Ron Bonney, at:  
RBonney@SomervilleMA.gov or (617) 625-6600, ext. 5524.

# ORDINANCE REQUIREMENTS

## LATERAL PROTECTIVE DEVICES (SIDE GUARDS)

- Vehicles must have device installed between the front & rear wheels to help prevent injuries to vulnerable road users, particularly from falling underneath the vehicle.



## SIDE-VISIBLE TURN SIGNALS

- Vehicles must have at least one turn signal lamp on each side of the vehicle that is visible from any point to the left and right side along the full length of the vehicle.



## CONVEX MIRRORS

- Vehicles must have mirrors which enable the driver to see anything that is three feet above the road and one foot in front of or alongside of the vehicle.



## CROSS-OVER MIRRORS

- Vehicles must have mirrors that enable the driver to see anything at least three feet tall passing one foot in front of the vehicle and the area in front of the bumper where direct vision is not possible.

## SAFETY DECALS

- Vehicles must have a minimum of three reflective decals on the rear and sides.
- The decals must be “safety yellow” in color and include language or images that warn of blind spots.

# COMMON QUESTIONS

**WHAT TYPES OF VEHICLES DOES THIS ORDINANCE APPLY TO?** This ordinance applies to Class 3 or above vehicles with a gross vehicle weight rating exceeding 10,000 lbs., except for an ambulance, fire apparatus, low-speed vehicle with max speed under 15 mph, or agricultural tractors.

**CAN TOOL BOXES BE USED AS SIDE GUARDS?** Yes, as long as the tool box meets all of the required measurements in the ordinance.

**IF I RENT TRUCKS FOR A JOB, DO THOSE VEHICLES NEED TO BE INSPECTED AND PERMITTED?** Yes.

**DO SUBCONTRACTORS' TRUCKS WORKING ON A CITY CONTRACT NEED TO BE INSPECTED & PERMITTED?** Yes.

**WILL THE CITY DO AN OFF-SITE INSPECTION FOR LARGER FLEETS?** Yes, depending on the availability of inspectors and the distance to the site.

# REGISTER FOR AN INSPECTION

Email inspection forms to: [FleetInspections@SomervilleMA.gov](mailto:FleetInspections@SomervilleMA.gov)

Questions about inspections? Please contact the Fleet Superintendent, Ron Bonney, at: [RBonney@SomervilleMA.gov](mailto:RBonney@SomervilleMA.gov) or (617) 625-6600, ext. 5524