

January 22, 2021

clerk@norwoodma.gov

Via email only

**Mrs. Mary Lou Folan
Town Clerk, Norwood
566 Washington St.
Norwood, Mass. 02062**

Dear Mrs. Folan,

Pursuant to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and the regulations known as the Public Records Access Regulations promulgated thereunder and published at 950 C.M.R. 32.00. Please consider this public records request.

Time is of the essence with respect to this request. As you know, the public records law requires the Town of Norwood to produce or provide access to the requested documents within ten (10) business days. Please inform me as soon as possible about any necessary arrangements for this production. I am requesting to review the requested documents, policies, or procedures.

If you claim that any documents are exempt from disclosure in whole or in part, I request that the Town exercise its discretion to release them. If you withhold any of the documents requested, please identify the exemption(s) claimed and fully describe the documents for which each such exemption is claimed. The sender, receiver, date, time and subject, along with metadata.

A. I am requesting a copy of the policy, procedure, or complaint system, which is used by the Norwood Airport Commission or Norwood Airport Manager, NAC/Town of Norwood, regarding all engineering and design services, Subcontract, Program Management, Planning Studies, Feasibility Studies, Architectural Services, Preliminary Engineering, Design, Engineering, Surveying, Mapping, or related services in accordance with:

Federal Grant Assurance, 32. Engineering and Design Services.

Engineering and Design Services. If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or **sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services** is negotiated under Chapter 11 of Title 40 U. S. C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

B. I am requesting a copy of the current Request for Proposal (RFP) regarding the current contract(s) for Engineering and Design Services, as outlined in A above.

C. I am requesting a copy of current contract(s) regarding the Engineering and Design Services, as outlined in A above, and federal grant Assurance #32, outlined above.

D. I am requesting a copy of any existing contract by the Town of Norwood, NAC, and/or Airport Management, regarding Engineering Services, as defined in A above, in accordance with Federal Grant Assurance #32, outlined above.

E. I am requesting a copy of the RFP and awarded contract for the following Projects:

1. Environmental assessment for the paved safety areas and Taxi Way C relocation.
2. Post monitoring for Taxiway A.
3. Taxiway D relocation.

F. I am requesting copies of the payments to Dubois and King, Jeff Adler, or any firm or person working for Dubois and King, and/or Jeff Adler, for the period January 1, 2015, to the present.

If the NAC/Town has a spread sheet or other accounting process or method which shows the date, amount and associated (AIP), federal, state and/or local, project reference, that would be acceptable to understand the payments, amounts, associated project and RFP for the project.

If you need clarification of any request, please let me know as soon as possible. I made an initial request to the NAC on January 14, 2021, as outlined below. On January 21, 2021, after no response, I made a Public Records Request. This current Public Records Request clarifies my prior request.

Please acknowledge receipt of this request. I am available to review the requested records at any time.

Thank you,

Christopher Donovan

209 Access Road. Norwood, Mass. 02062

Copies of prior emails and requests are below.

Grant Assurance #32, Engineering and Design Services

Christopher Donovan <christopherdonovan1@gmail.com>

Thu, Jan 14, 2021 at
1:13 AM

To: Mark Ryan <mryan@norwoodma.gov>, John Corcoran <jcorcoran@mbta.com>, jcorcoran
<jcorcoran@norwoodma.gov>, Michael Sheehan <msheehan8@gmail.com>, msheehan
<msheehan@norwoodma.gov>

Cc: Cathy Carney <ccarney@norwoodma.gov>

Dear Mark, Michael, John, and Russ,

FAA Grant Assurances #32 is copied below. Can you please provide me the policy or requirements used by the NAC to comply with Chapter 11 of Title 40 USC, or does the NAC utilize Chapter 11 of Title 40 USC?

I cannot find this policy online at the Norwood Airport web page.

Thank you,
Christopher

32. Engineering and Design Services.

Engineering and Design Services. If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U. S. C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

--

Christopher R. Donovan

Thu, Jan 21,
2021 at 12:40
AM

Christopher Donovan <christopherdonovan1@gmail.com>

To: Mark Ryan <mryan@norwoodma.gov>, John Corcoran <jcorcoran@mbta.com>, jcorcoran <jcorcoran@norwoodma.gov>, Michael Sheehan <msheehan8@gmail.com>, msheehan <msheehan@norwoodma.gov>

Cc: Cathy Carney <ccarney@norwoodma.gov>, Marylou Folan <mfolan@norwoodma.gov>, Tony Mazzucco <tmazzucco@norwoodma.gov>

Mark,

I wanted to follow up on this request please. Over the last 10 years the NAC has spent over \$1.5 Million dollars on various engineering and design services. Is there a compliant plan in place, in accordance with federal law, regarding the grant assurances, that awards each contract for engineering and design services?

Federal law is clear on this requirement. Please consider this Public Records Request, in accordance with State Law.

Pursuant to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and the regulations known as the Public Records Access Regulations promulgated thereunder and published at 950 C.M.R. 32.00. I am requesting the following public records.

Time is of the essence with respect to these requests. As you know, the Public Records Law requires the Town of Norwood to produce or provide access to the requested documents within ten (10) business days. Please inform me as soon as possible about any necessary arrangements for this production, I am requesting to review the documents, policies, or procedures.

If you claim that any documents are exempt from disclosure in whole or in part, I request that the Town of Norwood exercise its discretion to release them. If you withhold any of the documents requested, please identify the exemption(s) claimed and fully describe the documents for which each such exemption is claimed. The sender, receiver, date, time and subject, along with metadata.

A. I am requesting a copy of the policy, procedure, or complaint system, which is used by the NAC/Town of Norwood, regarding all engineering and design services, Subcontract, Program Management, Planning Studies, Feasibility Studies, Architectural Services, Preliminary Engineering, Design, Engineering, Surveying, Mapping, or related services in accordance with:

Federal Grant Assurance, 32. Engineering and Design Services.

Engineering and Design Services. If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U. S. C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

Thank you, Christopher.