

Date: 4/26/2017

Stephen Poole  
Veolia North America  
15 Elkins Street  
Boston, MA 02127

RE: Veolia Repairs and Improvements North and South of Broadway

In prior meetings on 1/19/2017 and 2/1/2017 with representatives from Cambridge Redevelopment Authority (CRA) and Cambridge Department of Public Works (DPW), Veolia discussed the need to repair a broken condensate return line located south of Broadway in the Grand Junction Park between steam vaults K23 and K21, as well as a commitment to execute a preventative maintenance replacement opportunity on the site of the future Binney Street Park north of Broadway involving condensate return pipe between vaults K19, K19a, K18, K18a, and K17. A proposed future connection to the Whitehead Institute from vault K22 was also discussed.

On 2/16/2017, CRA sent a proposed Memorandum of Understanding (MOU) to Veolia to govern all of Veolia's steam and condensate return work with terms related to property restoration, design coordination, site access and construction conditions. The draft MOU also required indemnification against any contaminated soil findings both north and south of Broadway. On 4/7/2017, Veolia sent back a counter proposal for a more limited scope of replacement work for just the portion of work south of Broadway (vaults K23-K21), but did not cover any of the other topics addressed in the draft MOU, nor the preventative work promised north of Broadway (vaults K19, K19a, K18, K18a, and K17).

The area north of Broadway is to be transferred to City ownership and become the future Binney Street Park. Construction on the park is scheduled to begin in early spring 2018. CRA will not license Veolia's contractor to begin work in this area until Veolia meets with Stoss Landscape Urbanism at least once for design coordination related to the future park and a list of specific Veolia modifications to accommodate the park design are agreed upon.

Additionally, prior to constructing the public park, DPW must install a new 48-inch diameter gravity drain traveling north to south through the property from Binney Street to Broadway, running parallel to the Grand Junction railroad right-of-way. Construction of this drain line has been scheduled for summer 2017. However, it was recently discovered that the drain line directly intersects with the Amgen steam service line installed in 2000 on CRA property.

Under the terms of the easement agreement on the property, Veolia is required to work with CRA and coordinate with the designer of the drain line, Beals & Thomas, to move the steam service to accommodate the new 48-inch diameter drain line. This work needs to be done within 60 days of the date of this letter (6/26/2017). Veolia must also coordinate with the contractor constructing this drainpipe at any other points the drainpipe and steam line may intersect or be in close proximity vertically or horizontally. The requirement to perform this steam line relocation and coordination work is referenced in the steam line easement between Veolia and the CRA for the area of the Amgen service:

*Easement by Lesmarc granted to the Cambridge Steam Corporation, Middlesex Registry of Deeds Book 7448, Page 242: "In the event that at any time it becomes necessary for the Grantor, its successors and assigns, to use the ground in said mains are laid, the Grantee*

*shall, upon reasonable notice, relocate the same in said way at the expense and responsibility of the Grantee, its successors and assigns..."*

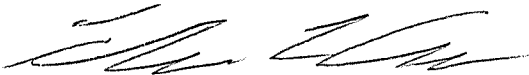
Currently Amgen steam service is provided by a buried 6" steam line, and associated 4" condensate line, extending from the western side of Veolia Steam structure K-18 and running west across the CSX/MBTA railroad right-of-way. This steam service is depicted in both plan and profile on a plan title "COM/STEAM AMGEN, ONE KENDALL SQ.-BUILDING 600, dated 11/13/00". The steam service exits structure K-18 at an approximate elevation of 17.10 and drops to an elevation of 12.77 approximately 5' outside of structure K-18 to cross beneath the railroad tracks through an existing 36" steel casing pipe. At its current elevation of 12.77, the existing steam service would create a conflict with the proposed City of Cambridge DPW Project 9ab 48" RCP gravity drainage pipe. We request that the steam service be relocated to allow for the installation of the proposed 48" RCP drain. The existing and proposed steam pipe relocation is graphically depicted on the two attached sketches labeled Attachment B.

Due to the interconnectedness of the future Binney Street Park project, the DPW 48-inch drain line project, and Veolia's preventative replacement of condensate return lines between vaults K19, K19a, K18, K18a, and K17, the following schedule is proposed, in priority order:

- A. Early May 2017: Veolia meets in person with Stoss Landscape Urbanism to coordinate with the design of the future Binney Street Park, and come to an agreement on a list of specific Veolia infrastructure modifications that will accommodate the future park design.
- B. May-June 2017: Veolia moves the Amgen pipe to accommodate the DPW drain line project, coordinating design and construction phasing with Beals & Thomas.
- C. June-July 2017: Veolia replaces condensate return lines between vaults K19, K19a, K18, K18a, and K17 as well as other work spelled out in Attachment A, section "Veolia's Scope of Work for Future Binney Street Park (north of Broadway)."
- D. July-August 2017: A DPW approved contractor constructs the 48" drain line, Veolia coordinates and accommodates any additional conflicts with designer (Beals & Thomas) and DPW contractor.
- E. August-September 2017: Veolia repairs the broken condensate pipe south of Broadway from vaults K23-K21 and extends service to the Whitehead Institute from vault K22 in the existing Grand Junction Park *subject to replacement and restoration conditions to be negotiated separately with the CRA at a later date.*

In order for Veolia to begin work on the above schedule, Veolia must agree to the conditions outlined in Attachment A that specifically cover the CRA property north of Broadway only. Note that additional conditions associated with repair, replacement and restoration work south of Broadway in Grand Junction Park (vaults K23-K21) as well as the Whitehead Institute extension from vault K22 will be negotiated under a separate document.

Sincerely,



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Thomas L. Evans  
Executive Director  
Cambridge Redevelopment Authority

Cc: Beals & Thomas (Matthew Cote), DPW (Owen O'Riordan, Jim Wilcox), DivcoWest (Michael Berovsky)

# **Attachment A**

Excerpts from previously proposed Draft MOU dated 2/16/2017

**Date: 4/26/2017**

## **A: Veolia's Scope of Work for Future Binney Street Park (north of Broadway)**

*The following is a summary of the work Veolia and its contractor are expected to perform in the future Binney Street Park north of Broadway:*

- Dig a trench about 40" wide and replace the condensate return pipe between each of the vaults K19, K19a, K18, K18a, and K17, up to the curb line.
- Insulate all piping including the condensate, steam and vault areas with the greatest possible insulation material to reduce impact of heat transfer on vegetation and tree roots.
- Modify Veolia vault infrastructure at K19 and K18 as necessary so that it does not interfere with the Stoss Landscape Urbanism design for the future Binney Street Park. This may include but is not limited to the following items. *The complete list of modifications will be agreed to in a separate meeting in May 2017:*
  - Create a new vault top for K19 – bring vault top up to grade of bike path, consolidate manhole covers and shift manhole covers to edges outside of path of travel for bikes and peds to the greatest extend practicable to avoid excessive exposure and replace manhole covers with insulated composite covers as necessary.
  - Install cooling candy canes to cool the K19 and K18 vaults in the future park. Exhaust candy canes shall be installed against the surveyed property line only, unless another location is agreed to by the park design team.
  - Identify and fix issue observed with excessive steam exhaust at K19, if the issue is not resolved with the replacement of the condensate pipe between K23-K22 and K21.
- Coordinate replacement work with new planned DPW stormwater 48" drain elevations, including moving the Amgen steam service lines to accommodate the DPW 48" drain line, and all other necessary adjustments where the new drain line conflicts with Veolia steam infrastructure.
- All curbside (London Plane) trees inside or adjacent to the gate entry to the construction zone must be protected, per City Of Cambridge requirements.
- The north of Broadway work needs to be completed by June 30, 2017 at the latest to accommodate DPW drain line and Binney Street Park construction
- Veolia and its contractor are required to provide an as-built drawing in PDF and CAD format of the existing and newly installed Veolia infrastructure in plan and profile on both properties when completed to both the CRA and DPW.

## **B: Access and Construction Conditions**

*The following conditions will apply to Veolia and its contractors for access through the future Binney Street Park property north of Broadway and to all construction activities within and along the property:*

- Veolia agrees to document the contractor's excavation work and pipe construction using photos and submit them to the CRA and DPW and allow CRA and DPW to the construction site to view the excavation process.

- The existing concrete sidewalk on the parcel north of Broadway (future Binney Street Park) shall not be blocked or closed during the condensate pipe replacement except for no more than 72 hours when the condensate pipe going under the sidewalk is replaced.
- Veolia and its contractors agree to use its best efforts not to interfere with vehicular, transit, pedestrian or bicycle flow in the general vicinity or with activities of the CRA, the City, or their respective redevelopers or contractors. The contractor shall not block vehicular, pedestrian and bicycle travel along the roadway, sidewalk or bike lanes on Galileo Way or Broadway except for specific construction activities when diverting pedestrians and cyclists becomes unavoidable as approved by the City of Cambridge Department of Public Works (DPW), or if the fenced construction work zone includes a sidewalk or bike path as approved by the CRA.
- No open holes may be left unattended unless surrounded by construction fencing.
- As this area is heavily traveled, Veolia and its contractor shall during its use of the licensed premises keep the construction area in a clean and orderly appearance especially prior to leaving each day.
- Veolia and its contractor agree to follow standard soil handling procedures including plastic sheeting and erosion control measures to prevent the spread or dispersement of any soil excavated from the Project. Contaminated soils are not allowed to be stored on CRA property. Veolia will notify the CRA of any off-site location where soil will be stockpiled. CRA shall be allowed access to any off-site location for inspection purposes.

### **C: Contamination/Cleanup Procedure**

*The following conditions will apply if soli testing is found to be necessary and if a hazardous or reportable substance is found by Veolia's Licensed Soil Professional (LSP):*

- Veolia commits to indemnifying the CRA from costs involved in the finding, reporting handling and disposal of any contaminated soil on property north of Broadway. If any contaminated soils are found during construction, **Veolia will bear the cost of reporting, testing, handling and disposal.**
- CRA and DPW shall receive and retain full copies of any and all LSP reports whether or not any hazardous or reportable substance is found, depending on the property location it is found in.
- If found to be reportable substances and levels, Veolia's LSP should report soil testing results to state Department of Environmental Protection (DEP) and/or EPA as required on the CRA's behalf, and all costs of reporting to the City of Cambridge, Massachusetts DEP, EPA (or any other required agencies) and preparing any and all paperwork will be the responsibility of Veolia.
- Any additional soil testing required to be done in order to isolate the location of the substance or required by DEP for reporting purposes will be the sole responsibility of Veolia.
- If soil remediation actions are required by the Massachusetts Contingency Plan, CRA and DPW shall review the remediation plan especially related to material handling before it is submitted to DEP, depending on the property location it is found in.
- If soil remediation actions are required by the Massachusetts Contingency Plan, all costs of soil contractors and disposal should be the full responsibility of Veolia.

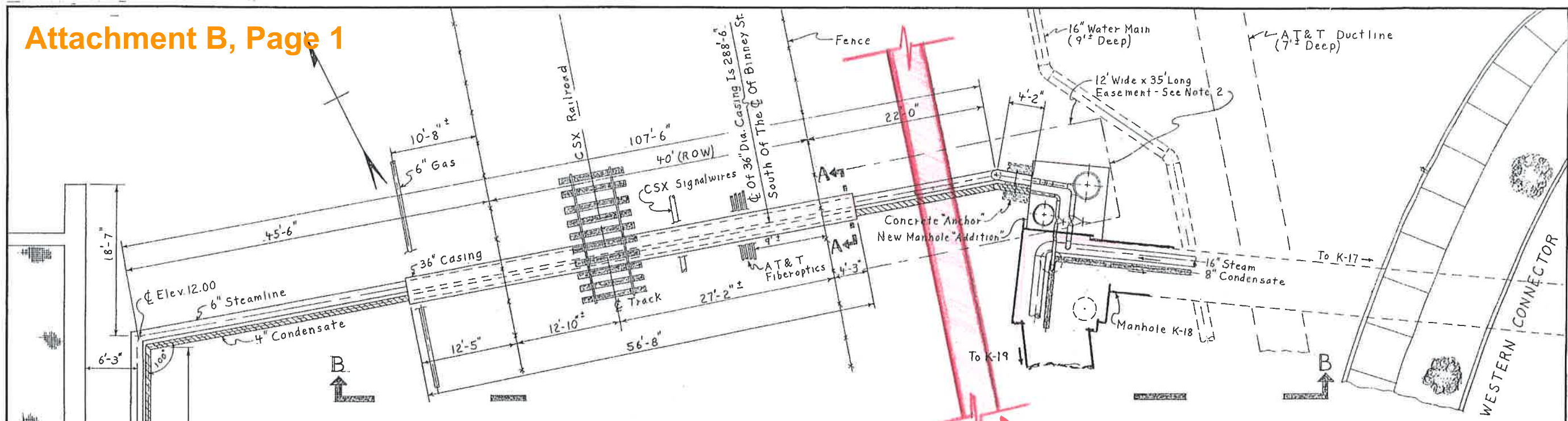
- CRA reserves the right to have a CRA or DPW contracted LSP review and approve the findings and cleanup plan of Veolia's LSP prior to the commencement of any cleanup work. The CRA and DPW are not required to obtain the services of an independent LSP to complete soil testing and reporting, as Veolia will retain the services of their own LSP for any required cleanup and DEP reporting and closeout procedures.

#### ***D: Design Coordination***

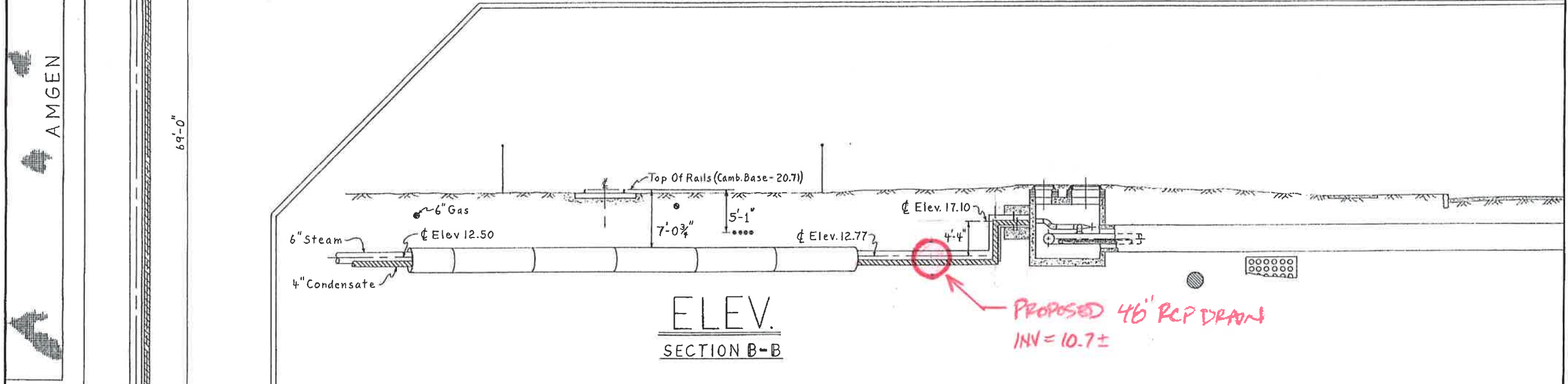
*The following conditions summarize all design coordination activities Veolia is committing to related to the land north of Broadway as well as other future projects in the Kendall Square Urban Renewal Plan area:*

- Veolia and its contractor are required to provide to both the CRA and DPW an as-built drawing in both PDF and CAD format of the existing and newly installed Veolia infrastructure in plan and profile when completed.
- Veolia will fully cooperate with and attend design coordination meetings with the designer of the future Binney Street Park (north of Broadway), Stoss Landscape Urbanism during 2017.
- Veolia will commit to perform preventative replacement work of the condensate return pipe under Galileo Way when Boston Properties reconstructs the street between K18 and K17 some time between 2019-2024. Design work for this project will be completed in 2017 and 2018. Veolia agrees to work with Boston Properties cooperatively in the design and future construction process to rebuild the street in this area, and will attend meetings, site visits, and provide guidance as necessary to complete design and construction of streetscape improvements.
- Veolia will perform preventative replacement work of the condensate return pipe under the 6<sup>th</sup> Street Walkway between vaults K13 and K12 when Boston Properties does construction work on the 6<sup>th</sup> Street walkway planned for summer 2018. The steam line and vaults will also be evaluated for any maintenance during those preventative replacement projects. Design work the Boston Properties project will be completed by the end of 2017. Veolia will coordinate the trench depth, pipe depth, finished grade, and vault access, according the requirements of the Sasaki design for the planned bike path. Veolia agrees to work with Sasaki and Boston Properties cooperatively in the design and future construction process to build a bike path adjacent to and on top of the new trench (expected in 2018), and will attend meetings, site visits, and provide guidance as necessary to complete design and construction of bike path improvements. A separate license agreement must be granted by the CRA for this work as it is on CRA property.

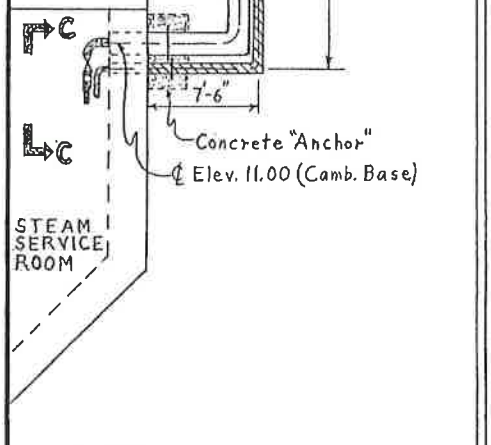
REVISIONS	BY



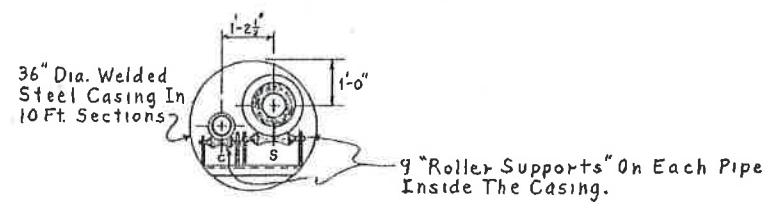
PLAN



ELEV. SECTION B-B



SECTION C-C  
SCALE 1" = 60'-0"



SECTION A-A  
SCALE 1" = 20'-0"

PROPOSED 46" RCP DRAIN  
INN = 10.7±

- NOTES:
- 1) All Elevations Shown Are City Of Cambridge "Base".
  - 2) Easement Obtained From Cambridge Redevelopment Authority.
  - 3) "Hydro Test" (1 1/2 Times Design) Conducted Successfully On October 24, 2000.

<b>COM/STEAM</b>		
CAMBRIDGE		
STEAM(6") & CONDENSATE(4") SERVICE TO		
AMGEN, ONE KENDALL SQ.-BUILDING 600		
R.J. Pinea	DRAWING NO. N7827	REV.

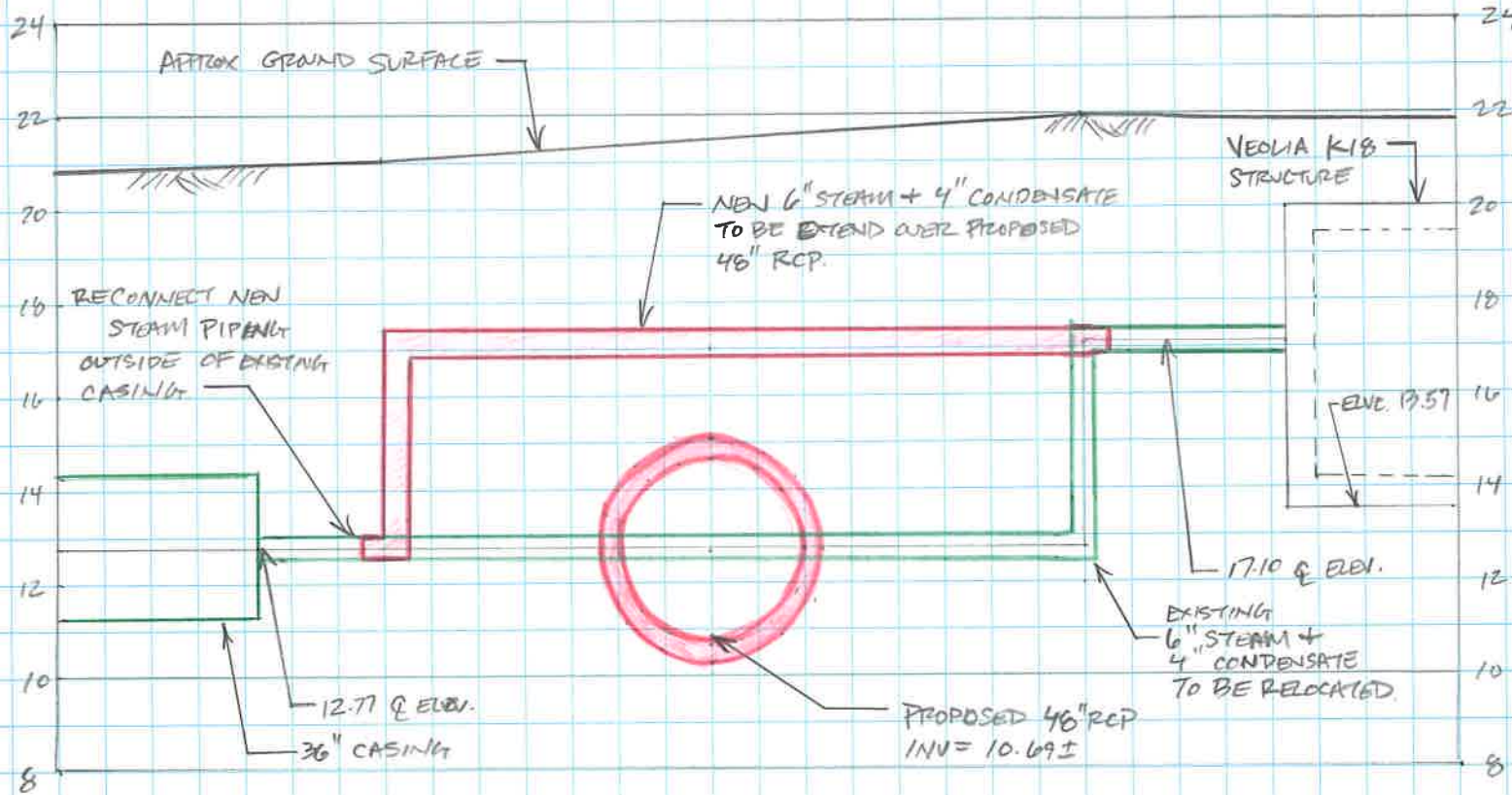
Date	11/13/00
Scale	1" = 60'
Drawn	J.F. HAWKEY
Job	
Sheet	1
Of	1 Sheets



# Attachment B, Page 2

## AMGEN STEAM SERVICE RELOCATION.

- NOTES: 1. REMOVE AND RELOCATE EXISTING 6" STEAM AND 4" CONDENSATE.
2. STEAM SUPPLY SHALL NOT BE INTERRUPTED TO AMGEN. CONTRACTOR TO COORDINATE TEMPORARY SERVICE AS REQUIRED.



### SECTION A-A

SCALE: H 1" = 4'-0"  
V 1" = 4'-0"

GREEN EXISTING  
RED PROPOSED

JOB NO. 2004.30  
TOWN: CAMBRIDGE, MA  
PROJECT: DPW 99B

DATE: 3/15/17  
CALC BY: MC  
CHECKED BY: \_\_\_\_\_  
PAGE \_\_\_ OF \_\_\_