

ARTICLE 14. PERMANENT BUILDING COMMITTEE

(Revised ATM 2017.)

14.1. Definitions. For the purposes of this article:

- a. "Project" means the design and/or construction of a building or structure as described in G.L. c. 149 §§ 44A through 44H and G.L. c.149A. A Project is not:
 - i. A public works as described in G.L. c. 30, § 39M;
 - ii. A substation or other structure or any of the service equipment thereof of the Municipal Light Plant (project does include buildings of said plant);
 - iii. Any building of the Housing Authority; or
 - iv. Routine maintenance and upkeep of a building or other structure and its service equipment which are performed on a regular basis.
- b. "Project Goals" means the general objectives and particular needs to be met through the construction of the project.
- c. "Design" is the schematic design, the design development, and the preparation of construction documents (or equivalent documents) developed from the project goals established by the proposing entity.
- d. "Construction" includes all steps necessary to implement or complete a project. Construction does not include: Design, as that term is defined above, or the acquisition of funds.
- e. "Entity" means the Town department, Board or committee proposing a project.

14.2. Membership. There shall be a Permanent Building Committee ((for purposes of this Article 14, the "Committee") consisting of five residents appointed by the Moderator, and one or more Temporary Members, as may be appointed pursuant to Section 14.4. Appointments shall be made so that the Committee includes an attorney, an architect, an engineer, and an individual who is primarily engaged in the construction business. No such member shall be an Officer, Official, or paid employee of the Town, or a member of any Board, except that a Town Meeting Member may be a member of the Committee.

14.3. Term. The term of office shall be three years commencing on July 1.

14.4. Temporary Member. The Committee may appoint, as a temporary additional member or members, one or more individuals who are members or representatives of the entity for which a project is being designed or constructed. A temporary member shall not have a right to vote, and may participate in the activities of the Committee only with respect to the particular project of that entity and only for the period during which the Committee is exercising its functions with respect to such project.

In the case of a school project, the School Committee shall appoint one of its members, or its designee, hereinafter referred to as the School Committee member, to be a temporary additional member of the Permanent Building Committee. The School Committee member shall have the right to vote and to participate fully in the activities of the Committee with respect to all school projects.

14.5. General Duties. The Committee shall be responsible for:

- a. Financial estimates;
- b. The design of every project **estimated to cost more than \$500,000**; and
- c. The construction of those projects for which funds are appropriated to the Committee.

The Committee shall work to achieve the project goals of the proposing entity.

14.6. Financial Requirements and Notification. Any entity that intends to propose a project to Town Meeting shall provide information regarding the project goals and the financial requirements of the project to the Committee at least 120 days in advance of the Town Meeting at which funding of any kind for the project will be requested. This information shall be simultaneously submitted to the Advisory Committee in accordance with Section 11.12. The Committee shall determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report to Town Meeting thereon.

14.7. Appropriations. The funds for the design and construction of a project shall be appropriated to and expended under the direction of the entity that will supervise the construction of the project in accordance with Section 14.8.

14.8. Supervision of Project Construction. The Committee and the proposing entity shall administer the construction of a project as follows:

- a. The Committee shall supervise the construction of all projects estimated to cost more than \$500,000, unless the Committee and the entity proposing the project agree that the proposing entity shall supervise construction.
- b. The proposing entity shall supervise the construction of all projects estimated to cost less than \$500,000, unless the Committee and the entity proposing the project agree that the Committee shall supervise construction.

14.9. Project Feasibility Studies. Any entity undertaking a project feasibility study shall inform the Committee of the study.

14.10. Design Review Board. Upon appropriation of design funds, the Committee, or the supervising entity if not the Committee, shall notify the Design Review Board of the project and the project shall not proceed except in compliance with Section 46.3.

14.11. Records. All record drawings and specifications shall be retained in accordance with the Massachusetts General Laws.

14.12. Policies and Procedures. The Committee shall adopt, and make available to all Boards, Officers, and Officials, policies and procedures implementing the provisions of this article. They shall cover at least the following subjects:

- a. The information to be submitted under this bylaw; and
- b. The criteria the Committee will use in reviewing project designs.

14.13. General Provisions. The Committee shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all Boards, except as it is specifically directed by law or a provision of these bylaws to act otherwise.

(Amended ATM 2017.)