



City of Cambridge

Executive Department

LOUIS A. DePASQUALE
City Manager

June 6, 2022

To the Honorable, the City Council:

I attach hereto for the City Council's immediate consideration is proposed amendments to the Truck Safety Ordinance, Chapter 8.112.080 of the Cambridge Municipal Code ("Ordinance"). I recommend these proposed amendments because the City has been unable to procure vendors for various City contracts, including contracts for goods and services required to meet the operational needs of the City such as the food service program for public school students, delivery of sanitation facilities, delivery of essential commodities for water purification and filtration for the water treatment plant, delivery of technology and educational materials, and delivery of goods and services required for buildings and maintenance. This also response to Awaiting Report Item Number 22-39.

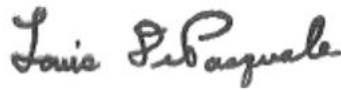
The Ordinance requires that trucks utilized by City vendors with a gross vehicle weight rating of over 10,000 pounds be outfitted with certain safety features. For various contracts, some vendors have been unwilling to submit any proposals or bids to fulfill the City's needs for goods and/or services. Of note is that the Cambridge School Department has contacted vendors who traditionally participate in the food service program regarding the requirements of this Ordinance, and those vendors have indicated that they will not sign a City contract that requires compliance with the Ordinance. Given the foregoing and the nature of the food program marketplace at the current time, it is unlikely that the City will be able to procure contracts for the food service program for public school students that the School Department needs immediately.

The proposed amendments would clarify that the Ordinance applies only to trucks travelling through Cambridge, and would provide that the Purchasing Agent, upon the recommendation of the Commissioner of Public Works and the Director of Traffic, Parking, and Transportation, could waive application of the Ordinance where the City is unable to secure sufficient responses to a procurement solicitation. The proposed amendments would further provide that the Commissioner of Public Works and the Director of Traffic, Parking and Transportation may recommend a waiver by the Purchasing Agent of the application of the Ordinance under extenuating circumstances for certain types of procurements. These proposed amendments would allow the City to avoid potential disruptions in the delivery of critical materials, supplies and services.



In circumstances where there is insufficient time to advertise the proposed amendments and move them to a second reading as required by Section 1.12.030 of the Municipal Code, it may be passed through all stages of legislation at a meeting of the City Council, pursuant to City Council Rule 20, if it is determined by the City Council to be an emergency measure pursuant to G.L. c.43, §§20-22. The City Council must declare in a preamble that this is an emergency measure, and there must be a two-thirds vote of the members of the City Council declaring that this measure is an emergency measure pursuant to G.L. c. 43, §20. At this time, the City is in danger of failing to procure a vendor to provide food for its public school students, as well as other critical supplies and services, and I believe that this constitutes a circumstance that would justify enacting these amendments to the Ordinance as an emergency measure. I therefore recommend that the Council pass these amendments immediately pursuant to this process.

Very truly yours,

A handwritten signature in cursive script that reads "Louis A. DePasquale".

Louis A. DePasquale
City Manager

LAD/mec
Attachment(s)