

GUIDE TO TENANT CONSTRUCTION

Massport Owned Properties - 2023 Edition



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PREFACE

The Massachusetts Port Authority (“Massport” or alternatively the “Authority”) is a dynamic entity, and its properties are subject to continual improvement through construction and alterations by tenants and developers. The Authority’s Tenant Alteration Application (“TAA”) process is the platform for collaboration between Massport and its tenants and licensees looking to construct and improve their leaseholds and licensed premises at Logan International Airport (“Logan”), Worcester Regional Airport, Hanscom Field, the Boston Fish Pier. For third party ground lease tenants and development projects in Boston and Massachusetts see **Guide to Tenant Construction – Third Party Ground Lease Tenants - 2023 Edition**. This process shall also apply to construction activities of third parties who require access and occupancy of the Authority’s property. Therefore, as used herein, the term “tenants” shall mean and include third parties to who the Authority grants a license or right of entry to access the Authority’s property.

This Guide to Tenant Construction (the “GTC”) was created to assist the Authority’s tenants and licensees with the planning, design, and execution of their projects. It is intended to be only a guideline, and is not inclusive of all code requirements governing construction activities and operations. Although Massport will make every effort to assist tenants in maintaining regulatory compliance, it is the tenant’s responsibility to ensure its construction activities meet, or exceed, all applicable statutes, code requirements, ordinances and regulations. Massport shall not be liable for a tenant’s failure to comply with any applicable requirements.

This edition updates the previous version of the GTC (2016) and will be updated periodically as requirements are added, deleted, or changed. For the most current version of the GTC, and related forms, please refer to the Massport website at: <http://www.massport.com/massport/business/capital-improvements/important-documents/> or contact the Massport Tenant Alterations at TAA@massport.com.



Terminal B Pier B, Logan Airport

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1. INTRODUCTION

1.1 Purpose of GTC

This Guide to Tenant Construction (GTC) has been prepared to assist tenants seeking to construct, improve or alter their leased spaces. It outlines scalable requirements and procedures for all tenant alterations undertaken at Massport properties.

Unless otherwise noted, “Tenant” as used in this GTC may also refer to leaseholders, licensees, grantees of rights of entry onto Authority property and agents acting on the Tenant’s behalf (e.g., architects, engineers, contractors, etc.)

1.2 How to Use the GTC

- A. Massport has developed the GTC to provide instructions to tenants seeking to improve or alter their leased spaces.

Part 1 provides tenants with a step-by-step guide to improving or altering their leased spaces (“Tenant Alterations”). Serving as a “roadmap” to Massport’s Tenant Alteration Application (TAA) process, this section will help tenants determine:

- The likely approval path for proposed Tenant Alterations
- Key process steps for getting Tenant Alterations reviewed, approved, constructed, and closed out.

Part 2 presents the general requirements and policies applicable to Tenant Alterations, including:

- General terms and conditions
- Insurance requirements
- Applicable codes and laws

Part 3 defines the design and construction requirements governing Tenant Alterations.

- B. The GTC is not intended to address every type of condition or detail individual tenants may encounter in the course of their projects. It is the Tenant’s responsibility to establish familiarity with the base building design and with individual building elements unique to its leasehold(s) prior to initiating design and construction of Tenant Alterations.

1.3 Tenant Alteration Process Overview

- A. An overview of the Tenant Alteration process for Massport-owned properties is presented in Exhibit 1-1 on page 8. As shown, all proposed Tenant Alterations (other than that which Massport considers to be routine maintenance) require advance approval through either

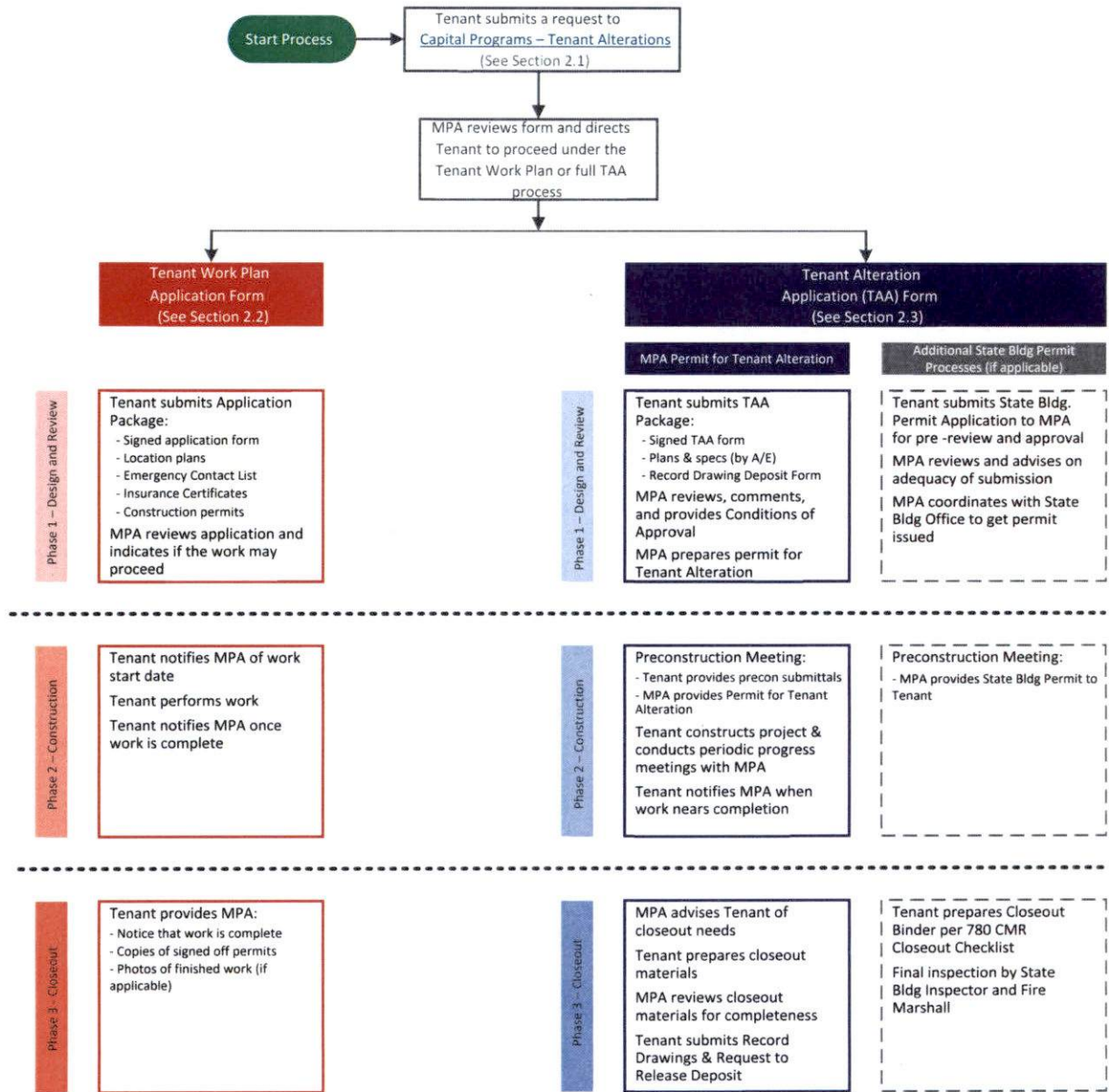
the Tenant Work Plan Application process or the TAA process. For complete details, refer to Section 2 (page 9).

- B. The review and approval process for Tenant Alterations for Third Party Ground Lease Tenants is described in the Guide to Tenant Construction – Third Party Ground Lease Tenants.
- C. Regardless of the application path for the intended alteration, the Tenant shall comply with the following:
 - 1. The Tenant shall engage a qualified architect or engineer, or other professional as appropriate, licensed in the Commonwealth of Massachusetts, for the preparation of the design, working drawings, calculations, specifications, and construction contract documents as required by the most recent edition of the Massachusetts State Building Code, 780 CMR (the “State Building Code”).

The Massport Capital Programs Department will provide, upon request, a partial list of architectural, design and engineering consultants that have previously participated in tenant projects at Massport-owned properties. The Tenant, at its option, may contact these or any other qualified consultants and retain their services. No endorsement by Massport of any consultant on this list is intended or should be inferred. The selected architect or engineer will contact Massport Capital Programs for all submittal requirements and design standards for construction documents and models.

- 2. Certain projects may require the Tenant to connect to base building or site systems and utilities (mechanical, electrical, fire protection, etc.) at a location beyond the Tenant’s leased area. Such actions require approval through Massport’s Work Plan process. As described in Part 3, Section 7.6 (page 90), the Tenant’s contractor shall prepare and submit a Work Plan, using the appropriate Massport template, to ensure minimal disruption or interference to other ongoing operations or facilities.
- 3. For certain Massport facilities, base building drawings are available upon request by the Tenant’s design team. Drawings and specifications may not reflect complete existing or as-built conditions. Massport will make reasonable efforts to inform the Tenant of existing conditions; however, it shall remain the Tenant’s responsibility to perform site surveys and inspections as necessary to verify field conditions.
- 4. Tenant Alterations to be constructed on certain Massport properties may be subject to design and development guidelines for that area. Massport will advise the Tenant of the need to consult such requirements during the project development phase.

Exhibit 1-1: Overview of the Tenant Alteration Process for Massport-Owned Properties



2. TENANT ALTERATION PROCESS FOR MASSPORT-OWNED PROPERTIES

2.1 Project Initiation

- A. To initiate the alteration process, the Tenant shall prepare and submit a request to the Massport Capital Programs – Tenant Alterations. Required information includes:
- Tenant contact information
 - Location of the work
 - Desired timeline
 - Scope of alterations

Information shall be submitted electronically to TAA@massport.com.

- B. Based on the information provided on the form and follow-up discussions with the Tenant as needed, Massport will direct the Tenant to proceed with either a Tenant Work Plan or a full Tenant Alteration Application (TAA).

For planning purposes, the Tenant may consult Exhibit 2-1 on the following page for an indication of the type of work typically performed under each process. Massport will make the final determination as to which process applies.

- C. Tenants are encouraged to reach out to Massport Capital Programs - Tenant Alterations if they would like to discuss any aspect of their project and receive direction or clarification on matters such as:
- Process steps
 - Submittal requirements
 - Potential permitting requirements
 - Extent of as-built and other sources of existing conditions information
 - Typical review timeframes
 - Point of contact/resources

For certain complex projects, including those to be submitted in phases, a pre-design conference may be required. Massport will notify the Tenant of such need as early as possible in the project development process.

Exhibit 2-1: Which Application Process Applies?

Tenant Work Plan Process: applies to work or repairs and wear-and-tear replacements that have minimal impact on operations and adjacent spaces such as:

- Repairs and equipment replacement / installations
- Localized electrical work (receptacles with short runs of conduit)
- Localized low voltage work not requiring significant infrastructure
- Furniture installation and related finishes in areas exposed to public view
- Concession store closures / move-outs

**All applicable trade permits must be submitted with the work plan*

Tenant Alteration Application Process: applies to new construction, alterations, and improvements, including but not limited to:

- Alterations which by lease obligation require Massport's written approval
- Any demolition or modification of existing structures, utilities, or equipment on Massport's property
- Any new free-standing structure or structural building addition including trailers, modular buildings and temporary structures of any kind
- New construction of any type, interior or exterior
- Additions or modifications to the following building systems:
 - electrical
 - communications
 - plumbing
 - HVAC
 - fueling systems
 - baggage handling
 - public address
 - fire detection/suppression
 - fire alarm
 - access control systems
 - camera surveillance
- Rehabilitation/refinishing of an area exposed to public view in a material or finish different from existing
- All site work, excavation, fencing and landscaping projects
- Installation of underground or above-ground storage tanks, associated piping and equipment
- Installation of all satellite dishes, outdoor antennas, electronic systems, equipment or cabling
- All airfield and apron work including replacement or rehabilitation of aircraft loading bridges, hydrant fueling system installation, repair or replacement, grounding rods, or related work
- Changes to aircraft parking layouts
- Investigative site work (subsurface drilling, monitoring wells, etc.)
- Signage and rebranding programs; interior or exterior graphics

5. CODES, LAWS, AND COMPLIANCE

5.1 Regulatory Construction Permits and Certificate of Occupancy

- A. New construction, renovations to existing buildings, and/or spaces within existing buildings, including associated demolition, are subject to the requirements of the State Building Code and require review, approval and issuance of appropriate permits by the Commonwealth of Massachusetts agencies, and others that may apply. All construction documents shall be reviewed and approved by the State Building Inspector and required permits obtained prior to start of any construction.
- B. All construction is subject to:
 - 1. Massachusetts General Law (M.G.L.) Chapter 143, Section 54A "Acceptance or Approval of Construction Plans or Specification; Seal of Architect or Professional Engineer"
 - 2. 250 Commonwealth of Massachusetts Regulations (CMR) Board of Registration of Professional Engineers and Land Surveyors
 - 3. 231 CMR Board of Registration of Architects
- C. The State Building Inspector will review all construction documents subject to regulatory permits or may direct how construction documents are to be reviewed and approved prior to the issuance of a State Building Permit, which may include the review of plans with design professionals or contractors.
- D. All construction is subject to periodic inspections during construction by any authorized inspection authority, and is subject to final inspection prior to the issuance of a certificate of occupancy by the permitting authorities.
- E. For projects within the City of Boston, permits and inspections are the responsibility of the following agencies and entities:

Permit	Responsible Agency/Entity
Building Permit	Commonwealth of Massachusetts Department of Public Safety - State Building Inspector
Plumbing and Gas Permit	Board of State Examiners of Plumbing and Gas Fitters, State Plumbing Inspector
Elevator Permit	Department of Public Safety Elevator Board, State Elevator Inspector
Electrical Permit	City of Boston Inspectional Service Department, Electrical Inspector

Permit	Responsible Agency/Entity
Cross-connection (Backflow Preventer/Sprinkler Systems) Permit	Boston Water and Sewer Commission
Restaurant/Food Establishment	City of Boston Inspectional Services, Health Department Inspector, Board of Health (Liquor License through City of Boston)
Fire Protection, Fire Prevention Permits	Massport's Fire Marshal's Office
Storage Tank Permits (Installation and Removal)	Massport's Fire Marshal's Office
Sheet Metal Permit	Commonwealth of Massachusetts
FAA 7460 Crane Determination	Federal Aviation Administration
Trench Permit	Massport Capital Programs
Certificate of Inspection	Commonwealth of Massachusetts Department of Public Safety – State Building Inspector
Assembly Permit	Massport's Fire Marshal's Office
Common Victualler	City of Boston

5.2 Massport's Fire Marshal's Office Permits

Applications for the following activities shall be made in person at the Office of the Fire Marshal:

- Automatic sprinkler standpipe systems
- Fire alarm systems
- Fire suppression systems
- Smoke control systems
- Fire mains and hydrant systems
- Flammable and/or compressed gas storage
- Flammable and/or compressed liquid storage
- Hotwork
- Open flame – miscellaneous cooking equipment

5.3 Laws, Regulations, Standards and Massport's Fire Marshal's Office Fire Protection and Fire Prevention

- A. Massport's Fire Marshal's Office reserves the right through the Massachusetts Port Authority's enabling act, legislation, regulations and certification manuals to meet or exceed minimum state regulatory fire protection, fire prevention and construction safety requirements for the protection of all of its properties and the safeguarding of the general public, employees, tenants and emergency response personnel.



TENANT ALTERATION APPLICATION

(To be completed by Massachusetts Port Authority)

TAA #

Date

PART 1 (To be completed by Applicant)

A. Applicant and Project Information

Tenant Name:

Location of Work:

After review with Airport Business Office, permission is hereby requested to perform the following work on the space presently leased/to be leased by Applicant. *Please list title of project and include a descriptive scope of work in the space below.*

Estimated Cost:

Estimated Start Date:

Estimated End Date:

Architect/Engineer:

Contractor:

Address:

Address:

Phone:

Phone:

Email:

Email:

Airport Business Office Approver:

Email:

B. Required Submittals

1. One executed original and one copy of this form; 2. 1 Copy Plans in hard copy and electronic drawing files in accordance with Massport's current digital drawing requirements (Appendix B in Guide to Tenant Construction TAA BIM VDC Guidelines); 3. Locus plan or building plan indicating work area; 4. Electronic version of project manual or specifications; 5. General Contractor's Insurance Certificate indicating a) Workers' Compensation Insurance; b) Comprehensive General Liability (combined single limit minimum \$1,000,000); c) Comprehensive Automobile Liability (combined single limit minimum \$1,000,000); d) Builder's Risk/Fire Legal Liability. All limits of liability and coverage required are subject to change based upon the nature and scope of work proposed. 6. Record Drawing Deposit form, company W-9 form and deposit check. Massport reserves the right to require payment and performance bonds on all projects subject to the Guide to Tenant Construction.

C. Signature

Applicant's signature below constitutes a binding agreement to perform said work in accordance with the information furnished above, and to comply and be bound by all requirements and conditions set forth in the General Conditions of Approval, in the Guide to Tenant Construction (most recent edition) and on Massport's review/approval documents, and in the Right of Entry agreement or Lease Agreement between Massport and the Applicant.

Submitted by:

Tenant Name:

Signature of tenant:

Subtenant Name

(if applicable):

Date:

Send correspondence to:
(Name, Address, Phone, E-mail)

Submit this form to Massport along with any required supplemental documents by mail to Massport, One Harborside Drive Suite 200S, East Boston, MA 02129, and electronically to TAA@Massport.com



Massachusetts Port Authority
 One Harborside Drive, Suite 200S
 East Boston, MA 02128-2090
 Telephone (617) 568-5950
 www.massport.com

780 CMR 9th Edition - Permit Application & Submission Review

Applicant: _____
 MPA Project or TAA#: _____
 Project Name: _____
 Date Submitted to Massport: _____

For Massport Use Only	
Reviewed By:	_____
Review Dates:	_____
Recommend for E-Permit Process:	_____

Complete ALL sections of checklists below (applicant shall mark each box with either- **X** = (information included) or **NA** = (not applicable)) and submit this document with completed permit application and ALL required permit submission items to Capital Programs. Upon receipt, these materials will be reviewed for completeness and accuracy. The permit submission may be made to Department of Public Safety once approved by Massport. Contact Jill Queenan (jqueenan@massport.com) at (617)568-5928 with any questions associated with completing this document.

Permit Application Checklist				
Section	Section Topic	X or NA	For MPA Use Only	
			Reviewed	Comments
1.0	Location	<input type="checkbox"/>	<input type="checkbox"/>	
2.0	Proposed Work	<input type="checkbox"/>	<input type="checkbox"/>	
3.0	Renovation, Addition, or Change in Use (Existing Buildings Only)	<input type="checkbox"/>	<input type="checkbox"/>	
4.0	Building Height and Area	<input type="checkbox"/>	<input type="checkbox"/>	
5.0	Use Group	<input type="checkbox"/>	<input type="checkbox"/>	
6.0	Construction Type	<input type="checkbox"/>	<input type="checkbox"/>	
7.0	Site Information	<input type="checkbox"/>	<input type="checkbox"/>	
8.0	Content of Certificate of Occupancy	<input type="checkbox"/>	<input type="checkbox"/>	
9.0	State Agency Authorization	<input type="checkbox"/>	<input type="checkbox"/>	
10.0	Construction Control	<input type="checkbox"/>	<input type="checkbox"/>	
10.1	Registered Design Professional for Construction Control	<input type="checkbox"/>	<input type="checkbox"/>	
10.2	General Contractor	<input type="checkbox"/>	<input type="checkbox"/>	
11.0	Workers' Compensation Insurance Affidavit	<input type="checkbox"/>	<input type="checkbox"/>	
12.0	Construction Costs and Permit Fees	<input type="checkbox"/>	<input type="checkbox"/>	
13.0	Signature of Building Permit Applicant	<input type="checkbox"/>	<input type="checkbox"/>	
A1	Appendix 1	<input type="checkbox"/>	<input type="checkbox"/>	



Massachusetts Port Authority
 One Harborside Drive, Suite 200S
 East Boston, MA 02128-2090
 Telephone (617) 568-5950
 www.massport.com

A2	Appendix 2 (Demolition Only)	<input type="checkbox"/>	<input type="checkbox"/>	
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Permit Submission Checklist				
780 CMR Section	Submittal Item	X or NA	For MPA Use Only	
			Reviewed	Comments
107.1	(1) CD containing copies of all submittal items except for permit fee. CD to be labeled and organized per required MPA format (see below).	<input type="checkbox"/>	<input type="checkbox"/>	
105.3	Completed DPS Building Permit Application	<input type="checkbox"/>	<input type="checkbox"/>	
105.3.1	Workers' Compensation Insurance Affidavit and Policy Declaration Page	<input type="checkbox"/>	<input type="checkbox"/>	
105.3.1	Construction Debris Disposal Form	<input type="checkbox"/>	<input type="checkbox"/>	
107.6.2.1	Initial Construction Control Documents	<input type="checkbox"/>	<input type="checkbox"/>	
107.6.2.3 & 107.6.2.4	Statement of Special Inspections required by 780 CMR Chapters 17 & 35	<input type="checkbox"/>	<input type="checkbox"/>	
901.2.1.1.a	Fire Protection Narrative (8.5"x11" narrative report format)	<input type="checkbox"/>	<input type="checkbox"/>	
34.101.5.4.0	Chapter 34 Investigation & Evaluation Report (8.5"x11" narrative report format)	<input type="checkbox"/>	<input type="checkbox"/>	
107.1	(1) sets of half-size (15"x21") signed/sealed Construction Documents and Specifications	<input type="checkbox"/>	<input type="checkbox"/>	

The permit documents must be organized and submitted to Capital Programs in the order referenced in the Permit Submission Checklist above. Upon completion, this document shall be printed and placed at the top of the submission for review.

The CD must be properly labeled which includes the project name, MPA or TAA #, and submission date. The CD file folder structure must be created and labeled as shown below with the appropriate files located in each folder. If a particular folder is not applicable to the project, that folder shall still be created with no files placed in said folder.

- 1.0 Building Permit Application
- 2.0 Workers Compensation Insurance
- 3.0 Construction Debris Disposal Form
- 4.0 Initial Construction Control Documents
- 5.0 Statement of Special Inspections
- 6.0 Fire Protection Narrative
- 7.0 Chapter 34 Report
- 8.0 Construction Documents & Specs

By signing my name below, I confirm that the building permit application and submission documents have been reviewed for completeness to the best of my knowledge and understanding.

Applicant Signature: _____