

HOUSE No. 3428

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to audit and investigate the commuter rail operating agreement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>2/17/2021</i>

HOUSE No. 3428

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 3428) of Mark J. Cusack for legislation to authorize the Inspector General to conduct an audit and investigation into Keolis Commuter Services, LLC. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2987 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to audit and investigate the commuter rail operating agreement.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, the inspector
2 general shall conduct an audit and investigation into Keolis Commuter Services, LLC’s
3 performance under commuter rail operating agreement contract no. 159-12 with the
4 Massachusetts Bay Transportation Authority. The audit and investigation shall include, but not
5 ne limited to, an examination of: (i) Keolis’ compliance with the representations set forth in its
6 proposal; (ii) Keolis’ compliance with its performance and other obligations under the operating
7 agreement, including its obligations under any remedial plan or remedial agreement; (iii) Keolis’
8 compliance with its financial obligations and covenants to the Massachusetts Bay Transportation
9 Authority under contract no. 159-12; and (iv) any relief, or waiver, of Keolis’ obligations under
10 contract no. 159-12 granted by the Massachusetts Bay Transportation Authority and the basis for

11 such relief or waiver. The inspector general shall submit a report detailing the finding of the
12 investigation and recommendations to the secretary of transportation, secretary of administration
13 and finance, general manager of the Massachusetts Bay Transportation Authority and the chairs
14 of the Joint Committee in Transportation within 90 days from the date hereof.