

## NEWS ALERT

# CONSTRUCTION GROUP



### Massachusetts COVID-19 Response:

### Governor Baker's 3-31-20 Order Narrows Definition of Essential Services to Limit Permitted Construction Activities

By Sara P. Bryant and Andrew G. Wailgum | April 1, 2020

Pursuant to its [update](#) issued March 31, 2020, the Commonwealth has revised the "COVID-19 Essential Services" list significantly reducing the types of construction activities that will be permitted during the shutdown period. In essence, the order permits work to continue for projects in the following categories: public works; infrastructure; healthcare; and, housing/residential. The shutdown has been extended to May 4, 2020 and the new list goes into effect on April 1 at noon.

You should read the below excerpt from the order to determine if your project is deemed an "essential service." Note, there is a process by which you can request that your business be deemed "essential." (Click the link at the bottom of this email for further details on how to make a request.)

Companies are reminded that some municipalities, such as Boston, Cambridge and Somerville, may limit additional construction activities beyond the State's order.

Stay safe and be well.

#### Construction-Related Activities

- Workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, inspectors and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, health care facilities, senior living facilities, and any temporary construction required to support COVID-19 response.
- Workers – including contracted vendors - who support the operation, inspection, maintenance and repair of essential public works facilities and operations, including roads and bridges, water and sewer, laboratories, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, and maintenance of digital systems infrastructure supporting public works operations. Critical or strategic infrastructure includes public works construction including construction of public schools, colleges and universities and construction of state facilities, including leased space, managed by the Division of Capital Asset Management; airport operations; water and sewer; gas, electrical, nuclear, oil refining and other critical energy services; roads and highways; public transportation; steam; solid waste and recycling collection and removal; and internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services)
- Workers who support infrastructure, such as by road and line clearing and utility relocation, to ensure the availability of and access to needed facilities, transportation, energy and communications.

bat the Commonwealth's existing housing supply shortage.

- Workers supporting the construction of housing, including those supporting government functions related to the building and development process, such as inspections, permitting and plan review services that can be modified to protect the public health, including allowing qualified private third-party inspections accountable to government agencies).

### Special Note

If the function of your business is not listed above, but you believe that it is essential or it is an entity providing essential services or functions, you may request designation as an essential business.

Requests by businesses to be designated an essential function should only be made if they are NOT covered by the guidance.

To request designation as an essential business, please [click here](#).

Any questions can be directed to [covid19.biz@mass.gov](mailto:covid19.biz@mass.gov).

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