

**Massachusetts School Building Authority
Board Meeting Minutes of June 24, 2020**

A meeting of the Massachusetts School Building Authority (the “Authority” or “MSBA”) was held on June 24, 2020. The meeting was held remotely via Zoom.

Members Present: Deborah Goldberg, State Treasurer and Chair; Anne Brockelman, appointed member; Matt Deninger, Designee of the Commissioner of Education; Terry Kwan, appointed member; and Sheila Vanderhoef, appointed member.

Others Present: James MacDonald, Chief Executive Officer; Jack McCarthy, Executive Director/Deputy Chief Executive Officer; Mary Pichetti; Laura Guadagno; Christine Nolan; Matt Donovan; Maria Puopolo; Stacy Patino; Barbara Hansberry; Brian Kelley; Colleen Smith; Mike Bergquist; Briana Malloy-Walker; municipal representatives; legislative representatives; local elected officials; and other members of the MSBA and the public.

Call to Order

The Chair called the meeting to order at 10:03 a.m. and asked if anyone is recording the meeting. No one announced that they were recording the meeting.

She then explained that the meeting is being held under an “Order Suspending Certain Provisions of the Open Meeting Law” that was issued by Governor Baker on March 12, 2020, which permits remote participation by all Board members and allows the MSBA to use adequate alternative means, such as a conference call line, to ensure public access to the deliberations of the Board.

Next, the Chair provided a brief overview of the items on the agenda for the meeting. She explained that the Board will be voting to: approve minutes from the April 15, 2020 Board meeting; extend the term of the Feasibility Study Agreement for one district; execute Project Funding Agreements for twelve projects in seven districts in the Accelerated Repair Program, with a combined Estimated Maximum Total Facilities Grant of \$15.1 million; authorize four proposed projects to proceed into Preferred Schematic Design with a combined estimated \$301.2 million in total construction costs, and extend the term of the Feasibility Study Agreement for one of these districts; and invite one district to enter into a Project Scope and Budget Agreement with an Estimated Maximum Total Facilities Grant of approximately \$52.9 million. The Board will also be voting to approve one final audit from one district with a Final Total Facilities Grant amount of approximately \$2.28 million. Finally, the Board will be voting to execute Master Services Agreements for Commissioning Consultants and for Enterprise Resource Planning System Implementation, as well as voting to approve the MSBA’s FY21 Budget Recommendation.

Acceptance of the April 15, 2020 Minutes

The Chair asked for a motion to accept the minutes of the April 15, 2020 Board Meeting. A motion was made by Ms. Kwan and seconded by Mr. Deninger:

Approval of the Minutes of the April 15, 2020 Board Meeting

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Minutes of the April 15, 2020 Board meeting.

The June 24, 2020 Board Meeting minutes were approved by the MSBA's Board of Directors at the August 26, 2020 meeting.

There being no Board discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Project

Amendment to Feasibility Study Agreement

The Director of Capital Planning, Mary Pichetti, explained that staff are recommending that the Executive Director be authorized to extend the completion date of the Feasibility Study Agreement between the MSBA and the City of Fitchburg for the Crocker Elementary School from August 15, 2020 to June 30, 2021.

The City received its first invitation to Feasibility Study at the April 12, 2018 Board meeting. Following that invitation, the City determined it would benefit from revisiting the study enrollment options that were considered during the Eligibility Period. On June 26, 2019, the City was reclassified back to the Eligibility Period to revisit enrollment discussions.

The completion of the enrollment discussions resulted in the City being recategorized back to the Feasibility Study phase on April 15, 2020 with an updated Study Enrollment Certification. Following the invitation back into the Feasibility Study phase, the City submitted an updated schedule that indicated the need for additional time to complete the work required to finalize its feasibility study and schematic design work.

Based on this schedule, the City is targeting the MSBA Board of Directors meeting scheduled for October 28, 2020 for approval of its preferred schematic and authorization to proceed into schematic design. The City is then targeting the June 2021 Board meeting for approval of its proposed project scope and budget and Project Funding Agreement authorization.

Based upon the City's updated schedule, MSBA staff recommend that the Board vote to authorize an extension of time through June 30, 2021 for the City of Fitchburg to complete its feasibility and schematic design work for the Crocker Elementary School.

The Chair asked for a motion, and the following motion was made by Ms. Kwan and seconded by Mr. Deninger:

Vote to Extend the Term of the Feasibility Study for the City of Fitchburg

VOTED: Whereas, the City of Fitchburg requires additional time to complete the work required to finalize its feasibility study and schematic design, the Board of Directors hereby authorizes the Executive Director to extend the termination date of the

The June 24, 2020 Board Meeting minutes were approved by the MSBA's Board of Directors at the August 26, 2020 meeting.

Feasibility Study Agreement between the MSBA and the City of Fitchburg, as part of its Invitation to Feasibility Study for the Crocker Elementary School, from August 15, 2020 to June 30, 2021, and the Executive Director is hereby authorized to do all acts and things, to execute and deliver any and all documents and agreements, and to expend all funds necessary or desirable in connection with conducting and/or reviewing this Feasibility Study for the Crocker Elementary School.

Fitchburg Superintendent Robert Jokela thanked the MSBA for its flexibility and commented that he looks forward to the next steps for the proposed Crocker Elementary School project.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

Terry Kwan – Yes

Sheila Vanderhoef – Yes

Matt Deninger – Yes

Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Accelerated Repair Program Project Funding Agreement Authorization

The Director of Capital Planning explained that staff are recommending that the Executive Director be authorized to approve funding agreements with seven districts representing twelve schools. The school projects combine for five roof replacement projects and seven boiler replacement projects. MSBA staff have reviewed the existing conditions analysis and proposed schedule provided by each District and have discussed the scope and budget with the Districts and their consultants. The Districts have provided a combined Total Project Budget of approximately \$26.9 million, which includes a total construction estimate of approximately \$20.3 million. The combined Estimated Maximum Total Facilities Grant for these projects is approximately \$15.1 million. Including potentially eligible project contingencies, the combined Maximum Facilities Grant is approximately \$15.8 million.

She then explained that the Town of Sandwich requests an extension of up to 110 days beyond the 90-day deadline to appropriate funding, to January 10, 2021, to allow sufficient time for the District to complete its local vote. The District has requested the extension due to its local voting schedule.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

**Vote to Authorize the Executive Director to Execute Project Funding Agreements
for Several Proposed Accelerated Repair Projects**

VOTED: That the Board of Directors hereby approves the Proposed Accelerated Repair Projects, as set forth below and as further described in the materials presented to the Board and attached hereto, and as such Proposed Projects shall be further defined in the Project Funding Agreements, and authorizes the Executive Director to take all

steps necessary to execute and deliver Project Funding Agreements with the Districts set forth below, in such forms as he may determine to be acceptable, and expend funds in accordance with such Project Funding Agreements, in accordance with the following:

District	School	Scope	Total Project Budget	Estimated Maximum Total Facilities Grant	Maximum Total Facilities Grant
Boston	Curley K-8 School	Partial Roof	\$1,674,845	\$846,313	\$880,654
	Mary K. Lyon High School	Boiler	\$1,942,102	\$1,073,045	\$1,117,570
	William McKinley School	Roof	\$3,433,660	\$1,847,842	\$1,924,516
Brockton	Huntington Alternative School	Roof	\$2,942,058	\$2,084,612	\$2,171,111
Monson	Quarry Hill Community School	Roof	\$5,138,422	\$2,926,906	\$3,074,832
Quabbin Regional School District	Hubbardston Center School	Roof	\$2,969,746	\$1,583,521	\$1,649,227
Sandwich	Forestdale School	Boiler	\$1,880,075	\$749,362	\$780,456
	Oak Ridge School	Boiler	\$1,878,947	\$748,774	\$779,843
Springfield	Frederick Harris	Boiler	\$1,866,410	\$1,307,995	\$1,362,269
	Indian Orchard Elementary School	Partial Boiler	\$945,773	\$693,102	\$723,143
	Sumner Avenue School	Partial Boiler	\$979,851	\$718,117	\$749,259
Weymouth	Ralph Talbot Primary School	Boiler	\$1,275,396	\$578,543	\$600,329
Totals			\$26,927,285	\$15,158,132	\$15,813,209

Ms. Vanderhoef asked if the Board needs to take a separate vote for the time extension for the Town of Sandwich.

The Director of Capital Planning explained that the Board materials and the vote are written in a way to allow for the time extension to be voted on with the single Accelerated Repair Program Project Funding Agreement vote.

The MSBA's General Counsel, Christine Nolan, concurred.

Brian McLaughlin, Director of Capital Planning for Boston Public Schools, thanked the Board and the MSBA for its support for the Accelerated Repair projects in the City of Boston.

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Carleton Jones, Assistant Director of Operations for the Public Facilities Department for the City of Boston, commented that the City is very happy to partner again with the MSBA.

Jim Cobbs, Executive Director of Operations for Brockton Public Schools, thanked the MSBA for supporting the Huntington Alternative School project.

Monson Superintendent Cheryl Clarke thanked the MSBA for its support. She commented that the roof project at the Quarry Hill Community School is a huge project and that the Town looks forward to working together with the MSBA.

The Executive Director noted that Senator Anne Gobi and Representative Brian Ashe sent letters in support of the roof project at the Quarry Hill Community School in the Town of Monson.

The Executive Director noted that Senator Anne Gobi sent a letter in support of the project at the Hubbardston Center School in the Quabbin Regional School District.

Dan Warwick, Superintendent of Springfield Public Schools, thanked the MSBA and commented that the MSBA has been a great partner.

John MacLeod, Director of Asset Management for the Town of Weymouth, thanked the MSBA on behalf of local officials for the MSBA's partnership.

The Executive Director noted that Representative James Murphy sent a letter in support of the Ralph Talbot Primary School project in the Town of Weymouth.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

Terry Kwan – Yes

Sheila Vanderhoef – Yes

Matt Deninger – Yes

Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Next, the Director of Capital Planning provided an informational update on the status of extension requests.

The first update was for one of the 2019 ARP projects which requires an extension to the ARP policy that districts complete their schematic design within twelve months of invitation. Due to the COVID-19 public health crisis, the Town of Acushnet experienced delays relating to the preparation of the Schematic Design submission. Due to these delays, the Town has requested an extension of 63 days, so that they may submit their Schematic Design on July 8, 2020 for consideration at the August 26, 2020 MSBA Board Meeting.

In addition, three districts require extensions to their 90-day funding appropriation requirement due to COVID-19 related delays. The Town of East Bridgewater and the Town of Wakefield require

extensions as a result of Town Meetings that were postponed due to COVID-19 and ultimately rescheduled for dates beyond their 90-day funding deadline. The Town of Wayland previously received a 60-day extension to obtain local funding. On June 9, 2020, the Town held an election during which the required debt exclusion for the Loker Elementary School project passed. The subsequent Town Meeting is anticipated to be held in August or early September 2020, but a new date has not yet been confirmed. Staff are recommending an additional 60-day extension to September 8, 2020.

Recommendation for Preferred Schematic

The Director of Capital Planning explained that the Board is being asked to approve the preferred schematic designs for the David Mindess Elementary School in the Town of Ashland, the Florence Roche Elementary School in the Groton-Dunstable Regional School District, the Oliver Partnership School in the City of Lawrence, and the Somerset Middle School in the Town of Somerset.

The first recommendation is for the Town of Ashland to replace the existing David Mindess Elementary School on the existing site. The proposed project is designed to serve 635 students in grades 3-5 and has an estimated construction budget of approximately \$67 million.

The Chair asked for a motion, and the following motion was made by Ms. Kwan and seconded by Mr. Deninger:

Vote on Moving the Town of Ashland to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Town of Ashland with, in concept, the development of schematic designs to replace the existing David Mindess Elementary School with a new facility serving grades 3-5 on the existing site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Ms. Kwan commented that the District's educational plan supports project-based learning. She noted that the plan could be a good model for other districts.

State Senate President Karen Spilka thanked the MSBA staff and offered her gratitude for the MSBA's support. She explained that the David Mindess Elementary School is 66 years old and thousands of students have passed through the school. The last renovation was in 1995 and the school has very significant deficiencies, with water coming into the building. She thanked Ms. Kwan for acknowledging the school's project-based learning plan.

Jim Adams, Superintendent of Ashland Public Schools, thanked the MSBA for its support.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

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Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

The Director of Capital Planning presented the next recommendation for the Groton-Dunstable Regional School District to replace the existing Florence Roche Elementary School on the existing site. The proposed project is designed to serve 645 students in grades K-4 and has an estimated construction budget of approximately \$61 million.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote on Moving the Groton-Dunstable Regional School District to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Groton-Dunstable Regional School District with, in concept, the development of schematic designs to replace the existing Florence Roche Elementary School with a new facility serving grades K-4 on the existing site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Ms. Kwan commented that the District is focused on ensuring that the school facility will support its educational plan, and she encouraged other districts to approach their educational plans seriously as well.

Ms. Brockelman commented that the MSBA's Facilities Assessment Subcommittee has been working hard with districts to elevate the discussions regarding the use of outdoor space.

Groton-Dunstable Superintendent Laura Chesson thanked the MSBA and especially Christina Forde and Jenn Flynn on behalf of the District. She also thanked the MSBA's IT staff for their work to allow the MSBA's Board meetings to continue remotely and commented that she looks forward to moving ahead in the MSBA's process.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

The June 24, 2020 Board Meeting minutes were approved by the MSBA's Board of Directors at the August 26, 2020 meeting.

The Director of Capital Planning presented the next recommendation for the City of Lawrence for an addition/renovation project at the existing Oliver Partnership School. The proposed project is designed to serve 1,000 students in grades K-8 and has an estimated construction budget approximately \$105 million.

MSBA staff also recommend that the Executive Director be authorized to extend the term of the District's Feasibility Study Agreement by eight months, from its original date of August 15, 2020 to April 30, 2021.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

**Vote on Moving the City of Lawrence to Schematic Design and
Extend the Term of the Feasibility Study Agreement**

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the City of Lawrence with, in concept, the development of schematic designs for an addition and renovation project at the Oliver Partnership School, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

VOTED: Whereas, the City of Lawrence requires additional time to complete the work required to finalize its feasibility study and schematic design, the Board of Directors hereby authorizes the Executive Director to extend the termination date of the Feasibility Study Agreement between the MSBA and the City of Lawrence, as part of its Invitation to Feasibility Study for the Oliver Partnership School, from August 15, 2020 to April 30, 2021, and the Executive Director is hereby authorized to do all acts and things, to execute and deliver any and all documents and agreements, and to expend all funds necessary or desirable in connection with conducting and/or reviewing this Feasibility Study for the Oliver Partnership School.

Ms. Kwan commented that in reviewing the proposed Oliver Partnership School project, it is apparent that the City of Lawrence does not have the same resources as other communities. She noted that they had to utilize an existing building. She commented that this showcases that more needs to be done for cities like Lawrence to provide equal opportunities to the students.

Lawrence Mayor Dan Rivera thanked Ms. Kwan for her comments. He noted that this project is greatly needed in this part of the City and he thanked the MSBA for its support. He commented that the project is very important for the students in the City and that the project will raise the quality of the education the students receive.

Lawrence Superintendent Cynthia Paris thanked the MSBA and commented that the City is very excited and has had many meetings regarding the project.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

The Director of Capital Planning presented the final recommendation for the Town of Somerset to replace the existing middle school on the existing site. The proposed project is designed to serve 590 students in grades 6-8 and has an estimated construction budget of approximately \$68 million.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote on Moving the Town of Somerset to Schematic Design

VOTED: That the Board of Directors hereby authorizes the Executive Director to do all acts necessary, execute and deliver any and all documents and agreements, and expend funds as deemed appropriate by the Executive Director to assist the Town of Somerset with, in concept, the development of schematic designs to replace the existing Somerset Middle School with a new facility serving students in grades 6-8 on the existing site, as further described in the materials presented to the Board and attached hereto, in accordance with G.L. c. 70B and 963 CMR 2.00 *et seq.* and all other guidelines and policies of the Authority.

Somerset Superintendent Jeff Schoonover thanked the MSBA and commented that the project is an opportunity that will serve generations to come.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Approval of Project Scope and Budget Agreement and Authorization for Project Funding Agreement

The Director of Capital Planning explained that the Board is now being asked to approve a Project Scope and Budget Agreement and to authorize the MSBA to enter into a Project Funding Agreement

for a project at the William N. DeBerry Elementary School in the City of Springfield. The recommendation is to replace the existing William N. DeBerry Elementary School with a new facility that consolidates students from the existing DeBerry and Homer Street Elementary Schools on the site of the existing DeBerry Elementary School, that will serve students in grades PK-5. The proposed project has a design enrollment of 800 students, not including the Pre-K population. The District provided a Total Project Budget of \$95.1 million, which includes an estimated construction cost of \$77.6 million (\$498/sf). The approval is contingent upon the District obtaining full ownership, control and exclusive use of the proposed project site.

The Chair asked for a motion, and the following motion was made by Ms. Kwan and seconded by Mr. Deninger:

Vote to Authorize the Executive Director to Execute a Project Scope and Budget Agreement and Project Funding Agreement with the City of Springfield

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing William N. DeBerry Elementary School with a new facility that consolidates students from the existing DeBerry and Homer Street Elementary Schools on the site of the existing DeBerry Elementary School that will serve students in grades PK-5, contingent upon the District gaining full ownership, control, and exclusive use of the proposed site, as further described in the materials presented to the Board and attached hereto and as such Proposed Project shall be further defined in the Project Scope and Budget Agreement, and authorizes the Executive Director to take all steps necessary to execute and deliver a Project Scope and Budget Agreement and Project Funding Agreement with the City of Springfield, in such forms as he may determine to be acceptable, for the William N. DeBerry Elementary School project at a reimbursement rate of eighty percent (80.00%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$52,962,759, which shall not include any funds for owner's or construction contingency expenditures; that the Board of Directors hereby further authorizes the Executive Director to increase the Estimated Maximum Total Facilities Grant up to a Maximum Total Facilities Grant of \$54,208,420, in the event that the MSBA determines, in its sole discretion, that any owner's and/or construction contingency expenditures are eligible for reimbursement pursuant to MSBA regulations, guidelines, or policies; that the Board of Directors hereby further authorizes the Executive Director to expend funds in accordance with such Project Funding Agreement.

Ms. Kwan commented that this project brought together the expertise of the MSBA's Capital Planning staff and the District. She explained that the District wants to make sure it keeps the small neighborhood school feel, while the MSBA suggested that economies of scale could be achieved by consolidating two neighborhood schools. The final design achieves both goals. She added that she recently had a great discussion with representatives of the Springfield Science Department.

Springfield Superintendent Dan Warwick thanked Ms. Kwan for her involvement with Springfield Public Schools. He commented that this is a great project.

Springfield Chief of Staff Tom Ashe thanked the MSBA on behalf of the Mayor and commented that the City is grateful for the support.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

Terry Kwan – Yes

Sheila Vanderhoef – Yes

Matt Deninger – Yes

Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Audit

The MSBA's Chief Financial Officer, Laura Guadagno, thanked MSBA staff members Tamia Buckingham, Wei Xu, and Stephanie Bai for their hard work. She began her audit update by explaining that the MSBA has completed final audits for 539 Capital Pipeline Program projects plus the one project that is being presented for final approval to the Board today, all together representing approximately \$6.14 billion in submitted and audited costs.

She continued, explaining that the MSBA has also audited approximately \$3.7 billion in submitted costs for the 239 projects currently submitting monthly requests for reimbursement. Based on the Total Project Budget information and submitted costs to date of approved projects, the MSBA estimates that approximately \$3.9 billion in additional costs will be submitted for audit for these projects.

The Chief Financial Officer then explained that monthly submitted costs have averaged \$98.3 million over the 12 months preceding this Board meeting, and the total amount submitted and audited in this 12-month period equals approximately \$1.2 billion.

Approval of Audits, New Program

The Chief Financial Officer explained that the Board is being asked to approve one Capital Pipeline Program audit listed on Exhibit A. She explained that the grant amount for this project is \$2,287,573.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Approval of Audit Costs for the Town of Marshfield

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the final audited approved grant amount for the project listed in the spreadsheet attached hereto as Exhibit A and authorizes the Executive Director to make payments consistent with this vote.

There being no discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

MSBA Updates

Executive Director's Report

The Executive Director began his report by thanking MSBA staff members for their hard work in preparing for the Board meeting, especially during the current health crisis. He shared that, last week, the MSBA made payments to districts totaling approximately \$26 million and that this may be the MSBA's highest one-week total in payments made. He thanked the IT, Audit, and Capital Planning departments for working together to make these payments. He noted that since the April 15, 2020 Board meeting, the MSBA has visited or spoken with individuals from 28 projects and, as of June 22, 2020, three districts have voted affirmatively to appropriate Feasibility Study or Full Project Funds. He explained that the MSBA anticipates making 27 project visits or calls in July and August and presented a list of upcoming district outreach plans as part of his PowerPoint presentation. He further explained that since the last Board meeting, the MSBA held a Contractor Roundtable, a Superintendent Roundtable, and a Collaborative Purchasing Webinar. He also shared that he has been participating in a Return to School Working Group with DESE.

Then, the Executive Director welcomed the MSBA's new co-ops: Will Chattin and Madeline Esdale. He also welcomed several new hires to the MSBA: Moksha Padmaraju (Project Assistant), Alisua Masmela (Assistant Project Manager), Bayron McField (Audit Analyst), and Erin Sullivan (Project Assistant).

He then congratulated Elena Seiti on her promotion to Program Manager. He shared that the MSBA's Chief Engineer Joe Buckley recently retired after fifteen years with the MSBA and he will be greatly missed. He congratulated Project Manager Kevin Sullivan on earning his Masters of Liberal Arts Degree in Management from the Harvard Extension School, and also congratulated Elena Seiti on her engagement. Then, he congratulated Bayron McField on his recent wedding and congratulated Mike McGurl and his wife on welcoming their son Nolan.

Project Status Updates

The Director of Capital Planning explained that several districts in the Core program requested extensions due to COVID-19. Three of the eleven districts invited into the grant program at the December 2019 Board meeting requested and received postponed Eligibility Period commencement dates. The three districts are: the Town of East Longmeadow, the Nashoba Regional School District, and the City of North Adams.

Five of the twenty districts in the Feasibility Study phase of the grant program requested and received extensions to their proposed schedules. Two of the five districts (the Town of Watertown

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and the Town of Wellesley) will require an extension to their existing Feasibility Study Agreement to account for the extension. The other districts include: the Town of Medfield, the Northeast Metro Regional School District, and the Town of Swampscott.

The Director of Capital Planning then explained that MSBA staff looked at the projects currently in construction and design development. For the more than 40 projects in design development and construction, the majority are currently not reporting any delays. Five projects (Bristol-County, Easthampton, Foxborough, Harvard, and Westborough) in construction are currently reviewing schedule impacts of less than a month.

Four projects (Boston, Middleborough, Somerville, and Taunton) in construction are currently reviewing schedule impacts greater than a month.

Four of the project delays are considered all COVID-19 related: Bristol-County, Easthampton, Somerville, and Taunton.

Nine projects are scheduled to achieve substantial completion in 2020. Of the nine, three have met substantial completion (Lexington, Marlborough, and Saugus), two are reporting delays (Taunton and Somerville), and three had been reporting early completion and are now reporting completing within the contractual substantial completion date (Middleborough, Natick and Cape Cod).

She then explained that at the April 15, 2020 Board meeting, staff presented three districts in the "funding vote pending" phase of the grant program. At this time, the MSBA is reporting the following: Leicester is on target reflecting their requested extension in April, Nauset has requested an additional extension beyond the granted extension of November 1, 2020 to May 2021, and Braintree is currently seeking additional time.

The Town of Braintree originally received Project Scope and Budget approval by the Board on August 21, 2019. The 120-day period of time to appropriate funds expired on December 26, 2019. A request from the District for an extension beyond December 26, 2019 to April 1, 2020 was recommended at the February 13, 2020 Board meeting. This was due to local decisions to hold the ballot vote on March 28, 2020. A second request from the District for an additional extension beyond April 1, 2020 to June 30, 2020 was recommended at the April 15, 2020 Board meeting. This was due to impacts from COVID-19. A third request dated May 8, 2020 to extend funding through November 2020 has been received due to impacts from COVID-19 and is recommended.

Reconciliation of Project Obligations and Annual Cap Update

The Director of Capital Planning explained that, as the MSBA has done for the past three years, this year's reconciliation of the calculated annual grant funding cap space and total grants is summarized in a Reconciliation of Approved Projects to the Annual Program Funding Cap memo. This reconciliation, like in past years, is in accordance with the administrative processes laid out in prior Board memoranda and presentations. This year, the Student Opportunity Act increased the MSBA funding cap to \$800 million, and final audit savings of \$28 million has resulted in an available grant cap space of \$828 million for FY20.

She explained that the MSBA allocated the FY20 grant cap space as follows:

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- \$7.8 million to fund its share of feasibility studies for the twelve districts invited to conduct a feasibility study
- \$57.3 million to fund ARP Projects for 27 Districts and 43 schools (includes two schematic designs for projects that did not proceed)
- \$651 million to fund sixteen Core Program project grants (the sixteen includes Holyoke)
- \$18.7 million in adjustments to prior reconciliations
- \$93.7 million towards the \$328 million from FY19 that was allocated to future fiscal years

Recommendation to Execute Master Services Agreements for Commissioning Consultants

The Director of Capital Planning explained that the MSBA has been engaging professional consultants since 2009 to provide commissioning services and documented confirmation that a construction project funded by the MSBA fulfills the functional and performance requirements of the Owner, MSBA, occupants and building operators. This is the MSBA's fifth Commissioning Procurement.

On February 27, 2020 a Commissioning Procurement Overview meeting was hosted at the MSBA office in conjunction with the Supplier Diversity Office for interested architects, engineers and commissioning consultants. This meeting was attended by approximately thirteen (13) firms and included an overview presentation of the Request for Responses and concluded with a question and answer session. On March 13, 2020, the MSBA issued a Request for Responses from firms for Core and ARP projects for five categories: full building commissioning, partial building or individual system commissioning, roofing and building envelope commissioning, additional support during the first year of operation and recommissioning services. Different from previous years, this procurement includes scope for additional support during the first year of building operation and recommissioning services. Over the past year, the MSBA has had numerous conversations with district personnel, participated in commissioning roundtables, attended training sessions and learned from the recent Post Occupancy efforts to gain a better understanding of the building start-up challenges facing districts. The information collected has informed the MSBA that these additional commissioning services are critical in providing comprehensive commissioning to MSBA projects and hopefully will provide more successful turnovers for districts.

The MSBA received thirty-three (33) responses to the RFR prior to the April 30, 2020 deadline. Each response was reviewed in two phases. The Phase 1 review was conducted by the legal department to ensure that the responses were complete and contained all required forms and attachments. Thirty (30) of the thirty-three (33) total responses met the requirements to be considered further in the Phase 2 review and were reviewed according to the criteria published in the RFR.

Based on the review of the thirty responses, MSBA staff found that eighteen (18) firms meet the needs of the MSBA. Each respondent self-selected the category of services for which they wished to be considered. The results of the reviews produced the recommended list, which includes:

- 11 - Full Service Commissioning
- 7 - Roofing and Building Envelope Commissioning
- 11 - Partial Systems Commissioning
- 10 - Post Occupancy Commissioning

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Since the aggregate value of the Master Service Agreements will exceed \$250,000, the Executive Director requires authorization from the Board to execute these agreements.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

**Vote Authorizing Executive Director to Enter into Contracts for
Commissioning Consultant Services**

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby authorizes the Executive Director to execute and deliver one or more master services agreements for commissioning consultant services, the cost of which may exceed \$250,000.00 per agreement, containing such provisions as he shall deem advisable, the definitive form of such master services agreements to be evidenced conclusively by his execution thereof.

Ms. Kwan commented that some of the individuals seeking to provide commissioning services are also OPMs or Designers. She asked whether they will be reviewing their own work.

The Director of Capital Planning explained that MSBA staff keep a careful eye on project assignments so that this does not happen.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

Project Overview Report

The Director of Capital Planning presented a PowerPoint, including a bid summary for the Core Program. She summarized available data for anticipated Sub-Bids in June, July, and August and anticipated DBB Bids or GMP Executions in June, July, and August.

Then, the Director of Capital Planning presented a PowerPoint, including a summary of bid results for the Core Program. She reported that of the 22 Core Program projects scheduled to receive sub-bids in 2019, nineteen have reported DBB bids or GMP executions to date. Eighteen of the reported bids came in within the estimated budget. She then reported that of the sixteen Core Program projects scheduled to receive sub-bids in 2020, one has reported its DBB bid to date (no change since the April Board meeting). The one reported bid came in within the estimated budget. She then provided bid data for the MSBA's Accelerated Repair Program. She explained that for the 2017 Accelerated Repair Program, 27 of the 34 reported projects bid within the estimated budget. All

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2017 projects have reported bids. She then explained that for the 2018 Accelerated Repair Program, 25 of the 28 reported projects bid within the estimated budget and an additional two projects are anticipated to bid by the December Board of Directors meeting. For the 2019 Accelerated Repair Program, all five of the five reported projects bid within the estimated budget. An additional seventeen projects are anticipated to bid by the August Board of Directors meeting.

Finance

Sales Tax Collection Update

The Chief Financial Officer thanked the MSBA's Director of Budget and Finance Administration, Julie Leonard, for her work on the budget. She then presented a PowerPoint and provided an FY2020 SMART Collections update. The FY 2020 Consensus Revenue Estimate of \$954 million would represent growth of 6.8% over the FY 2019 unaudited amount. The FY 2020 collections for July 2019 through May 2020 are \$22.845 million (2.74%) higher than FY2019 collections for the same period. The preliminary FY 2021 Consensus Revenue Estimate of \$976 million would represent growth of 2.3% over the FY 2020 unaudited amount.

She presented a slide with a graphical depiction of FY2016 – FY2020 Monthly SMART collections, and then year-to-date SMART collections by year from FY2016 – FY2020.

Grant Payments Update

Then, the Chief Financial Officer thanked the MSBA's Treasurer, Gianpiero Tirella, for his hard work and provided an update regarding MSBA grant payments for projects, noting that the MSBA has made \$640,960,784 in grant payments to date in Fiscal Year 2020. This is for 267 Capital Pipeline Program projects in 155 districts.

Recommendation to Execute Master Services Agreements for Enterprise Resource Planning ("ERP") System and Implementation

The Chief Financial Officer explained that the MSBA hired RSM to assist the MSBA in the procurement of financial software solutions to automate the accounting and finance operations of the MSBA in October 2019. The MSBA issued a Request for Responses for Enterprise Resource Planning ("ERP") System and Implementation in February 2020 and received five responses prior to the March 2020 deadline from Cargas, CBIZ, GovSense, Infolab and Sparkrock.

The MSBA selected CBIZ, GovSense and Sparkrock to provide software demonstrations, and GovSense and Sparkrock were selected for reference checks. The MSBA selected Sparkrock (financial accounting) and budget application software, Questica, which will be needed to implement and work with this system. The system implementation is estimated 6-8 months following award of the contract. She then reviewed the ERP estimated costs over a five-year period.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

Vote Authorizing the Executive Director to Enter into Contracts for Enterprise Resource Planning System Implementation

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VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby authorizes the Executive Director to execute and deliver one or more master services agreements for Enterprise Resource Planning System Implementation, as further described in the materials presented to the Board and attached hereto, the cost of which exceeds \$250,000.00, containing such provisions as he shall deem advisable, the definitive form of such master services agreement(s) to be evidenced conclusively by his execution thereof.

Ms. Kwan commented that when she was reviewing the materials she noticed that cost was only one of the factors considered for awarding the contract.

The Executive Director explained that the MSBA did not base its selection solely on lowest price but instead best value. Therefore, the MSBA looked at the respondents' expertise and other factors as well. He commented that the selected respondent ended up being the lowest price anyway.

The Chair explained that government bodies are not required to only look at the lowest price received. She commented that the ability of the respondent to meet the needs of the government body is also important because otherwise contracts would be awarded to respondents who cannot perform well but have the lowest price.

Ms. Vanderhoef explained that there are different ways to conduct a procurement. Sometimes a government body can only go with the lowest bid but often the government body has options and only needs to justify the process it uses. She commented that the MSBA conducted this procurement correctly.

There being no more discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes

Terry Kwan – Yes

Sheila Vanderhoef – Yes

Matt Deninger – Yes

Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

FY20 Budget Update

Next, the Chief Financial Officer provided the Board with a FY2020 budget update. She presented a PowerPoint with Fiscal Year 2020 Expenditure Charts which outlined year to date spending. She also provided a Fiscal Year 2020 Budget Update and reviewed salaries and benefits, administrative expenses, and grant program expenditures to date.

FY21 Budget Recommendation

The Chief Financial Officer reviewed the MSBA's proposed budget for Fiscal Year 2021. She gave a brief overview of the Capital Program budget, the Operating budget, Administrative Expenses, and

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Professional Support Services. In summary, FY21 Salaries & Benefits account for 1% of the total budget, FY21 Administrative Expenses account for 1.4% of the total budget, FY21 Operations and Project Related Expenses account for 2.2% of the total budget, and FY21 Grant Program Budget accounts for 97.8% of the total budget.

The Chair asked for a motion, and the following motion was made by Ms. Vanderhoef and seconded by Mr. Deninger:

**Vote to Approve the Massachusetts School Building Authority
Fiscal Year 2021 Operating and Capital Budget**

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Massachusetts School Building Authority Fiscal Year 2021 Operating and Capital Budget in the amount of \$839,200,779 with such changes or reallocations of funds as may be deemed necessary or desirable by the Executive Director for the efficient operation of the Authority.

There being no discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

The Chief Financial Officer commented that the MSBA will be issuing bonds next week.

Mr. MacDonald thanked the MSBA staff for their hard work during this unprecedented time.

The Chair asked for a motion to adjourn the meeting. A motion was made by Mr. Deninger and seconded by Ms. Kwan.

There being no discussion, the Chair asked for a roll call vote of the Board.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan – Yes
Sheila Vanderhoef – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 5 in favor, 0 against, 0 abstaining.

The meeting was adjourned at 12:00 p.m.

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List of documents and exhibits used at the meeting:

- PowerPoint Presentation
- April 15, 2020 Board Meeting Minutes
- Feasibility Study Agreement Amendment
- Project Funding Agreement Recommendations for the Accelerated Repair Program
- Recommendations for Preferred Schematic Design
- Invitation to Project Scope and Budget
- Audit Status Report
- Recommendation for Approval of Final Audits, Capital Pipeline Program
- Executive Director Report
- Reconciliation of Project Obligations and Annual Cap Update
- Recommendation to Execute Master Services Agreements for Commissioning Consultants
- Project Overview Report
- Sales Tax Collection Update
- Grant Payments Update
- Recommendation to Execute Master Services Agreements for Enterprise Resource Planning (“ERP”) System and Implementation
- FY20 Budget Update
- FY21 Budget Recommendation