

District: Town of Tyngsborough
 School Name: Tyngsborough Middle School
 Recommended Category: Project Scope and Budget
 Date: April 20, 2022

Recommendation

That the Executive Director be authorized to enter into a Project Scope and Budget Agreement and a Project Funding Agreement with the Town of Tyngsborough (the “District”) to replace the existing Tyngsborough Middle School with a new facility serving grades 6-8 on the existing site.

District Information	
District Name	Town of Tyngsborough
Elementary School(s)	Tyngsborough Elementary School (PK-5) Academy of Notre Dame Elementary School (K-8)
Middle School(s)	Tyngsborough Middle School (6-8)
High School(s)	Tyngsborough High School (9-12) Greater Lowell Technical High School (9-12) Academy of Notre Dame High School (9-12) Innovation Academy Charter School (5-12)
Priority School Name	Tyngsborough Middle School
Type of School	Middle School
Grades Served	6-8
Year Opened	1967
Existing Square Footage	80,667
Additions	N/A
Acreage of Site	56.1 acres
Building Issues	The District identified deficiencies in the following areas: <ul style="list-style-type: none"> – Mechanical systems – Electrical systems – Plumbing systems – Envelope – Windows – Roof – Accessibility In addition to the physical plant issues, the District reported that the existing facility does not support the delivery of its educational program.
Original Design Capacity	Unknown
2021-2022 Enrollment	393 students
Agreed Upon Enrollment	480 students
Enrollment Specifics	The District and MSBA have mutually agreed upon a design enrollment of 480 students serving grades 6-8.
Total Project Budget – Debt Exclusion Anticipated	Yes

MSBA Board Votes	
Invitation to Eligibility Period	December 12, 2018
Invitation to Feasibility Study	February 13, 2020
Preferred Schematic Authorization	August 25, 2021
Project Scope & Budget Authorization	On April 27, 2022 Board agenda
Reimbursement Rate Before Incentives	55.00%
Incentive Points	1.61 – Maintenance 2.00 – Energy Efficiency – “Green Schools” ¹
Total Reimbursement Rate ¹	58.61%

¹ The MSBA has provisionally included two (2) incentive points for energy efficiency, subject to the District meeting certain sustainability requirements for the project. If the District does not meet the requirements for the energy efficiency, the District will not qualify for these incentive points, and the MSBA will adjust the reimbursement rate accordingly.

Consultants	
Owner’s Project Manager (the “OPM”)	Leftfield, LLC
Designer	JCJ Architecture

Discussion

MSBA staff reviewed the documents provided by the District and met with the District and its consultants to discuss scope and budget. The District has provided a Total Project Budget of \$83,480,000, which includes an estimated construction cost of \$65,755,571 (\$583/sq. ft.). The Estimated Basis of Total Facilities Grant would be \$47,896,180, which excludes ineligible feasibility study costs, legal fees, scope excluded OPM and Designer fees associated with the gymnasium, OPM and Designer fees in excess of MSBA funding limits, ineligible costs associated with abatement of asbestos-containing floor materials, site costs in excess of 8% of total building cost, construction costs in excess of \$360/sq. ft. plus eligible demolition and abatement, costs associated with mailing and moving, costs in excess of the \$1,200 per student allowance for fixtures, furniture, and equipment, costs in excess of the \$1,200 per student allowance for technology, costs associated with the commissioning of ineligible square footage, and owner’s and construction contingency costs.

Project Scope and Budget Agreement	
Enrollment: 480	District’s Proposed
Proposed Total Square Feet: 112,784	Project Budget
Project Budget ¹	\$79,769,757
Scope Exclusions/Ineligible Costs	-\$31,873,577
Estimated Basis of Total Facilities Grant	\$47,896,180
Reimbursement Rate	58.61%
Estimated Maximum Total Facilities Grant before Cost Recovery ²	\$28,071,951
Cost Recovery	-\$12,969
Estimated Maximum Total Facilities Grant ²	\$28,058,982
Potentially Eligible Owner’s and Construction Contingencies	\$986,334
Potential Additional Grant Funds for Eligible Owner’s and Construction Contingency Expenditures	\$578,090

Total Project Budget	\$83,480,000
Maximum Total Facilities Grant ^{3,4}	\$28,637,072

¹Does not include Owner's or Construction Contingencies.

²Does not include any grant funds for potentially eligible Owner's or Construction Contingency Expenditures; subject to MSBA review and audit.

³Includes maximum possible Owner's and Construction Contingency grant funds, the final amount of which, if any, shall be determined by the MSBA in its sole discretion. The MSBA does not anticipate that the District will expend all of its contingency funds on expenses that are eligible for MSBA reimbursement.

⁴Maximum Total Facilities Grant will be allocated in part to the current Grant Cap, and in part to future available Grant Cap space.

MSBA staff recommends an Estimated Maximum Total Facilities Grant of \$28,058,982; however, the District may be eligible for up to an additional \$578,090 in grant funds, subject to the MSBA's review and audit of the District's owner's and construction contingency expenditures. Accordingly, staff recommends a Maximum Total Facilities Grant of \$28,637,072 for the Project Scope and Budget Agreement and Project Funding Agreement to replace the existing Tyngsborough Middle School with a new facility serving grades 6-8 on the existing site.