

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

**Massachusetts School Building Authority
Board Meeting Minutes of June 26, 2024**

A meeting of the Massachusetts School Building Authority (the "Authority" or "MSBA") was held on June 26, 2024. The meeting was held remotely via Zoom.

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

Others Present: James MacDonald, Chief Executive Officer; Mary Pichetti, Executive Director/Deputy Chief Executive Officer; Mike McGurl; Laura Guadagno; Christine Nolan; Matt Donovan; Brian Kelley; Kathleen Andrade; August Knuth; Siobhan Tolman; Annie Hudson; Barbara Hansberry; Karl Brown; John Jumpe; Katie DeCristofaro; Julie Leonard; Miriam Vazquez; Erin Agan; 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 10:00 am 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 in accordance with Chapter 30A of the Massachusetts General Laws and 940 CMR 29.03, but subject to Chapter 2 of the Acts of 2023, 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 May 29, 2024 Board of Directors meeting; invite one district into Feasibility Study; authorize one proposed project to proceed into Preferred Schematic Design, with an estimated \$83.3 million in total construction costs; invite three districts to enter into a Project Scope and Budget Agreement, with an Estimated Maximum Total Facilities Grant of approximately \$177.2 million and to approve seven final audits from five districts with a Final Total Facilities Grant amount of approximately \$64.2 million. The Board will also be voting to approve staff recommendations on Commissioning Consultant Services and for a Letter of Intent for MSBA Office Space. Finally, the Board will receive updates from the Executive Director, Capital Planning, and Finance staff.

Approval of the May 29, 2024 Minutes

The Chair asked for a motion to accept the minutes of the May 29, 2024 Board meeting. A motion was made by Mr. Deninger and seconded by Ms. Vanderhoef:

Approval of the Minutes of the May 29, 2024 Board Meeting

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Minutes of the May 29, 2024 Board meeting.

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

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

Roll Call Vote:

Anne Brockelman – Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

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

Invitation to Feasibility Study

Terry Kwan joined the meeting.

The MSBA's Capital Program Manager, Katie DeCristofaro, explained that staff are recommending that the Board vote to invite the City of Brockton into Feasibility Study. This is the only remaining district from the ten 2022 Core Program Statement of Interest invitations.

The City of Brockton was invited into Eligibility Period for the Brockton High School on December 21, 2022, and has completed all the necessary prerequisites. including: the filing of their educational profile questionnaire, finalizing enrollment, and securing feasibility study/schematic design funds to proceed.

The City benefited from a 190-day extension from its original Eligibility Period expiration date of November 27, 2023, to June 5, 2024, to secure its Feasibility Study/Schematic Design authorization.

Staff will be working with the District to study options that maintain the facility's current grade 9-12 configuration for 3,640 students.

Based on the completion of the Eligibility Period requirements, staff recommend that the Board vote to invite the City of Brockton into Feasibility Study.

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

**Vote on Inviting Communities to Collaborate with the MSBA
to Conduct a Feasibility Study**

VOTED: That the Executive Director is hereby authorized to invite certain communities to collaborate with the MSBA to conduct and/or review a Feasibility Study, as described in 963 CMR 2.00 *et seq.*, and subject to any conditions set forth in Exhibit A, for each of the schools listed in Exhibit B attached hereto.

VOTED: That the Executive Director is hereby authorized to do all acts, 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 a Feasibility Study for each of the schools listed in Exhibit B.

Ms. Kwan emphasized to the District how important it is to spend time on their educational plan. She added that the MSBA can be helpful by providing models and plans that have been submitted for other MSBA projects, as well as connecting the district with people who have been successful in similar projects with the MSBA. She urged the District to take advantage of the help they can receive.

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Mr. Cronin commented that the cost for this project is going to be substantial so it will take a fair amount of work and discipline from the City of Brockton. He explained that the next few years will be important for the MSBA to work closely with the City to ensure they can afford a project of this size.

Brockton Mayor Robert Sullivan thanked the MSBA on behalf of the City of Brockton. He also thanked legislators and MSBA Board members. He explained that the current Brockton High School is a large, old building that needs to be reimagined, repurposed, and revitalized. He respectfully asked the Board for their support in this vote.

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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

Recommendation for Preferred Schematic Design

Next, the MSBA's Director of Project Management, Christopher Alles, explained that the Board is being asked to approve the Preferred Schematic Design for the Oakdale Elementary School in the Town of Dedham. The Town of Dedham is proposing to replace the existing Oakdale Elementary School Elementary School with a new facility serving students in grades 1-5 on the site of the existing Oakdale Elementary School.

It was noted that, following the Board's October 25, 2023 approval to proceed into schematic design, the approval was subsequently rescinded at the February 28, 2024 Board meeting and the Board voted to re-categorize the Statement of Interest for the Oakdale Elementary School to Eligibility Period to re-evaluate the enrollment projections based on new and different information from the District, and then return the project to Feasibility Study so that the District may commence with a new Feasibility Study utilizing the updated study enrollment options indicated in the February 28, 2024 Board recommendation.

Based on the updated information, the proposed project is designed to be approximately 87,000 square feet for 360 students in grades 1-5. The proposed project includes an estimated total project budget of approximately \$109.1 million dollars, and an estimated total construction budget of approximately \$83.9 million dollars.

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

Vote on Moving the Town of Dedham 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 Dedham with, in concept, the development of schematic designs to replace the existing Oakdale

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Elementary School with a new facility serving grades 1-5 on the site of the existing 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.

Dedham Superintendent Nan Murphy thanked the Chair and the MSBA. She commented that the Town of Dedham is very grateful for the MSBA's partnership, and they are all looking forward to the next phase of this 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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

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

Next, the MSBA's Design Director, Karl Brown, explained that the Board is now being asked to authorize the Executive Director to execute a Project Scope and Budget Agreement and a Project Funding Agreement with the Town of Agawam for a potential project at the Agawam High School. The recommendation is for an addition and renovation of the existing Agawam High School facility that is approximately 233,000 square feet, which includes a stand-alone Pre-Kindergarten facility.

The proposed project has a design enrollment of 955 students in grades 9 through 12, plus Pre-K.

The District provided a Total Project Budget of approximately \$230 million dollars, which includes a total construction budget of approximately \$187 million dollars.

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

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

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project for an addition and renovation of the existing Agawam High School facility serving grades 9-12, which includes a stand-alone Pre-Kindergarten facility, 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 Town of Agawam in such forms as she may determine to be acceptable, for the Agawam High School project at a reimbursement rate of

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sixty-five and seventy-four hundredths percent (65.74%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$96,854,000 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 \$100,541,065, 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. Vanderhoef asked for clarification of the program titled "ASPIRE" included in the district's plans. She also noted that the 72 million dollars listed for ineligible costs seemed like a high amount for ineligibilities.

The Design Director commented that "ASPIRE" is the district's Special Education program. He also explained that the most significant ineligible cost is the Pre-K facility because it is a standalone building. This building constitutes the bulk of ineligible costs. Other than the Pre-K facility, there are a variety of elements within the building that are ineligible as well.

Ms. Vanderhoef commented that she couldn't recall other projects having as high of a number in excluding costs.

The Design Director agreed that this number was high.

Christopher Johnson, the Mayor of Agawam, commented on Ms. Vanderhoef's concern and explained that this project is primarily a new high school, and the Pre-K facility is a renovation of a piece of the existing high school. An existing entrance will be reused as well. He commented that there is a substantial amount of ineligible space. The high school has a greenhouse agricultural program and a large athletic program with an oversized gymnasium, both of which are ineligible. However, he added that the community received a vote of 71% in favor of a debt exclusion and that this project is widely accepted by the community. Further, he noted that a lot of thought has gone into the design, and the substantial amount of ineligible spaces is recognized, but Agawam's programs are important to the community. The Mayor also commented that it has been a wonderful experience working with the MSBA, their OPM, and their architects. He thanked the MSBA, the Chair, and the Board for their efforts and the opportunity to speak on this project.

Lastly, it was noted that the MSBA received a letter of support from State Senator John Velis for the Agawam High 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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

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The motion passed – 6 in favor, 0 against, 0 abstaining

Next, the Design Director explained that the Board is now being asked to authorize the Executive Director to execute a Project Scope and Budget Agreement and a Project Funding Agreement with the Town of Berkley for a potential project at the Berkley Community School. The recommendation is to construct a new two-story, 84,620 square foot facility, on the site of the existing Berkley Community School in the Town of Berkley.

The proposed project has a design enrollment of 385 students in Kindergarten through grade 4, as well as Pre-Kindergarten.

The District provided a Total Project Budget of approximately \$89.9 million dollars, which includes a total construction budget of approximately \$70.4 million dollars.

Additionally, he added that MSBA staff is also recommending that the Executive Director be authorized to allow the District 145 days to appropriate funds, effectively extending the typical 120-day target date of October 24, 2024, to November 18, 2024.

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

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

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing Berkley Community School with a new facility serving pre-kindergarten through grade 4 on the site of the existing school, 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 Town of Berkley in such forms as she may determine to be acceptable, for the Berkley Community School project at a reimbursement rate of sixty and ninety-two hundredths percent (60.92%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$38,869,560 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 \$39,512,789, 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.

It was noted that the MSBA received a letter of support from State Senator Marc Pacheco for the Berkley Community School project.

Berkley Superintendent, Melissa Ryan, thanked the Board and MSBA staff for their support. She also commented that it has been an incredible experience working with the project managers at the MSBA as well as architects on the project.

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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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

Next, the Design Director explained that the Board is now being asked to authorize the Executive Director to execute a Project Scope and Budget Agreement and a Project Funding Agreement with the City of North Adams for a potential project at the Greylock Elementary School. The recommendation is to construct a new two-story, 73,600 square foot facility, to replace the existing Greylock Elementary School and Brayton Elementary School with a new consolidated facility designed for 240 students in kindergarten through grade 2, plus Pre-Kindergarten, at the existing Greylock Elementary School site in North Adams.

The District provided a Total Project Budget of approximately \$65.4 million dollars, which includes a total construction budget of approximately \$53.4 million dollars.

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

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

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing Greylock Elementary School and Brayton Elementary School with a new consolidated facility for 240 students in kindergarten through grade 2, plus pre-kindergarten, 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 North Adams in such forms as she may determine to be acceptable, for the Greylock 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 \$41,557,304 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 \$42,151,534, 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.

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Jennifer Macksey, the Mayor of North Adams, commented that the North Adams community is very excited to have this opportunity and they are grateful to have the support of the MSBA. She thanked the Facilities Assessment Subcommittee for guiding them through this process. She explained that a lot of thought has been put into the design of this school and that their focus has been staying true to their educational vision while remaining economically feasible for their community.

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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

Approval of Audits, Capital Pipeline Program

The Director of Audit, Miriam Vazquez, explained that the Board is being asked to approve nine Capital Pipeline Program audits listed on Exhibit B. She explained that the total combined grant amount for these nine projects is \$64,279,206.

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

Approval of Audit Costs for Several Projects

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

Mr. Cronin congratulated MSBA staff members for closing out these audits.

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
Sean Cronin – Yes
Matt Deninger – Yes
Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

MSBA Updates

Recommendation for Commissioning Services

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

Next, MSBA's Director of Capital Planning, Mike McGurl, provided a recommendation for the MSBA to enter into contracts for Commissioning Consultant Services. He explained that, as presented in the recent May 14th FAS meeting, staff have been in the process of procuring for Commissioning Consultant Services 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, its occupants, and building operators. This is the MSBA's 6th Commissioning Procurement.

He added that work associated with these services includes providing commissioning services for addition, renovation, and new construction projects funded by the MSBA. Categories include: 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.

Next, he stated that procurement for these services has been ongoing since January 2024, starting with drafting an updated RFR, and concludes at this Board of Directors meeting with a recommendation for the Board's approval. Following that, staff will draft Master Service Agreements that will take effect starting August 17, 2024, for a term of three years, with an option to renew for up to one additional year, under the same terms and conditions, at the discretion of the MSBA.

The MSBA received twenty-three responses in mid-April. A committee of five MSBA staff members reviewed the responses and evaluation criteria published in the RFR.

The MSBA Procurement Management Team calculated the response scores based on the cumulative total of individual scores from each of the MSBA team members and has recommended contracting with twenty-one out of the twenty-three respondents.

Since the aggregate value of each of these recommended 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 Mr. Deninger and seconded by Ms. Vanderhoef:

**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 she shall deem advisable, the definitive form of such master services agreements to be evidenced conclusively by her execution thereof.

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

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan - Yes

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Sheila Vanderhoef – Yes

Sean Cronin – Yes

Matt Deninger – Yes

Deborah Goldberg – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

Executive Director's Report

Next, the Executive Director shared a lookahead for the next six months. She also shared a Procurement Schedule which included both complete and incomplete procurements for a total of eleven procurements.

Thereafter, the Executive Director presented a PowerPoint of outreach events that MSBA staff had participated in over the course of the last few weeks. The Post Occupancy Evaluation Team attended an event at Plymouth South High School in May which highlighted Planning for Building Turnover and Operation. The Executive Director attended the Annual Cape Conference put on by the Massachusetts Collectors and Treasurers Association. The MSBA Superintendent/Designer Roundtable, titled “New School Exterior Circulation Design: Planning for a Safer Arrival and Dismissal Today,” was held in June with members of MSBA staff attending. The My Ideal School Contest Ceremony was held in June as well with its winner being selected by the Treasurer.

The Executive Director then shared photos from Groundbreaking Ceremonies at the Wakefield Memorial High School and the Nashoba Regional High School. She also shared photos of Topping Off Ceremonies held at the Bristol-Plymouth Regional Vocational Technical High School and the William R. Peck Middle School in Holyoke.

The Executive Director also thanked Terry Kwan for sharing her expertise with MSBA staff in reviewing educational plans.

Next, the Executive Director shared staff updates. She congratulated MSBA Chief Executive Officer, James MacDonald, on being the first recipient of the Tim Schaefer Memorial Debt Manager of the Year Award; Paul Gaski on completing his Master's Degree in Business Administration; Elena Seiti on completing the Vermont City Marathon and Relay; Karl Brown on completing a vintage bike race in Italy; Claire Ackerman and her husband on their recent marriage; Bayron McField and his wife on the birth of their son; and Gianpiero Tirella and his wife on the birth of their daughter.

The Executive Director then welcomed five new hires: Sean Brickley, as an Audit Analyst; Belinda Ochoro, as an Audit Analyst; Neil Cronin, as a Project Manager 2; Kerrie Griffin, as a Senior Project Manager; and Jack Cullen, as an HR Generalist. She also welcomed one new co-op, two new fellows, and one new intern: Alex Israel, as a Capital Planning – FSD Co-Op; Neel Scherkfe, as a Finance Fellow; Olivia Sheng, as a Finance Fellow; and Thomas Murphy, as an IT Intern.

The Executive Director then shared that she attended a volunteer opportunity with the Treasury Department and Sarima Okwu-Wolu to plant flags with the Massachusetts Military Heroes Fund on Boston Commons in May.

The Executive Director commented that this past year has been a wonderful year full of many accomplishments. She looks forward to the work ahead in FY25. She thanked the Chair and Board. She also thanked the CEO for his guidance and MSBA staff for their perseverance.

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

Project Status

Supplemental Grant Update

Next, the Director of Capital Planning provided an update on the status of projects approved for adjustments to their Maximum Total Facilities Grants at the October 25, 2023, Board of Directors meeting.

On October 25, 2023, the Board approved the increased funding limits for thirty projects that fit the timeline outlined in the legislation approved within the FY24 Commonwealth Budget, as well as nine additional projects approved by the Board for Project Scope and Budget between October 1, 2022, and October 1, 2023.

Throughout FY24, multiple staff have been committed to processing these amendments and payments on a priority basis. The work has included calculating the increased project grants; amending existing funding agreements; and paying the supplemental grants. This will continue into FY25.

For the nine projects approved by the MSBA for additional funding found in Category 2, each district has received an amendment from the MSBA which increases its funding limits. All nine have been fully executed. Each of these districts is still within design development or the early phases of construction and so no retroactive payments are required.

The Director of Capital Planning then added that for the 30 projects approved for increased funding limits associated with the legislative supplemental grants, MSBA staff have completed the following: (1) the MSBA has assessed and drafted budget revisions for all 30 projects in Category 1 and each of these revised Project Budgets have been agreed upon by the MSBA and the district; (2) the MSBA has now issued all 30 amendments to Project Funding Agreements, 28 of which have been fully executed and represent approximately \$256 million of the total original estimated \$270 million in supplemental grants; (3) as the revised Project Budgets have been reviewed and amendments processed, staff have been simultaneously reviewing reimbursement requests from the districts to understand if the project has incurred and submitted sufficient costs to support a payment associated with the increased funding limits of the supplemental grant; and (4) in February, the MSBA processed its first reimbursement request, which required new processing procedures; multiple conversations with the districts; and extra tracking steps in addition to our standard payment process. He stated that, as of today, 29 of the 30 projects have received an additional \$163 million in reimbursement with approximately \$83 million applied to the \$100 million provided by the Commonwealth and the remaining \$80 million provided by the MSBA. The remaining project, #30, has already been reviewed and approved to receive its full share of supplemental grant payments tomorrow.

The MSBA has confirmed with EOE (the "Executive Office of Education") that remaining amendments and payments can be completed beyond June 30, 2024. The MSBA has received the full \$100 million from the Commonwealth.

Lastly, he noted that MSBA staff will make periodic informational updates for the Board. In the meantime, staff will continue to work with each remaining district to take the steps necessary to process Project Funding Agreement Amendments.

Project Overview Report

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Next, the Director of Capital Planning provided an update for substantially completed projects. For projects scheduled for 2024, twelve (12) projects are scheduled to achieve substantial completion. Westwood opened its new Elementary School following the February vacation week. Staff are currently tracking the remaining eleven (11) projects which are scheduled to open by September.

Thereafter, MSBA Project Manager, Erin Agan, shared the upcoming bid maps. She shared that the MSBA is currently tracking twenty-three (23) projects for filed sub bidding through 2026. This includes all projects that have been approved for Preferred Schematic Design prior to today's meeting. The twenty-three (23) projects have a total estimated construction budget of approximately \$3.1 billion.

For 2024, the MSBA has had five projects receive filed sub-bids so far and is tracking an additional three for the year. Those three projects have an estimated construction budget of approximately \$364 million. 2024 bidding continues with Amherst in July, and East Longmeadow and Lynn upcoming.

2025 has fifteen (15) projects with an estimated construction budget of approximately \$1.77 billion. Whittier was removed following its removal from the pipeline at the April 24, 2024, Board meeting.

2026 now has five projects with a combined estimated construction budget of about \$974 million. Canton and South Shore Regional Vocational Technical School District were added following their Preferred Schematic approval, and Revere was added following its Project Scope and Budget approval at the April 24, 2024, Board meeting. The project count will continue to increase following today's meeting with the addition of Dedham (end of 2025).

Next, the Director of Capital Planning provided an update on anticipated sub-bids in July, August, and September and anticipated Design Bid Build bids or Guaranteed Maximum Price executions in July, August, and September.

Staff are tracking 17 projects anticipating sub-bids in 2023. In square foot cost, the 2023 results continue to range from \$500/sf for the Fitchburg Crocker Elementary School to \$1032/sf for the Boston Carter School. The average for the 17 projects is \$638/sf.

Since the April 24, 2024, Board meeting, Northeast Metro High School has reported bid results at \$660/sf. In total, 13 of 17 projects, including Northeast Metro, have exceeded their estimated budgets from PFA. Additionally, in that same time frame, there are zero additional 2024 bids to report. The average for the three projects remains at \$561/sf versus an average at PFA that was \$608/sf. The average for the remaining five projects is \$751/sf. The average for all eight projects at PFA was \$698/sf.

He then shared that, beginning with the December 21, 2022, Board meeting, MSBA staff have presented Core Program projects that have reported additional local funding increases following Project Scope and Budget approval.

Since the April 24, 2024, Board meeting, the Boston Carter School; Groton-Dunstable Florence Roche School; Lawrence Leahy School; Nauset Regional School; Stoneham High School; Spencer-East Brookfield David Pouty High School; Tyngsborough Middle School; Watertown High School; and Wellesley Upham Elementary School have all been removed following the execution of their Bid Amendments.

However, Winchester remains as they have not yet executed an amendment to their Project Funding Agreement. With this anticipated shortly, this will be the final presentation for these projects.

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In summary, he stated that for those districts bidding in 2022 and 2023, twenty-one (21) successfully appropriated additional local funds or approved transfers of other funds, with Somerset being the exception.

Finally, the Director of Capital Planning provided an update on the Accelerated Repair Program. For the 2021 program, 19 of the 24 reported projects were bid within the estimated budget. Staff are anticipating to report on the remaining two projects at the August 28, 2024, Board of Directors meeting. For the 2022 program, 18 of the 19 reported projects were bid within the estimated budget. Additional projects will be reported at the August 28, 2024, Board of Directors meeting

Finance

Sales Tax Collections Update

MSBA Treasurer, Gianpiero Tirella, presented a PowerPoint and provided an FY2024 SMART Collections update. The FY2024 collections through May were \$10.8 million (0.95%) lower than the same period in FY2023.

Gianpiero then presented a slide with a graphical depiction of FY2020 – FY2024 Monthly SMART collections, and then year-to-date SMART collections by year from FY2020 – FY2024.

Grant Payments Update

Next, Gianpiero provided an update regarding MSBA grant payments for projects, noting that the MSBA has made \$694,955,294 in grant payments to date in Fiscal Year 2024. This is for 161 projects in 101 districts.

FY24 Budget Update

Next, the MSBA's Director of Budget and Finance Administration, Julie Leonard, provided the Board with an FY24 budget update. She presented a PowerPoint with the FY2024 budget compared to the actuals for the Total Operating and Capital Budget, Administrative Expenses, Capital Pipeline Support Services, Operating Expenses, and the Grant Program.

Legal Update

Next, the MSBA Deputy General Counsel, Brian Kelley, provided the Board with an update on the MSBA's plans for leased office space.

The MSBA's current lease agreement at 40 Broad Street expires on June 30, 2025, and the MSBA has been working to secure office space to meet the MSBA's future needs.

In March 2024, the MSBA issued a Request for Proposals (RFP) inviting proposals for leased office space in downtown Boston. The RFP included the MSBA's space program based on a hybrid work schedule and considering an expanded workforce.

The MSBA received 16 proposals in response to the RFP. The MSBA's Procurement Management Team reviewed these proposals focusing on the best fit for the MSBA's space program needs and on the best value. The Procurement Management Team shortlisted the proposals. The team then visited multiple sites and further shortlisted the proposals. The MSBA is currently working with its tenant representative and architect consultant to conditionally select a proposal that offers the best value and best meets the MSBA's business needs.

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

The goal is for MSBA to present a lease proposal to the Board at the August 28, 2024, Board of Directors meeting for approval. To meet this goal, MSBA staff is now requesting Board approval for the MSBA's Executive Director to execute a letter of intent with the property owner of a conditionally selected proposal and proceed into the negotiation process to establish the terms of a potential lease agreement.

Landlords and tenants typically enter into a letter of intent that sets forth the fundamental business terms of a lease agreement to make sure the parties agree on basic terms before spending time and money negotiating a lease agreement. The letter of intent does not represent a contract nor does it commit the MSBA to enter into a lease agreement.

The Deputy 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 a Letter of Intent for Office Space**

VOTED: That the Executive Director is hereby authorized to execute a letter of intent with a prospective landlord, in such form as she may determine to be acceptable, the terms of which letter shall specify the intent to work in good faith with the prospective landlord to negotiate the terms for leased office space for the MSBA offices, provided that the execution of the office lease shall be subject to the approval of the Board of Directors, which approval is anticipated to be requested at the August 28, 2024, Board of Directors Meeting.

Mr. Cronin asked whether there was discussion about relocating somewhere outside of Boston.

The Deputy General Counsel commented that according to MSBA By-laws, the MSBA must maintain office space in Boston.

The Executive Director commented that given the current operation, moving outside of the city would need to be something looked at longer term to understand where existing personnel are located and what that might mean for their commute if the MSBA shifted locations. She explained that the path they have currently chosen is to remain in the same area because it is convenient for public transportation.

Ms. Vanderhoef commented and asked for clarification on whether or not the MSBA By-laws allow for the office space to be located outside of downtown Boston.

MSBA General Counsel Christine Nolan, noted that, per the MBSA By-laws, the principal office of the MSBA shall be in Boston.

The Executive Director commented that the office lease will most likely have a term duration of ten years with a possible early termination clause but that is still something to be negotiated. One of the challenges of the current lease procurement is that the MSBA is in an expansion growth period, and therefore, staff are trying to best pick a space that will fit the current hybrid policy, but also account for the growth that is projected within the next few years. She added that the use of a satellite office would have to be studied but that it could be a possibility at some point in the future.

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

Roll Call Vote:

The June 26, 2024 Board meeting minutes were approved by the MSBA's Board of Directors at the August 28, 2024 meeting.

Anne Brockelman – Yes
Terry Kwan - Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
James MacDonald – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

The Acting Chair asked for a motion to adjourn the meeting. The motion was made by Ms. Vanderhoef and seconded by Mr. Cronin.

Roll Call Vote:

Anne Brockelman – Yes
Terry Kwan - Yes
Sheila Vanderhoef – Yes
Sean Cronin – Yes
Matt Deninger – Yes
James MacDonald – Yes

The motion passed – 6 in favor, 0 against, 0 abstaining

The meeting was adjourned at 11:14 am.

List of documents and exhibits used at the meeting:

- PowerPoint Presentation
- May 29, 2024 Board Meeting Minutes
- Invitation to Feasibility Study
- Recommendation for Preferred Schematic Design
- Invitation to Project Scope and Budget
- Audit Status Report
- Recommendation for Approval of Final Audits, Capital Pipeline Program
- Recommendation for Commissioning Consultant Services
- Supplemental Grant Update
- Project Overview Report
- Sales Tax Collection Update
- Grant Payments Update
- FY24 Budget Update
- Letter of Intent for Office Space