

Bulletin ARP-01

Local Votes related to funding Feasibility Study and Schematic Design Costs for Accelerated Repair Projects (For Cities and Towns)

Requirements for Warrant Articles, Motions, Orders, and Votes

Applicability: This Bulletin only applies to **Cities and Towns** that have been invited (or are seeking invitation) into the MSBA’s **Accelerated Repair Program** (“ARP”) ***and*** are appropriating ***only Feasibility Study and Schematic Design*** (“FS/SD”) ***costs*** at this time – ***not*** the full cost of the project.

Regional School Districts should consult Bulletin ARP-02, which addresses the requirements for Regional School Districts and their member communities that have been invited into the ARP.

Additionally, districts seeking guidance on appropriating **full ARP project costs** should refer to Bulletin ARP-03 (Regional School Districts), or Bulletin ARP-04 (Cities and Towns).

Voting Timeline: Cities and Towns are encouraged to appropriate funding ***after*** they have been invited into the ARP by the MSBA’s Board of Directors.

However, given the expedited nature of the ARP combined with local meeting schedules, a City or Town may decide to vote ahead of an invitation into the ARP by the MSBA’s Board of Directors. Cities and Towns voting ahead of the MSBA’s Board invitation should note the following:

- The ARP is competitive and the MSBA will determine, in its sole discretion, which Statements of Interest (“SOI”) will be considered to participate. Not all potential repair projects will be invited into the MSBA’s ARP.
- Cities and Towns that vote to appropriate funds to their potential ARP project ahead of the MSBA’s Board invitation and approval are doing so at their own risk.

Appropriation Amount: In determining an appropriation amount for the FS/SD phase of a potential ARP project, which includes Owner’s Project Manager (“OPM”) and Designer fees, it may be helpful to reference historical cost data for previous ARP projects of similar size and scope. This information can be found on the MSBA webpage at the link below and is organized by program year, scope, and building size: [MSBA ARP Cost Data](#).

Additionally, for projects invited into the ARP in 2025, please note that for Cities and Towns whose project includes one school, the fee for the FS/SD phase for the OPM will be an amount not-to-exceed \$15,000. For Cities and Towns whose project includes two or more schools, the fee for the FS/SD phase will be an amount not-to-exceed \$20,000. The not-to-exceed fees do not apply if the City or Town is estimated to have a total project budget greater than \$5 million or combined projects with an estimated Total Project Budget greater than \$5 million. Please also note that the

MSBA Feasibility Study and Schematic Design Vote Bulletin for Cities and Towns Accelerated Repair Program

Designer fee is **in addition** to the OPM fee and the MSBA's Contract for Designer Services does not include not-to-exceed language.

For potential heat pump conversion projects, please refer to the final report summarizing the [MSBA's Heat Pump Study](#), completed in 2025, which describes scope, schedule, and cost factors for consideration.

Requirements for all Cities and Towns:

1. Cities and Towns must vote to appropriate and authorize the full amount of the feasibility study/schematic design costs using the template vote language contained in this Bulletin.
2. Where required, Cities and Towns must vote to approve the ARP project as approved by the local authority (Town Meeting, City Council, etc.). The City or Town should consult their local legal counsel to ensure that they are voting in compliance with their local bylaws, charter, and any other regulatory and statutory requirements.
3. Cities and Towns should provide their vote language to the MSBA **at least two weeks prior to finalizing** so the MSBA has sufficient time to review and approve the language. If a City or Town votes without receiving MSBA's approval of the vote language, the City or Town may be required to re-vote using language required by the MSBA.
4. Prior to sending the vote language to MSBA for approval, the MSBA recommends that all Cities and Towns consult with their local counsel and/or bond counsel to ensure that all warrant articles, motions, orders, and votes comply with local municipal finance law and all other applicable laws, regulations, local bylaws, and ordinances. The MSBA's review will be limited to determining whether the vote language satisfies MSBA requirements, but there may be additional local requirements that should be addressed by local counsel and/or bond counsel.
5. All articles, motions, resolutions, orders, Proposition two and one-half ballot questions, and any other votes related to the approval, funding, and/or debt authorization for a City or Town's ARP project shall be a separate, stand-alone vote, solely for the purposes of the ARP project. The article, motion, resolution, order, vote and/or ballot question related to the project must not pertain to or be bundled with any other school or municipal project. The article, motion, resolution, order, or vote must be project specific, and must include specific information about the project location and scope. Please note that a City or Town may combine multiple ARP projects in the same local appropriation vote if such projects were invited to the ARP through the same Board vote. The combined appropriation vote should list each project, including its proposed scope and appropriation amount. Alternatively, a City or Town may vote on each ARP project separately. The City or Town should consult with its local finance officials to determine the best course of action.

MSBA Feasibility Study and Schematic Design Vote Bulletin for Cities and Towns
Accelerated Repair Program

6. All warrant articles, motions, resolutions, orders and votes, with the exception of a Proposition two and one-half ballot question (see template language below), must include the following provisions:
- A description of the site of the school that is the subject of the feasibility study and schematic design, including the address of the school building and a description of the parcel.
 - “The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs that the [City/Town] incurs in excess of any grant that may be received from the MSBA shall be the sole responsibility of the [City/Town].”
 - For the debt authorization provision, the following language must be included: “*and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement, or Feasibility Study Agreement if applicable, that may be executed between the [City/Town] and the MSBA.*” Please note that the MSBA will issue a retroactive Feasibility Study Agreement if the proposed project does not advance past schematic design, to formalize grant payments for audit purposes.

See pages below for template vote language

MSBA Feasibility Study and Schematic Design Vote Bulletin for Cities and Towns
Accelerated Repair Program

ARTICLE

To see if the [City of _____/Town of _____] will vote to appropriate, borrow, or transfer from available funds an amount of money to be expended under the direction of **[Insert the School Building Committee or Appropriate Body]** for feasibility study and schematic design costs related to **[Insert a description of the Project, including school name, description of location, address, scope of project]**, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the [City/Town] has applied for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The [City/Town] acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA’s Board of Directors votes to invite the [City/Town] to collaborate with the MSBA on this proposed repair project, any project costs the [City/Town] incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the [City/Town].

If voting to appropriate funds for multiple ARP projects, please provide the scope for each project and the amount being appropriated for each.

MOTION/VOTE/ORDER

That the [City of _____/Town of _____] hereby appropriates the amount of _____ (\$_____) Dollars for the purpose of paying feasibility study and schematic design costs related to a potential Accelerated Repair Project involving **[Insert a description of the Project, including school name, description of location, address, scope of project]**, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the [City/Town] has applied for a grant from the Massachusetts School Building Authority (the “MSBA”), said amount to be expended under the direction of **[Insert the School Building Committee or Appropriate Body]**. To meet this appropriation, the **[Insert the appropriate local official or board, e.g., Treasurer with the approval of the Mayor/Select Board/City Council/Finance Committee]**, is authorized to **[appropriate from available funds / borrow / transfer from (Insert Fund Name)]** said amount under M.G.L. Chapter 44, or any other enabling authority. The [City/Town] acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA’s Board of Directors votes to invite the [City/Town] to collaborate with the MSBA on this proposed repair project, any project costs the [City/Town] incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the [City/Town]; [provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the [City/Town] to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½)]; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement, or Feasibility Study Agreement if applicable, that may be executed between the [City/Town] and the MSBA.

Keep only if vote is subject to and contingent upon a debt exclusion, otherwise remove.

Keep only if authorizing borrowing of funds, otherwise remove.

BALLOT QUESTION (See Next Page)

MSBA Feasibility Study and Schematic Design Vote Bulletin for Cities and Towns
Accelerated Repair Program

Shall the [*City of _____/Town of _____*] be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order to [*Insert description of the Project*]?