

Bulletin ARP-02

Local Votes related to funding Feasibility Study and Schematic Design Costs for Accelerated Repair Projects (For Regional School Districts)

Requirements for Warrant Articles, Motions, Orders, and Votes

Applicability: This Bulletin only applies to **Regional School Districts** 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.

Cities and Towns should consult Bulletin ARP-01, which addresses the requirements for Cities and Towns that have been invited into the ARP and are seeking to appropriate feasibility and schematic design funds.

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: Regional School Districts 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, Regional School Districts may decide to vote ahead of an invitation into the ARP by the MSBA Board of Directors. Regional School Districts 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.
- Regional School Districts 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 Regional School Districts 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 regional school districts 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 Regional School District is estimated to have a total project budget greater

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than \$5 million or combined projects with an estimated Total Project Budget greater than \$5 million. Please also note that the 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 Regional School Districts:

1. The **Regional School Committee** ("School Committee") 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. The **Regional School District** must ensure that any appropriation vote for their project complies with its **Regional School Agreement** ("District Agreement").
3. Where required, member communities of a Regional School District must vote to approve the ARP project as approved by the School Committee. Regional School Districts should consult their local legal counsel to ensure that they are voting in compliance with their District Agreement and any other regulatory and statutory requirements.
4. Regional School Districts 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 Regional School District votes without receiving MSBA's approval of the vote language, the Regional School District may be required to re-vote using language required by the MSBA.
5. Prior to sending the vote language to MSBA for approval, the MSBA recommends that all Regional School Districts 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.
6. All articles, motions, resolutions, orders, Proposition two and one-half ballot questions, and any other votes of the School Committee or the Regional School District's member communities related to the approval, funding, and/or debt authorization for a project, as applicable, 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 or be bundled with any other school or municipal/Regional School District 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

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Regional School Districts 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 local appropriation vote should list each project, including its proposed scope and appropriation amount. Alternatively, the Regional School District may vote on each ARP project separately. The Regional School District should consult with its local finance officials to determine the best course of action.

7. 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 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 MSBA audit purposes.

See pages below for template vote language.

FORM OF VOTE FOR REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEE

VOTED: That the *[Insert name of the Regional School District]* (the “District”) 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 District has applied for a grant from the Massachusetts School Building Authority (the “MSBA”), said amount to be expended at the direction of *[the School Building Committee or Appropriate Body]*. To meet this appropriation, the District is authorized to *[appropriate from available funds / borrow / transfer from (Fund Name)]* said amount under Chapter 71, *[Section 16(d) / Section 16(n)]* of the General Laws and the District Agreement, as amended, or pursuant to any other enabling authority. The District acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District; 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 *[the Regional School District]* and the MSBA.

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

Keep only if authorizing borrowing, otherwise remove.

Use if following Ch. 71, Sec. 16(d) method.

FURTHER VOTED: That within _____ (____) days from the date on which this vote is adopted the *[Secretary or Appropriate Official]* be and hereby is instructed to notify the Board of Selectmen of each of the member towns of this District as to the amount and general purposes of the debt herein authorized, as required by the District Agreement and by Chapter 71, Section 16(d) of the General Laws.

Use if following Ch. 71, Sec. 16(n) method.

FURTHER VOTED: That the debt authorized by this vote shall be submitted to the registered voters of the District’s member towns for approval at a District-wide election, to be called and held on *[Day of Week, Month Day, Year]* in accordance with the provisions of Chapter 71, Section 16(n) of the General Laws and the District Agreement.

FORMS OF SCHOOL DISTRICT MEMBER TOWN MEETING ARTICLE AND MOTION

Article _____. To see if the Town will approve the \$ _____ borrowing authorized by the *[insert the name of the Regional School District]* (the “District”), 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 District may be eligible for a school construction grant from the Massachusetts School Building Authority (the “MSBA”), said amount to be expended at the direction of *[the School Building Committee or Appropriate Body]*. The MSBA’s grant program is a non-entitlement,

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discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities.

Motion _____. That the Town hereby approves the \$_____ borrowing authorized by the **[Insert the name of the Regional School District]** (the “District”), 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 District may be eligible for a school construction grant from the Massachusetts School Building Authority (the “MSBA”), said amount to be expended at the direction of **[Insert the School Building Committee or Appropriate Body]**; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; [provided that the approval of the District’s borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of 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 2 ½)]; and that the amount of borrowing authorized by the District 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 District and the MSBA.

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

Keep only if authorizing borrowing, otherwise remove.

FORM OF SCHOOL DISTRICT MEMBER CITY ORDER

Ordered: That the City hereby approves the \$_____ borrowing authorized by the **[Insert name of the Regional School District]** (the “District”), 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 District may be eligible for a school construction grant from the Massachusetts School Building Authority (the “MSBA”), said amount to be expended at the direction of **[the School Building Committee or Appropriate Authority]**; and that the City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; [provided that any vote hereunder shall be subject to and contingent upon an affirmative vote of the City to exempt its allocable share of 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 21/2)]; and that the amount of borrowing authorized by the District 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 District and the MSBA.

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

Keep only if authorizing borrowing, otherwise remove.

**FORM OF SCHOOL DISTRICT MEMBER TOWN/CITY BALLOT
QUESTION**

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 the [*City's/Town's*] allocable share of the bond issued by the [*insert the name of the School District*] for the purpose of paying costs of [*insert project description identical to the description in the motion/order*], including the payment of all costs incidental or related thereto?