

The June 21, 2023 Board Meeting minutes were approved by the MSBA's Board of Directors at the August 30, 2023 Board meeting.

Massachusetts School Building Authority Board Meeting Minutes of June 21, 2023

A meeting of the Massachusetts School Building Authority (the “Authority” or “MSBA”) was held on June 21, 2023. The meeting was a hybrid meeting.

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; and Sheila Vanderhoef, appointed member.

Members Absent: Anne Brockelman, appointed member.

Others Present: James MacDonald, Chief Executive Officer; Jack McCarthy, Executive Director/Deputy Chief Executive Officer; Mary Pichetti; Mike McGurl; Laura Guadagno; Christine Nolan; Matt Donovan; Maria Puopolo; Stacy Patino; Colleen Smith; Mike Bergquist; John Jumper; Karl Brown; Katie DeCristofaro; Wei Xu; Gianpiero Tirella; 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 10:13 a.m. and asked if anyone is recording the meeting. No one announced that they were recording the meeting.

She then explained that the hybrid 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 asked for a moment of silence for Maureen Valente, former Chief Executive Officer of the MSBA. She explained that Maureen passed away of complications from a sudden illness on June 11, 2023. Maureen was passionately committed to public service, spending much of her life working for state and local government. She served as CEO of the MSBA from March 2015 to October 2016 before her semi-retirement and transitioning to consulting and teaching public administration courses at Suffolk University. She also was a member of the Massachusetts State Retirement Board.

Maureen was a loving and devoted wife to Carl, mother, and grandmother. Her daughters, Kate and Laura, remember their mother for her constant care, guidance, and wit, and for keeping them strong and grounded. Maureen was talented, intelligent, articulate, and curious, devoting her time in retirement to reading, painting, traveling, and surpassing others in word games and puzzles. The Chair commented that we are all thankful to have known Maureen and our thoughts and prayers are with Carl, Katharine, Laura and family at this difficult time. The Chair commented that Maureen will be greatly missed by everyone.

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 24, 2023 Board of Directors meeting; remove two projects from the Accelerated Repair Program; execute a Project Funding Agreement for

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two projects from one district in the Accelerated Repair Program, with an Estimated Maximum Total Facilities Grant of approximately \$5.2 million; invite three districts into Feasibility Study; and, amend a Feasibility Study Agreement. The Board will also be voting to authorize three proposed projects to proceed into Preferred Schematic Design, with an estimated \$287.9 million in total construction costs and invite two districts to enter into Project Scope and Budget Agreements and Project Funding Agreements, with an Estimated Maximum Total Facilities Grant of approximately \$74.7 million.

Additionally, the Board will be voting to approve three final audits from three districts with a Final Total Facilities Grant amount of approximately \$45.7 million, as well as vote on recommendations for the MSBA Third-Party Funding Policy, the MSBA Green Schools Policies and to enter into Master Services Agreements for Recruitment Services. Finally, the Board will receive updates from the Executive Director, Capital Planning, Finance and Legal staff.

Acceptance of the May 24, 2023 Minutes

The Chair asked for a motion to accept the minutes of the May 24, 2023 Board meeting. A motion was made by Ms. Kwan and seconded by Mr. Deninger:

Approval of the Minutes of the May 24, 2023 Board Meeting

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Minutes of the May 24, 2023 Board meeting.

VOTE: There being no questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Project Removal from Accelerated Repair Program

The MSBA's Deputy Director of Capital Planning, Mike McGurl, explained that staff present the Marblehead Veterans Middle School, the Oxford Alfred M. Chaffee School, and the Oxford Clara Barton School for removal from the Accelerated Repair Program. The projects were invited into the Program at the October 26, 2022 Board of Directors meeting.

The Town of Marblehead received an invitation for a partial roof replacement project at the Veterans Middle School. Subsequent to the invitation, the District informed the MSBA of their decision not to proceed with the project due to a conflict in funding schedules. The District has executed a Declaration of Removal of a Statement of Interest.

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

Vote on Removing the Town of Marblehead's Accelerated Repair Statement of Interest from the MSBA Accelerated Repair Program

VOTED: That, whereas, on October 26, 2022, the Board voted to invite the Town of Marblehead to participate in the MSBA's Accelerated Repair Program for the Marblehead Veterans Middle School; and, whereas, as described in the materials

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attached hereto as Exhibit A, the Town of Marblehead has notified the MSBA that it has decided not to further pursue its Accelerated Repair Statement of Interest or Accelerated Repair Program invitation for the Marblehead Veterans Middle School, the Board hereby removes the Town of Marblehead's Accelerated Repair Statement of Interest for the Marblehead Veterans Middle School from the MSBA Accelerated Repair Program and authorizes the Executive Director to do all acts necessary and execute and deliver any and all documents and agreements in connection with such removal.

VOTE: There being no questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Next, the Deputy Director of Capital Planning explained that the Town of Oxford received invitations for partial roof replacement projects at the Alfred M. Chaffee School and the Clara Barton School. Subsequent to the invitation, the District learned that the roof ages at both schools were different than originally reported and did not meet the qualifying age for the 2022 Program. The District has executed a Declaration of Removal of a Statement of Interest.

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

Vote on Removing the Town of Oxford's Accelerated Repair Statements of Interest from the MSBA Accelerated Repair Program

VOTED: That, whereas, on October 26, 2022, the Board voted to invite the Town of Oxford to participate in the MSBA's Accelerated Repair Program for the Alfred M. Chaffee School and the Clara Barton School; and, whereas, as described in the materials attached hereto as Exhibit A, the Town of Oxford has notified the MSBA that it has decided not to further pursue its Accelerated Repair Statements of Interest or Accelerated Repair Program invitations for the Alfred M. Chaffee School and the Clara Barton School, the Board hereby removes the Town of Oxford's Accelerated Repair Statements of Interest for the Alfred M. Chaffee School and the Clara Barton School from the MSBA Accelerated Repair Program and authorizes the Executive Director to do all acts necessary and execute and deliver any and all documents and agreements in connection with such removal.

VOTE: There being no questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Authorization to Execute Project Funding Agreement – Accelerated Repair Program

Next, the Deputy Director of Capital Planning explained that MSBA staff received Schematic Design submissions from one District representing two Schools. The School projects combine for one roof replacement project and one window and door replacement project. MSBA staff has reviewed the existing conditions analysis and proposed schedule provided by the District and has discussed the scope and budgets with the District and their consultants. The District has provided combined Total Project Budgets of approximately \$7.8 million, which include total construction estimates of approximately \$5.8 million. The combined Estimated Maximum Total Facilities Grants for these

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projects are \$5,271,983. Including potentially eligible project contingencies, the combined Maximum Facilities Grants are \$5,491,649.

Staff recommend that the one District, representing two Schools, receive authorization to enter into a Project Funding Agreement with the MSBA.

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 Funding Agreement for the 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 the Proposed Projects shall be further defined in a Project Funding Agreement, and authorizes the Executive Director to take all steps necessary to execute and deliver a Project Funding Agreement with the District set forth below, in such forms as the Executive Director may determine to be acceptable, and expend funds in accordance with such Project Funding Agreement, in accordance with the following:

District	School	Scope	Total Project Budget	Estimated Maximum Total Facilities Grant	Maximum Total Facilities Grant
New Bedford	Elizabeth Carter Brooks School	Roof	\$3,718,236	\$2,355,410	\$2,453,552
	Ellen R. Hathaway School	Windows/Doors	\$4,054,139	\$2,916,573	\$3,038,097
Total			\$7,772,375	\$5,271,983	\$5,491,649

New Bedford Assistant Superintendent of Finance and Operations Andrew O’Leary thanked the MSBA and the Executive Director for their long-term support.

Ms. Kwan commented on the Accelerated Repair Program, noting that the MSBA values it highly and had to make a difficult decision to temporarily pause the Program in 2023.

VOTE: There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Invitation to Feasibility Study

MSBA Capital Program Manager Katie DeCristofaro explained that staff are recommending that the Board vote to invite the Town of Longmeadow, the Martha’s Vineyard Regional School District, and the Town of North Andover into Feasibility Study. The three districts were invited into Eligibility Period on March 2, 2022, and have completed all the necessary prerequisites including: the filing of

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their educational profile questionnaire, finalizing enrollment, and securing feasibility study/schematic funds to proceed.

The first district for consideration is the Glenbrook Middle School in the Town of Longmeadow. Staff will be working with the District to study the following two options: 345 students in the facility's current configuration of grades 6-8 and 665 students in grades 6-8, representing a district-wide consolidation with the Williams Middle School

The second district for consideration is the Martha's Vineyard Regional High School in the Martha's Vineyard Regional School District. Staff will be working with the District to study options that maintain the facility's current grade 9-12 configuration for 805 students.

The third district for consideration is the Kittredge Elementary School in the Town of North Andover. The Town benefited from a 30-day extension to Eligibility Period to finalize enrollment discussions. Staff will be working with the District to study options that maintain their current grade 1-5 configuration for 335 students.

Based on the completion of the Eligibility Period requirements, staff recommend that the Board vote to authorize the three districts to proceed into Feasibility Study.

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

**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 B, 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.

The Executive Director noted that the MSBA received a letter of support from Nicole Choiniere, Chair of the Longmeadow School Committee, Armand Wray, Chair of the Middle School Building Committee, Lyn Simmons, Longmeadow Town Manager, and Marty O'Shea, Longmeadow Superintendent of Schools for the proposed project at the Glenbrook Middle School in the Town of Longmeadow.

State Senator Jake Oliveira thanked the MSBA for its support of the proposed project in Longmeadow.

Martha's Vineyard Regional School District Coordinator of Pathways and Special Projects Sam Hart, Superintendent Dr. Richard Smith, and Business Manager Mark Friedman attended the meeting in-person and thanked the MSBA, the Board, and Allison Sullivan for their support of the proposed project at the Martha's Vineyard Regional High School.

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North Andover Superintendent Dr. Gregg Gilligan and Deputy Superintendent Dr. James Mealey attended the meeting in-person and thanked MSBA and Board for their support of the proposed project at the Kittredge Elementary School.

Mr. Cronin asked if a debt exclusion is anticipated at any point for the proposed project at the Kittredge Elementary School.

The Superintendent commented that the Town does not need a debt exclusion right now but is it possible a debt exclusion could be necessary later on.

***VOTE:** There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.*

Amendment to Feasibility Study Agreement

Next, the MSBA's Director of Project Management, John Jumpe, explained that staff are recommending that the Board vote to authorize an additional extension to the Feasibility Study Agreement, extending it from June 30, 2023 to June 30, 2024, for the proposed Revere High School project. Because this twelve-month extension exceeds six months, approval of the Board is required.

Approval of this recommendation extends the overall term of the City's Feasibility Study Agreement by 624 days and will allow the City and its consultants the time needed to reconsider the current high school site as the preferred schematic and complete the work associated with a different preferred schematic and schematic design for the Revere High School Project.

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 Revere

VOTED: Whereas, the City of Revere requires additional time to complete the phases of the grant program through Project Scope and Budget, 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 Revere, as part of its Invitation to Feasibility Study for the Revere High School, from June 30, 2023, to June 30, 2024, 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 Revere High School.

Ms. Kwan asked what the process will be going forward for Revere.

The Director of Project Management explained that the City will be submitting a new Preferred Schematic Report and will come back to the Facilities Assessment Subcommittee with a new Preferred Schematic.

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The Executive Director noted that the MSBA received a letter of support from State Representative Jessica Ann Giannino and State Representative Jeffrey Rosario Turco for the proposed project at the Revere High School.

Revere Superintendent Dr. Dianne Kelly thanked the MSBA and Board for their support.

Revere Acting Mayor Patrick Keefe thanked the MSBA for its patience.

Ms. Kwan commented that Revere has a strong school system and staff.

The Acting Mayor thanked Ms. Kwan for her comments and commented that the schools in Revere have amazing leadership.

VOTE: *There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.*

Recommendation for Preferred Schematic Design

Next, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the Pickering Middle School in the City of Lynn. The City of Lynn is proposing to replace the existing Pickering Middle School with a new facility serving grades 6-8 on the site of the existing Pickering Middle School, the Sisson Elementary School, and adjacent Magnolia Park.

The proposed facility is approximately 184 thousand square feet and is designed to serve 1,100 students in grades 6 through 8. The proposed project includes an estimated total project budget of approximately \$170 million and an estimated total construction budget of approximately \$135.8 million.

The City's Preferred Schematic is partially located on the adjacent Magnolia Park site, which is subject to Article 97; therefore, the associated vote to approve a Project Scope and Budget Agreement and a Project Funding Agreement, currently anticipated for October of this year, would be contingent upon the City satisfying all MSBA land ownership and control requirements, and any environmental approvals for the proposed project, unless these conditions are met prior to the vote.

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 Lynn 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 City of Lynn with, in concept, the development of schematic designs to replace the existing Pickering Middle School with a new facility serving grades 6-8 on the site of the existing Pickering Middle School, Sisson Elementary School, and adjacent Magnolia Park, 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.

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Mr. Cronin commented on financing the project and the effective reimbursement rate. He then asked why the enrollment number was increasing.

The Director of Project Management explained that the City is relieving overcrowding in its schools.

Lynn Mayor Jared Nicholson thanked the MSBA for its support.

VOTE: *There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.*

Next, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the John B. DeValles Elementary School in the City of New Bedford. The City of New Bedford is proposing to replace the existing John B. DeValles Elementary School and the James B. Congdon Elementary School with a new three-story facility on the Goodyear site for an overall building size of approximately 125 thousand square feet.

The proposed project is designed to serve 760 students in grades Kindergarten through 5 and includes an estimated total project budget of \$114 million and an estimated total construction budget of approximately \$92.3 million.

This recommendation includes land acquisition, therefore the associated vote to approve a Project Scope and Budget Agreement and a Project Funding Agreement, currently anticipated for December of this year, would be contingent upon the District satisfying all MSBA land ownership and control requirements, unless these conditions are met prior to the vote.

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 New Bedford 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 City of New Bedford with, in concept, the development of schematic designs to consolidate the student population of the existing John B. DeValles Elementary School and the James B. Congdon Elementary School and construct a new facility serving grades K-5 on an alternative site referred to as the Goodyear 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 has done amazing work and hopes that Board members can participate in a site visit in the future.

New Bedford Assistant Superintendent of Finance and Operations Andrew O'Leary thanked the MSBA for its support.

VOTE: *There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.*

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Next, the Director of Project Management explained that the Board is being asked to approve the Preferred Schematic Design for the Countryside Elementary School in the City of Newton. The City of Newton is proposing to replace the existing Countryside Elementary School with a new facility serving kindergarten through grade 5 on the existing site.

The proposed facility is approximately 76 thousand square feet and is designed to serve 465 students in grades K through 5. The proposed project includes an estimated total project budget of approximately \$71.8 million and an estimated total construction budget of approximately \$59.8 million.

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

Vote on Moving the City of Newton 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 City of Newton with, in concept, the development of schematic designs to replace the existing Countryside Elementary School with a new facility serving kindergarten through grade 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.

Newton Chief Operating Officer Jonathan Yeo congratulated the Executive Director on his retirement and commented that he is very appreciative of the MSBA's support.

VOTE: *There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 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 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 R. Peck Middle School in the City of Holyoke. The recommendation is to construct a new two-story 107,475 square foot facility on the site of the existing William R. Peck Middle School in Holyoke, as part of MSBA's Model School Program, and based on the Athol Community Elementary School in Athol by Mount Vernon Group Architects, Inc.

The proposed project has a design enrollment of 550 students in grades 6 through 8.

The District provided a Total Project Budget of approximately \$85.5 million, which includes a total construction budget of approximately \$70.58 million.

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 Holyoke

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing middle school facility with a new William R. Peck Middle School on the existing site, as part of the MSBA's Model School Program, 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 Holyoke, in such forms as the Executive Director may determine to be acceptable, for the William R. Peck Middle School project at a reimbursement rate of eighty percent (80.00%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$45,904,912, 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 \$46,751,882, 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.

Holyoke Mayor Joshua Garcia and City Councilor Israel Rivera attended the meeting in-person. The Mayor congratulated the Executive Director on his retirement and commented that Holyoke is ready to move forward. The Mayor commented that the City has put together a financial plan and is making some changes regarding how the City manages its resources. The City Councilor commented that he is grateful for the MSBA and appreciates its support.

The Executive Director noted that the MSBA received letters of support from State Senator John Velis and State Representative Patricia Duffy for the proposed project at the William R. Peck Middle School in the City of Holyoke.

The Executive Director commented that he is proud of Holyoke and happy that this vote is happening today.

State Senator John Velis, who represents Holyoke, thanked the MSBA and Board for their support.

State Representative Patricia Duffy, who represents Holyoke, thanked the MSBA and Board for their support.

VOTE: *There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.*

Next, the Design Director 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 Green Meadow Elementary School in the Town of Maynard. The recommendation is to

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construct a new two-story 90,300 square foot facility on the site of the existing Green Meadow Elementary School in Maynard.

The proposed project has a design enrollment of 395 students in kindergarten through grade 3, plus pre-kindergarten.

The District provided a Total Project Budget of approximately \$83.6 million, which includes a total construction budget of approximately \$66.9 million.

MSBA staff also recommend that the Executive Director be authorized to allow the District 152 days to appropriate funds, effectively extending the typical 120-day target date of October 19, 2023 to November 20, 2023.

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

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

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the Potential Project to replace the existing Green Meadow Elementary School on the existing 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 Town of Maynard, in such forms as the Executive Director may determine to be acceptable, for the Green Meadow Elementary School project at a reimbursement rate of fifty-eight and seventy-six hundredths percent (58.76%) of approved, eligible costs, up to an Estimated Maximum Total Facilities Grant of \$28,843,508, 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 \$29,433,165, 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.

Maynard Superintendent Brian Haas thanked the MSBA and the Board for their support.

Maynard Town Administrator Greg Johnson thanked the MSBA and the Board for their support.

VOTE: There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

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Audit

The MSBA's Financial Audit Manager, Wei Xu, thanked the Audit team, in conjunction with the Capital Planning team, for their hard work. He began his audit update by explaining that the MSBA has completed final audits for 643 Capital Pipeline Program projects plus the three projects that are being presented for final approval to the Board today, all together representing approximately \$8 billion in submitted and audited costs.

He continued, explaining that the MSBA has also audited approximately \$6.7 billion in submitted costs for the 246 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 \$4.5 billion in additional costs will be submitted for audit for these projects.

The Financial Audit Manager then explained that monthly submitted costs have averaged \$127 million over the 12 months preceding this Board meeting, and the total amount submitted and audited in this 12-month period equals approximately \$1.52 billion.

Approval of Audits, Capital Pipeline Program

The Financial Audit Manager explained that the Board is being asked to approve three Capital Pipeline Program audits listed on Exhibit C. He explained that the total combined grant amount for these three projects is \$45,715,106.

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

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 C and authorizes the Executive Director to make payments consistent with this vote.

***VOTE:** There being no questions or comments, the Board approved the Motion by majority –5 in favor, 0 abstaining.*

MSBA Updates

Executive Director's Report

Jack McCarthy, the Executive Director, began his report by thanking MSBA staff members for their hard work in preparing for the Board meeting. He thanked Sarima Okwu-Wolu for her help with the PowerPoint slides. He noted that, since the April 26, 2023 Board meeting, the MSBA has visited or had meetings with individuals from 22 projects. As of June 21, 2023, three districts have voted affirmatively to appropriate full project funds. He explained that the MSBA anticipates 22 project visits or meetings in July and August and presented a list of the districts as part of his PowerPoint presentation.

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The Executive Director noted that since the last Board meeting, the MSBA has participated in three topping off ceremonies, four groundbreakings, one ribbon cutting, and a dedication ceremony. He presented pictures of the events as part of his PowerPoint presentation.

Next, the Executive Director welcomed the MSBA's new hires: Lexi Winston as an Architectural Associate, Saleha Khalifa as a Finance Fellow, Temilade Onile as a Finance Fellow, and Anne Hudson as a Legal Assistant.

Next, the Executive Director congratulated Michael McGurl on his promotion to Director of Capital Planning, effective July 1, 2023. The Executive Director also congratulated Siobhan Quirke and her husband Barry on the birth of their twins, Aoife Marie and Liam Patrick.

Project Status Updates

Project Overview Report

The Deputy Director of Capital Planning provided an update on the 2023 Core Program bid results. Staff continue to track nineteen projects anticipating sub-bids in 2023. Since the April Board meeting, four additional projects have reported their bid results (Watertown, Hingham, Lawrence, and Norwood). In total, nine of ten have exceeded their estimated budgets from PFA.

In square foot cost, the 2023 results continue to range from \$500/sf for the Fitchburg Crocker Elementary School to \$720/sf for the Wellesley Ernest F. Upham Elementary School.

Specific to the four projects added today, the square foot price ranges from \$532/sf for the Lawrence Francis M. Leahy Elementary School to \$700/sf for the Hingham William L. Foster Elementary School. Lawrence experienced the largest bid overage at 12.89%, while Hingham experienced the lowest bid overage at 0.47%.

Recommendation to Update the MSBA's Third Party Funding Policy

The Executive Director explained that given the rising cost of school construction in the Commonwealth and the increasing availability of federal and state grants, rebates, and other sources of funding that districts could use for their school projects, the MSBA has reviewed its Third-Party Funding Policy and is recommending changes as they relate to certain types of third-party funding that cities, towns and districts with MSBA grant eligible projects may receive. These changes would allow districts to use and fully benefit from many available third-party funding sources.

MSBA staff are recommending that rebates, grants, state or federal funding, donations, or other sources of project income that MSBA program participants may receive will not lower the project cost basis or reduce the amount of grant funding for districts; provided that a district is not receiving more than its share of project costs from a third-party source or the district is not being reimbursed or paid more than once through an MSBA grant for any cost incurred in connection with the school project for which a participant has received funding from a third-party. The MSBA's Third-Party Funding Policy applies to insurance settlements and may apply to other forms of financial compensation a program participant may receive from a third-party, in the sole discretion of the MSBA.

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

Approval of Massachusetts School Building Authority's Third-Party Funding Policy

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the changes to the MSBA Third Party Funding Policy as outlined in the June 14, 2023 Memorandum, Recommendation to Update the MSBA Third Party Funding Policy, as presented to the Board of Directors and attached hereto, and authorizes the Executive Director to do all acts and things necessary to implement the Policy; and further authorizes the Executive Director to establish any additional policies and procedures for the management of the Authority's Third Party Funding Policy as the Executive Director may deem appropriate or necessary.

VOTE: There being no questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Recommendation to Update the MSBA's Green Schools Program Policies

Next, the MSBA's Design Director presented a PowerPoint and explained that staff are recommending that the Board vote to update the MSBA's Green Schools Program Policies. He explained that as of May 2023, 220 MSBA Core projects have registered with either USGBC LEED-S or NE-CHPS. Of those 220 projects, 145 MSBA projects have completed USGBC LEED-S or NE-CHPS certification. The total additional reimbursement from the MSBA through the Green Schools Program to date is approximately \$225 million. The additional reimbursement through this program averages about \$1.25 million per project. In the last ten years, 95% of MSBA-funded schools have exceeded MSBA's base energy requirements, and 80% consume less energy on site than the Energy Star K-12 National Median. In addition to an emphasis on increased energy efficiency and improved indoor air quality, the MSBA's Green Schools Program also encourages sustainable site development, efficient transportation costs, reduced water consumption, sustainable use of materials, and a higher quality educational environment.

Then, he provided an overview of 20 MSBA school projects that are all-electric and 18 MSBA school projects that include a geo-thermal ground source heat pump system. Of these 18 geo-thermal projects, eight are both all-electric and have a geothermal system.

Next, the Design Director presented a timeline of the building code and energy code advancement in Massachusetts, with a goal of decreasing energy consumption and increasing Net Zero Energy buildings. He explained that the stars on the slide show MSBA Green Schools Program policy updates that have anticipated changes in the code before these changes took effect. He provided an overview of the "Base" Energy Code, the "Stretch" Energy Code, and the Opt-in "Specialized" Energy Code, along with a map of Massachusetts and the communities that have adopted each code.

In July 2022, the MSBA updated the Green Schools Policy to include a new requirement that all Core Program projects meet a minimum number of points from among certain LEED-S or NE-CHPS indoor air quality categories to address indoor air quality. MSBA staff continued its review of the Green Policy and, as a result, recommends providing additional reimbursement for any project that can achieve higher levels of indoor air quality that exceed these required minimum standards, using the same LEED-S and NE-CHPS criteria. Staff recommend that this proposed 2023 policy applies to

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all Core Program projects requesting Preferred Schematic approval after the upcoming June Board meeting.

Because there is a small number of active projects that have already established their Preferred Schematic budgets but have not yet received Board approval of their Project Scope and Budget, staff recommend that nine projects have the option to comply with either the current 2022 policy or the proposed 2023 policy.

The requirement to comply with the current 2022 policy will remain in effect for all Core Program projects that requested Project Scope and Budget approval on or before the June 2023 MSBA Board meeting. This would include the Holyoke Peck Middle School and Maynard Green Meadow Elementary School projects that have requested Project Scope and Budget approval at the June Board meeting.

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

Approval of Massachusetts School Building Authority's Green Schools Program Policies

VOTED: That the Board of Directors of the Massachusetts School Building Authority hereby approves the changes to the MSBA Green Schools Program Policies as outlined in the June 14, 2023 Memorandum, Recommendation to Update the MSBA Green Schools Program Policies, as presented to the Board of Directors and attached hereto and authorizes the Executive Director to do all acts and things necessary to implement the MSBA Green Schools Program Policies; and further authorizes the Executive Director to establish any additional policies and procedures for the management of the Authority's Green Schools Program, as the Executive Director may deem appropriate or necessary.

Mr. Cronin commented that he is going to vote in favor of these changes but hopes to have more conversations in the future. He noted that the new administration has a new climate office and there is federal funding and tax credits available.

VOTE: There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Recommendation to Enter into Master Services Agreements for Recruitment Services

The MSBA's Director of Human Resources, Stacy Patino, explained that staff recommend that the Board vote to authorize the Executive Director to enter into Master Services Agreements for Recruitment Services. She explained that on March 27, 2023, the MSBA issued an RFR from firms qualified to provide recruitment services to the MSBA. The MSBA received responses from ten firms and invited the top three scoring firms to interview with the MSBA.

The Procurement Management Team ("PMT") met following the interviews and unanimously agreed that two firms Infojini and 22nd Century Technologies, Inc. ("TSCTI") would provide the best overall value and best meet the business needs of the MSBA. The PMT recommends entering into Master Services Agreements with Infojini and TSCTI for a term of three years, with an option to extend for one year under the same terms and conditions. The value of the contracts may each exceed

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\$250,000 during the term of the proposed agreement. Pursuant to the MSBA's By-laws, the Board must authorize the Executive Director to enter into agreements that exceed this amount.

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

Vote Authorizing Executive Director to Enter into Contracts for Recruiting 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 with both Infojini and 22nd Century Technologies, Inc. to provide recruitment services to the Authority, the cost of which master services agreement may each exceed \$250,000.00, containing such provisions as the Executive Director shall deem advisable, the definitive form of such master services agreements to be evidenced conclusively by the Executive Director's execution thereof.

Ms. Vanderhoef commented that she is happy to vote in favor of this and that hiring the firms will help with filling the open positions.

VOTE: There being no further questions or comments, the Board approved the Motion by majority – 5 in favor, 0 abstaining.

Finance

Sales Tax Collections Update

The MSBA's Treasurer, Gianpiero Tirella, presented a PowerPoint and provided an FY2023 SMART Collections update. The FY2023 collections through May are \$69.2 million (6.41%) higher than the same period of FY2022.

He presented a slide with a graphical depiction of FY2019 – FY2023 Monthly SMART collections, and then year-to-date SMART collections by year from FY2019 – FY2023.

Grant Payments Update

Next, the Treasurer provided an update regarding MSBA grant payments for projects, noting that the MSBA has made \$584,345,333 in grant payments to date in Fiscal Year 2023. This is for 157 projects in 116 districts.

FY23 Budget Update

Next, the MSBA's Chief Financial Officer, Laura Guadagno, thanked MSBA staff for their assistance and provided the Board with an FY23 budget update. She presented a PowerPoint with the FY2023 budget compared to the actuals for the Total Operating and Capital Budget, Administrative Expenses, Capital Pipeline Support Services, Operating Expenses, and the Grant Program.

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Legal Update

The MSBA's General Counsel Christine Nolan provided the Board with a brief overview of several new policy updates and initiatives that have been implemented by the MSBA, which are expected to have a positive impact on the cities, towns, and districts across the Commonwealth.

She spoke about the Board action at this meeting to approve an enhanced sustainable policy that demonstrates the MSBA's commitment to increasing levels of energy efficiency in schools and supports the Commonwealth's goal of achieving "Net Zero Greenhouse Gas Emissions" by 2050. The General Counsel spoke next about the new third party funding policy that was approved by the Board, which will enable districts to use a broad range of third party funding, such as rebates, grants, state and federal funding, donations, and other sources of project income for MSBA projects without these monies reducing the MSBA grant amount as they did in the past. She then noted that, in concert with these efforts, the MSBA is undertaking an in-depth review of our Accelerated Repair Program in an effort to meet the needs of the many cities, towns and districts with aging and outdated systems and will be sharing this with Board members within the next several months. She then commented that these are just some recent examples of the work the MSBA has done to benefit cities, towns and districts as the landscape of the school construction world is changing.

Next, the General Counsel shared that, in concert with these efforts, MSBA staff have been reviewing our regulations and will be starting a process to promulgate changes to the regulations. Since the regulations were first promulgated in 2006, the MSBA program has changed. The MSBA has made small updates to the regulations over time, but this is the first large scale revision effort to bring the MSBA's regulations to a place that best reflects current practices and procedures. She explained that MSBA staff will continue to update the Board on this process in FY24 and is excited about this initiative.

Recognition of Jack McCarthy

Next, there was a celebration to recognize Jack McCarthy, the Executive Director of the MSBA, who is retiring at the end of June. Several individuals spoke, including: the Chair, former State Treasurer Steve Grossman, former MSBA Executive Director Katherine Craven, State Representative John Rogers, Board member Sean Cronin, Board member Matt Deninger, Board member Terry Kwan, Board member Sheila Vanderhoef, former Board member Greg Sullivan, former Board member Mary Grassa O'Neill, the Director of Capital Planning Mary Pichetti, and CEO Jim MacDonald.

The Chair commented on the Executive Director's career, noting that he has worked in public service his entire career. She commented that he has a lot to be proud of and has accomplished so much while at the MSBA.

The Chair commented that she feels fortunate that Mary Pichetti, the current Director of Capital Planning at the MSBA, has accepted the Executive Director position. She commented that she looks forward to working with her and thanked her for accepting the position.

Mary Pichetti, the Director of Capital Planning and incoming Executive Director, spoke in recognition of Jack McCarthy and thanked him for everything he has done for the MSBA. She wished him all the best in his retirement.

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Next, the Chair presented citations to the Executive Director from the State Treasurer's office, the House of Representatives, and the Senate, along with several gifts from MSBA staff.

Jack McCarthy, the Executive Director, commented that Mary Pichetti is a problem solver and will be a great Executive Director. He thanked everyone who has worked at the MSBA and served on the Board. He thanked his wife and daughters for their support. He thanked the Chair for appointing him to the Executive Director position and commented that he is proud of all the accomplishments of the MSBA.

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

***VOTE:** There being no questions or comments, the Board approved the Motion by majority –5 in favor, 0 abstaining.*

The meeting was adjourned at 12:55 p.m.

List of documents and exhibits used at the meeting:

- PowerPoint Presentation
- May 24, 2023 Board Meeting Minutes
- Project Removals from Accelerated Repair Program
- Authorization to Execute Project Funding Agreement – Accelerated Repair Program
- Invitation to Feasibility Study
- Amendment to Feasibility Study Agreement
- Recommendation for Preferred Schematic Design
- Invitation to Project Scope and Budget
- Audit Status Report
- Recommendation for Approval of Final Audits, Capital Pipeline Program
- Project Overview Report
- Recommendation to Update the MSBA Third-Party Funding Policy
- Recommendation to Update the MSBA Green Schools Program Policies
- Recommendation to Enter into Master Services Agreements for Recruitment Services
- Sales Tax Collections Update
- Grant Payments Update
- FY23 Budget Update