

District: Town of Berkley
 School Name: Berkley Community School
 Recommended Category: Project Scope and Budget
 Date: June 19, 2024

Recommendation

That the Executive Director be authorized to enter into a Project Scope and Budget Agreement and a Project Funding Agreement with the Town of Berkley (the “District”) to replace the existing Berkley Community School with a new facility serving pre-kindergarten through grade 4 on the site of the existing school.

MSBA staff also recommends 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.

District Information	
District Name	Town of Berkley
Elementary School	Berkley Community School (PK-4)
Middle School	Berkley Middle School (5-8)
High School	N/A
Priority School Name	Berkley Community School
Type of School	Elementary School
Grades Served	PK-4
Year Opened	1962
Existing Square Footage	72,272
Additions	1989 – Addition 2002 – Renovation
Acreage of Site	19 acres
Building Issues	The District identified deficiencies in the following areas: <ul style="list-style-type: none"> • Electrical systems (Lighting) • Building envelope • Windows • Roof • Accessibility In addition to the physical plant issues, the District reported that the existing facility does not support the delivery of its educational program.
Original Design Capacity	Unknown
2023-2024 Enrollment	471 students
Agreed Upon Enrollment	385 students
Enrollment Specifics	The District and MSBA have mutually agreed upon a design enrollment of 385 students for grades K-4, for a project that will serve grades PK-4.
Total Project Budget – Debt Exclusion Anticipated	Yes

MSBA Board Votes	
Invitation to Eligibility Period	April 14, 2021
Invitation to Feasibility Study	April 27, 2022
Preferred Schematic Authorization	October 25, 2023
Project Scope & Budget Authorization	On June 26, 2024 Board agenda
Reimbursement Rate Before Incentives	55.63%
Incentive Points	1.29 – Maintenance 3.00 – Energy Efficiency – “Green Schools” ¹ 1.00 – Indoor Air Quality – “Green Schools” ¹
Total Reimbursement Rate ¹	60.92%

¹The MSBA has provisionally included three (3) incentive points for energy efficiency, and one (1) incentive point for indoor air quality, subject to the District meeting certain sustainability requirements for the project. If the District does not meet the requirements of the Green Schools Program, the District will not qualify for some or all of these incentive points, and the MSBA will adjust the reimbursement rate accordingly.

Consultants	
Owner’s Project Manager (the “OPM”)	PMA Consultants, LLC
Designer	Taylor & Burns, Inc.

Discussion

MSBA staff reviewed the documents provided by the District and met with the District and its consultants to discuss scope and budget. The District has provided a Total Project Budget of \$89,852,556, which includes an estimated construction cost of \$70,390,503 (\$832/sq. ft.). The Estimated Basis of Total Facilities Grant would be \$63,804,268, which excludes the following: legal fees; OPM and Designer fees beyond MSBA funding limits; costs associated with the removal of fuel storage tanks; construction costs for building and site work beyond MSBA funding limits; costs associated with mailing and moving; costs exceeding the \$1,200 per student allowance for furniture, fixtures, and equipment; costs exceeding the \$1,200 per student allowance for technology; and, owner’s and construction contingency costs.

Project Scope and Budget Agreement	
Enrollment: 385	District’s Proposed
Proposed Total Square Feet: 84,620	Project Budget
Project Budget ¹	\$84,925,221
Scope Exclusions/Ineligible Costs	- \$21,120,953
Third Party Funding	\$0
Estimated Basis of Total Facilities Grant	\$63,804,268
Reimbursement Rate	60.92%
Estimated Maximum Total Facilities Grant before Cost Recovery ²	\$38,869,560
Commissioning Costs Associated with Ineligible Building Area	\$0
Cost Recovery Associated with Prior Projects	\$0
Estimated Maximum Total Facilities Grant ²	\$38,869,560
Owner’s and Construction Contingencies	\$4,927,335
Ineligible Owner’s and Construction Contingencies	-\$3,871,477
Potentially Eligible Owner’s and Construction Contingencies	\$1,055,858

Potential Additional Grant Funds for Eligible Owner's and Construction Contingency Expenditures	\$643,229
Total Project Budget	\$89,852,556
Maximum Total Facilities Grant ^{3,4}	\$39,512,789

¹Does not include Owner's or Construction Contingencies.

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

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

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

MSBA staff recommends an Estimated Maximum Total Facilities Grant of \$38,869,560; however, the District may be eligible for up to an additional \$643,229 in grant funds, subject to the MSBA's review and audit of the District's owner's and construction contingency expenditures.

Accordingly, staff recommends a Maximum Total Facilities Grant of \$39,512,789 for the Project Scope and Budget Agreement and Project Funding Agreement to replace the existing Berkley Community School with a new facility serving pre-kindergarten through grade 4 on the site of the existing school.