

District: City of Lowell
School Name: Lowell High School
Recommended Category: Feasibility Study – Feasibility Study Agreement Extension Request
Date: February 7, 2018

Recommendation

That the Executive Director be authorized to extend the termination date in the Feasibility Study Agreement between the MSBA and the City of Lowell (the “City”) as part of its Invitation to Feasibility Study for the Lowell High School project, from May 19, 2018 to August 31, 2019.

Discussion

On March 25, 2015 the Board of Directors’ (the “Board”) invited the City into Eligibility Period and, on November 18, 2015 the City was further invited to conduct a Feasibility Study.

After being made aware that a significant community-wide dispute had arisen regarding the choice of a project site and that Litigation between the City Council and the School Committee arising out of that dispute was imminent, on August 23, 2017 the Board voted to table any action to move the City into Schematic Design for a project until the dispute could be resolved. The MSBA then waited for the City to resolve their differences by agreement or for the litigation to be concluded with all rights of appeal waived.

On November 7, 2017 the City held its Regular Municipal Election which included the election of a number of City Councilors and a non-binding City-wide referendum ballot question asking if the High School should remain on its current downtown site. The Referendum passed by a 2-1 margin and there were significant changes in the membership of the City Council. As a result, on November 14, 2017 the City Solicitor wrote to the MSBA, advising that “the City Council [was] considering changing their preferred site from the "Cawley" option to the "Downtown" option [and wanted the MSBA to] provide guidance as to the process required to effectuate [that change]”.

On December 7, 2017 the City and MSBA Staff met at the MSBA to discuss the City’s intention and its next steps. Following that discussion, on December 18, 2017 the MSBA sent a letter to the City outlining the conditions associated with changing the City’s preferred schematic solution. These conditions include amending the Feasibility Study Agreement for scope, schedule, and budget and completing a revised Preferred Schematic Report for MSBA consideration and approval.

On January 5, 2018, the City asked the MSBA for an extension to the Feasibility Study Agreement to give the City time to complete its new evaluation. Based on discussions with the City, MSBA staff recommends that the Board vote to authorize an extension until August 31, 2019. This will allow the City the time needed to complete its Feasibility Study and Schematic Design work for the proposed Lowell High School project.