

District: Town of Swampscott
 School Name: Hadley Elementary School
 Recommended Category: Project Scope and Budget
 Date: June 16, 2021

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 Swampscott (the “District”) to replace the existing Hadley Elementary School, Clarke Elementary School, and Stanley Elementary School with a new district-wide grades K-4 facility on the site of the existing Stanley Elementary School. This recommendation is contingent upon the District obtaining an easement, by agreement or by eminent domain, for the use of the adjacent Unitarian Universalist Church of Greater Lynn site for the purposes of vehicular circulation as described in the Preferred Schematic submittal and the plan shared with the Facilities Assessment Subcommittee of the Board on June 2, 2021. If an easement is not obtained, other options for vehicular circulation that the District may explore may be subject to further review and approval by the Authority’s Board of Directors.

If the easement is taken by eminent domain, M.G.L. Chapter 79, Section 3 states that “Upon the recording of an order of taking, title to the fee of the property taken or to such other interest therein as has been designated in such order shall vest in the body politic or corporate on behalf of which the taking was made; and the right to damages for such taking shall thereupon vest in the persons entitled thereto unless otherwise provided by law.” If the District shall obtain an easement by eminent domain, the MSBA will consider the contingency for the easement to be satisfied once the requirements of Chapter 79 have been met to permit the Town to use the property for the purposes of vehicular circulation as set forth in the Town’s Preferred Schematic submittal and the plans shared with the Facilities Assessment Subcommittee of the Board on June 2, 2021, and the MSBA has received a certification from the Town’s legal counsel, in a form required by the MSBA. The MSBA recognizes that the original property owner from which the property interest is being taken has three years to challenge the taking and the amount paid for the property interest.

District Information	
District Name	Town of Swampscott
Elementary School(s)	Hadley Elementary School (K-4) Clarke Elementary School (K-4) Stanley Elementary School (K-4)
Middle School(s)	Swampscott Middle School (PK, 5-8)
High School(s)	Swampscott High School (9-12)
Priority School Name	Hadley Elementary School
Type of School	Elementary School
Grades Served	K-4
Year Opened	1911
Existing Square Footage	46,000
Additions	1925 – three story annex added to building
Acreage of Site	1.4 acres
Building Issues	The District identified deficiencies in the following areas: <ul style="list-style-type: none"> – Structural integrity – Mechanical systems

District Information	
	<ul style="list-style-type: none"> – Electrical systems – Plumbing systems – Envelope – Windows – Roof – Accessibility
Original Design Capacity	Unknown
2020-2021 Enrollment	295
Agreed Upon Enrollment	900
Enrollment Specifics	The District and MSBA have mutually agreed upon a design enrollment of 900 students serving grades K-4 district-wide.
Total Project Budget – Debt Exclusion Anticipated	Yes
MSBA Board Votes	
Invitation to Eligibility Period	December 13, 2017
Invitation to Feasibility Study	February 13, 2019
Preferred Schematic Authorization	December 16, 2020
Project Scope & Budget Authorization	On June 23, 2021 Board agenda
Reimbursement Rate Before Incentives	45.52%
Incentive Points	1.38 – Maintenance 2.00 – Energy Efficiency – “Green Schools” ¹
Total Reimbursement Rate ¹	48.90%

¹ *The MSBA has provisionally included two (2) incentive points for energy efficiency, subject to the District meeting certain sustainability requirements for the project. If the District does not meet the requirements for the energy efficiency, the District will not qualify for these incentive points, and the MSBA will adjust the reimbursement rate accordingly.*

Consultants	
Owner’s Project Manager (the “OPM”)	Hill International, Inc.
Designer	LaVallee Brensinger Architects

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 \$98,316,523, which includes an estimated construction cost of \$77,937,159 (\$507/sq. ft.). The Estimated Basis of Total Facilities Grant would be \$65,053,343, which excludes costs associated with Module 3 feasibility study scope, legal fees, costs associated with abatement of asbestos-containing floor materials and costs associated with the removal of fuel storage tanks and associated contaminated soils, site costs in excess of 8% of total building cost and cost associated with offsite construction, construction costs in excess of \$333/sq. ft. plus eligible demolition and abatement, costs associated with construction-add alternates, costs associated with swing space, costs associated with mailing and moving, costs in excess of the \$1,200 per student allowance for fixtures, furniture, and equipment, costs in excess of the \$1,200 per student allowance for technology, cost associated with the commissioning of ineligible square footage, and owner’s and construction contingency costs.

Project Scope and Budget Agreement	
Enrollment: 900 Proposed Total Square Feet: 153,855	District's Proposed Project Budget
Project Budget ¹	\$93,640,293
Scope Exclusions/Ineligible Costs	\$28,586,950
Estimated Basis of Total Facilities Grant	\$65,053,343
Reimbursement Rate	48.90%
Estimated Maximum Total Facilities Grant before Cost Recovery ²	\$31,811,085
Cost Recovery	\$1,310
Estimated Maximum Total Facilities Grant ²	\$31,809,775
Potentially Eligible Owner's and Construction Contingencies	\$1,558,744
Potential Additional Grant Funds for Eligible Owner's and Construction Contingency Expenditures	\$762,226
Total Project Budget	\$98,316,523
Maximum Total Facilities Grant ^{3,4}	\$32,572,001

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 \$31,809,775; however, the District may be eligible for up to an additional \$762,226 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 \$32,572,001 for the Project Scope and Budget Agreement and Project Funding Agreement to replace the existing Hadley Elementary School, Clarke Elementary School, and Stanley Elementary School with a new district-wide grades K-4 facility on the site of the existing Stanley Elementary School subject to the contingency identified above.