



February 10, 2021

Public Facilities Commission
Katherine P. Craven, Chair
Lawrence D. Mammoli, Commissioner
Dion S. Irish, Commissioner

RECEIVED
By City Clerk at 9:07 am, Feb 08, 2021

Location:
Virtually via Zoom
Boston, MA 02201

Meeting Time: 10:00 a.m.

Dear Commissioners:

I recommend that the following votes attached hereto and referred to as the Public Facilities Department agenda, be approved by the Commission at its February 10, 2021 meeting:

VOTE 1: James McGaffigan, Senior Project Manager

Request for approval to utilize M.G.L. c.149A Construction Management at Risk delivery method for the William E. Carter School project: Authority to enter into a construction management at risk contract with a competitively procured and qualified construction management at risk firm.

WHEREAS, the Public Facilities Department seeks approval from its governing body, the Public Facilities Commission, to submit an application to the Office of the Inspector General requesting a notice to proceed utilizing the procurement procedures of M.G.L. c.149A, sections 1-11, a construction management at risk delivery method for the William E. Carter School project located at 396 Northampton Street, South End; and

WHEREAS, the Public Facilities Department has requested authority from its governing body, the Public Facilities Commission, to enter into a construction management at risk contract with a competitively procured and qualified construction management at risk firm if granted a notice to proceed by the Office of the Inspector General for this Project; and

WHEREAS, the William E. Carter School project has an estimated construction value of approximately Eighty-Nine Million Five Hundred Thousand Dollars (\$89,500,000); and

WHEREAS, the Public Facilities Department has determined that the use of construction management at risk services is appropriate for the proposed project and has stated such in writing;

NOW, THEREFORE, BE IT VOTED: The Public Facilities Commission authorizes the Director of the Public Facilities Department to submit a notice to proceed application to the Office of the Inspector General for approval to use the construction management at risk procurement procedures of M.G.L. c.149A, sections 1-11 and, if approved, to act on said authority and in compliance with the provisions of M.G.L. c.149A, sections 5-7, to procure a construction management at risk firm through the two-phase selection process and award and execute a contract with a qualified construction management at risk firm with appropriated funds as confirmed by the City's Office of Budget Management.

VOTE 2: James Sessum, Project Manager

Contract to Collins Engineers, Incorporated: To provide architectural, engineering and construction administration services associated with the Moon Island Seawall public works project located at Moon Island, Boston Harbor.

Contract Price: \$218,150

That the Director be, and hereby is, authorized to request from the Mayor, in the name and on behalf of the Commission, written authority to award a contract exempt from public solicitation requirements pursuant to M.G.L. c.30B, section 1(b)(32A), and procured pursuant to the City Charter using an advertised request for qualifications with advertisements appearing in the Boston Globe and City Record on September 21, 2020 and in the Central Register and COMMBUYS on September 23, 2020, to Collins Engineers, Incorporated an Illinois corporation with an office at 333 Elm Street, Suite 110, Dedham, MA 02026. Under the terms of this contract, Collins Engineers, Incorporated will provide architectural, engineering and construction administration services associated with the Moon Island Seawall public works¹ project located at Moon Island, Boston Harbor. The term of this contract shall be 104 weeks from the date of execution at a cost not to exceed \$218,150, including \$129,575 for additional services, which is a fixed fee of 12.26% based on an estimated construction cost of \$722,222.

The Director is, also, authorized to execute such contract, in the name and on behalf of the Commission, upon receipt of said written authority from the Mayor.

¹ The architectural, engineering and construction administration services for this Public Works M.G.L. c.30, §39M Construction project are exempt from the provisions of M.G.L. c.30B and M.G.L. c.7C, §§ 44 – 57 and was procured pursuant to the City Charter.

VOTE 3: Robert Miller, Project Manager II

Contract to Cambridge Seven Associates, Inc.: To provide architectural design and construction administration services associated with the 26 Court Street Full Renovation project located at 26 Court Street, Downtown.

Contract Price: \$6,875,461

That the Director be, and hereby is, authorized to request from the Mayor, in the name and on behalf of the Commission, written authority to award a contract, pursuant to a publicly advertised request for the qualifications under M.G.L. c. 7C, sections 44-57 with advertisements appearing in the Boston Globe and City Record on October 5, 2020 and in the Central Register and COMMBUYS on October 7, 2020, to Cambridge Seven Associates, Inc. a Massachusetts corporation with an office at 1050 Massachusetts Avenue, Cambridge, MA 02138. Under the terms of this contract, Cambridge Seven Associates, Inc. will provide architectural design and construction administration services associated with the 26 Court Street Full Renovation project located at 26 Court Street, Downtown. The term of this contract shall be 178 weeks from the date of execution at a cost not to exceed \$6,875,461, including \$2,242,590 for additional services, which is a fixed fee of 7.1% based on an estimated construction cost of \$65,212,450.

The Director is, also, authorized to execute such contract, in the name and on behalf of the Commission, upon receipt of said written authority from the Mayor.

VOTE 4: Robert Miller, Project Manager II

Request for approval to utilize M.G.L. c.149A Construction Management at Risk delivery method for the 26 Court Street Full Renovation project: Authority to enter into a construction management at risk contract with a competitively procured and qualified construction management at risk firm.

WHEREAS, the Public Facilities Department seeks approval from its governing body, the Public Facilities Commission, to submit an application to the Office of the Inspector General requesting a notice to proceed utilizing the procurement procedures of M.G.L. c.149A, sections 1-11, a construction management at risk delivery method for the 26 Court Street Full Renovation project located at 26 Court Street, Downtown; and

WHEREAS, the Public Facilities Department has requested authority from its governing body, the Public Facilities Commission, to enter into a construction management at risk contract with a competitively procured and qualified construction management at risk firm if granted a notice to proceed by the Office of the Inspector General for this Project; and

WHEREAS, the 26 Court Street Full Renovation project has an estimated construction value of approximately Sixty-Five Million Two Hundred Twelve Thousand Four Hundred Fifty Dollars (\$65,212,450); and

WHEREAS, the Public Facilities Department has determined that the use of construction management at risk services is appropriate for the proposed project and has stated such in writing;

NOW, THEREFORE, BE IT VOTED: The Public Facilities Commission authorizes the Director of the Public Facilities Department to submit a notice to proceed application to the Office of the Inspector General for approval to use the construction management at risk procurement procedures of M.G.L. c.149A, sections 1-11 and, if approved, to act on said authority and in compliance with the provisions of M.G.L. c.149A, sections 5-7, to procure a construction management at risk firm through the two-phase selection process and award and execute a contract with a qualified construction management at risk firm with appropriated funds as confirmed by the City's Office of Budget Management.

VOTE 5: Patrick I. Brophy, Chief of Operations, Mayor's Office

CERTIFICATE OF AUTHORITY

By this writing, signed by a majority of its members and filed with the Secretary, the City of Boston Public Facilities Commission, upon written recommendation of the Chief of Operations for the Public Facilities Department, does hereby vote:

VOTED: "Subject to the approval of the Mayor, that in accordance with the provisions of Sections 2 and 3(ii)(v) of Chapter 642 of the Acts of 1966, the Public Facilities Commission does hereby authorize and direct the following named individuals, in the name and on behalf of the Commission, to execute and deliver such documents, instruments and certificates as may be deemed necessary or appropriate by such named individuals relating to the Public Facilities Commission's approved acquisition or conveyance of real property or to the discharge, satisfaction, subordination or termination of instruments of record which have been recorded with the Suffolk County Registry of Deeds or filed for registration with the Suffolk Registry District of the Land Court. Deeds or Orders of Taking to be recorded with the Suffolk County Registry of Deeds or to be filed for registration with the Suffolk Registry District of the Land Court shall be accompanied by a separate vote of this Commission specifically authorizing such conveyance or acquisition. Said named individuals are further authorized and directed to execute and deliver Grant Agreements involving the City of Boston, Public Facilities Department, in the name and on behalf of the Commission as they may deem necessary or appropriate."

Patrick I. Brophy, Chief of Operations
Office of Mayor Martin J. Walsh

Niall Murphy, Chief of Staff
Public Facilities Department

FURTHER VOTED: That this authorization is effective immediately and shall remain in effect until such time as it is expressly rescinded, in whole or in part, by a vote of this Commission.

FURTHER VOTED: The taking of the foregoing vote and the naming of the above individuals, when approved by the Mayor of Boston, shall serve to expressly rescind that certain Certificate of Authority dated February 12, 2020 recorded on February 21, 2020, with the Suffolk County Registry of Deeds in Book 62568 at Page 282, and filed with the Suffolk Registry District of the Land Court as Document Number 00904105.

PUBLIC FACILITIES COMMISSION

Katherine P. Craven, Chair

Larry D. Mammoli, Commissioner

Dion S. Irish, Commissioner

A true record, ATTEST:

Colleen Daley, Secretary
City of Boston Public Facilities Commission

IN WITNESS WHEREOF, The City of Boston has caused its name to be subscribed hereto by Martin J. Walsh, its Mayor on this _____ day of February 2021.

Martin J. Walsh, Mayor of Boston

VOTE 6: Alistair Lucks, Staff Architect

Proposed Site Selection Recommendation and Order of Taking for 37 East Street in the Dorchester District of the City of Boston.

WHEREAS, pursuant to the requirements of St. 1966, C. 642, §§ 4(B), on the 4th day of February, 2021 the Chief of Operations acting for and on behalf of the Public Facilities Department gave written notice to the Commissioner of the Boston Fire Department of his intent to recommend to the Public Facilities Commission the acquisition of a certain parcel of land located at 37 East Street in the Dorchester neighborhood of the City of Boston (“the Parcel”) for the future municipal use and development of the new Boston Fire Department Engine 17 Fire Station (“Engine 17 Fire Station”); and

WHEREAS, the Commissioner of the Boston Fire Department on 4th day February, 2021 provided the Chief of Operations acting for and on behalf of the Public Facilities Department with written approval of the selection of the proposed site pursuant to the requirements of St. 1966, c. 642 § 4(B); and

WHEREAS, on February 10, 2021 the Chief of Operations for and on behalf of the Public Facilities Department made written recommendation to the Public Facilities Commission, pursuant to the requirements of St. 1966, c. 642, §§ 4(A), to select the Parcel to be acquired for the future municipal use and development of the new Engine 17 Fire Station; and

WHEREAS, the Public Facilities Commission by this vote authorizes the preparation of this Order of Taking for the Parcel, which consists of approximately 17,472 ± square feet of land and is further described and shown on a Plan entitled “Order of Taking Plan for 37 East Street Boston (Dorchester District), MA” as prepared by Surveying and Mapping Consultants, Inc. dated February 5, 2021; and

WHEREAS, the First Parish Church in Dorchester, a religious entity duly organized under M.G.L. c. 180, with an office located at 10 Parish Street, Boston, Massachusetts is the current owner of the Parcel and the Public Facilities Commission hereby votes to award the sum of One Million One Hundred Thousand Dollars (\$1,100,000) and other good and valuable consideration, as full compensation for damages for the taking of the Parcel for the future municipal use and development of the new Engine 17 Fire Station;

Owner: First Parish Church in Dorchester
Property: 37 East Street, Dorchester
Ward 15, Parcel 00362000
17,472 ± square feet of land
Damages to Owner: \$1,100,000.00 and other good and valuable consideration

NOW, THEREFORE, BE IT VOTED: That the Chief of Operations acting on behalf of the Public Facilities Department be, and hereby is, authorized to deliver an instrument and any documents, approved as to form by the City’s Corporation Counsel, on behalf of the City of Boston, acting through its Public Facilities Commission, to effectuate the purposes of this vote.

VOTE 7: Alistair Lucks, Staff Architect

Transfer of the care, custody, management and control from the Public Facilities Department (PFD) to the Boston Fire Department (BFD): A certain parcel of land with any building and improvements thereon located at 37 East Street in the Dorchester District of the City of Boston.

Property Transfer

Subject to the approval of the Mayor under the provisions of St. 1909, c. 486, § 31A (as appearing in St. 1966, c. 642, § 12), a certain parcel of land with any building and improvements thereon located at 37 East Street, (Ward: 15, Parcel Number: 00362000) consisting of approximately 17,472 ± square feet of land area further described and shown on an Order of Taking Plan for 37 East Street, Boston (Dorchester District), MA prepared by Survey and Mapping Consultants, Inc., dated February 5, 2021, the Public Facilities Commission does hereby vote to transfer said property from the care, custody, management and control of the Public Facilities Department to the care, custody, management and control of the Boston Fire Department.

Sincerely,

Patrick I. Brophy, Chief of Operations
Public Facilities Department