

PROJECT MINUTES

Project:	Peebles Elementary School Feasibility Study	Project No.:	15041
Prepared by:	Joel Seeley	Meeting Date:	5/26/2015
Re:	School Building Committee Meeting	Meeting No:	1
Location:	Bourne Veteran's Memorial Community Center	Time:	6:00pm
Distribution:	School Building Committee Members, (MF)		

Attendees:

PRESENT	NAME	AFFILIATION	VOTING MEMBER
✓	James L. Potter	Chairman, School Building Committee	Voting Member
✓	Peter J. Meier	Chairman, Board of Selectmen	Voting Member
	Christopher Hyldborg	Chairman, School Committee	Voting Member
✓	Laura Scena	Member, School Committee	Voting Member
✓	Christine Crane	Former Member, School Committee/Finance Committee	Voting Member
	Richard A. Lavoie	Member, Finance Committee	Voting Member
✓	William Meier	Building Trade Expert	Voting Member
✓	Mary Jo Coggeshall	Member at Large	Voting Member
	Frederick H. Howe	Board of Health	Voting Member
✓	Steven M. Lamarche	Superintendent of Schools, BPS	Non-Voting Member
✓	Edward S. Donoghue	Director of Business Services, BPS	Non-Voting Member
	Thomas M. Guerino	Town Administrator	Non-Voting Member
	Jonathan Nelson	Director of Facilities, BPS	Non-Voting Member
	Elizabeth A. Carpenito	Principal	Non-Voting Member
✓	Kathy Anderson	Elementary/Special Education Secretary	Non-Voting Member
✓	Joel Seeley	SMMA, OPM	Non-Voting Member

Project: Peebles Elementary School Feasibility Study

Meeting Date: 5/26/2015

Meeting No.: 1

Item #	Action	Discussion
1.1	Record	Call to Order, 6:10 PM, meeting opened.
1.2	Record	J. Seeley introduced himself and the firm and provided an overview of the Feasibility Study process, the role of the OPM and the role of the MSBA.
1.3	J. Seeley	<p>J. Seeley distributed and reviewed the draft Request for Designer Services, attached, and reviewed the designer selection process.</p> <p>A motion was made by P. Meier and seconded by L. Scena to approve the draft Request for Designer Services. No discussion, motion passed unanimously.</p> <p>J. Seeley to forward the draft Request for Designer Services to the MSBA for comments after the MSBA OPM Panel meeting on 6/8/15.</p>
1.4	E. Donoghue	J. Potter reviewed the status of the OPM selection process. The MSBA reviewed the evaluation and selection documents submitted by the OPM Selection Committee and determined the fourth ranked firm was to be ranked third, based on the mathematical ranking. E. Donoghue has been in contact with the fourth ranked firm, who has indicated they will provide written confirmation that they will withdraw from the process. Once the confirmation is received, E. Donoghue will forward to the MSBA along with an opinion from Town Counsel.
1.5	Record	Next SBC Meeting: July 16, 2015 at 7:00 pm at the Bourne Veteran's Memorial Community Center.
1.6	Record	A Motion was made by L. Scena and seconded by C. Crane to adjourn the meeting. No discussion, voted unanimously.

Attachments: Agenda, draft Request for Designer Services

The information herein reflects the understanding reached. Please contact the author if you have any questions or are not in agreement with these Project Minutes.

JGS/sat/P:\2015\15041\04-MEETINGS\4.3 Mtg_Notes\School Building Committee\01_26May2015\Schoolbuildingcommitteemeeting_26May2015.Docx

PROJECT MEETING SIGN-IN SHEET

Project: Peebles Elementary School Feasibility Study
 Prepared by: Joel Seeley
 Re: School Building Committee Meeting
 Location: Bourne Community Center, 234 Main Street
 Buzzards Bay, Massachusetts

Project No.: 15041
 Meeting Date: 5/26/2015
 Meeting No: 1
 Time: 6:00pm

Distribution: Attendees, (MF)

SIGNATURE	ATTENDEES	EMAIL	AFFILIATION
	Peter J. Meier	PMeier@townofbourne.com	Chairman, Bourne Board of Selectmen
	Christopher Hyldborg		Chairman, Bourne School Committee
	Laura Scena	laurascena@yahoo.com	Member, School Committee
	Christine Crane	ccrane03@comcast.net	Former Member of School Committee / Fin Com
	Richard A. Lavoie		Member, Bourne Finance Committee
	William Meier	Dusty22752@AOL.com	Building Trade Expert
	James L. Potter	onsetjp@juno.com	Building Trade Expert
	Mary Jo Coggeshall	mjcoggeshall@gmail.com	Former School Committee Chairman At Large
	Frederick H. Howe		Bourne Board of Health
	Edward S. Donoghue	EDON@BPSMAE.BPLanning.com	Director of Business Services, BPS
	Thomas M. Guerino		Bourne Town Administrator
	Jonathan Nelson		Director of Facilities, BPS
	Steven M. Lamarche	slamarche@bourne.org	Superintendent of BPS
	Elizabeth A. Carpenito		Principal
	Kathy Anderson		Elementary/Special Education Secretary
	Joel Seeley		SMMA

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School Building Committee

Notice of Meeting

Tuesday May 26, 2015 at 6PM

Community Building – Conference Room

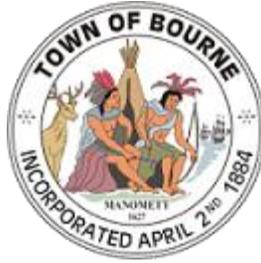
Meeting Agenda:

1. Call to order
2. Introduction to Joel Seeley of SMMA
3. Joel Seeley will present a draft of the RFS for Designer Services
4. Old Business – Approve meeting minutes from April 2015 as necessary.
5. New Business
6. Next meeting place and time

Submitted by

Jim Potter

Chairman , School Building Committee



REQUEST FOR DESIGNER SERVICES (RFS)

Town of Bourne, Massachusetts Bourne, Public Schools

Peebles Elementary School

June , 2015

Invitation: The Town of Bourne, Massachusetts (“Owner”) is seeking the services of a qualified “Designer” within the meaning of M.G.L. Chapter 7C, Section 44, to provide professional design and construction administration services for the Peebles Elementary School in Bourne, Massachusetts. Selection of a Designer will be made by the Designer Selection Panel of the Massachusetts School Building Authority (“MSBA”) in accordance with the MSBA’s Designer Selection Procedures.

The Owner is seeking design services to conduct a Feasibility Study which will include the development and evaluation of potential alternative solutions and continue through the Schematic Design Phase of the preferred alternative initially. Subject to the approval of a Project by the MSBA and further subject to adequate funding authorized by the Owner, the contract between the Owner and the Designer may be amended to include continued designer services through design development, construction contract documents, bidding, award of construction contract(s), construction administration, final closeout and warranty period of the potential Project. A potential Project may include a renovation of the existing school, a renovation of and addition to the existing school and/or new construction.

The estimated construction budget for a potential Project may range from **\$20,000,000 to \$30,000,000** depending upon the solution that is agreed upon by the Owner and the MSBA and that is ultimately approved by a vote of the MSBA’s Board of Directors. The Fee for Basic Services will be negotiated.

Pursuant to M.G.L. Chapter 7C, Section 6, the Designer must agree to contract with minority and women-owned businesses as certified by the Supplier Diversity Office (SDO) formerly known as the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation that shall be reserved for such enterprises shall not be less than seventeen and nine tenths percent (17.9%) of the contract price for combined minority business enterprises (MBE) and women-owned business enterprises (WBE). Applicants must include a reasonable representation of both MBE and WBE firms that meets or exceeds the combined goal. Proposed MBE/WBE participation plans that include solely MBE or solely WBE participation, or do not include a reasonable amount of participation by both MBE and WBE firms to meet the combined goal, will not be considered responsive. Applications from MBE and WBE firms as prime designers are encouraged. Where the prime Designer is an SDO certified MBE or WBE, the Designer must bring a reasonable amount of participation by a firm or firms that hold the certification which is not held by the prime Designer on the project.

The minority and women-owned business enterprises must be selected from those categories of work identified in Item F of this RFS or be assigned to tasks required under Basic Services as specifically set forth in the Contract for Designer Services as amended. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet their MBE/WBE goals. Consultants to the prime Designer can team within their disciplines in order to meet the MBE/WBE goals but must state this relationship on the organizational chart (Section 6 of the application form).

For additional information on Designer qualifications see Sections E. and F. in this RFS.

A. Background:

The Town of Bourne is a community with a population of 20,430 year round residents that expands to approximately 40,000 in the summer months. Bourne is the gateway to Cape Cod; you must pass through the town to get over the Cape Cod Canal and anywhere else on Cape Cod. The total school district enrollment for the 2014-15 school year is 2,013 students who utilize four school buildings. The Peebles Elementary School (K-4) is located south of Trowbridge Road on the Cape side of the canal. The school is part of the larger Bourne School campus on the south side of the canal that includes Bourne Middle School (5-8), Bourne High School (9-12), a waste water treatment plant that serves all the schools, various athletic facilities and extensive parking facilities for all of the buildings and activities. The entire campus is roughly 80 acres of which the Peebles Elementary School, including the adjacent maintenance area, occupies approximately 8.6 acres. Bournedale Elementary School (PreK-4) is located along Scenic Highway on the north side of the Cape Cod Canal.

B. Project Goals and General Scope:

On or about March 27, 2014, the Owner submitted a Statement of Interest (Attachment A) to the MSBA for Peebles Elementary School. The MSBA is an independent public authority that administers and funds a program for grants to eligible cities, towns, and regional school districts for school construction and renovation projects. The MSBA's grant program is discretionary, and no city, town, or regional school district has any entitlement to any funds from the MSBA. At the January 14, 2015 Board of Directors meeting, the MSBA voted to issue an invitation to the Owner to conduct a feasibility study for this Statement of Interest to identify and study possible solutions and, through a collaborative process with the MSBA, reach a mutually-agreed upon solution. The MSBA has not approved a Project and the results of this feasibility study may or may not result in an approved Project.

It is anticipated that the feasibility study will review the problems identified in the Statement of Interest at the Peebles Elementary School. The original building is a two story structure constructed in 1953. In 1959 a two story permanent addition was constructed that is connected to the original building by a two story curtain wall corridor. Peebles Elementary School currently serves 388 students in grades K-4, consists of 55,191 total sq. ft. and occupies approximately 8.6 acres including the adjacent maintenance facilities. The MSBA study enrollment certification includes three enrollments for further study: 250 students in Grades K-4 at the James F. Peebles Elementary School, 725 students in Grades K-4 at a District-wide elementary school, and 885 students in Grades K-5 at a District-wide elementary school. The district strives to maintain the school in the best condition possible to serve its students and staff. Recent projects have included new epoxy flooring and a new ceiling in the cafeteria, removal of VAT flooring and installation of new flooring throughout many hallways and classrooms. The heating system was upgraded with a conversion to natural gas and the replacement of numerous failed steam traps. The current condition of Peebles Elementary School is poor when assessing many components of the structural integrity of the building along with the mechanical and electrical systems in the building. The building envelope has many areas of failing brick and mortar which allow water penetration throughout the

structure. All the exterior windows are single pane and original to the building. Many components of the mechanical and electrical systems found in the school are original to the building and therefore lack the capacity to offer the electrical service required for 21st century learning opportunities. The interior of the school is maintained well by the maintenance and custodial teams but, there are many issues that cannot be overcome on a daily basis. There are many areas with evidence of structural cracking seen on classroom walls and ceilings. Vinyl Asbestos Tile (VAT) is extremely worn and cracked in many areas. Some areas of intense traffic including doorways and corridors, are worn to the point of failure; exposing the concrete below. The school lacks the proper space to offer special education services in the most desirable environment for the students. A more detailed description of the current condition of Peebles Elementary School can be found in the attached Statement of Interest.

The Feasibility Study shall include a study of all alternatives and contain all information required by 963 CMR 2.10(8) and any other applicable rules, regulations, policies, guidelines and directives of the Authority, including, but not limited to, a final design program, space summary, budget statement for educational objectives, and a proposed total project budget. The Feasibility Study further includes:

1. Developing construction alternatives to support a school building for 250 students in grades K-4 at the Peebles Elementary School site.
2. Developing construction alternatives to support a school building for 725 students in grades K-4 at the Bournedale Elementary School site.
3. Developing construction alternatives to support a school building for 885 students in K-5 at the Bournedale Elementary School site.
4. Performing existing condition assessments of the Peebles Elementary School and site, and the Bournedale Elementary School and site.
5. Assisting the Town in the development of the Educational Program and Space Template for each of the alternative grade configurations.
6. Assisting the Town in understanding the impacts of repurposing the existing Peebles Elementary School as a complement to the 725 and 885 student construction alternatives.
7. Assisting the Town in understanding the impacts to the Bourne Middle School as a complement to the 885 student construction alternative.
8. Assisting the Town in understanding the operational, educational and community impacts and differences between the 250 student construction alternative and the 725/885 construction alternatives.
9. Consolidate all information in an overall Feasibility Matrix, and assist the Town in determining the most educationally and community appropriate, efficient, and cost effective plan.

The Schematic Design shall include, but not be limited to, the information required by the Authority's Feasibility Study Guidelines, including, but not limited to, a site development plan, environmental assessment, geotechnical assessment, geotechnical analysis, code analysis, utility analysis, schematic building floor plans, schematic exterior building elevations, narrative building systems descriptions, LEED-S scorecard, outline specifications, cost estimates, project schedule and proposed total project budget.

A copy of limited as-built drawings will be made available in the procurement documents.

Project objectives under consideration by the Owner include:

- Identification of community concerns that may impact study options.
- Identification of specific milestone requirements and/or constraints of the District; e.g. Town votes, swing space, occupancy issues, grade configurations.
- Life cycle costs of operating the School as it relates to future operational budgets; the Town will require life cycle cost analysis to aid in determining the most appropriate study option.

- U.S. Green Building Council LEED for Schools Ratings System: The Town wishes to utilize guidelines that have proven effective in other MA school projects of similar size and complexity, while also exploring opportunities unique to Bourne (e.g. Bourne being in a high wind zone).
- CM-at-Risk Delivery Method.

C. Scope of Services:

The required scope of services is set forth in the MSBA’s standard Contract for Designer Services (Contract), a copy of which is attached hereto and incorporated herein by reference. If the Owner decides to proceed with the Project beyond the Schematic Design Phase and when the project delivery method is decided (Design/Bid/Build or Construction Manager at Risk), the Contract will be amended accordingly. Copies of Designer Services Contract Amendments for Design/Bid/Build and Construction Manager at Risk are also attached hereto and incorporated herein by reference. Unless specifically excluded, the Designer’s Basic Services consist of the tasks described in the Contract for Designer Services as amended and this RFS including all investigative work (to the extent provided for in the Contract), feasibility study, schematic design, and, at the Owner’s option, design work, preparation of construction documents, bidding period administration, construction administration, and other related work reasonably inferred in the opinion of the Owner and the Authority as being necessary to meet the project’s stated scope and goals.

This RFS will be appended to and become part of the Contract for Designer Services. Any Designer selected as a result of this RFS will be required to execute the Contract for Designer Services and applicable amendment that are attached hereto.

Basic Services include, but are not limited to, verification of existing record information including building dimensions, details and general existing conditions, cost estimating, architecture, civil, sanitary, mechanical, electrical, plumbing, fire protection, structural, site planning and landscape architecture, basic local site and environmental permitting, graphics, lighting design, acoustics, data and communication, educational consultants, any specialty consultants for sustainable design (LEED-S), hazardous materials inspection and testing, library/media center and kitchen space, code consultants, accessibility, energy evaluations, detailed cost estimates; preparation of construction documents; bidding and administering the Construction Contract Documents and other design and consulting services incidental and required to fulfill the project goals. Please refer to the Contract and amendments for a complete summary of Basic Services.

Extra and reimbursable expenses are defined in Articles 8 and 9 of the Contract in Attachment B.

D. Project Phases and Work Plan:

Work under this RFS is divided into the Project Phases as listed in Article 7 of the Contract as amended and as may be augmented in this RFS. Each Project Phase will consist of one or more required submissions, and may include site visits, meetings with the Owner, Owner’s Project Manager, the Authority and others, and other tasks as described.

The estimated total duration of the Contract for Designer Services from Feasibility Study through the approval of Schematic Design, inclusive of review and approval time, is estimated to be **56 weeks** as follows:

Preliminary Program through Final Design Program	36	weeks
Schematic Design Phase	20	weeks
Design Development through 100% CD	TBD	
Bidding	TBD	

Construction Administration Phase

TBD weeks

**Estimated Total Duration
(Exclusive of Completion Phase)**

TBD weeks

The durations for the Bidding and Construction Administration Phases are estimates only. Actual durations may vary depending upon the agreed upon solution, the extent of required document revisions, the time required for regulatory approvals, and the construction contractor's performance.

Such variances in estimated time will not, in and of themselves, constitute a justification for an increased Fee for Basic Services, nor are they a substitute for the performance time requirements shown below.

The Designer performance times listed in the table below are requirements, not estimates. The Owner, through the Owner's Project Manager will review each submission and, if acceptable, provide notice to the Designer to proceed to the next phase.

The Designer's adherence to the performance times listed below will be part of the Owner's performance evaluation of the Designer's work, which will be conducted at the end of the Project.

	<u>Within/Weeks</u>	
• Attend a "Kick-Off" meeting	<u>2</u>	Execution of a contract with the Owner
• Preliminary Program	<u>4</u>	Execution of a contract with the Owner
• Development of Alternatives	<u>14</u>	Execution of a contract with the Owner
• Preliminary Evaluation of Alternatives	<u>8</u>	Approval of Alternatives
• Final Evaluation of Alternatives	<u>4</u>	Approval of Preliminary Evaluation
• Recommendation of Preferred Solution	<u>4</u>	Approval of Final Evaluation
• Final Design Program	<u>6</u>	Approval of Preferred Solution
• Schematic Design	<u>20</u>	Approval of the Final Design Program
• Design Development	<u>TBD</u>	Approval of the Schematic Design
• 60% Construction Documents	<u>TBD</u>	Approval of Design Development
• 100% Construction Documents	<u>TBD</u>	Approval of Design Development

E. Minimum qualifications:

Selection will be made by the MSBA Designer Selection Panel in accordance with the Authority's Designer Selection Procedures, attached hereto as Attachment E. The Respondent must certify in its cover letter that it meets the following minimum requirements. Any Respondent that fails to include such certification in its response, demonstrating that these criteria have been met, will be rejected without further consideration. To be eligible for selection, the Designer must meet **all** of the following qualifications.

1. Be a qualified Designer within the meaning of M.G.L. Chapter 7C, Section 44, employing a Massachusetts registered Architect responsible for and being in control of the services to be provided pursuant to the Contract.

2. The Massachusetts registered Architect responsible for and in control of the services to be provided has successfully completed the Massachusetts Certified Public Purchasing Official Program seminar “Certification for School Project Designers and Owner’s Project Managers” as administered by the Office of the Inspector General of the Commonwealth of Massachusetts, and must maintain certification by completing the “Recertification for School Project Designers and Owner’s Project Managers” seminar every three years thereafter. Proof of recertification or registration in the next recertification seminar for which space is available must be provided.
3. Pursuant to M.G.L. Chapter 7C, Section 6, the Designer must agree to contract with minority and women-owned businesses as certified by the Supplier Diversity Office (SDO) formerly known as the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation that shall be reserved for such enterprises shall not be less than seventeen and nine tenths percent (17.9%) of the design contract price for combined minority business enterprises and women-owned business enterprises. Applicants must include a reasonable representation of both MBE and WBE firms that meets or exceeds the combined goal.

F. Selection Criteria:

In evaluating proposals, the Owner and Designer Selection Panel will consider the members of the proposed design team. Identify those member(s) of the proposed design team who will be responsible for the following categories of work: (Firm’s name, individual’s name and professional registration or license number, as applicable, must be listed in the application for each category of work, as well as whether the firm is SDO certified as an MBE and/or WBE).

1. *Architecture*
2. *Environmental Permitting*
3. *Geotechnical Engineering*
4. *Geo-Environmental Engineering*
5. *Site Survey*
6. *Hazardous Materials*
7. *Civil Engineering*
8. *Structural Engineering*
9. *Landscape Architecture*
10. *Fire Protection Engineering*
11. *Plumbing Engineering*
12. *HVAC Engineering*
13. *Electrical Engineering*
14. *Data/Communications Consultant*
15. *Food Service Consultant*
16. *Acoustical Consultant*
17. *Specifications Consultant*
18. *Library/Media Consultant*
19. *Theatrical Consultant*
20. *Sustainable/Green Design/Renewable Energy Consultant*
21. *Cost Estimating*
22. *Accessibility Consultant*
23. *Traffic Consultant*
24. *Furniture, Fixtures and Equipment Consultant*
25. *Code Consultant*
26. *Security Consultant*
27. *Educational Programming Consultant*

**** N.B. –**

Applicants must address each category of work listed above in their application whether it is to be performed by in-house staff or by sub-consultant(s).

The members of the team for each of the categories of work listed above must be identified including the firm's name, individual's name and professional registration or license number, as applicable, as well as whether the firm is SDO certified as an MBE and/or WBE.

Failure to address each category may result in the elimination of the applicant from consideration on this project.

Applicants should not list any consultants other than those for the categories of work listed above.

The minority and women-owned business enterprises must be selected to perform services addressing the categories of work listed above or be assigned to tasks required under Basic Services as specifically set forth in the Contract for Designer Services as amended. Consultants other than those proposed for the categories of work listed above or required to perform Basic Services may not be used for purposes of meeting M/WBE requirements. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet their MBE/WBE goals. Consultants to the prime Designer can team within their disciplines in order to meet the MBE/WBE goals but must state this relationship on the organizational chart (Section 6 of the application form).

The Owner and Designer Selection Panel will consider the following additional criteria in evaluating proposals:

1. Prior similar experience best illustrating current qualifications for the specific project, including specific experience with school populations and educational curriculum similar to the Town of Bourne.
2. Past performance of the firm, if any with regard to public, private, DOE-funded, and MSBA funded projects across the Commonwealth, with respect to:
 - a. Quality of project design.
 - b. Quality, clarity, completeness and accuracy of plans and contract documents.
 - c. Ability to meet established program requirements within allotted budget.
 - d. Ability to meet schedules including submission of design and contract documents, processing of shop drawings, contractor requisitions and change orders.
 - e. Coordination and management of consultants.
 - f. Working relationship with contractors, subcontractors, local awarding authority and MSBA staff and local officials.
3. Current workload and ability to undertake the contract based on the number and scope of projects for which the firm is currently under contract.
4. The identity and qualifications of the consultants who will work on the project.
5. The financial stability of the firm.
6. The qualifications of the personnel to be assigned to the project.
7. Geographical proximity of the firm to the project site or willingness of the firm to make site visits and attend local meetings as required by the client.
8. Additional criteria that the MSBA Designer Selection Panel considers relevant to the project.

G. Proposal Requirements

Persons or firms interested in applying must meet the following requirements:

1. **Applicants must have an up-to-date Master File Brochure on file at the Massachusetts School Building Authority.**

2. Applications shall be on “Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction (Updated May 2014)” as developed by the Designer Selection Board of the Commonwealth of Massachusetts (<http://www.mass.gov/anf/property-mgmt-and-construction/design-and-construction-of-public-bldgs/designer-selection-process/designer-selection-proc-and-evals-for-municipalities/procedures-and-apps-for-municipalities.html>). **Applications (one original, twenty-five (25) hard copies, and two (2) digital copies in PDF format on separate compact disks) must be received on or before 2:00 PM, July 15, 2015.** Applications should be printed double-side and bound in such a manner that the pages lie and remain flat when opened. The specific organization and orientation of the proposal is at the applicant’s discretion, but it is recommended that the proposal be laid out in such a manner that the reader doesn’t need to be constantly rotating the proposal. Applications should not be provided with acetate covers.
3. Applications must be accompanied by a concise cover letter that is a maximum of two pages in length. A copy of the cover letter should be attached to each copy of the application. The cover letter must include the certifications as noted in Section E of this RFS. (A copy of the MCPPO certification should be attached to the cover letter as well as any SDO letters.)
4. Applicants may supplement this proposal with graphic materials and photographs that best demonstrate design capabilities of the team proposed for this project **subject to the page limitations as set forth in the Standard Designer Application Form.**
5. **Responses are to be delivered in person or by certified/express mail. Responses submitted by fax or electronic mail will not be considered.**

The Owner assumes no responsibility or liability for late delivery or receipt of responses. All responses received after the stated submittal date and time (local time) will be judged to be unacceptable and will be returned un-opened to the sender.

Proposals shall be addressed to:

Edward Donoghue
Director of Business Services
Bourne Public Schools
36 Sandwich Road
Bourne, Massachusetts 02532
Phone: 508-759-0600 / Email: EDonoghue@bourneps.org

6. Proposals must be clearly identified by marking the package or envelope with the following:

Bourne Pebbles Elementary School Project
“Name of Applicant”
7. The deadline for receiving questions is July 8, 2015 at 2:00 PM EST. All questions regarding this RFS should be addressed exclusively in writing to:

Joel G. Seeley
Symmes Maini & McKee Associates, Inc. (SMMA)
1000 Massachusetts Avenue
Cambridge, Massachusetts 02138
Phone: 617-547-5400 Email: opm@smma.com

8. Procurement Documents

The Procurement Documents (Request for Services) will be available at procurementdocuments.smma.com for downloading by the Applicant on or after 2:00pm on June [redacted], 2015.

H. Pre-Proposal Meeting

All interested parties should attend a briefing session at the Peebles Elementary School scheduled for June [redacted], 2015 at 9:00 AM.

I. Withdrawal

Applicants may withdraw an application as long as the written request to withdraw is received by the Owner prior to the time and date of the proposal opening.

J. Public Record

All responses and information submitted in response to this RFS are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10 and c. 4, § 7(26). Any statements in submitted responses that are inconsistent with the provisions of these statutes shall be disregarded.

K. Waiver/Cure of Minor Informalities, Errors and Omissions

The Owner reserves the right to waive or permit cure of minor informalities, errors or omissions prior to the selection of a Respondent, and to conduct discussions with any qualified Respondents and to take any other measures with respect to this RFS in any manner necessary to serve the best interest of the Owner and its beneficiaries.

L. Rejection of Responses, Modification of RFS

The Owner reserves the right to reject any and all responses if the Owner determines, within its own discretion, that it is in the Owner's best interests to do so. This RFS does not commit the Owner to select any Respondent, award any contract, pay any costs in preparing a response, or procure a contract for any services. The Owner also reserves the right to cancel or modify this RFS in part or in its entirety, or to change the RFS guidelines. A Respondent may not alter the RFS or its components.

M. Additional Information

ATTACHMENTS:

Attachment A: Statement of Interest

Attachment B: Contract for Designer Services - Base Contract for Design Bid Build or CM-at-Risk Project
(http://www.massschoolbuildings.org/sites/default/files/edit-contentfile/Guidelines_Forms/Contracts_Forms/Base%20Contract%20v_02_25.pdf)

Designer Services Contract Amendment for Design/Bid/Build
(http://www.massschoolbuildings.org/sites/default/files/edit-contentfile/Guidelines_Forms/Contracts_Forms/DBB%20v_02_25.pdf)

Designer Services Contract Amendment for CM-at-Risk
(http://www.massschoolbuildings.org/sites/default/files/edit-contentfile/Guidelines_Forms/Contracts_Forms/CM-R%20v_02_25.pdf)

Attachment C: Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction (Updated May 2014)
(<http://www.mass.gov/anf/property-mgmt-and-construction/design-and-construction-of-public-bldgs/designer-selection-process/designer-selection-proc-and-evals-for-municipalities/procedures-and-apps-for-municipalities.html>)

Attachment D: Certifications
(Certificate of Non-Collusion, Certificate of Tax Compliance, and Certificate of Vote)

Attachment E: [MSBA's Designer Selection Panel's Procedures](#)

End of Request for Designer Services

ATTACHMENT E

Massachusetts School Building Authority

Designer Selection Procedures

Section 1: Introduction

The following designer selection process has been adopted by the Massachusetts School Building Authority (MSBA) pursuant to Massachusetts General Laws, Chapter 7C, Sections 44 through 58 to serve as the basis for the exemption under Section 46 from the jurisdiction of the Commonwealth's Designer Selection Board for the procurement of designers, and programmers by cities, towns, regional school districts, and independent agricultural and technical schools seeking funding from the MSBA for public school construction projects where the estimated construction cost is equal to or greater than \$5,000,000.00 (or other such amount as may be determined from time to time by the Executive Director of the MSBA), except for the MSBA's model schools program. Designer selection for public school construction projects where the estimated construction cost is less than \$5,000,000.00 (or other such amount as may be determined from time to time by the Executive Director of the MSBA) shall be conducted pursuant to Massachusetts General Laws, Chapter 7C, Section 54, by the respective city, town, regional school district or independent agricultural and technical school and in accordance with the MSBA's Designer Selection Guidelines.

Section 2: Designer Selection Panel

- A. The MSBA Designer Selection Panel (DSP) shall be composed of the following individuals who shall be appointed to the DSP by the MSBA's Executive Director ("Executive Director") in accordance with following procedures:
1. The Executive Director, ex officio, or his/her designee;
 2. Three (3) MSBA staff members associated with project management, design and/or construction oversight selected by the Executive Director;
 3. One (1) public member selected by the Executive Director;
 4. One (1) member who is a Massachusetts registered architect or architect emeritus as recommended by the Boston Society of Architects;
 5. Two (2) members who are Massachusetts registered architects or architect emeritus selected by the Executive Director;
 6. One (1) member who is a Massachusetts registered engineer as recommended by the American Council of Engineering Companies of Massachusetts;
 7. Two (2) members who are Massachusetts registered professional engineers selected by the Executive Director;
 8. One (1) member who is a representative of the construction industry as recommended by Associated General Contractors of Massachusetts;

9. One (1) member who is a representative of the construction industry as recommended by the Massachusetts Building Trades Council;
 10. Three (3) members who are proposed by the respective city, town, regional school district, independent agricultural and technical school or other public agency that is the Eligible Applicant, as defined in M.G.L. Chapter 70B, Section 2 for the specific project under consideration, one (1) of whom shall be designated by the school committee, district school committee, or board of trustees of the Eligible Applicant, as the case may be; one (1) of whom shall be the superintendent of schools of the Eligible Applicant, ex officio, or his/her designee; and one (1) of whom shall be the chief executive officer of the city or town that is the Eligible Applicant, ex officio, or his/her/its designee or, in all other cases, a member of the School Building Committee designated by the School Building Committee. The appointment of members pursuant to this Section 2(A)(10) shall be subject to the execution of a certification by each such member that the member has read and understands these procedures and the Designer Selection Guidelines.
- B. Members proposed or recommended by the societies or associations pursuant to subsections 2(A)(4), 2(A)(6), 2(A)(8), and 2(A)(9) above and the members proposed by the Eligible Applicant pursuant to subsection 2(A)(10) above shall be subject to appointment by the Executive Director who reserves the right, within his/her discretion, not to appoint or to disapprove the appointment of said proposed or recommended members. In considering the appointment of members proposed by the Eligible Applicant pursuant to subsection 2(A)(10), the Executive Director may consider, among other things, the extent to which the three (3) proposed members, as a whole, represent the interests of the Eligible Applicant.
 - C. The Executive Director shall appoint a chairperson from one of the members appointed to the DSP pursuant to subsections 2(A)(3) through 2(A)(9) above, who is a registered architect, architect emeritus or registered professional engineer and who shall also serve as chairperson of any subcommittee of the DSP.
 - D. All meetings of the DSP shall be open to the public unless the DSP votes to go into executive session by a roll call vote and announces the purpose of the executive session and whether the DSP will convene in open session at the conclusion of the executive session. Any action taken by the DSP in executive session shall be by a roll call vote.
 - E. The presence of nine (9) members, no less than four (4) of whom shall be registered architects, architects emeritus or registered professional engineers, shall constitute a quorum. The DSP shall not conduct any business without the presence of a quorum. The affirmative vote of a simple majority of the members present and voting shall be necessary and sufficient for any action taken by the DSP. No vacancy in the membership of the DSP shall impair the right of a quorum to exercise all the rights and duties of the DSP. In the absence of a quorum, the Chairperson may recess a meeting to some other time or until a quorum is obtained.
 - F. Subject to the discretion of the Executive Director, each member appointed pursuant to subsections 2(A)(2) through 2(A)(9) shall serve for a two-year term provided that every member that is appointed by the Executive Director shall continue to serve until a successor has been appointed to the DSP by the Executive Director. Members representing the Eligible Applicant who are appointed pursuant to subsection 2(A)(10) shall serve only while the DSP

conducts business directly related to the selection of a designer for the project being proposed by that particular Eligible Applicant.

- G. The MSBA shall give written notice of the names of the appointed members of the DSP to the Commonwealth's Designer Selection Board.
- H. No member of the DSP shall participate in the selection of a designer as a finalist for any project if the member's participation would constitute a conflict of interest or an appearance of conflict in violation of M.G.L. Chapter 268A.

Section 3: Public Notice

- A. Each contract for designer services for a project subject to these procedures shall be publicly advertised in a newspaper of general circulation in the area in which the project is located or is to be located and in the Massachusetts Central Register at least two weeks before the deadline for filing applications. The public notice shall contain:
 - 1. A description of the project, including the specific designer services sought, the time period within which the project is to be completed, and, if available, the estimated construction cost;
 - 2. If there is a program for the project, a statement of when and where the program will be available for inspection by applicants, and when and where a briefing session will be held for applicants and if there is not a program for the project, a statement to the effect;
 - 3. The qualifications required of applicants for the projects;
 - 4. The categories of designers' consultants, if any, for which applicants must list the names of consultants which the applicant may choose to use;
 - 5. Whether the fee has been set or will be negotiated, and if the fee has been set, the amount of the fee;
 - 6. The deadline for submission of applications;
 - 7. The person and address from which application forms may be obtained and, when completed, to whom they may be delivered;
 - 8. Any other pertinent information that may be required by law or deemed appropriate by the MSBA.
- B. The individual designated by the Eligible Applicant to be in charge of procurement for a project who holds the Massachusetts Certified Public Purchasing Official Program certification shall certify that the public notice and all other documents issued pursuant to the selection of a designer, including, but not limited to, program descriptions and request for services, have been prepared and issued in conformance with these procedures and Massachusetts General Laws, Chapter 7C, Sections 44 through 58.

Section 4: Master File Brochure and Application

- A. Prior to filing an application for any project, designers shall first file a Master File Brochure with the DSP containing the following information:
1. Certification that the applicant, if applying to perform design services other than preparation of studies, surveys, soil testing, cost estimates or programs, is a designer as defined in M.G.L. Chapter 7C, Section 44 paragraph (b);
 2. The names and addresses of all partners, if a partnership, of all officers, directors and all persons with an ownership interest of more than five per cent in the applicant if not a partnership;
 3. The registration number and status of each such person in every jurisdiction in which such person has ever been registered as an architect, landscape architect or engineer;
 4. A list of all projects for all public agencies within the Commonwealth for which the applicant has performed or has entered into a contract to perform design services within the five year period immediately preceding the filing of the information required in this section;
 5. A list of all current projects for which the applicant is performing or is under contract to perform any design services; and
 6. If the applicant is a joint venture, the information required in this section shall be required for each joint venturer, as well as for the joint venture itself.
- B. The DSP shall keep a permanent record of the Master File Brochures. Each designer shall update its Master File Brochure on an annual basis and shall make current the lists of projects required under Section 4(A)(4)-(6) with each application filed.
- C. An applicant to perform design, programming or feasibility study services on a project must file, in addition to the Master File Brochure, a written application prescribed by the DSP relating to the applicant's experience, ability, and qualifications.

Every application or Master File Brochure filed shall be sworn to under penalties of perjury. Any applicant who has been determined by the DSP to have filed materially false information shall be disqualified by the DSP from further consideration for any project for such time as the DSP determines is appropriate.

Section 5: Selection Criteria

- A. Minimum qualifications shall include:
1. Must be a qualified Designer within the meaning of M.G.L. Chapter 7C, Section 44 employing a Massachusetts registered architect or engineer responsible for and being in control of the services to be provided.
 2. The Massachusetts registered architect or engineer responsible for and being in control of the services to be provided for the Designer must have successfully completed the Massachusetts Certified Public Purchasing Official Program seminar "Certification for

School Project Designers and Owner’s Project Managers,” as administered by the Office of the Inspector General of the Commonwealth of Massachusetts, and must maintain certification by completing the “Recertification for School Project Designers and Owner’s Project Managers” seminar every three years thereafter. Proof of recertification or registration in the next recertification seminar for which space is available must be provided.

3. Pursuant to M.G.L. Chapter 7C, Section 6, the Designer must agree to contract with minority and women-owned businesses as certified by the Supplier Diversity Office (SDO) formerly known as the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation that shall be reserved for such enterprises shall not be less than seventeen and nine tenths percent (17.9%) of the contract price for combined minority business enterprises (MBE) and women-owned business enterprises (WBE). Applicants must include a reasonable representation of both MBE and WBE firms that meets or exceeds the combined goal.

B. Other criteria for selection of finalists shall include:

1. Prior similar experience best illustrating current qualifications for the specific project.
2. Past performance of the firm, if any, with regard to public, private, DOE-funded, and MSBA-funded projects across the Commonwealth, with respect to:
 - a) Quality of project design.
 - b) Quality, clarity, completeness and accuracy of plans and contract documents.
 - c) Ability to meet established program requirements within allotted budget.
 - d) Ability to meet schedules including submission of design and contract documents, processing of shop drawings, contractor requisitions and change orders.
 - e) Coordination and management of consultants.
 - f) Working relationship with contractors, subcontractors, local awarding authority and MSBA staff and local officials.
3. Current workload and ability to undertake the contract based on the number and scope of projects for which the firm is currently under contract.
4. The identity and qualifications of the consultants who will work on the project.
5. The financial stability of the firm.
6. The qualifications of the personnel to be assigned to the project.
7. Geographical proximity of the firm to the project site or willingness of the firm to make site visits and attend local meetings as required by the client.
8. Any other criteria that may be required by law or that the DSP considers relevant to the project.

Section 6: Selection Process

- A. Cities, towns, regional school districts, and independent agricultural and technical schools subject to these procedures shall not rank or pre-rank applicants. Rankings shall occur only by vote of the DSP in accordance with these procedures and shall occur only after interviews, if allowed by vote of the DSP, have been concluded by the DSP.
- B. In the event that, upon reaching the deadline for submission of applications, three or fewer designer applications are received for a project, the Eligible Applicant may choose to modify the project description, estimated construction cost, program, desired designer qualifications, fee information, or other project information as necessary to attract interested designer applicants and begin the selection process again, starting with re-advertisement pursuant to Section 3: Public Notice. Should the Eligible Applicant choose to proceed with three or fewer designer applications and not re-advertise, the following procedure shall be followed:
1. The Eligible Applicant designee shall submit a statement that explains why the Eligible Applicant may have received three or less applications for the proposed project, The explanation should include but not necessarily be limited to:
 - a. A description of the public advertisement including the names of the publications in which the advertisement was placed and the date(s) in which the advertisement was published.
 - b. A description of the pre-proposal conference, if any, including the date, time, and location of the conference and names of attendees and the firms they represent.
 2. The Eligible Applicant designee and/or the OPM shall contact those design firms that attended the pre-proposal conference/walkthrough but did not submit an application and summarize why an application was not submitted for the proposed project.
 3. Legal counsel for the Eligible Applicant (i.e. town counsel or city solicitor) and the individual designated by the Eligible Applicant to be in charge of procurement for a project who holds the Massachusetts Certified Public Purchasing Official Program certification shall certify as to the adequacy and completeness of the procurement activity undertaken by the Eligible Applicant.
 4. At the discretion of the chairperson and with the concurrence of the three DSP members representing the Eligible Applicant, the DSP may forego the initial application review and invite all the designer applicants to appear for an interview before the DSP.
- C. The DSP may require any number of applicants to:
1. Appear for an interview before the DSP;
 2. Present a written proposal to the DSP through the Eligible Applicant; or
 3. Participate in a design competition held by the DSP through the Eligible Applicant.
- D. The DSP shall use the following procedures to rank three (3) finalists in order of qualifications from among the applicants for a particular project:

1. Prior to a DSP meeting at which the selection of finalists will be made or discussed, each member of the DSP shall be given a copy of each designer's application for his or her review.
2. At the DSP meeting, the DSP shall consider each application alphabetically or by some other method that may be determined by the chairperson from time to time.
3. When recognized by the chairperson, members of the DSP may comment or ask questions related to the selection process or the applications before the DSP.
4. Any potentially disqualifying deficiencies in an application should be noted in the record of the meeting.
5. After each member of the DSP has been given an opportunity to comment or ask questions, at the direction of the chairperson, each member of the DSP who is present shall utilize a ballot form provided by the MSBA to assign points to his or her top three (3) choices in order of qualifications so that each number one choice shall receive three (3) points, each number two choice shall receive two (2) points, and each number three choice shall receive one (1) point. The completed ballot forms shall be signed by each member and submitted to the DSP Administrator who shall tally the total points awarded to each applicant. The chairperson shall then read aloud the total points awarded to each of the applicants.
6. Once the point totals have been read aloud by the chairperson, the DSP may request interviews of the applicants with the highest point totals by the following procedure: Upon motion of one of the members, duly seconded by one of the other members, the DSP may vote to interview the applicants with the highest point totals.
7. If the DSP does not vote to conduct interviews, the DSP shall then vote to rank three (3) finalists in order of qualifications. If the DSP votes to conduct interviews, the DSP shall defer the ranking of the three (3) finalists until after the interviews have been concluded.
8. If the DSP votes to conduct interviews, the chairperson shall schedule the time and place of the interviews and written notice shall be given to the firms to be interviewed. Interviews shall be conducted in open session except that the chairperson may order competing firms, their agents and employees, to leave the meeting room during the interviews of their competitors. The MSBA may, within its discretion, develop standard questions to be answered or topics to be discussed by the applicants in the interview. Once the interviews have been concluded, at the direction of the chairperson, the DSP shall award points to the each of the firms in accordance with the procedures set forth in subsection 6(C)(5). Once the point totals have been read aloud by the chairperson, the DSP shall then vote to rank three (3) finalists in order of qualifications.
9. In the event of a tie for the first, second or third highest point totals awarded to applicants by the DSP under Section 6(C)(5) or 6(C)(8), the chairperson shall determine, in his or her complete discretion, the procedure by which the tie shall be broken. The chairperson shall then read aloud the total points awarded to each of the applicants. Once the point totals have been read aloud by the chairperson, the DSP shall then vote to rank three (3) finalists in order of qualifications.

Once the DSP has voted to rank the top three (3) firms in order of qualifications, the MSBA shall transmit a list of the three (3) finalists ranked in order of qualifications to the Eligible Applicant along with a record of the final vote of the DSP on the selection and a written statement explaining the DSP's reasons for its ranking of the finalists.

Section 7: Award of Contract

- A. The authority to award a contract for designer services for a project that will receive funding from the MSBA is vested with the Eligible Applicant and subject to the approval of the MSBA.
- B. In the selection of a designer when the fee for designer services has been set prior to advertisement, the Eligible Applicant shall appoint a designer from the ranked list transmitted by the MSBA to the Eligible Applicant in the order of qualifications as determined by the DSP. If the Eligible Applicant proposes to select any designer other than the one ranked first by the DSP, it shall file a written justification for the proposed appointment with the DSP and shall not proceed until it has obtained written approval to proceed from the Executive Director.
- C. When the fee for designer services is to be negotiated, the Eligible Applicant shall review the list transmitted by the MSBA in the order of qualifications as determined by the DSP and may exclude any designer from the list if a written statement of reasons for the exclusion is filed with the DSP. The Eligible Applicant shall then appoint a designer based upon a successful fee negotiation. The Eligible Applicant shall first negotiate with the first ranked designer remaining on the list. Should the Eligible Applicant be unable to negotiate a satisfactory fee with the first ranked designer within thirty (30) days, negotiations shall be terminated and negotiations undertaken with the remaining designers, one at a time, in the order in which they were ranked by the DSP, until an arrangement is reached. Should the Eligible Applicant be unable to negotiate a successful fee with any designer initially selected by the DSP, the DSP shall recommend additional finalists in accordance with a procedure to be determined by the chairperson of the DSP that is not inconsistent with the procedures set forth in Section 6(B) above. The Eligible Applicant may require a finalist with whom a fee is being negotiated to submit a fee proposal and to provide current cost and pricing data on the basis of which the designer's fee proposal may be evaluated.

Section 8: Continued or Extended Services

- A. The Eligible Applicant may appoint a designer to perform continued or extended services that were not contemplated in the original public notice if the following conditions are met:
 - 1. A written statement is filed with the DSP explaining the reasons for the continuation or extension of services;
 - 2. The program for the design services is filed with the DSP;
 - 3. MSBA staff has made a written determination that the request for continued or extended services is otherwise in compliance with the MSBA's regulations, policies, procedures, and guidelines and the provisions of the feasibility study agreement, project scope and budget agreement, and/or project funding agreement, as applicable;

4. The DSP approves the appointment of the designer for continued or extended services and states the reason therefore.

Section 9: Emergency Designer Selection Process

- A. If a situation arises in accordance with Chapter 7C, Section 53, which has been declared an “emergency” by the Executive Director, an Eligible Applicant may request an emergency selection of a designer.
- B. In consultation with the technical staff of the MSBA, the Eligible Applicant shall prepare a proposed scope of work, an estimate of the cost of construction and a lump sum fee for the designer’s services, and submit this, and any other relevant information to the Executive Director.
- C. In lieu of public advertisement, the Executive Director or his/her designee will consult with the Eligible Applicant to select three to six qualified firms who have Master File Brochures on file, to solicit to perform this work.
- D. The MSBA staff will poll an ad-hoc committee of three members of the DSP to select at least three qualified finalists and forward the names of the finalists to the Eligible Applicant with a written statement explaining the committee’s reasons for its choice(s).
- E. The Eligible Applicant will select one of the three finalists to perform the work and forward the name of the selected firm to the DSP with a written statement explaining the reasons for its choice.
- F. The DSP will immediately notify the Designer Selection Board of the actions taken under the expedited procedures process, in addition to the mandated annual report.

Section 10: Annual Report

- A. The DSP shall submit an annual report to the Commonwealth’s Designer Selection Board which must contain:
 1. A list of all finalists selected by the DSP and awards made by the Eligible Applicants;
 2. A summary of the activities and other actions of the DSP, the Eligible Applicants and the MSBA staff relating to activities undertaken pursuant to these procedures; and
 3. Any other items which the MSBA deems appropriate.

Section 11: Statutory Representations by the MSBA

- A. The projects of the MSBA and the Eligible Applicants are not subject to the jurisdiction of the Division of Capital Asset Management and Maintenance.

- B. The DSP procedures substantially incorporate the procedures required of the Commonwealth's Designer Selection Board in M.G.L. Chapter 7C, Section 45 through 53, inclusive, and Section 55.

Section 12: Effective Dates

- A. The above designer selection procedures will be effective for all MSBA-funded projects through January 31, 2017.

Respectfully submitted under the penalties of
perjury this 21st day of January, 2015



John K. McCarthy, Executive Director
Massachusetts School Building Authority