

PUBLIC FACILITIES DEPARTMENT

Minutes

Public Facilities Commission
Public Facilities Department
Virtually via Zoom
Boston, MA 02201

September 20, 2023

ATTENDING:

Katherine P. Craven, Chair (Not Present)
Lawrence D. Mammoli, Commissioner
Donald E. Wright, Commissioner
ThyThy Le, Legal Advisor PFC/PFD, Law Department
Colleen M. Daley, PFC Secretary, Law Department
Catherine P. Pendleton, Articled Clerk PFC/PFD, Law Department
Elizabeth Feltner, Paralegal PFC/PFD, Law Department
Dion Irish, Chief of Operations, Mayor's Office (Not Present)
Kerrie Griffin, Director, PFD
Carleton Jones, Deputy Director, PFD (Not Present)
Eamon Shelton, Commissioner, Property Management Department (PMD)
Lisa Quinlan, Project Manager, PFD
Greg Rideout, Senior Project Manager, PFD
Alistair Lucks, Project Manager II, PFD

Commissioner Mammoli called the meeting to order.

The minutes from the meetings of August 17, 2023, for the Public Facilities Department and Mayor's Office of Housing, were presented to and approved by the Commission.

NOTE: ThyThy Le noted for the record the meeting is being recorded and broadcast live. She then noted that Colleen Daley, the Public Facilities Commission Secretary, would take a roll call of the meeting participants.

NOTE: Colleen Daley performed the roll call and confirmed the individuals in attendance.

NOTE: ThyThy Le noted for the record draft meeting minutes from the meetings of August 17, 2023, for the Public Facilities Department and Mayor's Office of Housing. She then asked for a motion to approve.

NOTE: On a motion duly made and seconded, the August 17, 2023 meeting minutes for the Public Facilities Department and Mayor's Office of Housing were unanimously approved.

VOTE 1: Lisa Quinlan, Project Manager

Acceptance of Sublease by and between Beacon Residential Management Limited Partnership as Sublandlord¹ and the City of Boston's Property Management Department as Subtenant: Property located at 2 Center Plaza, Suite 700, Downtown Boston District of the City of Boston.

Sublease Term: Two (2) year lease term, after the Term Commencement Date, with an *option of a one (1) year extension at Subtenant's sole discretion.

Year One: \$1,215,900

Year Two: \$1,244,850

Year Three: 1,273,800 (*option of a one (1) year extension at Subtenant's sole discretion)

Ward: 03

Parcel Number: 02715000

Sublease Square Feet: 28,950 (approximately)

Use: General Office Purposes

RFP Issuance Date: April 3, 2023

That the Commissioner of the Property Management Department be, and hereby is, authorized to request from the Public Facilities Commission, having duly advertised a Request for Proposals with advertisements appearing in the City Record and COMMBUYS on April 3, 2023 and April 10, 2023, the Central Register on April 5, 2023 and Boston Globe on April 6, 2023 and April 11, 2023, authority to accept a sublease for office space for the benefit of the Public Facilities Department and Mayor's Office of Housing, by and between Beacon Residential Management Limited Partnership, ("Sublandlord"), a Delaware, a limited partnership, with an address of 2 Two Center Plaza, Suite 600, Boston, Massachusetts 02108 and the City of Boston (the "City"), a municipal corporation, acting by and through its Property Management Department ("Subtenant"), with an address of 1 City Hall Plaza, Room 811, Boston, Massachusetts 02201;

¹ Beacon Residential Management Limited Partnership is a tenant under that certain lease agreement dated September 27, 2011 with MA-Center Plaza, L.L.C., a Delaware limited liability company, as Landlord, amended by (a) that certain First Amendment dated as of September 18, 2012 (the "First Amendment"), (b) that certain Second Amendment dated as of May 30, 2013 (the "Second Amendment"), (c) that certain Third Amendment dated as of October 21, 2013 (the "Third Amendment") and that certain Fourth Amendment dated October 16, 2018 (the "Fourth Amendment (collectively, as amended, the "Master Lease"). A Consent to Sublease agreement by and between current landlord and successor of interest, Shigo Center Plaza Owner, LLC ("Master Landlord") and Beacon Residential Management Limited Partnership ("Sublandlord") and the City of Boston ("Sub-tenant"), provides for written authority for Beacon Residential Management Limited Partnership to enter into a sublease with the City of Boston and will be delivered with the sublease upon PFC approval to accept said sublease.

The terms of the sublease include a two (2) year lease term, beginning on the term commencement date as defined under said sublease, with an option of a one (1) year extension at Subtenant's sole discretion with the property located at 2 Center Plaza, Suite 700 in the Downtown District of the City of Boston containing approximately 28,950 subleased square feet for a period of up to 36 months subject to such other terms, conditions and restrictions as the Commissioner of the Property Management Department deems appropriate for the aforementioned use by the City of Boston; and

FURTHER VOTED: In accordance with the provisions of Chapter 642 of the Acts of 1966 and the applicable statutory terms of M.G.L. c.30B, section 16, the Public Facilities Commission authorizes the Commissioner of the Property Management Department to accept the sublease of the aforementioned property by and between Beacon Residential Management Limited Partnership and the City of Boston's Property Management Department;

AND, FURTHER, VOTED: That the Commissioner of the Property Management Department be, and hereby is, authorized to execute and deliver all contracts, documents or other instruments, which are approved as to form by the Corporation Counsel for the City of Boston when such are deemed necessary or appropriate to effectuate the purposes of this vote, and to record and file any and all of the required documents concerning the same with the Suffolk Registry of Deeds and/or the Suffolk Registry District of the Land Court.

NOTE: Lisa Quinlan addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli asked, "Is this a gross or triple net lease?"

NOTE: Kerrie Griffin asked for clarification as to the question.

NOTE: Commissioner Mammoli stated, "A gross lease includes all of the costs and so forth, a triple net lease is where the lessee pays for additional costs."

NOTE: Kerrie Griffin stated, "It's all costs included."

NOTE: Commissioner Mammoli stated, "I'm looking at [the RFP, PFD] originally asked for 52,000 square feet and you only added 28,000." He then asked, "So I'm assuming it's PFD moving in and the Hawkins Street people?"

NOTE: Lisa Quinlan stated, "Yes."

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 6, 2023 (revised September 18, 2023) project background memoranda with enclosure.

VOTE 2: Greg Rideout, Senior Project Manager

Rescission to the vote of November 18, 2020: Regarding a contract with TERVA Corporation to provide owner project manager (OPM) services associated with the 26 Court Street Full Renovation project located at 26 Court Street in the Downtown District of the City of Boston.

Contract Price: \$2,464,209

That the votes of this Commission at its meeting of November 18, 2020, the latter of which provides as follows:

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. 149, § 44½(c) with advertisements appearing in the Boston Globe and City Record on June 15, 2020 and in the Central Register and COMMBUYS on June 17, 2020, to TERVA Corporation, a Massachusetts corporation with an office at 184 Nathaniel Drive, Whitinsville, MA 01588. Under the terms of this contract, TERVA Corporation will provide owner project manager (OPM) services associated with the 26 Court Street Full Renovation project located at 26 Court Street in the Downtown District of the City of Boston. The term of this contract shall be 182 weeks from the date of execution at a cost not to exceed \$2,464,209, including \$260,000 for additional services, which is a fixed fee of 3.06% based on an estimated construction cost of \$72,000,000; and

be and hereby is rescinded in its entirety.

NOTE: Greg Rideout addressed the Commission and provided an overview of the project.

NOTE: No questions were raised by the Commission.

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 11, 2023 project background memoranda with enclosure.

VOTE 3: Greg Rideout, Senior Project Manager

Contract to Skanska USA Building Inc.: To provide owner project manager (OPM) services associated with the 26 Court Street Full Renovation project located at 26 Court Street in the Downtown District of the City of Boston.

Contract Price: \$2,510,000

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. 149, § 44½(c) with advertisements appearing in the Boston Globe and City Record on June 15, 2020 and in the Central Register and COMMBUYS on June 17, 2020, to Skanska USA Building Inc., a Delaware corporation with an office at 101 Seaport Boulevard, Suite 200, Boston, MA 02210. Under the terms of this contract, Skanska USA Building Inc. will provide owner project manager (OPM) services associated with the 26 Court Street Full Renovation project located at 26 Court Street in the Downtown District of the City of Boston. The term of this contract shall be 120 weeks from the date of execution at a cost not to exceed \$2,510,000, including \$570,000 for additional services, which is a fixed fee of 1.62% based on an estimated construction cost of \$120,000,000.

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.

NOTE: Greg Rideout addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli stated, “The previous OPM contract was based on a \$72,000,000 construction cost and now we’re talking \$120,000,000. That’s a 60% increase.” He then asked, “Any reasons for the increase?”

NOTE: Greg Rideout stated, “There were a lot of market increases during the pandemic with significant inflation in construction prices over the last couple of years. In addition, there were a number of structural unforeseen issues such as where the hollow sidewalks are supported. As we did more investigation into the building it became apparent that more extensive renovations were going to be required. In addition, I think our original plan was to only do white box buildout of some of the lower floors and now we’re doing a full buildout on the lower floors.”

NOTE: Commissioner Mammoli stated, “Alright.” He then asked Commissioner Wright if he had any questions.

NOTE: Commissioner Wright stated, “I’m glad to see this is moving forward, I know this has been going on for a bit of time.”

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 18, 2023 project background memoranda with enclosures and PowerPoint presentation.

VOTE 4: Greg Rideout, Senior Project Manager

Amendment to the vote of February 2, 2021: Regarding a contract with 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.

Increase of \$1,804,252 and Time Extension

That the vote of this Commission at its meeting of February 2, 2021 regarding a contract with 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:

be, and hereby is, amended as follows:

By deleting the following words and figures: “November 1, 2024, 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” and substituting in place thereof the following words and figures: “August 1, 2025, at a cost not to exceed \$8,679,713, including the requested additional amount of \$1,804,252 for additional services.”

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

NOTE: Greg Rideout addressed the Commission and provided an overview of the project.

NOTE: No questions were raised by the Commission.

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 18, 2023 project background memoranda with enclosures.

VOTE 5: Alistair Lucks, Project Manager II

Contracts to various designers: To provide house doctor consulting services for various City facilities, projects and/or sites. Design consulting services will be performed on an as-needed-basis from July 1, 2023 through June 30, 2028.

Contract Price: \$3,000,000 not-to-exceed per contract for a five year period (i.e. structural engineering and environmental engineering/testing).

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 contracts, pursuant to a publicly advertised request for qualifications under M.G.L. c.7C, sections 44-57 with advertisements appearing in the Boston Globe, City Record and in COMMBUYS on January 2, 2023, and in the Central Register on January 4, 2023, for Fiscal Years 2024 through 2028, for house doctor consulting services for various City facilities, projects and/or sites to be performed on an as-needed-basis. Services include investigating, evaluating and preparing certifiable assessments, studies and/or final design and construction administration services for renovation, alteration, modernization and additions to various City facilities, projects and/or sites.

The contracts are awarded to:

Category No. 4: Structural Engineering - \$3,000,000 maximum amount per contract for a five year period

GEI Designers of Massachusetts, Inc.
400 Unicorn Park Drive
Woburn, MA 01801

Category No. 8: Environmental Engineering/Testing - \$3,000,000 maximum amount per contract for a five year period

GEI Designers of Massachusetts, Inc.
400 Unicorn Park Drive
Woburn, MA 01801

Under the terms of these contracts, the aforementioned vendors listed above will provide house doctor consulting services at a cost not to exceed the specific dollar amounts identified above per contract award, for the designated five-year period. 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.

NOTE: Alistair Lucks addressed the Commission and provided an overview of the project.

NOTE: No questions were raised by the Commission.

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 13, 2023 project background memoranda with enclosures.

VOTE 6: Alistair Lucks, Project Manager II

Contracts to various designers: To provide design review consulting services for projects involving various architectural and/or engineering disciplines. Design review services will be performed on an as-needed-basis for individual projects from July 1, 2023 through June 30, 2028.

Contract Price: \$1,000,000 not-to-exceed per contract for a five year period (i.e. architecture and marine engineering).

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 contracts, pursuant to a publicly advertised request for qualifications under M.G.L. c.7C, sections 44-57 with advertisements appearing in the Boston Globe, City Record and COMMBUYS on March 27, 2023 and Central Register on March 29, 2023, for Fiscal Years 2024 through 2028, for design review consulting services for projects involving various architectural and/or engineering disciplines to be performed on an as-needed basis. Services include design review of projects in all phases of design, including planning, design, construction and operation.

The contracts are awarded to:

Category 1: Architecture: Limit: \$1,000,000

SOCOTEC AE Consulting, LLC
250 Dorchester Avenue
Boston, MA 02127

Category 8: Marine Engineering: Limit: \$1,000,000

GEI Designers of Massachusetts, Inc.
400 Unicorn Park Drive
Woburn, MA 01801

Under the terms of these contracts, the aforementioned vendors will provide design review consulting services at a cost not to exceed the specific dollar amounts identified above for the individual categories, and per contract award, for the designated five-year period. The Director is, also, authorized to execute such contracts, in the name and on behalf of the Commission, upon receipt of said written authority from the Mayor.

NOTE: Alistair Lucks addressed the Commission and provided an overview of the project.

NOTE: No questions were raised by the Commission.

NOTE: On a motion duly made and seconded, the vote was unanimously approved.

Exhibits: September 13, 2023 project background memoranda with enclosures.

NOTE: On a motion duly made and seconded, the meeting was adjourned.

NOTE: A recording of this September 20, 2023 Public Facilities Commission Meeting is available at the web address of https://www.cityofboston.gov/cable/video_library.asp?id=57420.

A True Record.

The meeting commenced at 10:02 a.m. and adjourned at 10:32 a.m.



Colleen Daley, PFC Secretary