



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
MARTIN J. WALSH

July 9, 2018

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an appropriation order in the amount of Five Million Four Hundred Twenty-Nine Thousand Three Hundred and Four Dollars (\$5,429,304) for the purpose of paying the costs associated with window replacement projects at the John Marshall Elementary School (UP Academy). This includes the payment of all costs incidental or related thereto, and for which the City of Boston may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Public Facilities Department on behalf of the Boston Public Schools.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may continue the process of seeking funds for the improvement of school facilities within the City of Boston.

Sincerely,

Martin J. Walsh
Mayor of Boston

**CITY OF BOSTON
IN CITY COUNCIL**

ORDERED: That the City of Boston appropriate the amount of Five Million Four Hundred Twenty-Nine Thousand Three Hundred and Four Dollars (\$5,429,304) for the purpose of paying the costs associated with the window replacement project at the following school:

Project	School	Address	City	State	Zip Code
Windows	John Marshall ES (UP Academy)	35 Westville Street	Dorchester	MA	02124

including the payment of all costs incidental or related thereto (the “project”), which proposed repair project would materially extend the useful life of the schools and preserve assets that otherwise are capable of supporting the required educational program, and for which the City of Boston has applied for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of Public Facilities Department on behalf of Boston Public Schools; and that to meet said appropriation the Collector-Treasurer with the approval of the Mayor is hereby authorized to borrow said amount under the provisions of Chapter 44 of the General Laws, as amended or supplemented, or any other enabling authority, and from time to time, issue bonds, notes or certificates of indebtedness of the City up to said amount; that this order shall constitute a declaration of official intent of the City pursuant to Treasury Regulations Section 1.150-2(e) to reimburse expenditures for such projects made from funds established for such purpose as permitted by statute from proceeds of debt incurred by the City pursuant to this order; and that pursuant to Section 12(b) of Chapter 643 of the Acts of 1983 as amended, if any part of the proceeds of sale of any bonds or notes or other obligations issued by the City under this order remains unexpended after the work or purpose for which such bonds, notes or other obligations are issued is completed, such proceeds are hereby appropriated and may be applied by the Collector-Treasurer and City Auditor, at the direction of the Mayor, to pay the principal, premium or interest on such bonds, notes or other obligations or on any debt of the City. The City of Boston acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Boston incurs in excess of any grant that may be approved by and received from the MSBA on account of the Project shall be the sole responsibility of the City of Boston; Provided further that any grant that City may receive from the MSBA for the Project shall not exceed the lesser of (1) 65.47% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement relating to the Project that may be executed between the City of Boston and the MSBA.

I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.
BY Eugene L. O'Flaherty
EUGENE L. O'FLAHERTY
CORPORATION COUNSEL