

Town of Southborough, Massachusetts
Neary Building Committee
Neary Building Committee – OPM Subcommittee
Meeting Minutes
Thursday, July 13, 2023, 7:00 PM
Virtual Zoom Meeting

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in-person attendance by members of the public will be permitted.

Neary Building Committee

Members Present: Jason Malinowski, Denise Eddy, Andrew Pfaff, Mark Davis, Roger Challen, and Kathryn Cook

Members Absent: None

Ex-Officio Members Present: Gregory Martineau Superintendent of Schools and Rebecca Pellegrino Director of Finance

Ex-Officio Members Absent: Stefanie Reinhorn Assistant Superintendent of Teaching and Learning, Keith Lavoie Assistant Superintendent of Operations, Steve Mucci Woodward School Principal, Kathleen Valenti Neary School Principal, Mark Purple Town Administrator and Brian Ballantine Town Treasurer/Finance Director

Neary Building Committee - OPM Subcommittee

Members Present: Jason Malinowski, Denise Eddy, Andrew Pfaff, Mark Davis, and Roger Challen

Members Absent: None

I. Call Meeting to Order

Jason Malinowski called the Neary Building Committee - OPM Subcommittee Meeting to order at 7:04 PM.

Jason noted that this meeting is posted as a Neary Building Committee - OPM Subcommittee meeting given that there is a quorum of the Neary Building Committee present for logistical purposes.

II. Approval of Outstanding NBC Meeting Minutes – 6/6/2023

Jason Malinowski asked for a discussion and a vote.

Jason mentioned that they will need to add the Request for Services as an additional document referenced and the agenda. Andrew Pfaff added that Jason's last name was spelled incorrectly on the adjournment.

MOTION TO APPROVE THE
OUTSTANDING NBC MEETING
MINUTES OF 6/06/2023

Denise Eddy moved, Jason Malinowski, seconded, and it was unanimously voted by roll call, "To approve the outstanding Neary Building Committee Meeting Minutes of June 6, 2023, with the addition"

Roll Call

For: Denise Eddy, Andrew Pfaff, Roger Challen, Mark Davis, and Jason Malinowski

Opposed: None

Abstained: None

III. Approval of Outstanding Subcommittee Meeting Minutes – 6/26/2023 and 6/28/2023

Jason Malinowski asked for a discussion and a vote.

Jason would like to add when he recused himself from the matter, he physically left and did not return to zoom. The Central Office Administrative Assistant still needs to finish the June 28, 2023 meeting minutes.

MOTION TO APPROVE
THE OUTSTANDING
SUBCOMMITTEE
MEETING MINUTES OF
06/26/2023

Andrew Pfaff moved, Denise Eddy seconded, and it was voted 4-0-1 (Jason Malinowski abstained) “To approve the outstanding Neary Building Committee Meeting Minutes of June 26, 2023, as amended.”

Roll Call

For: Denise Eddy, Andrew Pfaff, Roger Challen, and Mark Davis

Opposed: None

Abstained: Jason Malinowski

Given that Jason Malinowski stayed out of the Owners Project Management process, he finds it appropriate to go into the waiting room and bring him back once they discuss other business that may come before the Subcommittee. Denise Eddy will continue the meeting and Jason will log out of his town account and click on the public link to be entirely out of the meeting.

IV. Update on OPM Contract Award

Rebecca Pellegrino, Director of Finance, reported that during the last meeting, the Subcommittee interviewed four candidates for the Neary Building Owners Project Management. The Committee voted to move forward with Skanska USA Building Inc. as their first candidate and voted if they were unable to negotiate with Skanska, they would move forward with Vertex Companies LLC. Following the meeting, the school Administration asked their attorney to review the procurement process. Based on a conversation with the attorney, Massachusetts School Building Association, and the Attorney General's office, they were advised that they would need to move forward with the first-ranked candidate, Vertex Companies LLC. The ranking was a compilation of both the rankings for the proposal and the ranking for the interview that each Committee member had put forward. If they had removed Greg Martineau, Superintendent of Schools, Rebecca Pellegrino, and Keith Lavoie, Assistant Superintendent of Operations, from the ranking, it would have widened the gap and Vertex would have been at 182.57 to 179, Skanska at 179 to 171.75, Hill International at 174 to 171, and Colliers Project Leaders at 176.14 to 170.5. When choosing the Owners Project Management, the Subcommittee thought it was based on ranking and not scoring, meaning ranking them one being their top choice and four being their last choice and only being accountable to ranking and not scoring. The Subcommittee were missing the scale on scoring each firm and did not have enough time to go over the scoring, which they believe is throwing off the overall score. Rebecca followed up by stating that the questions for both the proposal and the scoring have been asked as part of the MSBA project and the Request for Services document was prescribed by MSBA and did outline all of the things that needed to be ranked and scored. Superintendent Martineau added that everyone had the same scoring guide and although he believes there could have been more clarification in the scoring process, everyone brought their own knowledge and experience to come up with their own individual scores. The Subcommittee believes that re-evaluating the references' scores would affect their ranking. When reference checks are believed to be important but the Subcommittee questions the value if they are not included in the final scoring. Superintendent Martineau believes that all firms were evaluated using the process, but also felt the development of interview questions, developing

rubrics, and the scoring was rushed. He believes this is an opportunity to pause and should not be driven by deadlines that do not allow careful consideration at each step.

V. Update on OPM Contract Negotiations

The Subcommittee agreed to consult legal counsel and MSBA through Rebecca Pellegrino, then establish another meeting and make their final decision.

Denise Eddy asked for a discussion and a vote.

Andrew Pfaff moved, Roger Challen seconded, and it was unanimously voted by roll call, “The Neary Building Committee - OPM Subcommittee instructs the district to not have Vertex Companies LLC., be their selection to the Massachusetts School Building Association.”

MOTION TO
INSTRUCT THE
DISTRICT TO NOT
HAVE VERTEX
COMPANIES LLC BE
THEIR SELECTION TO
THE MSBA

Roll Call

For: Roger Challen, Andrew Pfaff, Mark Davis, and Denise Eddy

Opposed: None

Abstained: None

VI. Record any necessary votes of approval to finalize the process for MSBA (None at this time)

VII. Other business that may properly come before the Subcommittee (None at this time)

VIII. Adjournment

MOTION TO
ADJOURN

Andrew Pfaff moved, Roger Challen seconded, and it was unanimously voted by roll call, “To adjourn the Neary Building Committee - OPM Subcommittee Meeting of July 13, 2023.”

Roll Call

For: Roger Challen, Andrew Pfaff, Mark Davis, and Denise Eddy

Opposed: None

Abstained: None

Jason Malinowski stayed in the waiting room and did not enter back into the Neary Building Committee - OPM Subcommittee Meeting of July 13, 2023.

Denise Eddy adjourned the meeting at 8:26 PM.

Respectfully submitted,
Mariana Silva, Central Office Administrative Assistant
Office of Superintendent

List of documents used:

1. Neary Building Committee - OPM Subcommittee Meeting Agenda of July 13, 2023
2. Neary Building Committee - OPM Subcommittee Meeting Minutes of June 6, 2023.
3. Neary Building Committee - OPM Subcommittee Meeting Minutes of June 26, 2023
4. Request for Services - Owners Project Management Document

REQUEST FOR OWNER'S PROJECT MANAGEMENT SERVICES ("OPM RFS")

1. Introduction

The Town of Southborough, ("Owner") is seeking the services of a qualified OPM "Owner's Project Manager" as defined in Massachusetts General Laws Chapter 149, Section 44A½ and as further defined by the provisions of this RFS, to provide Project Management Services for the design, construction, addition to and /or renovation of the Margaret A. Neary School ("School") in Southborough, Massachusetts ("Project").

The Owner is requesting the services of an OPM to represent the Owner during the feasibility study and schematic design phases of the project initially. Subject to the approval of the Project by the Massachusetts School Building Authority (the "MSBA") and further subject to continued funding authorized by the Town of Southborough, the contract between the Owner and the Owner's Project Manager may be amended to include continued Project Management Services through design development, construction documents, bid and award, construction and final closeout of the potential Project. A potential approved Project may include a renovation of the existing School, a renovation and addition of the existing School and/or new construction. The estimated total project costs of an approved potential Project may range from \$40,000,000 to \$90,000,000 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 Board of Directors.

2. Background

The Town of Southborough is a suburban town with approximately 10,400 residents located fifteen miles east of Worcester, and twenty-five miles west of Boston. Southborough possesses a highly skilled labor force, a diversified economy, high-wage employment, and a three-decade record of growth. Many businesses and non-profit organizations choose Southborough because of its highly-educated workforce and its close proximity to rail, air, bus, and highway services. Southborough has a stop on the MBTA's Framingham/Worcester line which offers service from Worcester to Boston and the Metropolitan Boston area.

The town government is an open town meeting form of government. The five elected members of the Select Board are the town's executive officers. The Town Administrator is appointed by the Select Board and is responsible for the daily operations of the town and the supervision of town employees. The School Committee consists of five elected members and has oversight and responsibility for the school system.

The Southborough Public School District is a high performing school district. The K-8 District is comprised of three elementary schools and one middle school. Student enrollment for the 2022-2023 school year was 1,270 students as of October 1, 2022. The District's mission is to educate, inspire, and challenge. The District is centered in the core values of integrity, empathy, inclusivity, equity, perseverance, and respect.

3. Project Description, Objectives and Scope of Services

On or about June 22, 2021, the Owner submitted a Statement of Interest (Attachment A) to the MSBA for the Margaret A. Neary 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 April 26, 2023 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 Margaret A. Neary School. The Margaret A. Neary School was constructed in 1970 and encompasses an approximate area of 63,000 gross square feet on a single level and is located on an eighty-one (81) acre site. The site is separated by wetlands. The Margaret A. Neary School portion of the lot is twenty-seven (27) acres. The building currently services grades four and five for the community of Southborough.

As a result of a collaborative analysis with the MSBA of enrollment projections and space capacity needs for the Margaret A. Neary Elementary School, the Town of Southborough acknowledges and agrees that the design of alternatives, which may be evaluated as a part of the feasibility study for the Margaret A. Neary Elementary School, shall be based in accordance with the following:

| Enrollment for Grades 4-5 at the Margaret A. Neary Elementary School | Enrollment for Grades 3-5 at a Consolidated Margaret A. Neary Elementary School and Albert S. Woodward Memorial School | Enrollment for Grades 2-5 at a Consolidated Margaret A. Neary School and Albert S. Woodward Memorial School |
|---|---|--|
| 305 students | 450 students | 610 students |

The building is a structural block construction with masonry in-fill walls and exterior face brick veneer. Steel roof joists support a flat Carlisle EDPM membrane roof. An addition of two (2) modular classrooms added to the building in 2001, adding 2,744 square feet. The interior finishes include vinyl roll, vinyl asbestos tile, ceramic tile, vinyl gym flooring, and quarry tile as well as exposed concrete flooring and concrete block walls, and plaster, acoustic tile and lay-in acoustic tile (LAT) ceilings. A complete EPDM roof replacement occurred in 1990. Since then only repairs have occurred. Doors and windows are original construction. There has been no significant modification from the original design. An upgrade of the HVAC equipment, generator, and electrical system was completed in 2007. This upgrade also included new clocks and a communication system. A voice over IP phone system was installed in 2018. Asbestos containing building materials are present in the form of pipe fittings, vinyl asbestos tile flooring throughout the majority of the facility, and 12x12 acoustic wall tile in classrooms.

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;*
- *Ensure that the School meets current and future educational program needs and code requirements;*
- *Consideration of options for different grade level configurations;*
- *Addition, renovation, or replacement of existing buildings and facilities to provide for a full range of programs consistent with state and approved local requirements;*

- *Suitability of the current location for construction of a new school building including but not limited to reviews of the site plan, environmental, health, and safety considerations, as well as a traffic study;*
- *Identification of alternative sites;*
- *Life cycle costs of operating the School as it relates to future operational budgets;*
- *Northeast Collaborative for High Performance Schools (NE-CHPS) criteria or US Green Building Council's LEED for Schools (LEED-S) Rating System.*

The required scope of services is set forth in Article 8 of the standard contract for Owner's Project Management Services for a Design/Bid/Build project that is attached hereto as Attachment B and incorporated by reference herein. If the Owner determines to use a CM-at-Risk delivery method, this contract shall need to be amended and/or substituted. The work is divided into the Project Phases as listed in Attachment A of this contract. The durations of the Phases shown below are estimates only, based on the Owner's experience. Actual durations may vary depending upon the Project agreed upon by the Owner and the MSBA. The total duration of the Contract is estimated as follows:

| | |
|---|----------------------|
| 1. Feasibility Study/Schematic Design Phase; | 20-24 months* |
| 2. Design Development/Construction Documents/Bidding Phase; and | 10-12 months* |
| 3. Construction Phase. | 24-36 months* |

*These ranges for scheduling timeframes are provided as guidelines only and are based upon schedules established by other Owners.

4. Minimum Requirements and Evaluation Criteria:

Minimum Requirements:

In order to be eligible for selection, each Respondent must certify that it meets the following minimum requirements. Any Response that fails to include such certification in its response, demonstrating that these criteria have been met, may be rejected without further consideration.

Each Respondent must designate an individual who will serve as the Project Director. The Project Director shall be certified in the Massachusetts Certified Public Purchasing Officer Program (the "MCPPO") as administered by the Inspector General of the Commonwealth of Massachusetts and must also meet the following minimum requirements:

- The Project Director shall be a person who is registered by the Commonwealth of Massachusetts as an architect or professional engineer and who has at least five years' experience in the construction and supervision of construction and design of public buildings;
- **or,**
- if not registered as an architect or professional engineer, the Project Director must be a person who has at least seven years' experience in the construction and supervision of construction and design of public buildings.

Evaluation Criteria

In addition to the minimum requirements set forth above, all Respondents must demonstrate that they have significant experience, knowledge and abilities with respect to public construction projects, particularly involving the construction and renovation of K-12 schools in Massachusetts. The Owner will evaluate Responses based on criteria that shall include, but not be limited to, the following:

- 1) Past performance of the Respondent, if any, with regard to public, private, Department Of Education funded and MSBA-funded school projects across the Commonwealth, as evidenced by:

- a) Documented performance on previous projects as set forth in Attachment C, including the number of projects managed, project dollar value, number and percentage completed on time, number and dollar value of change orders, average number of projects per project manager per year, number of accidents and safety violations, dollar value of any safety fines, and number and outcome of any legal actions; (10 points)
- b) Satisfactory working relationship with designers, contractors, Owner, the MSBA and local officials. (10 points)

- 2) Thorough knowledge of the Massachusetts State Building Code, regulations related to the Americans with Disabilities Act, and all other pertinent codes and regulations related to successful completion of the project. (10 points)
- 3) Thorough knowledge of Commonwealth construction procurement laws, regulations, policies and procedures, as amended by the 2004 Construction Reform laws (10 points)
- 4) Management approach: Describe the Respondent's approach to providing the level and nature of services required as evidenced by proposed project staffing for a potential (hypothetical) proposed project for new construction of 90,000 square feet or renovation/construction of similar square footage; proposed project management systems; effective information management; and examples of problem solving approaches to resolving issues that impact time and cost. (10 points)
- 5) Key personnel: Provide an organizational chart that shows the interrelationship of key personnel to be provided by the Respondent for this project and that identifies the individuals and associated firms (if any) who will fill the roles of Project Director, Project Representative and any other key roles identified by the Respondent, including but not limited to roles in design review, estimating, cost and schedule control. Specifically, describe the time commitment, experience and references for these key personnel including relevant experience in the supervision of construction of several projects that have been either successfully completed or in process that are similar in type, size, dollar value and complexity to the project being considered. (10 points)
- 6) Capacity and skills: Identify existing employees by number and area of expertise (e.g. field supervision, cost estimating, schedule analysis, value engineering, constructability review, quality control and safety). Identify any services to be provided by sub-consultants. (5 points)
- 7) Identify the Respondent's current and projected workload for projects estimated to cost in excess of \$1.5 million. (5 points)
- 8) Familiarity with Northeast Collaborative for High Performance Schools criteria or US Green Building Council's LEED for Schools Rating System. Demonstrated experience working on high performance green buildings (if any), green building rating system used (e.g., NE-CHPS or LEED-S), life cycle cost analysis and recommendations to Owners about building materials, finishes etc., ability to assist in grant applications for funding and track Owner documentation for NE-CHPS or LEED-S prerequisites. (5 points)
- 9) Thorough knowledge and demonstrated experience with life cycle cost analysis, cost estimating and value engineering with actual examples of recommendations and associated benefits to Owners. (5 points)
- 10) Knowledge of the purpose and practices of the services of Building Commissioning Consultants. (10 points)
- 11) Financial Stability: Provide current balance sheet and income statement as evidence of the Respondent's financial stability and capacity to support the proposed contract. (10 points)

In order to establish a short-list of Respondents to be interviewed, the Owner will base its initial ranking of Respondents on the above Evaluation Criteria. The Owner will establish its final ranking of the short-listed Respondents after conducting interviews.

The Owner reserves the right to consider any other relevant criteria that it may deem appropriate, within its sole discretion, and such other relevant criteria as the MSBA may request. The Owner may or may not, within its sole discretion, seek additional information from Respondents.

This RFS, any addenda issued by the Owner, and the selected Respondent's response, will become part of the executed contract. The key personnel that the Respondent identifies in its response must be contractually committed for the Project. No substitution or replacement of key personnel or change in the sub-consultants identified in the response shall take place without the prior written approval of the Owner and the MSBA.

The selected Respondent(s) will be required to execute a Contract for Project Management Services with the Owner in the form that is attached hereto as Attachment B and incorporated by reference herein. Prior to execution of the Contract for Project Management Services with the Owner, the selected Respondent will be required to submit to the Owner a certificate of insurance that meets the requirements set forth in the Contract for Project Management Services.

Prior to execution of the Contract for Project Management Services, the fee for services shall be negotiated between the Owner and the selected Respondent to the satisfaction of the Owner, within its sole discretion. The initial fee structure will be negotiated through the Feasibility Study/Schematic Design Phase. The selected Respondent, however, will be required to provide pricing information for all Phases specified in the Contract at the time of fee negotiation.

5. Selection Process and Selection Schedule

Process

- 1) A subcommittee of the Neary School Building Committee will determine whether respondents have provided all required information and that the minimum requirements as outlined in the OPM RFS have been met utilizing a standard checklist. Any responses that do not meet the minimum requirement will be removed from the selection process. The subcommittee will rank all responses based on the weighted evaluation criteria outlined in Section 4 of the OPM RFS utilizing a scoring tool. The ranking will be used to develop a short list consisting of a minimum of three (3) respondents.
- 2) Identified reviewers must rank the Responses based on the weighted evaluation criteria identified in the RFS and must short-list a minimum of three Responses.
- 3) Upon approval of the short list of respondents, all references of the top ranked respondents will be checked via phone interview or email correspondence. The information gathered from the reference checks will be shared with the subcommittee prior the interview process and included in the final scores. The subcommittee will interview the short-listed respondents. The interview process will consist of a presentation by the respondents related to the evaluation criteria identified in Section 4. Each respondent must present its key personnel, including the individual(s) who will work on this project as their primary job. Following the presentation, the subcommittee may ask questions related to the evaluation criteria, information provided in the response to the RFS and information gathered from the reference checks. Each candidate will be allowed approximately 40 minutes for its interview, and time will be allotted as follows: 10 minutes for a formal presentation and 30 minutes for questions by the subcommittee. The subcommittee shall ask approximately six standard questions to each respondent, followed by open questions posed by any member of the subcommittee. Following the interviews and/or collection of additional information, the subcommittee will re-rank the short-listed respondents based on all available information, including but not limited to the initial ranking scores and information received through reference checks. The subcommittee will recommend to the Neary School Building Committee the top ranked respondent. The Neary School Building Committee as a whole will review and approve the recommendations from the subcommittee.

- 4) Upon final approval by the Neary School Building Committee, the First Ranked Respondent will be required to provide a detailed breakdown of the scope of service and of their fee proposal. The breakdown shall provide the costs for services along with the scope of work during the Designer Selection Phase, the Feasibility Study/Schematic Design Phases, the Design Development/Contract Document Phases, the Bidding Phase, and the Contract Administration Phase. The breakdown shall separate the costs of each consultant used by the OPM during each of the listed phases. The breakdown shall also include the anticipated monthly costs of full time on-site clerk(s) of the works for the full duration of the construction phase of the work. An itemized breakdown of all other costs included in the fee proposal shall be provided. The initial contract for services shall only be through the end of the Feasibility Study/Schematic Design Phases.
- 5) The Owner will commence fee negotiations with the first-ranked selection.
- 6) If the Owner is unable to negotiate a contract with the first-ranked selection, the Owner will then commence negotiations with its second-ranked selection and so on, until a contract is successfully negotiated and approved by the Owner.
- 7) The selected firm will be submitted to the MSBA for its approval.
- 8) The selected firm may be asked to participate in a presentation to the MSBA and/or submit additional documentation, as required by MSBA, as part of the MSBA approval process.
- 9) If negotiations with one or more of the short-listed respondents prove unsuccessful, or if fewer than three responses are received, the Owner may reject all responses and may choose to re-advertise for services if deemed in its best interest to do so.

The following is a tentative schedule of the selection process, subject to change at the Owner's and MSBA's discretion.

| | |
|----------------------------------|--|
| June 7, 2023 | RFS appears in the Central Register of the Commonwealth of Massachusetts, COMMBUYs, the Metrowest Daily News, and the Worcester Telegram and Gazette |
| June 12, 2023 3:30 PM | Voluntary informational meeting and site inspection of Margaret E. Neary School, 53 Parkerville Road, Southborough, MA 01772 |
| June 16, 2023 3:00 PM | Last day for questions from Respondents |
| June 21, 2023 11:00 AM | Responses due |
| June 26, 2023 | Respondents short-listed |
| June 28, 2023 6:00 – 10:00 PM | Interview short-listed Respondents |
| June 30, 2023 | Negotiate with selected Respondent |
| July 12, 2023 | Final selection submitted to the MSBA for review and approval |
| August 7, 2023 | Anticipated MSBA OPM Review Panel Meeting |
| August 10, 2023 | Anticipated execution of contract |

The RFS may be obtained from:

Rebecca Pellegrino, Director of Finance
53 Parkerville Road, Southborough, MA 01772

(508) 486-5115
rpellegrino@nsboro.k12.ma.us

On or after June 7, 2023.

Any questions concerning this RFS must be submitted in writing to:

Rebecca Pellegrino, Director of Finance
53 Parkerville Road, Southborough, MA 01772
(508) 486-5115
rpellegrino@nsboro.k12.ma.us
Facsimile: 508-486-5123

by 3:00 PM on Friday, June 16, 2023.

Sealed Responses to the RFS for OPM services must be clearly labeled “Owner’s Project Management Services for Margaret A. Neary School” and delivered to:

Rebecca Pellegrino, Director of Finance
53 Parkerville Road, Southborough, MA 01772
508-486-5115

no later than 11:00 AM on Wednesday, June 21, 2023. The Owner assumes no responsibility or liability for late delivery or receipt of Responses. All responses received after the stated submittal date and time will be judged to be unacceptable and will be returned unopened to the sender.

6. Requirements for content of response:

Submit ***three(3)*¹** hard copies of the response to this RFS and one electronic version in PDF format on thumb drive. All responses shall be:

- In ink or typewritten;
- Presented in an organized and clear manner;
- Must include the required forms in Attachment C;
- Must include all required Attachments and certifications;
- Must include the following information:

1. Cover letter shall be a maximum of two pages in length and include:

- a. An acknowledgement of any addendum issued to the RFS.
- b. An acknowledgement that the Respondent has read the RFS. Respondent shall note any exceptions to the RFS in its cover letter.
- c. An acknowledgement that the Respondent has read the Contract for Project Management Services. Respondent shall note any exceptions to the Contract for Project Management Services in its cover letter.
- d. A specific statement regarding compliance with the minimum requirements identified in Item 4 of this RFS to include identification of registration, number of years of experience and where obtained (as supported by the resume section of Attachment C), as well as the

date of the MCPPO certification. (A copy of the MCPPO certification must be attached to the cover letter).

- e. A description of the Respondent's organization and its history.
- f. The signature of an individual authorized to negotiate and execute the Contract for Project Management Services, in the form that is attached to the RFS, on behalf of the Respondent.
- g. The name, title, address, e-mail and telephone number of the contact person who can respond to requests for additional information.

2. Selection Criteria: The response shall address the Respondent's ability to meet the "Selection Criteria" Section including submittal of additional information as needed. The total length of the Response (including Attachment C only but excluding Attachments A, B and D) may not exceed twenty (20) single-sided numbered pages with a minimum acceptable font size of "12 pt" for all text.

Respondents may supplement this proposal with graphic materials and photographs that best demonstrate its project management capabilities of the team proposed for this project. **Limit this additional information to a maximum of three 8½" x 11" pages, double-sided.**

Certifications: The following certificates (Attachment D) shall be included in the proposal:

1. ***Certificate of Non-Collusion***
2. ***Tax Compliance Certification***
3. ***Certificate of Vote***

7. Payment Schedule and Fee Explanation:

The Owner will negotiate the fee for services dependent upon an evaluation of the level of effort required, job complexity, specialized knowledge required, estimated construction cost, comparison with past project fees, and other considerations. As construction cost is but one of several factors, a final construction figure in excess of the initial construction estimate will not, in and of itself, constitute a justification for an increased OPM fee.

8. Other Provisions

A. 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.

B. 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.

C. Communications with the Owner

The Owner's Procurement Officer for this RFS is:

Rebecca Pellegrino, Director of Finance
53 Parkerville Road,

Southborough, MA 01772
Telephone: (508) 486-5115
Email address: rpellegrino@nsboro.k12.ma.us
Facsimile: (508)486-5123

Respondents that intend to submit a response are prohibited from contacting any of the Owner's staff other than the Procurement Officer. An exception to this rule applies to Respondents that currently do business with the Owner, but any contact made with persons other than the Procurement Officer must be limited to that business, and must not relate to this RFS. In addition, such respondents shall not discuss this RFS with any of the Owner's consultants, legal counsel or other advisors. ***FAILURE TO OBSERVE THIS RULE MAY BE GROUNDS FOR DISQUALIFICATION.***

D. Costs

Neither the Owner nor the MSBA will be liable for any costs incurred by any Respondent in preparing a response to this RFS or for any other costs incurred prior to entering into a Contract with an OPM approved by the MSBA.

E. Withdrawn/Irrevocability of Responses

A Respondent may withdraw and resubmit their response prior to the deadline. No withdrawals or re-submissions will be allowed after the deadline.

F. 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.

G. Subcontracting and Joint Ventures

Respondent's intention to subcontract or partner or joint venture with other firm(s), individual or entity must be clearly described in the response.

H. Validity of Response

Submitted responses must be valid in all respects for a minimum period of ninety (90) days after the submission deadline.

FURTHER INFORMATION

ATTACHMENTS:

Attachment A: Statement of Interest

Attachment B: Contract for Owner's Project Management Services

Attachment C: OPM Application Form – March 2017

Attachment D: Required Certifications

ATTACHMENT A
STATEMENT OF INTEREST

ATTACHMENT B
MSBA STANDARD CONTRACT
(Design/Bid/Build)

Owner's Project Manager Application Form – March 2017

1. Project Name/Location for Which Firm is Filing:

1a. MSBA Project Number:

2a. Respondent, Firm (Or Joint-Venture) - Name And Address Of Primary Office To Perform The Work:

2c. Date Present And Predecessor Firms Were Established:

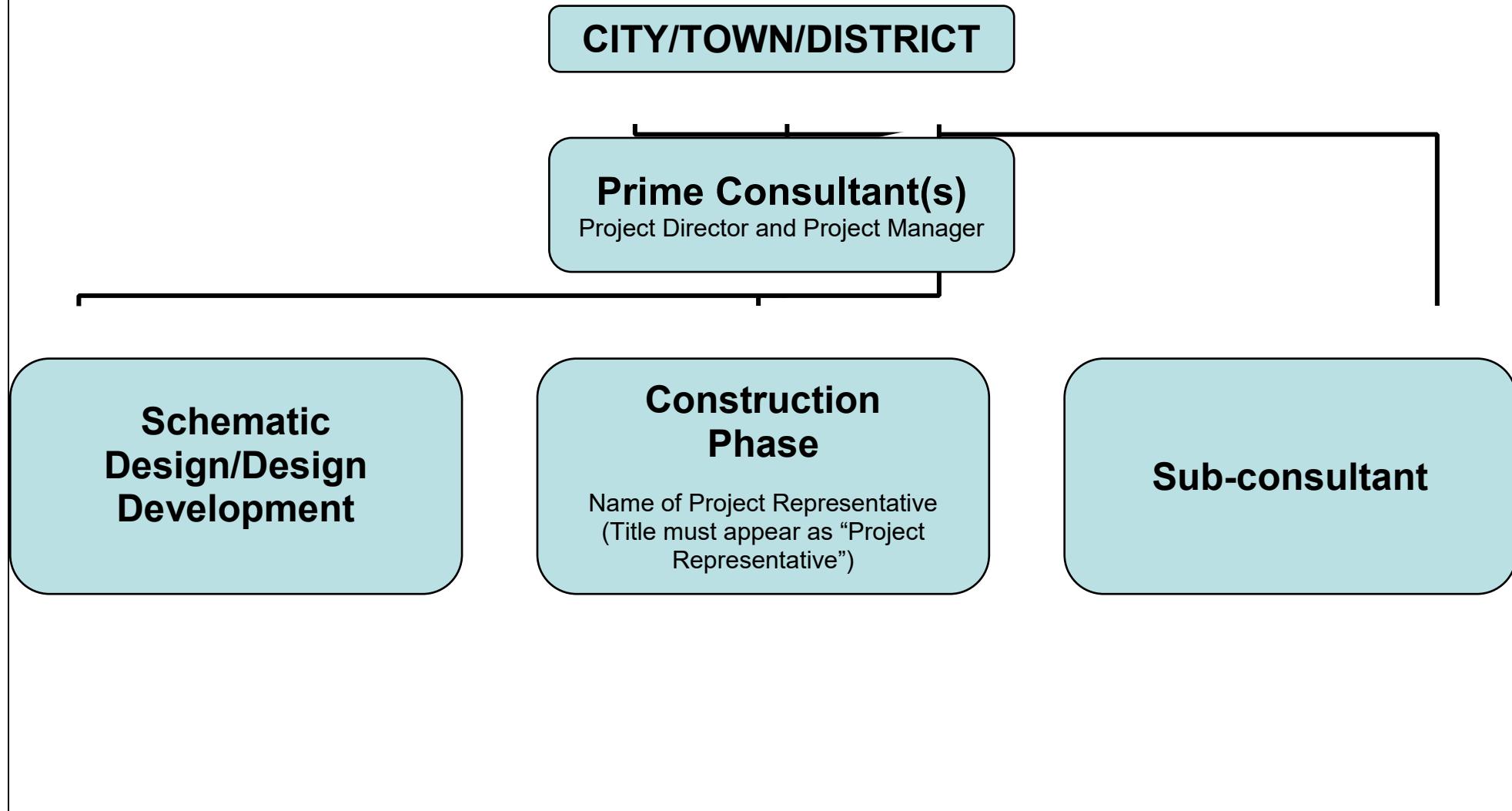
2e. Federal ID #:

3. Personnel From Prime Firm Included In Question #2 Above By Discipline (List Each Person Only Once, By Primary Function -- Average Number Employed Throughout The Preceding 6 Month Period. Indicate Both The Total Number In Each Discipline):

| Admin. Personnel | Cost Estimators | Other |
|----------------------------|-------------------------|-------|
| Architects | Electrical Engrs. | _____ |
| Acoustical Engrs. | Environmental Engrs. | _____ |
| Civil Engrs. | Licensed Site Profs. | _____ |
| Code Specialists | Mechanical Engrs. | _____ |
| Construction Inspectors | | _____ |
| | | Total |

4. Has this Joint-Venture previously worked together? Yes No

5. List **ONLY** Those Prime and Sub-Consultant Personnel identified as Key personnel in the Response to Request for Services. This Information Should Be Presented Below In The Form Of An Organizational Chart modified to fit the firm's proposed management approach. Include Name of Firm And Name Of The Person:



6. Brief Resume for Key Personnel **ONLY** as indicated in the Request for Services. Resumes Should Be Consistent With The Persons Listed On The Organizational Chart In Question # 5. Additional Sheets Should Be Provided Only As Required For The Number Of Key Personnel And They Must Be In The Format Provided. By Including A Firm As A Subconsultant, The Prime Applicant Certifies That The Listed Firm Has Agreed To Work On This Project, Should The Team Be Selected.

| | | | |
|---|---|--|-------------------------|
| a. Name And Title Within Firm: | a. Name And Title Within Firm: | | |
| b. Project Assignment: | b. Project Assignment: | | |
| c. Name And Address Of Office In Which Individual Identified In 6a Resides: | c. Name And Address Of Office In Which Individual Identified In 6a Resides: | | |
| d. Years Experience: With This Firm: _____ | With Other Firms: _____ | d. Years Experience: With This Firm: _____ | With Other Firms: _____ |
| e. Education: Degree(s) /Year/Specialization | e. Education: Degree(s) /Year/Specialization | | |
| f. Date of MCPPO Certification: | f. Date of MCPPO Certification: | | |
| g. Applicable Registrations and Certifications : | g. Applicable Registrations and Certifications: | | |
| h. Current Work Assignments And Availability For This Project <i>(availability should be identified as a percentage: eg: "As of 5/30, 50% available"):</i> | h. Current Work Assignments And Availability For This Project <i>(availability should be identified as a percentage: eg: "As of 5/30, 50% available"):</i> | | |

i. Other Experience And Qualifications Relevant To The Proposed Project: (Identify OPM Firm By Which Employed, If Not Current Firm. Please distinguish between OPM work and any design work performed by the firm.):

i. Other Experience And Qualifications Relevant To The Proposed Project: (Identify OPM Firm By Which Employed, If Not Current Firm. Please distinguish between OPM work and any design work performed by the firm.):

| 7a Past Performance: List all Completed Projects, in excess of \$1.5 million, for which the Prime Applicant has performed, or has entered into a contract to perform Owner's Project Management Services for all Public Agencies within the Commonwealth within the past 10 years. | | | | | | | | | |
|--|---|-------------------------|---|------------------------|---|------------------|--|-------------------------------------|--|
| a. Project Name And Location Project Director | b. Brief Description Of Project And Services (Include Reference To Areas Of Similar Experience) | c. Project Dollar Value | d. Completion Date (Actual Or Estimate) | e. On Time (Yes Or No) | f. Original Construction Contract Value | g. Change Orders | h. Number of Accidents and Safety Violations | i. Dollar Value of any Safety fines | j. Number And Outcome Of Legal Actions |
| (1) | | | | | | | | | |
| (2) | | | | | | | | | |
| (3) | | | | | | | | | |

| | | | | | | | | | |
|-----|--|--|--|--|--|--|--|--|--|
| (4) | | | | | | | | | |
| (5) | | | | | | | | | |

7b. Past Performance: Provide the following information for those completed Projects listed above in 7a for which the Prime Applicant has (co performed, or has entered into a contract to perform Owner's Project Management Services for all Public Agencies within the Commonwealth nt) within the past 10 years.

| a. Project Name And Location Project Director | b. Original Project Budget | c. Final Project Budget | d. If different, provide reason(s) for variance | e. Original Project Completion | e. Actual Project Completion On Time (Yes or No) | f. If different, provide reason(s) for variance. |
|--|----------------------------|-------------------------|---|--------------------------------|--|--|
| (1) | | | | | | |
| (2) | | | | | | |
| (3) | | | | | | |

| | | | | | | |
|-----|--|--|--|--|--|--|
| (4) | | | | | | |
| (5) | | | | | | |

8. **Capacity:** Identify all current/ongoing Work by Prime Applicant, Joint-Venture Members or Sub-consultants. Identify project participants and highlight any work involving the project participants identified in the response.

| Project Name And Location Project Director | b. Brief Description Of Project And Services (Include Reference To Areas Of Similar Experience) | c. Original Project Budget | d. Current Project Budget | d. Project Completion Date | e. Current forecast completion date On Time (Yes Or No) | f. Original Construction Contract Value | g. Number and dollar value of Change Orders | h. Number and dollar value of claims |
|---|---|----------------------------|---------------------------|----------------------------|---|---|---|--------------------------------------|
| 1. | | | | | | | | |
| 2. | | | | | | | | |
| 3. | | | | | | | | |

| | | | | | | | | |
|----|--|--|--|--|--|--|--|--|
| | | | | | | | | |
| 4. | | | | | | | | |
| 5. | | | | | | | | |
| 6. | | | | | | | | |
| 7. | | | | | | | | |
| 8. | | | | | | | | |

| | | | | | |
|--|--|---|---|---|--|
| 9. References: Provide the following information for completed and current Projects listed above in 7 and 8 for which the Prime Applicant has performed, or has entered into a contract to perform Owner's Project Management Services for all Public Agencies within the Commonwealth within the past 10 years. | | | | | |
| a. Project Name And Location Project Director | Client's Name, Address and Phone Number. Include Name of Contact Person | Project Name And Location Project Director | Client's Name, Address and Phone Number. Include Name of Contact Person | Project Name And Location Project Director | Client's Name, Address and Phone Number. Include Name of Contact Person |

| | | | | | |
|----|--|----|--|-----|--|
| 1) | | 5) | | 9) | |
| 2) | | 6) | | 10) | |
| 3) | | 7) | | 11) | |
| 4) | | 8) | | 12) | |

9. Use This Space To Provide Any Additional Information Or Description Of Resources Supporting The Qualifications Of Your Firm And That Of Your Sub-consultants. If Needed, Up To Three, Double-Sided 8 1/2" X 11" Supplementary Sheets Will Be Accepted. **APPLICANTS ARE REQUIRED TO RESPOND SPECIFICALLY IN THIS SECTION TO THE AREAS OF EXPERIENCE REQUESTED.**

10. I hereby certify that the undersigned is an Authorized Signatory of Firm and is a Principal or Officer of Firm. The information contained in this application is true, accurate and sworn to by the undersigned under the pains and penalties of perjury.

Submitted By _____ Printed Name _____ Date _____
(Signature) _____ And Title _____ e _____

Attachment D
Required Certifications

Town of Southborough, Massachusetts
Neary Building Committee
Neary Building Committee – OPM Subcommittee
Monday, June 26, 2023, 7:00 PM
Virtual Zoom Meeting

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in-person attendance by members of the public will be permitted.

Neary Building Committee:

Members Present: Jason Malinowski (recused himself at 7:04 pm), Andrew Pfaff, Roger Challen, Mark Davis, and Denise Eddy

Members Absent: Kathryn Cook, Jen Donato, and Anuradha Khemka

Ex-Officio Members Present: Gregory Martineau Superintendent of Schools, Keith Lavoie Assistant Superintendent of Operations, and Rebecca Pellegrino Director of Finance

Ex-Officio Members Absent: Stefanie Reinhorn, Assistant Superintendent of Teaching and Learning, Steve Mucci, Woodward School Principal, Kathleen Valenti, Neary School Principal, Mark Purple Town Administrator and Brian Ballantine Town Treasurer/ Finance Director

Neary Building Committee - OPM Subcommittee:

Members Present: Jason Malinowski, Denise Eddy, Mark Davis, Andrew Pfaff, and Roger Challen

Members Absent: None

I. Call Meeting to Order

Jason Malinowski called the Neary Building Committee - OPM Subcommittee Meeting to order at 7:00 PM.

Jason Malinowski noted that this meeting is posted as a Neary Building Committee - OPM Subcommittee meeting given that there is a quorum of the Neary Building Committee present for logistical purposes.

II. Approval of OPM Subcommittee outstanding meeting minutes from May 16, 2023

Jason Malinowski asked for a discussion and a vote.

Jason Malinowski moved, Andrew Pfaff seconded and it was unanimously voted by roll call, “To approve the OPM Subcommittee outstanding meeting minutes from May 16, 2023.”

MOTION TO APPROVE
OUTSTANDING MEETING
MINUTES

Roll Call

For: Andrew Pfaff, Mark Davis, Denise Eddy, Roger Challen, and Jason Malinowski

Opposed: None

Abstained: None

III. Review of OPM RFQ submissions and scoring, Vote on finalists to bring forward for interview

Jason Malinowski has recused himself, as there is a potential appearance of conflict. Jason has coordinated with Denise Eddy, Vice-Chair, to continue the meeting. On the record, Denise thanked the nine companies that submit Owners Project Management proposals. Each Committee member was to rate each proposal in 11 different categories which were given to Rebecca Pellegrino, Director of Finance, to correlate. The rates of each firm were The Vertex Companies, LCC at 92.86, Skanska USA Building Inc. at 89.71, Hill International at 89.14, Colliers Project Leaders at 88.43, Anser Advisory at 84.86, Turner and Townsend Heery at 82.29, LeftField at 81.71, P-Three, Inc. at 74.14, and Corporate Real Estate and Facilities at 57.57. The Neary Building Committee - OPM Subcommittee has decided to interview the top four candidates and the timeslots will be chosen at random.

Denise Eddy asked for a discussion and a vote.

MOTION TO
BRING TOP FOUR
CANDIDATES TO
INTERVIEW

Andrew Pfaff moved, Mark Davis seconded and it was unanimously voted, "To bring in the top four candidates, which are Vertex Companies, Skanska USA Building, Hill International, and Collier Project Leaders for an interview on Wednesday, June 28, 2023"

IV. Public Comment (None at this time)

V. Meeting Schedule

1. Interviews will occur on Wednesday, June 28, 2023

VI. Other business that may properly come before the Subcommittee (None at this time)

VII. Adjournment

Denise Eddy asked for a discussion and a vote.

MOTION TO
ADJOURN

Roger Challen moved, Mark Davis seconded, and it was unanimously voted by roll call, "To adjourn the Neary Building Committee – OPM Subcommittee Meeting of June 26, 2023."

Roll Call

For: Andrew Pfaff, Mark Davis, Roger Challen, and Denise Eddy

Opposed: None

Abstained: None

Denise Eddy adjourned the meeting at 7:14 PM.

Respectfully submitted,
Mariana Silva, Central Office Administrative Assistant
Office of Superintendent

Documents used at this meeting:

1. Owners Project Management Evaluation Ranking Spreadsheet as of June 26, 2023.

Town of Southborough, Massachusetts
Neary Building Committee
Neary Building Committee – OPM Subcommittee
Tuesday, June 6th, 2023 9:00 AM Virtual Zoom Meeting

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in-person attendance by members of the public will be permitted.

Agenda (all items may have one or more votes taken to the extent action is required):

Members Present: Jason Malinowski, Kathy Cook, Mark Davis, Roger Challen, Andrew Pfaff, and Denise Eddy

Members Absent: Jennifer Primack

Ex-Officio Members Present:

Gregory Martineau, Superintendent of Schools
Stefanie Reinhorn, Assistant Superintendent of Teaching and Learning
Keith Lavoie, Assistant Superintendent of Operations
Rebecca Pellegrino, Director of Finance
Kathleen Valenti, Neary School Principal
Mark Purple, Town Administrator
Brian Ballantine, Town Treasurer/ Finance Director

Absent: Steve Mucci, Woodward School Principal

I. Call Meeting to Order

Jason Malinowski called the Neary Building Committee Meeting to order at 9:00 AM.

For the record, Jason acknowledged that the Neary Building Committee OPM Subcommittee has a quorum. Although this is a duly posted meeting, any votes made require the approval of the full building committee, not the Subcommittee. Jason welcomed Kathy Cook as the new Committee member.

II. Approval of Outstanding Meeting Minutes

Jason Malinowski asked for a discussion and a vote.

Jason Malinowski moved, Denise Eddy seconded and voted 5-0-1 by roll call, and Kathy Cook abstained “To approve the outstanding meeting minutes.”

**MOTION TO
APPROVE
OUTSTANDING
MEETING
MINUTES**

Roll Call

For: Roger Challen, Denise Eddy, Mark Davis, Andrew Pfaff, and Jason Malinowski

Opposed: None

Abstained: Kathy Cook

Neary Building Committee

Open Meeting Minutes 06/06/2023

III. Approval of OPM Request for Services for release with MSBA comments incorporated
Jason Malinowski asked for a discussion and a vote.

*Jason Malinowski moved, Denise Eddy seconded and it was unanimously voted by roll call,
“The Neary Building Committee accept the request for services document that has been drafted
by this team and reviewed by MSBA and authorized the school administration to start procuring
services related to this starting June 7, 2023.”*

MOTION TO APPROVE
OPM REQUEST FOR
SERVICES FOR
RELEASE WITH MSBA
COMMENTS
INCORPORATED

Roll Call

For: Roger Challen, Kathy Cook, Denise Eddy, Mark Davis, Andrew Pfaff, and Jason Malinowski

Opposed: None

Abstained: None

IV. Public Comment (None at this time)

V. Meeting Schedule

Jason Malinowski stated that he will send a detailed email with what was agreed to in the last Neary Building Committee meeting in terms of their robust meeting schedule at the end of June. Rebecca Pellegrino, Director of Finance, confirmed that it is only the OPM Subcommittee that will need to be available for those dates. The Neary Building Committee will be welcomed to join but only the five Subcommittee members are required to join and vote. Eventually, everyone will come back with a recommendation to the full Neary Building Committee, walk through the process, and will have more discussion. Rebecca and the school administration team will determine a way to disseminate the RFS in the matrixes and instructions over the next couple of weeks. Jason will work with Rebecca to come up with a better time frame for the meeting.

VI. Other business that may properly come before the Committee (None at this time)

VII. Adjournment

Jason Malinowski moved, Roger Challen seconded, and it was unanimously voted by roll call, “To adjourn the Neary Building Committee Meeting of June 6, 2023.”

MOTION TO ADJOURN

Roll Call

For: Roger Challen, Kathy Cook, Denise Eddy, Mark Davis, Andrew Pfaff, and Jason Malinowski

Opposed: None

Abstained: None

Jason Malinowski adjourned the meeting at 9:13 AM.

Respectfully submitted,
Mariana Silva, Central Office Administrative Assistant
Office of Superintendent

Documents used at this meeting:

DRAFT