

PUBLIC FACILITIES DEPARTMENT
Minutes
Public Facilities Commission
Public Facilities Department
26 Court Street, 1st Floor, Winter Chambers
Boston, MA 02108

March 14, 2018

ATTENDING:

Katherine P. Craven, Chair, (Not Present)
Lawrence D. Mammoli, Commissioner
Dion S. Irish, Commissioner
Angela D. Atchue, Senior Legal Officer, PFD and Legal Counsel, PFC
Colleen M. Daley, PFC Secretary
Catherine Pendleton, Articled Clerk, PFD and PFC
Henry C. Luthin, First Assistant Corporation Counsel, Law Department
David Zuares, Assistant Corporation Counsel, Law Department
Patricia M. Lyons, Director
James McGaffigan, Project Manager II
Maureen Anderson, Senior Project Manager
Paul Donnelly, Assistant Director for Design
Kenneth N. Thayer, Esq., Sugarman, Rogers, Barshak & Cohen, P.C.

Commissioner Mammoli called the meeting to order.

The minutes from the meeting of December 13, 2017 were presented to and approved by the Commissioners.

VOTE 1: James McGaffigan, Project Manager II

Amendment to the vote of May 19, 2016: Regarding a contract with Utile, Inc. to provide architectural design and construction administration services associated with the Dudley Branch Library Renovations project located at 65 Warren Street, Boston, Massachusetts.

Increase of \$150,000

That the vote of this Commission at its meeting of May 19, 2016 and, thereafter, amended by PFD's Director under a delegation of authority to increase the additional services on July 5, 2017 and November 13, 2017 regarding a contract with Utile, Inc. to provide architectural design and construction administration services associated with the Dudley Branch Library Renovations project located at 65 Warren Street, Boston, MA:

be, and hereby is, amended as follows:

By deleting the following words and figures: “at a cost not to exceed \$1,160,430, including \$40,000 for additional services, which is a fixed fee of 7.78% based on an estimated construction cost of \$11,100,000” and substituting in place thereof the following words and figures: “at a cost not to exceed \$1,310,430, including \$150,000 for additional services, which is a fixed fee of 7.56% based on an estimated construction cost of \$12,275,000.”

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: James McGaffigan addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli stated, “It’s a great project and long overdue for neighborhood. The Bolling Building was managed by the Public Facilities Department who did a great job. I have no question.”

NOTE: Commissioner Irish stated, “The design improvements are terrific. I make a motion to approve.”

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

Exhibits: March 12, 2018 amendment No. 2 project background memorandum with enclosures and PowerPoint presentation.

VOTE 2: Maureen Anderson, Senior Project Manager

Conveyance to NSTAR Electric Company: A portion of land in fee located at 338 East Eagle Street and Condor Street in East Boston, and limited property interests as easements located at Condor Street in East Boston, Massachusetts.

Portion of Land

Ward: 01

Parcel Numbers: 03711003 and 03711002

Square Feet: 27,389±

Appraisal Value: \$585,455

Limited Property Interests

Ward: 01

Parcel Number: 03711002

Square Feet: 2,527± square feet easement and 385 ± square feet easement

Total Square Feet for Easements: 2,912 ±

Appraisal Value: \$28,807

That having duly advertised its intent to sell to a nominee selected by the Director of the Public Facilities Department, as holder of a portion of land in fee (27,389+/- square feet) located at 338 East Eagle Street (Ward 01, Parcel Number 03711003) and Condor Street (Ward 01, Parcel Number 03711002) in the East Boston District of the City of Boston, and, also, as holder of easements in

land (2,527± square feet and 385 ± square feet) located at Condor Street (Ward: 01, Parcel: 03711002) in the East Boston District of the City of Boston for two consecutive weeks (February 12, 2018 and February 19, 2018) in accordance with the provisions of St. 1909, c. 486, s. 31B (as appearing in St. 1966, c. 642, § 12), the Public Facilities Commission, pursuant to its vote of November 15, 2017 and approved by the Mayor, does hereby vote to sell the aforementioned portion of land in fee and property interests to NSTAR Electric Company (NSTAR), a Massachusetts corporation, with an address of 800 Boylston Street, 17th Floor, Boston, MA 02199, as the nominee approved by the Director of the Public Facilities Department and subject to the terms of a purchase and sale agreement approved by Corporation Counsel; and

FURTHER VOTED: That the Director be, and hereby is, authorized to deliver an instrument conveying said portion of land in fee and property interests to NSTAR in consideration of a portion of land in fee, approximately 16,808 ± square feet and an easement of 13,742 ± square feet, with both property interests located at 338 East Eagle Street in the East Boston District of the City of Boston.

NOTE: Maureen Anderson addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli asked, “Are the parcels highlighted in pink and peach on the site plan being transferred to the City?”

NOTE: Maureen Anderson replied, “Yes. They are currently owned by NSTAR and they are part of NSTAR’s proposal, land in fee and easements.”

NOTE: Angela Atchue made a clarification for the record. “Before the Commission is a portion of land in fee with the square footage at 27,389± square feet and a current appraised value of \$585,455. In addition, before the PFC are two easements, one comprised of 2,527 square feet, and a second comprised of 385 square feet. In total the easements are 2,912 square feet with an appraised value of \$28,807. These property interests are owned by the City. The City’s property interests were publicly advertised for disposition. This conveyance vote follows upon the November 2017 tentative designation vote by the PFC. The present vote request is to convey these property interests to NSTAR after full public process, advertising and legal review by the City.”

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

Exhibits: March 12, 2018 project background memorandum for conveyance with enclosures and PowerPoint presentation.

October 27, 2017 Recommendation Letter to the Boston City Council from Mayor Martin J. Walsh, November 1, 2017 Approval City Council Order, November 15, 2017 Tentative Developer and Intent to Sell Memorandum, November 15, 2017 Approved Public Facilities Commission Certificate of Vote, February 12, 2018 and February 19, 2018 City Record Advertisements, February 23, 2018 Letter from Patricia Lyons to NSTAR, March 6, 2018 Colliers International Summary Appraisal of the City’s East Boston Property Interests, and Plan of Land 338 East Eagle Street and Condor Street dated March 6, 2018 by BSC Group.

VOTE 3: Maureen Anderson, Senior Project Manager

To Accept and Expend a Grant from The Getty Foundation: To prepare a conservation management plan for Boston City Hall.

Grant Amount: \$120,000

WHEREAS, the Getty Foundation has awarded a grant to the City of Boston's Public Facilities Department, acting by and through the Public Facilities Commission, in an amount not to exceed One Hundred Twenty Thousand (\$120,000) to employ a design consultant to prepare a conservation management plan for Boston City Hall; and

WHEREAS, the Public Facilities Commission, by virtue of the authority contained in Section (3)(f)(i) of Chapter 642 of the Acts of 1966 has the power and authority to accept grants, gifts and other aid . . . any charitable foundation, private corporation or individual, and to expend the same without appropriation; and

WHEREAS, the Public Facilities Commission, by virtue of the requirements contained in Section (3)(f)(ii) of Chapter 642 of the Acts of 1966 has the authority to delegate any of its powers or functions to any other department or officer of the City of Boston and such officer or department is authorized and directed to accept such delegation and exercise the power and perform the function so delegated; and

WHEREAS, the Public Facilities Commission, by virtue of the requirements contained in Section (3)(f)(v) of Chapter 642, of the Acts of 1966, has the power and authority to make and execute all contracts and instruments necessary or convenient for the exercise and fulfillment of the Commission's powers, duties and responsibilities pursuant to this act; and

NOW, THEREFORE, BE IT VOTED: That the Director of the Public Facilities Department be, and hereby is, authorized to accept the above referenced grant and expend such funds, without further appropriation and execute all contracts and instruments for the aforementioned purposes.

NOTE: Maureen Anderson addressed the Commission and provided an overview of the project.

NOTE: Commissioner Mammoli asked, "What was the difference between what was asked for and what was received?"

NOTE: Maureen Anderson replied, "The shortfall was \$180,000. The City is actively approaching other funding sources."

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

Exhibits: March 12, 2018 project background memorandum for an accept and expend vote with enclosures.

June 1, 2017 The Getty Foundation Keeping It Modern Grant Award Letter to the City of Boston and June 14, 2017, Response letter from Patricia Lyons, PFD Director to The Getty Foundation Keeping it Modern Grant Award Letter.

NOTE: The March 14, 2018 Public Facilities Commission Meeting is available at the web address of https://www.cityofboston.gov/cable/video_library.asp?id=26621

A True Record.

The meeting commenced at 9:47 a.m. and adjourned at 10:06 a.m.


Colleen Daley, PFC Secretary