

PUBLIC FACILITIES DEPARTMENT

Minutes

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

April 10, 2019

ATTENDING:

Katherine P. Craven, Chair (Not Present)
Lawrence D. Mammoli, Commissioner
Dion S. Irish, Commissioner
Angela D. Atchue, Legal Advisor PFC/PFD, Law Department
Colleen M. Daley, PFC Secretary
Catherine P. Pendleton, Articled Clerk PFC/PFD, Law Department
Henry C. Luthin, First Assistant Corporation Counsel, Law Department
Sean Chen, Assistant Corporation Counsel, Law Department
Patricia M. Lyons, Director, PFD
Brian P. McLaughlin, Chief of Staff, PFD
Robert Miller, Project Manager II, PFD

Commissioner Mammoli called the meeting to order.

The minutes from the meeting of March 13, 2019 for the Department of Neighborhood Development were presented to and approved by Commissioners Mammoli and Irish.

VOTE 1: Robert Miller, Project Manager II

Contract to Garofalo Design Associates, Inc.: To provide architectural design and construction administration services associated with 12 Channel Street Operations Center project located at 12 Channel Street in the Seaport District of the City of Boston.

Contract Price: \$198,340

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. 7C, sections 44-57 with advertisements appearing in the Boston Globe and City Record on December 3, 2018 and Central Register on December 5, 2018, to Garofalo Design Associates, Inc., a Massachusetts corporation with an office at 384 Lowell Street, Unit 105 A & B, Wakefield, MA 01880. Under the terms of this contract, Garofalo Design Associates, Inc. will provide architectural design and construction administration services

associated with the 12 Channel Street Operations Center project located at 12 Channel Street in the Seaport District of the City of Boston. The term of this contract shall be 137 weeks from the date of execution at a cost not to exceed \$198,340, including \$36,960 for additional services, which is a fixed fee of 9.82% based on an estimated construction cost of \$1,643,389. 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: Angela Atchue noted for the record Commissioner Mammoli is an employee of the City's Economic Development and Industrial Corporation (EDIC). He has no involvement in the matters noted in the vote request, nor received any requests to vote in a particular fashion. Furthermore, Angela Atchue noted Commissioner Mammoli has not engaged nor participated in the evaluation nor selection of the contract award recipient as presented to the Commission. Accordingly, Angela Atchue relayed the rule of necessity applies in this case as two commissioners are needed to constitute a quorum for voting. Therefore, the two commissioners present are deemed fit, available to hear the vote, discuss and make a determination on the same. **See the Disclosure Notice, dated April 9, 2019, from Commissioner Mammoli attached hereto.**

NOTE: Robert Miller addressed the Commission and provided an overview of the project.

NOTE: Commissioner Irish stated, "This is a great project." He then asked, "The selection criteria that is used to make the final recommendation, do you have that information?"

NOTE: Robert Miller replied, "I will follow up with a memo to provide the details."

NOTE: Patricia Lyons also noted that the evaluation criteria used by the selection committee is based on a standard set of criteria, which is contained within the Requests for Qualifications (RFQ) that are publicly advertised by PFD. She indicated that PFD would follow up to provide the requested information to the Commission.

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

NOTE: Robert Miller provided the information requested by Commissioner Irish in a supplemental memorandum dated April 23, 2019 with enclosures. Said memorandum was provided individually to the PFC members by the PFC Secretary, and such is enclosed with the meeting minutes as an exhibit.

Exhibits: April 9, 2019, project background memorandum with enclosures, PowerPoint presentation, supplemental memorandum, dated April 23, 2019, with enclosures, and Disclosure Notice for Commissioner Mammoli, dated April 9, 2019.


NOTE: The April 10, 2019 Public Facilities Commission Meeting is available at the web address of https://www.cityofboston.gov/cable/video_library.asp?id=30104.

A True Record.

The meeting commenced at 11:34 a.m. and adjourned at 11:43 a.m.


Colleen Daley, PFC Secretary

To: Mayor Martin M. Walsh
Cc: Katherine P. Craven, Chair
Henry C. Luthin, First Assistant Corporation Counsel, Law Department
Angela D. Atchue, Legal Advisor PFC/PFD, Law Department
Colleen M. Daley, PFC Secretary

From: Lawrence D. Mammoli, Commissioner, Public Facilities Commission 

Date: April 9, 2019

Re: **Disclosure Notice** for April 10, 2019 Public Facilities Department (PFD) Agenda for
Vote No. 1: A professional design and construction administration services contract
award to Garofalo Design Associates, Inc. for Improvements to 12 Channel Street,
Suite 105 in the Seaport District of the City of Boston.

The nature of the vote request concerns a building located at 12 Channel Street in the Seaport District of the City of Boston, which is owned by the Economic Development and Industrial Corporation (EDIC). The property is more specifically described as 12 Channel Street, Suite 105 in an executed license agreement between the EDIC and the Boston Transportation Department (BTD). The term of the license agreement is July 1, 2015 through June 30, 2020. Of importance, BTD uses the licensed premises to operate its sign and signal shop operations due to relocation.

The City of Boston Office of Budget Management (OBM) earmarked \$198,340 dollars of appropriated funds for the professional design and construction administration services associated with the 12 Channel Street Operations Center project. The City of Boston Public Facilities Department (PFD) is responsible for managing the design and construction services with BTD.

1. I am the Director of Engineering and Facilities Management for the Economic Development Industrial Corporation (EDIC), which is part of the Boston Redevelopment Authority (BRA) d/b/a the Boston Planning and Development Agency (BPDA).
2. As Director of Engineering, I have had no involvement in the public procurement, evaluation of Requests for Qualifications (RFQs), selection nor recommendation of the design firm Garofalo Design Associates, Inc. for the award of a professional design and construction administration services contract with PFD.
3. No employee, consultant or agent for the City of Boston, nor more specifically the PFD, BTD, the BRA nor EDIC, has requested that I vote in a certain way on the contract award for the 12 Channel Street Operations Center project recommendation.
4. I have no individual, financial, or other interest in any recommendation made by PFD for the award of a professional design and construction administration services contract to the Public Facilities Commission (PFC).
5. I have no conflicts of interest by participating in the PFC hearing nor the discussion, review or vote on the matter publicly posted on PFD's agenda for Wednesday, April 10, 2019.

6. The above information is accurate, true and complete to the best of my knowledge and belief. I am disclosing this information to dispel any perception of a conflict of interest because I am employee of the EDIC.
7. Due to the fact that a quorum of Commissioners, which is two members, is required under the PFC Enabling Act, known as Chapter 642 of the Acts of 1966, I intend to be present and voting alongside Commissioner Irish. Chair Katherine Craven is the only other voting member of the PFC, and she is unable to attend the April 10, 2019 PFC meeting.

Please accept this disclosure, which shall also be maintained in the PFC's public record. Should you have any questions, or seek to discuss the matter with me further, please contact me before the April 10, 2019 PFC meeting.

Thank you for your time and attention to this matter.